AMENDMENTS 001-021
by the Committee on Industry, Research and Energy

Report
Rebecca Harms A8-0413/2018
Nuclear decommissioning assistance programme of the Ignalina nuclear power plant in Lithuania


Amendment 1

Proposal for a regulation
Recital 1

Text proposed by the Commission

(1) In accordance with Protocol No 4 of the 2003 Act of Accession on the Ignalina nuclear power plant1 Lithuania committed itself to the closure of Unit 1 and Unit 2 of the Ignalina nuclear power plant by 31 December 2004 and 31 December 2009 respectively, and to the subsequent decommissioning of those units.

Amendment

(1) In accordance with Protocol No 4 of the 2003 Act of Accession on the Ignalina nuclear power plant1 Lithuania committed itself to the closure of Unit 1 and Unit 2 of the Ignalina nuclear power plant by 31 December 2004 and 31 December 2009 respectively, and to the subsequent decommissioning of those units. Protocol No 4 remains the legal basis of the Ignalina Programme.


Justification

It is important to emphasise that the provisions of the Protocol 4 as the basis of the programme remain valid.

Amendment 2
Proposal for a regulation
Recital 2

Text proposed by the Commission

(2) In line with its obligations under the Act of Accession and with Union assistance, Lithuania shut down the two units within the respective deadlines and made significant progress towards their decommissioning. Further work is necessary in order to continue the decrease of the level of radiological hazard. Based on the available estimates, additional financial resources are required for this purpose post 2020.

Amendment

(2) In line with its obligations under the Act of Accession and with Union assistance, Lithuania shut down the two units within the respective deadlines and made significant progress towards their decommissioning. Further work is necessary in order to continue the decrease of the level of radiological hazard. Based on the available estimates and the planned final closure date in 2038, substantial additional financial resources are required for this purpose post 2020. To allow for completion of the decommissioning plan by 2038, the financial gap of EUR 1 548 million will need to be addressed.

Amendment 3

Proposal for a regulation
Recital 3

Text proposed by the Commission

(3) The activities covered by this Regulation should comply with applicable Union and national law. The decommissioning of the nuclear power plant covered by this Regulation should be carried out in accordance with the legislation on nuclear safety, namely Council Directive 2009/71/Euratom(1) and waste management, namely Council Directive 2011/70/Euratom(2). The ultimate responsibility for nuclear safety and for the safety of spent fuel and radioactive waste management remains with Lithuania.

Amendment

(3) The activities covered by this Regulation should comply with applicable Union and national law. The decommissioning of the nuclear power plant covered by this Regulation should be carried out in accordance with the legislation on nuclear safety, namely Council Directive 2009/71/Euratom(1) and waste management, namely Council Directive 2011/70/Euratom(2). The ultimate responsibility for nuclear safety and for the safety of spent fuel and radioactive waste management remains with Lithuania. However, Directive 2011/70/Euratom allows for the Union’s contribution to a broad range of decommissioning projects, including storage and disposal of spent fuel and radioactive waste. While Directive 2011/70/Euratom states that the cost of the management of spent fuel and
radioactive waste shall be borne by those who generated those materials, that provision cannot be applied retroactively to Lithuania, which closed the Ignalina nuclear power plant before the adoption of that Directive and thus was not in a position to accumulate sufficient funds for the storage and disposal of spent fuel and radioactive waste.


Justification

Recital 13 of Directive 2011/70/Euratom clearly indicates that the Community has taken part in providing financial support for various decommissioning activities, including management of spent fuel and radioactive waste. The definitions of “radioactive waste management” include, inter alia, storage and disposal.

Amendment 4

Proposal for a regulation

Recital 4

Text proposed by the Commission

(4) Recognising that the premature shutdown and consequent decommissioning of the Ignalina nuclear power plant with two 1 500 MW RBMK type reactor units inherited from the Soviet Union was of an unprecedented nature and represented for Lithuania an exceptional financial burden not commensurate with the size and economic strength of the country, Protocol No 4 stated that the Union assistance under the Ignalina programme is to be seamlessly continued and extended beyond 2006, for the period

Amendment

(4) Recognising that the premature shutdown and consequent decommissioning of the Ignalina nuclear power plant with two 1 500 MW RBMK type (graphite moderated, channel-type) reactor units – similar to those used in Chernobyl – inherited from the Soviet Union was of an unprecedented nature, given that there have been no cases in practice anywhere in the world of a reactor of a similar design being dismantled, and represented for Lithuania an exceptional financial burden not
of the next Financial Perspectives.

commensurate with the size and economic strength of the country, Protocol No 4 stated that the Union assistance under the Ignalina programme is to be seamlessly continued and extended beyond 2006, for the period of the next Financial Perspectives until the final closure date which is currently planned for 2038.

Amendment 5
Proposal for a regulation
Recital 10

Text proposed by the Commission
(10) The Programme should also ensure dissemination of knowledge gained from the Programme to all Member States, in coordination and synergy with the other relevant Union programme for decommissioning activities in Bulgaria, Slovakia and the Commission's Joint Research Centre; as such measures bring the greatest Union added value.

Amendment
(10) The Programme should also ensure dissemination of knowledge gained from the Programme to all Member States, in coordination and synergy with the other relevant Union programme for decommissioning activities in Bulgaria, Slovakia and the Commission's Joint Research Centre. In order for those measures to bring the greatest Union added value, the funding for dissemination of knowledge should not be part of the funding for decommissioning works, but should come from other financial sources of the Union.

Amendment 6
Proposal for a regulation
Recital 11

Text proposed by the Commission
(11) The decommissioning of the Ignalina nuclear power plant should be carried out with recourse to the best available technical expertise, and with due regard to the nature and technological specifications of the installations to be decommissioned, in order to ensure safety and the highest possible efficiency, thus taking into account international best practices.

Amendment
(11) The decommissioning of the Ignalina nuclear power plant should be carried out with recourse to the best available technical expertise, and with due regard to the nature and technological specifications of the installations to be decommissioned, in order to ensure safety and the highest possible efficiency, thus taking into account international best practices and
ensuring competitive salaries for qualified personnel.

Justification

One of the challenges faced in Ignalina is that the salaries are often not attractive to specialists who often seek employment elsewhere. This might affect the quality of decommissioning works.

Amendment 7

Proposal for a regulation
Recital 12

Text proposed by the Commission

(12) An effective monitoring and control of the evolution of the decommissioning process should be ensured by the Commission and Lithuania in order to assure the highest Union added value of the funding allocated under this Regulation, although the ultimate responsibility for the decommissioning rests with Lithuania. This includes effective measurement of progress and performance, and the enacting of corrective measures where necessary.

Amendment

(12) An effective monitoring and control of the evolution of the decommissioning process should be ensured by the Commission and Lithuania in order to assure the highest Union added value of the funding allocated under this Regulation. This includes effective monitoring of progress and performance and, where necessary, the enacting of corrective measures together with Lithuania and the Union.

Amendment 8

Proposal for a regulation
Recital 16

Text proposed by the Commission

(16) The programme should be conducted with a joint financial effort of the Union and Lithuania. A maximum Union co-financing threshold should be established in line with the co-financing practice established under the predecessor programmes. Taking into account the practice of comparable Union programmes and the strengthened Lithuanian economy, from the inception of the Ignalina decommissioning programme until the end of the implementation of the activities financed

Amendment

(16) The programme should be conducted with a joint financial effort of the Union and Lithuania. Protocol 4 of the 2003 Act of Accession stipulates that the Union contribution under the Ignalina Programme may, for certain measures, amount to up to 100% of total expenditure. A Union co-financing threshold should be established in line with the co-financing practice established under the predecessor programmes. Taking into account the findings of the 2018 Commission report on the evaluation and
under this Regulation, **the Union co-financing rate** should be **no higher than 80 %** of eligible costs. The remaining co-financing should be provided by Lithuania and sources other than the Union budget, notably from international financial institutions and other donors.

implementation of the EU nuclear decommissioning assistance programmes in Bulgaria, Slovakia and Lithuania and the political commitment by Lithuania to contribute 14 % of the overall decommissioning cost, the Union co-financing rate, from the inception of the Ignalina decommissioning programme until the end of the implementation of the activities financed under this Regulation, should be 86 % of eligible costs. The remaining co-financing should be provided by Lithuania and sources other than the Union budget. **Efforts to attract funding from other sources**, notably from international financial institutions and other donors, **should be made**.

Amendment 9
Proposal for a regulation
Recital 16 a (new)

*Text proposed by the Commission*  
*(16a) Outside the scope of the Ignalina Programme, Lithuania continues to be ultimately responsible for developing and investing in the Ignalina region which is characterised by low incomes and the country’s highest unemployment rates, mainly due to the closure of the Ignalina nuclear power plant as the region’s largest employer*

*Justification*

The gravity of socio-economic problems in Ignalina region and particularly in the multi-ethnic town of Visaginas should not be underestimated. It is a considerable challenge for Lithuania both financially and politically.

Amendment 10
Proposal for a regulation
Recital 19

*Text proposed by the Commission*  
*(16a) Outside the scope of the Ignalina Programme, Lithuania continues to be ultimately responsible for developing and investing in the Ignalina region which is characterised by low incomes and the country’s highest unemployment rates, mainly due to the closure of the Ignalina nuclear power plant as the region’s largest employer*
(19) The Programme falls within the scope of the Lithuanian National Programme under the Council Directive 2011/70/Euratom and may contribute to its implementation without prejudice to this Directive.

Amendment 11
Proposal for a regulation
Recital 23 a (new)

Text proposed by the Commission

(23 a) For historical reasons, Union financial support in decommissioning the Ignalina nuclear reactor is fully justified, but the programme should not set a precedent for the use of Union funds in the decommissioning of other nuclear reactors. It should be an ethical obligation for each Member State to avoid any undue burden on future generations in respect of spent fuel and radioactive waste, including any radioactive waste expected from decommissioning of existing nuclear installations. National policies have to be based on the ‘polluter pays’ principle.

Justification
Recital 24 of Council Directive 2011/70/Euratom. Member States have to make sure that the prime responsibility for the safety of spent fuel and radioactive waste management facilities and/or activities rests with the licence holder, while bearing ultimate responsibility for the management of the spent fuel and radioactive waste generated on their territory. Article 4(3)(e) of Council Directive 2011/70/Euratom.

Amendment 12
Proposal for a regulation
Recital 23 b (new)

Text proposed by the Commission

(23 b) Commission Recommendation 2006/851/Euratom indicates that in accordance with the ‘polluter pays’
principle, nuclear operators should set aside adequate financial resources during the productive life of the installations for the future decommissioning costs.

Amendment 13

Proposal for a regulation
Article 3 – paragraph 1

Text proposed by the Commission

1. The general objective of the Programme is to assist Lithuania in implementing Ignalina nuclear power plant decommissioning, with specific emphasis on managing the radiological safety challenges of the decommissioning of the Ignalina nuclear power plant, **whilst ensuring broad dissemination to all EU Member States of knowledge thereby generated on nuclear decommissioning.**

Amendment

1. The general objective of the Programme is to **adequately** assist Lithuania in **safely** implementing Ignalina nuclear power plant decommissioning, with specific emphasis on managing the radiological safety challenges of the decommissioning of the Ignalina nuclear power plant, **including** ensuring **safety of the interim spent fuel storage.**

Amendment 14

Proposal for a regulation
Article 3 – paragraph 2

Text proposed by the Commission

2. The Programme has the **specific** objective to carry out the dismantling and decontamination of the Ignalina equipment and reactor shafts in accordance with the decommissioning plan, continue with the safe management of the decommissioning and legacy waste **and disseminate the generated knowledge among EU stakeholders.**

Amendment

2. The Programme has the **main** objective to carry out the dismantling and decontamination of the Ignalina equipment and reactor shafts in accordance with the decommissioning plan **and to** continue with the safe management of the decommissioning and legacy waste.

Amendment 15

Proposal for a regulation
Article 3 – paragraph 2 a (new)
2 a. The Programme also has the complementary objective to ensure broad dissemination in all Member States of the generated knowledge on nuclear decommissioning. The complementary objective shall be funded by the financial assistance programme for decommissioning of nuclear facilities and management of radioactive waste (COM (2018)467).

Amendment 16

Proposal for a regulation
Article 3 – paragraph 3

3. The detailed description of the specific objective is set out in the Annex I. The Commission may modify, by means of implementing acts, the Annex I, in accordance with the examination procedure referred to in Article 12(2).

Justification

Annex I is an essential part of the regulation and should therefore not be modified after the regulation has been adopted.

Amendment 17

Proposal for a regulation
Article 4 – paragraph 1

1. The financial envelope for the implementation of the Programme for the period 2021 - 2027 shall be EUR 552 000 000 in current prices.

Amendment

1. The financial envelope for the implementation of the Programme for the period 2021 - 2027 shall be EUR 780 000 000 in current prices for the implementation of the main objective of the programme (decommissioning activities).
Amendment 18

Proposal for a regulation
Article 7 – paragraph 1

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<th>Text proposed by the Commission</th>
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<td>The overall maximum Union co-financing rate applicable under the Programme shall be <strong>no higher than 80%</strong>. The remaining financing shall be provided by Lithuania and additional sources other than the Union budget.</td>
<td>The overall Union co-financing rate applicable under the Programme shall be <strong>86%</strong>. The remaining financing shall be provided by Lithuania and additional sources other than the Union budget.</td>
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Amendment 19

Proposal for a regulation
Annex 1 – paragraph 4

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<td>4. Key radiological safety challenges in the financing period 2021-2027 are tackled through activities under items P.1, P.2 and P.4. In particular the dismantling of the reactors' cores is covered under item P.2. <strong>Lesser challenges are tackled under item P.3, while items P.0 and P.5 cover decommissioning support activities.</strong></td>
<td>4. Key radiological safety challenges in the financing period 2021-2027 are tackled through activities under items P.1, P.2, P.3 and P.4. In particular the dismantling of the reactors' cores is covered under item P.2. <strong>Items P.0 and P.5 cover decommissioning support activities.</strong></td>
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Justification

*Safe handling and storage of spent nuclear fuel is a critical nuclear safety issue. It can not be relegated to the category of “lesser challenges”.*

Amendment 20

Proposal for a regulation
Annex 1 – paragraph 5 – table 1 – item P.3

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Nuclear Fuel handling

Amendment

TABLE 1

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<td>P.3</td>
<td>Spent Nuclear Fuel handling</td>
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Justification

Safe handling of spent nuclear fuel is a critical nuclear safety issue. It cannot be relegated to the category of “lesser challenges”.

Amendment 21

Proposal for a regulation
Annex 1 – paragraph 7

Text proposed by the Commission

7. The disposal of spent fuel and radioactive waste in a deep geological repository is excluded from the scope of the Programme, and has to be developed by Lithuania in its national programme for the management of spent fuel and radioactive waste as required by Council Directive 2011/70/Euratom.

Amendment

7. While the disposal of spent fuel and radioactive waste in a deep geological repository is excluded from the scope of the Programme in the period of 2021-2027, Lithuania and the Union shall begin, in due time, consultations regarding the potential inclusion of those activities in the scope of the Programme under the subsequent Multiannual Financial Framework.

Justification

Lithuania could not accumulate funding for the final disposal of spent nuclear fuel due to the early closure of Ignalina NPP as precondition for the EU membership. The Union, in solidarity with Lithuania, should include the disposal of spent fuel and radioactive waste in to the scope of the Ignalina programmes in the future Multiannual Financial Frameworks to at least co-finance the beginning of these tremendously expensive works, such as the search for the suitable site, research and excavation.