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London Report: Setback for plutonium

Over a year ago, at Christmas 1975, only the merest ripple stirred the serene confidence of British Nuclear Fuels Limited (BNFL). Others in the nuclear business might face difficulties, but BNFL sailed blithely on, untouched by more than isolated disturbance. No one within BNFL - and very few outside - could have foreseen the drastic reverse of fortune which occurred in the twelve months of 1976. Three days before Christmas 1976, BNFL's future fell apart, and some substantial pieces may never be recovered.

The first hint of what was to come was mentioned in this column in September 1976. Sir Brian Flowers' speech at the National Energy Conference on June 22, 1976, was followed by another, longer speech at a conference July 8 and 9, organized by the *Financial Times*, in which Sir Brian amplified his comments and made them slightly more emphatically critical, especially of plutonium and the fast breeder reactor. But the date which BNFL will henceforth regard as Black Wednesday was September 22, the day when Sir Brian and his colleagues on the Royal Commission on Environmental Pollution introduced their "Sixth Report," *Nuclear Power and the Environment*. Its impact already has been felt all over the world; certainly, in the UK, it wrought a transformation in public perception of nuclear issues, not least among politicians. Suddenly, nuclear energy problems - for many years the province of a handful of people usually considered to be teetering on the lunatic fringe - became headline news. They have rarely been off the front pages since.

The two central issues - central because they imply major political decisions in the near future - have been closely related. One has been the proposal, strongly advanced by the UK Atomic Energy Authority, that the government approve the construction of a 1,200-megawatt fast breeder reactor power station, as a full-scale demonstration plant. The other has been BNFL's plan to embark on a major expansion of oxide-fuel reprocessing at Windscale. The fast breeder, called CFR-1, although even its advocates have conceded that it is unlikely to be in any meaningful sense a "Commercial" Fast Reactor, was at one time expected to receive the government's blessing in autumn 1976. But the decision has been postponed at least until 1977 - some would say well into 1977, if even then. The Flowers Report powerfully reinforced a countryside upsurge of concern which undoubtedly caused the responsible government officials, led by Energy Secretary Tony Benn, to pause for further thought before undertaking any commitment to CFR-1.

The Windscale expansion plan, however, seemed to be well on its way. There were, to be sure, questions raised and objections voiced, and their volume was steadily increasing. But even the Flowers Report was construed by BNFL as giving a clean bill of health to their plans, although Sir Brian is understood to have queried this interpretation. Two more reports, both published in October, stirred further controversy. In Australia, the First Report from the Ranger Uranium Environmental Inquiry - the Fox Report, after Justice Russell Fox of the Canberra Supreme Court, who chaired the Commission - dissected the arguments for and against civil nuclear technology and found that "the nuclear power industry is unintentionally contributing to an increased risk of nuclear war." The Fox Report - grossly misreported by the Australian news media, who ignored its many strictures and presented it as a "green light" for mining and export of uranium - devoted its longest chapter to "Weaknesses of the NPT and of the Safeguards System" - matter of profound relevance to BNFL's plans, especially as regards the reprocessing of oxide fuel for overseas customers.

In the UK, Friends of the Earth (FOE), the Council for the Protection of Rural England (CPRE), and the National Council for Civil Liberties jointly published a study entitled *Nuclear Prospects*, by Michael Flood of FOE and Robin Grove-White of the CPRE. Subtitled "A Comment on the Individual, the State and Nuclear Power," *Nuclear Prospects* is a detailed, comprehensively documented "speculation" on the civil liberties implications of a move toward what is now in Britain regularly termed "the plutonium economy," involving reprocessing, reuse of plutonium, and reliance on the fast breeder reactor. The *London Times* devoted half of its leader column to a sober editorial on "Nuclear Prospects"; the study received editorial comment in the *New Scientist*, *Nature*, and many other publications and has already been circulated to many other countries.

Nevertheless, on November 2, the Planning Committee of Cumbria County Council agreed that they were "minded to approve" BNFL's expansion plans. This meant that Secretary of State for the Environment Peter Shore had 21 days in which to decide whether to "call in" the application and institute a public planning inquiry. For more than two weeks, Shore did nothing, as a wave of dissatisfaction mounted on all sides. BNFL encouraged its employees, through the local unions, to circulate a petition which eventually included 18,000 signatures in favor of approval of the application. However, in response to this, the local objectors, led by Edward Acland and Chris Haworth of FOE and their colleagues in the local antinuclear group, Half-Life, collected 26,000 signatures in less than two weeks asking Shore to call in the application. The 26,000 signatures also gave the lie to earlier official declarations that everyone in Cumbria was in favor of the application, on the basis of its putative economic benefit to the area.

Meanwhile, the Lawyers' Ecology Group had noticed a curious anomaly in the Cumbria Planning Committee's statement. The Planning Committee, while "minded to approve" the application, had specifically disavowed any responsibility for the safety and security of the proposed plant or for the effects of environmental radioactivity from it. The lawyers considered that, in attaching this rider to their approval, the Planning Committee had acted in contravention of the Town and Country Planning Act of 1972. The day before Shore's deadline was to elapse, the Lawyers' Ecology Group hand-delivered to Shore's office a stern two-page letter drawing Shore's attention to the flaw and warning that if he allowed the matter to pass without rectification he might find himself involved in a High Court lawsuit. On the afternoon of November 24, the last day on which Shore could act, he announced in the House of Commons that he was invoking his powers to suspend the deadline, in order to give the matter further consideration.

On December 2, Sir Brian Flowers addressed a packed meeting of the British Nuclear Energy Society. An audience of some 500 people, almost all connected with the nuclear industry, squirmed in their seats as he described the shortcomings of the industry's plans and the inadequacy of attention given to problems. For his pains, Sir Brian was subjected to the most extraordinary "vote of thanks" most of the onlookers had ever heard - a slashing attack on almost everything he had said, by the Chairman-Designate of the Electricity Council, Frank Tombs. Tombs, an avowed nuclear enthusiast, discounted Sir Brian's worries and questioned his judgment in the most abrasively personal terms, while Sir Brian sat and listened impassively. However, the following day, Sir Brian gave an interview to BBC Television, which formed the final sequence of a powerful "Panorama" program on December 6. In the interview, Sir Brian, by this time apparently feeling that he had to spell it out in monosyllables lest his nuclear colleagues miss the point, declared himself unequivocally in favor not only of a public inquiry but of a Planning Inquiry Commission - a major national hearing - on the Windscale application.

BNFL was by now obviously uneasy about the progress of events. Its unease turned into acute discomfiture when, on December 9, it was revealed that they had for two months kept quiet about a leak of radioactive water from a solid-waste storage bunker at Windscale. The leak had been discovered on October 10; but Energy Secretary Tony Benn, clearly furious, declared that he had

only been notified about it on December 8. The furor which broke over the heads of BNFL was the most vociferous yet. It was by no means clear that the leak itself represented any major hazard, although it seemed likely that it would present a difficult and expensive problem to rectify. But revelation of the concealment of the leak could scarcely have been worse timed from the point of view of BNFL's application. BNFL protested, a trifle disingenuously, that it had not considered the leak worth mentioning. The company also declared that it had not wished to announce it in October, lest it be construed as an attempt to apply pressure for permission to improve the plant. Hardened journalists greeted this declaration with hoots of ironic laughter.

Gradually it became clear that Environment Secretary Shore was in fact battling desperately in the Cabinet to have the application called in. Otherwise, not only would he have to withstand a barrage that might end his political career, but the failure to call in the Windscale application would make it well nigh impossible to justify calling in any future application. Meanwhile, the *Times*, on December 18, broke a story which put a towering question mark over the whole expansion plan. It revealed that the US government had imposed a ban on the shipment of oxide fuel from Japan to Britain, pending clarification of new measures to control nuclear proliferation. Suddenly it became clear that, since the oxide fuel used by Japanese and other overseas customers originated almost exclusively in the US, any decision by the US to ban reprocessing of its fuel elsewhere would effectively nullify any contractual arrangement between BNFL and Japan or any other similar client.

The writing was on the wall. On December 22, Peter Shore announced in the House of Commons that he had instructed BNFL to withdraw its application. The company was to be invited to resubmit it in three parts. Approval would be given for the refurbishing of the existing plant for Magnox (metal) fuel, for servicing existing British reactors, and for construction of a pilot vitrification plant for high-level radioactive waste. However, the proposal for construction of new oxide-reprocessing facilities would be called in for a public inquiry. Shore's decision coincided precisely with the suggestion which had been made five months earlier by opponents of the original application. Friends of the Earth sent a telegram to Shore: THANK YOU FOR REPROCESSING THE WINDSCALE APPLICATION. MERRY CHRISTMAS!

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