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

2011/0363(NLE) - 13/12/2013 - Final act

PURPOSE: to provide Union support for the nuclear decommissioning assistance programmes in Bulgaria and Slovakia.

NON-LEGISLATIVE ACT: Council Regulation (Euratom) No 1368/2013 on Union support for the nuclear decommissioning assistance programmes in Bulgaria and Slovakia, and repealing Regulations (Euratom) No 549/2007 and (Euratom) No 647/2010.

N.B.: the initial proposal was also on the decommissioning of the Ignalina nuclear power plant in Lithuania. However, in line with Protocol No 4 on the Ignalina nuclear power plant in Lithuania annexed to the Accession Act 2003, this matter is linked to the implementation of Protocol No 4 in which the high contracting parties had taken note of the Union's wish to give supplementary help to Lithuania for the treatment of the Ignalina power plant.

As a result, the present Regulation does not apply to the Lithuanian power plant decommissioning. This last is the subject of a separate Regulation (see Council Regulation (Euratom) No 1369/2013 on Union support for the nuclear decommissioning assistance programme in Lithuania, and repealing Regulation (EC) No 1990/2006).

CONTENT: the present Regulation establishes a programme for the implementation of Union financial support for measures connected with the decommissioning of units 1 to 4 of the Kozloduy nuclear power plant in Bulgaria and units 1 and 2 of the Bohunice V1 nuclear power plant in Slovakia.

Objectives: the general objective of the Kozloduy and Bohunice programmes is to assist the Member States concerned to reach **the decommissioning end state** in Units 1-4 of Kozloduy and Units 1 and 2 at Bohunice V1, in accordance with the respective decommissioning plans, whilst ensuring that the highest safety standards are applied.

The specific objectives of the Kozloduy and Bohunice programmes are the following:

Kozloduy:

- dismantling in the turbine halls of units 1 to 4 and in auxiliary buildings;
- dismantling of large components and equipment in the reactor buildings of units 1 to 4;
- safely managing the decommissioning waste.

Bohunice:

- dismantling in the turbine hall and auxiliary buildings of reactor V1;
- dismantling of large components and equipment in the V1 reactor buildings;
- safely managing the decommissioning waste in accordance with a detailed waste management plan.

In order to achieve these objectives, precise indicators have been defined for the Kozloduy and Bohunice programmes to apply and verify. The Kozloduy and Bohunice programmes may also include measures to

maintain a high level of safety at the units under decommissioning, including support with respect to the nuclear power plants' personnel

Financial envelope: in line with the Regulation fixing the Multi-Annual Financial Framework for 2014-2020, the financial envelope for the implementation of the Kozloduy and Bohunice programmes for the period from 2014 to 2020 shall be **EUR 323 318 000** in current prices.

That amount is distributed between the Kozloduy and Bohunice programmes as follows:

- ***EUR 208 503 000*** for the Kozloduy programme;
- ***EUR 114 815 000*** for the Bohunice programme**.**

The Commission should review the performance of the Kozloduy and Bohunice programmes and assess the progress of those programmes against the milestones and target dates **by the end of 2017** within the framework of the mid-term evaluation. Based on the results of that assessment, the amount of the appropriations allocated to the Kozloduy and Bohunice programmes, as well as the programming period and distribution of funds amongst the Kozloduy and Bohunice programmes and the Ignalina programme (as established in Council Regulation (Euratom) No 1369/2013), may be reviewed to take account of the progress made in the implementation of those programmes and to ensure that the programming and allocation of the resources are based on actual payment needs and absorption capacity.

Other types of eligible expenditure: the financial allocation for the Kozloduy and Bohunice programmes may also cover expenses pertaining to preparatory, monitoring, control, audit and evaluation activities which are required for the management of each programme and for the achievement of their objectives and also cover the expenses of technical and administrative assistance necessary to ensure the transition between those programmes and the earlier measures.

Ex ante **conditionalities**: Bulgaria and Slovakia should provide the Commission with the necessary information on the fulfilment of the ex ante conditionalities **at the latest by the time of the budgetary commitment in 2014**.

The Commission should assess the information furnished by **ensuring that the critical problems of managment and technique have been addressed** or that measures have been taken to resolve them. If the Commission is of reasoned opinion that an infringement under non-compliance with the conditionalities set out or if the conditionalities are not fulfilled satisfactorily, the Commission may take a decision on suspension of all or part of the Union financial assistance.

Annual work programmes and forms of implementation: at the beginning of each year from 2014-2020, the Commission shall adopt a joint annual work programme for the Kozloduy and Bohunice programmes specifying, in respect of each programme, the objectives, expected results, related performance indicators and timeline for the use of funds under each annual financial commitments.

At the end of each year from 2014-2020, the Commission should establish a progress report on the implementation of the work carried out in the previous years. That progress report would be a basis for the adoption of the next joint annual work programme.

Measures for the protection of the financial interests of the Union are also provided for.

Mid-term and final evaluations: the Regulation provides for a mid-term evaluation report by 2017, at the level of results and impacts, the efficiency of the use of resources and its Union added value, with a view to adopting a decision amending or suspending those measures. A final evaluation at the end of the implementation of the Regulation is also foreseen. These different evaluations should be sent to the European Parliament and to the Council.

Transitional provisions: the Regulation would not affect the implementation of ongoing measures in relation to earlier decommissioning programmes up to their full completion.

Repeal: Regulations (Euratom) No 549/2007 and (Euratom) No 647/2010 are repealed with effect from 1 January 2014.

ENTRY INTO FORCE: 21.12.2013. The Regulation shall apply from 01.01.2014.