



Energy Act 2004

2004 CHAPTER 20

PART 1

THE CIVIL NUCLEAR INDUSTRY

CHAPTER 1

NUCLEAR DECOMMISSIONING

Strategies, plans and reports

12 Contents of strategy

- (1) The strategy prepared under section 11 must include both—
 - (a) the NDA's strategy for decommissioning and cleaning up the installations and sites designated as installations or sites to be decommissioned or cleaned up; and
 - (b) its strategy for the operation of the installations and facilities designated as installations or facilities whose operation it is to secure.
- (2) The strategy must set out—
 - (a) the priorities the NDA has adopted with respect to the discharge of its responsibilities;
 - (b) how it proposes to ensure the maintenance and development in the United Kingdom of a skilled workforce able to undertake the work of decommissioning nuclear installations and of cleaning up nuclear sites;
 - (c) how it proposes to promote effective competition for contracts to provide it with the services it must secure in order to discharge its responsibilities;
 - (d) its proposals for ensuring the adoption of what it considers to be good practice by the persons with control of designated installations, designated sites and designated facilities;

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- (e) how it proposes to give encouragement or other support to activities that benefit the social or economic life of communities living near designated installations, designated sites or designated facilities or that produce other environmental benefits for such communities; and
 - (f) an explanation of how and why it arrived at the decisions and proposals which are set out in the strategy.
- (3) The strategy must also set out the steps that the NDA proposes to take—
 - (a) for giving appropriate publicity to its responsibilities and strategy;
 - (b) for explaining them both to persons having a particular interest in matters relating to the carrying out by the NDA of its functions and to the general public;
 - (c) for ensuring that the NDA is kept informed at all times of the opinions about such matters of persons having such a particular interest; and
 - (d) for facilitating the communication by such persons of their opinions to the NDA.
- (4) The strategy required by subsection (1)(a) must contain—
 - (a) objectives describing what the NDA intends decommissioning or cleaning-up to achieve in the case of different installations and sites; and
 - (b) the NDA's policy as to the means by which it intends those objectives to be achieved.
- (5) In the case of a site which is to be cleaned up, those objectives must include, in particular, a statement of the condition to which the site needs to be restored.
- (6) In setting out its policy as to the means of achieving the objectives mentioned in subsection (4), the NDA must describe—
 - (a) the procedure it proposes to adopt for ensuring the preparation, and revision from time to time, of plans for the identification and carrying out of the decommissioning or cleaning-up work that is or continues to be needed in the case of each designated installation or designated site;
 - (b) the manner in which it proposes to secure that the work identified by such plans is carried out in accordance with them;
 - (c) an outline of the work that has been identified as needed in the case of each designated installation or designated site for which plans have been prepared;
 - (d) the period over which that work is to be carried out in the case of each installation or site; and
 - (e) the expenses it expects to incur in respect of the carrying out of the decommissioning and cleaning-up work for which it has a responsibility.
- (7) The strategy required by subsection (1)(b) must set out—
 - (a) the expenditure that the NDA expects to incur on the running costs of installations and facilities whose operation it has a responsibility to secure, and on the management of the sites where they are located;
 - (b) capital expenditure that the NDA expects to incur in connection with the discharge of its responsibilities in relation to those installations and facilities, and with the management of those sites; and
 - (c) the income that it considers it is likely to secure from the operation of those installations and facilities and from the management of those sites.

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- (8) An objective or policy set out in the NDA's strategy may be framed in one or more of the following ways—
- (a) by reference to a particular installation or site;
 - (b) by reference to different descriptions of installation or site;
 - (c) so as to become applicable to an installation or site of a particular description on the NDA being given responsibility for an installation or site of that description.
- (9) In this section references, in relation to the preparation of a strategy, to a site, installation or facility designated for any purpose include references to a site, installation or facility designated by a direction which is not yet in force.