

Draft Order laid before Parliament under section 105(3) of the Energy Act 2008, for approval by resolution of each House of Parliament.

DRAFT STATUTORY INSTRUMENTS

2010 No. 0000

NUCLEAR ENERGY

**The Nuclear Decommissioning and Waste Handling
(Designated Technical Matters) Order 2010**

*Made - - - - - ****
Coming into force in accordance with article 1*

The Secretary of State, in exercise of the powers conferred by sections 45(6)(a) and 104 of the Energy Act 2008(1) makes the following Order.

In accordance with section 105(3) of that Act, a draft of this instrument was laid before Parliament and approved by a resolution of each House of Parliament.

Citation and commencement

1. This Order may be cited as the Nuclear Decommissioning and Waste Handling (Designated Technical Matters) Order 2010 and comes into force on the day after the day on which it is made.

Interpretation

2. In this Order—

“interim store” means a store which is used for the storage of intermediate level waste or spent fuel from a nuclear installation on the site where the store is located and where the store is built during the operation of a nuclear installation on the site;

“intermediate level waste” means radioactive waste—

- (a) which has a level of radioactivity above four gigabecquerels per tonne (GBq/te) of alpha activity or twelve GBq/te of beta or gamma activity; and
- (b) where the heat generated by the waste does not need to be taken into account in the design of an interim store;

“spent fuel” means nuclear fuel that has been irradiated in and permanently removed from a reactor core.

Designated technical matters

3. For the purposes of section 45(6)(a) of the Energy Act 2008, the designated technical matters are—

- (a) the construction and maintenance of an interim store; and
- (b) any activity preparatory to the decommissioning of a relevant nuclear installation and the cleaning up of the site.

Date

Minister of State for Energy
Department of Energy and Climate Change

EXPLANATORY NOTE

(This note is not part of the Order)

This Order specifies designated technical matters for the purposes of section 45(6)(a) of the Energy Act 2008 (c.32). A person subject to section 45(1) of that Act must prepare and submit to the Secretary of State a funded decommissioning programme and that programme must, in particular, contain estimates of the costs in connection with the designated technical matters and the funding of those costs.

A full regulatory impact assessment of the effect of this Order on the costs of business is available from the Department of Energy and Climate Change, 3 Whitehall Place, London, SW1A 2AW. Copies have also been placed in the libraries of both Houses of Parliament.