Nuclear decommissioning assistance programmes in Bulgaria, Lithuania and Slovakia 2014-2020

2011/0363(NLE) - 19/11/2013 - Text adopted by Parliament, 1st reading/single reading

The European Parliament adopted by 554 votes to 17, with 72 abstentions, a legislative resolution on the proposal for a Council regulation on Union support for the nuclear decommissioning assistance programmes in Bulgaria, Lithuania and Slovakia.

Parliament approved the Commission proposal subject to the following amendments:

Definition of decommissioning: Parliament specified that the definition of 'decommissioning' is derived from the one found in the ECA Special Report n°16/2011. Decommissioning covers **preparatory activities prior** to the final and **all the activities taking place after the reactors are shut down**: (i) the removal and the final disposal of spent fuel elements, (ii) decontamination, (iii) dismantling and/or demolition of the nuclear installations, (iv) the disposal of remaining radioactive waste materials and (v) the environmental restoration of the contaminated site. The decommissioning process ends when the installation is released from any regulatory control and radiological restriction.

Objectives: the general objective of the Programme is to assist the Member States concerned to implement **steady process towards the irreversible decommissioning end state of nuclear power plants** named in the regulation, in accordance with Union law on nuclear safety.

Parliament stressed the need to safely manage **the long term storage** and disposal of decommissioning waste in accordance with a detailed national waste management plan, to be measured by the quantity and type of stored and disposed of waste. It stated that the effective control of the evolution of the decommissioning process should be based on the establishment of meaningful **qualitative and quantitative performance indicators**, which can be easily monitored and reported on as necessary.

Any of the decommissioning programmes may also include measures to **maintain the requisite high level of shutdown safety** at the nuclear power plants.

Budget: annual appropriations shall be authorised by the budgetary authority without prejudice to the provisions of the Regulation laying down the multiannual financial framework for the years 2014-2020 and the Interinstitutional Agreement between the European Parliament, the Council and the Commission on cooperation in budgetary matters and sound financial management.

It is specified that the financial envelope **shall cover for the period 2014 to 2020 for the three programmes** (Kozloduy, Ignalina et Bohunice).

Financial envelope: the financial envelope for the implementation of the Programme for the period 2014 to 2020 shall be EUR 969 260 000.

That amount shall be distributed among the Kozloduy, Ignalina and Bohunice Programmes for the period 2014-2020 as follows:

- EUR 293 032 000 for the Kozloduy Programme;
- EUR 450 818 000 for the Ignalina Programme;

- EUR 225 410 000 for the Bohunice Programme.

Cofinancing: Parliament requested that every effort be made, on the one hand, to continue the co-financing practice established as part of pre-accession assistance and the assistance given over the period 2007-2013 for all three Member States' decommissioning efforts, and on the other, to attract co-financing from other sources as appropriate.

Arbitration procedure: disagreements over the interpretation of the Treaties and the award of contracts shall be submitted to an arbitration procedure. Resultant delays in construction may lead to the postponement of payment and reductions in the financial allocation. The Commission shall submit a report on this issue as part of the annual evaluation report referred to in the regulation.

Ex ante conditionalities: Parliament clarified the ex ante conditionalities to be fulfilled by Bulgaria, Lithuania and Slovakia. These three countries must provide the Commission with the information showing that they fulfil the conditionalities by 1 January 2014.

The Commission shall assess the information provided, **ensuring in particular that critical managerial, legal, financial and technical problems have been resolved** or measures have been taken to solve them. If there is a reasoned opinion by the Commission in respect of an infringement for non-compliance with conditionality, the Commission may decide to suspend all or part of the Union financial assistance.

Annual work programme and implementing procedures: at the beginning of each year of the 2014-2020 period, the Commission shall adopt one joint annual work programme for Kozloduy, Ignalina and Bohunice Programmes respectively specifying the objectives, expected results, target end dates, related performance indicators and timeline for the use of funds under each annual financial commitment.

At the end of each year of the 2014-2020 period, the Commission shall submit an evaluation report on the implementation of the joint annual work programmes. That report shall serve as a basis for the adoption of subsequent annual work programmes.

The Commission shall submit a yearly progress report on the implementation of the joint annual work programmes to the European Parliament and the Council.

Protection of financial interests: Members specified that by 31 March of the year following each accounting year, Member States shall report on the use of the financial envelope. The results of audits carried out by the Commission, the national audit bodies of the Member States in which the nuclear facilities to be declassified are situated and the Court of Auditors shall be **communicated to the European Parliament**.

Interim and final evaluation: no later than end 2017 (rather than 2015), an interim evaluation report shall be established by the Commission, in close cooperation with the Member States and the beneficiaries. On the basis of the results of that assessment, the Commission may review the appropriateness of the appropriations allocated to the Programme and their distribution amongst Kozloduy, Ignalina and Bohunice, in agreement with the Union's budgetary authorities and in accordance with the provisions of multiannual financial framework for the years 2014-2020.

Final evaluation for the period 2014-2020: provisions are introduced to define the framework of the evaluations of the Programme. No later than end 2017, an interim evaluation report shall be established by the Commission. On the basis of the results of that evaluation, the Commission may review the appropriateness of the appropriations allocated to the Programme and their distribution amongst the Kozloduy, Ignalina and Bohunice Programmes. A final evaluation following the implementation of the Regulation. The Commission shallsubmit the conclusions of these evaluations to the European Parliament and the Council.