

**MEETING WITH THE TAIOSEACH: 9 DECEMBER: BILATERAL ISSUES****BACKGROUND****Programme of Cooperation**

A 1. It is fitting on almost the first anniversary of the Prime Minister and Taoiseach's agreement on a programme of bilateral cooperation, prepared on the Prime Minister's initiative, that the 9 December meeting should recognise and make public reference to the achievements of the past year and the opportunities for building on these in 1997. We await the Irish response to our short text for adoption on 9 December, which makes the following points:-

(a) satisfaction at progress achieved under Programme of Co-operation agreed in December 1995 and determination to sustain improvement in 1997;


(b) endorsement of enhanced programme of co-operation in the youth sector; and

(c) instruction to officials to consider the scope for promoting closer co-operation in the non-governmental sphere.

2. The Programme of East/West Co-operation adopted by the two Heads of Government in Dublin last December has produced a notable breaking down of barriers. Among the more visible events have been the first official visit to Britain by President Robinson and visits by Royal Navy ships to the Republic of Ireland. There have been six visits by Cabinet Ministers to Dublin, even ignoring meetings related to the Irish Presidency. There is improved co-operation in the battle against drugs; the Secretary of State for Social Security is pursuing the possibility of a Memorandum of Understanding on co-operation against fraud; and the recent visit to Dublin by the Minister of the Armed Forces was particularly notable in the light of Irish advice a year ago that such a visit was not politically possible.

**Youth**

3. At their meeting in London in June, the Prime Minister suggested to President Robinson that we should look for areas in which the two governments were seen to co-operate together, setting aside the problems of Northern Ireland. Security co-operation and co-operation on drugs are examples being taken forward without the glare of publicity. The Irish Government has welcomed ideas we have put to them aimed at achieving a sustained improvement in co-operation in the youth sector. In brief, these proposals include a bilateral youth exchange programme; study visits; region-to-region links; one-off events such as youth work conferences and seminars. Our proposals require no extra funding. They offer the opportunity for high-profile media attention, both at local and national level.



4. Irish reactions are favourable; they may seek specific reference to a conference for youth workers being organised by the (British) Youth Exchange Centre and (Irish) Leargas in June. We can accept that proposal. It would help the Irish system if the principle of increased cooperation were approved at Head of Government level. Follow-up work will be pursued by the UK/Irish Working Group on Education and Culture at its next meeting in February.

5. By chance, Mr Colin Parry, Chair of the Warrington Project, has written to the Prime Minister and has promised also a letter to the Foreign Secretary outlining a number of proposals about youth exchanges which may complement the schemes in mind. An FCO official hopes to visit Warrington in the near future to see if and how the proposals can be taken forward.

**Non-governmental co-operation**

6. There is considerable scope for enhanced British/Irish links between academic institutions, towns, and a variety of cultural and other interest groups, which could be stimulated by a political signal and supported by access to private funds. Our Embassy in Dublin has identified some private funds in Ireland which might be tapped in order to benefit East/West co-operation. The principle of exploring the prospects for wider co-operation, without emphasis on the financial aspect, would benefit from high-level endorsement on 9 December.

Republic of Ireland Department  
Foreign and Commonwealth Office





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### Background

1. Irish concerns focus on the following issues:
  - Unacceptable pollution of the Irish Sea from THORP (Thermal Oxide Reprocessing Plant) at Sellafield;
  - Storage underground of radioactive waste in Cumbria;
  - Increased danger posed to Ireland by the continued operation of Magnox reactors;
  - Fear that the private sector in the UK are placing safety considerations below profit-making;
  - Safety of the transport of nuclear items by BNFL through the Irish Sea;
  - Installation of a NIREX Rock Characterisation Facility at Sellafield in 1997.

### Sellafield

2. Operations at Sellafield are regulated under the Nuclear Installations Inspectorate nuclear site licensing arrangements, and under the terms of stringent authorisations for the discharge of radioactive material issued and reviewed by MAFF and the DoE. Discharges are monitored by these Departments and by British Nuclear Fuels Ltd (BNFL). A recent inspection of monitoring arrangements at Sellafield by a team of experts under Article 35 of the EURATOM Treaty found that they were operating in a satisfactory and efficient manner.
3. Discharges into the Irish Sea from Sellafield have always been within authorised limits. However, every company has a duty to examine ways to reduce environmental impact. The Salt Evaporator and the Site Ion Exchange Effluent Treatment Plant - SIXEP - were constructed by BNFL as part of a major waste management programme. As a result, discharges today are less than 1% of peak levels in the 1970s. BNFL received a commendation in the UK Better Environment Awards in recognition of SIXEP. Simultaneous to the start-up of THORP, BNFL brought on stream a quarter of a billion pounds-worth of new plant which will reduce discharges even further.
4. The Radiological Protection Institute of Ireland (RPII), in its 1993 Annual Report, stated that the revised authorisations for the operation of THORP would not constitute a health hazard in regard to the consumption of fish, fish products or the use of recreational amenities. It concluded that, never at any time in Sellafield's history, had it been suggested that people ought to change their eating habits or recreational activities as a result of discharges, and stated that "the radiation dose to seafood

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### **Technetium 99**

10. MAFF monitoring data shows that levels of the radioisotope technetium 99 in some shellfish in the locality of Sellafield are approximately ten times higher than the EC Intervention Level. The EC and member states have been made aware of this at an EC advisory committee meeting (the Article 31 Group of Experts) on radioactive waste management held in Brussels on 15 November.
11. Between 1986 and 1994 wastes from Magnox reprocessing were stored at Sellafield. High levels of Technetium discharges are a consequence of treating this backlog in BNFL's Enhanced Actinide Removal Plant (EARP). Technetium 99 discharges cannot simply be suspended as the Health and Safety Executive are pressing for the backlog of stored waste to be processed as soon as is practicable, and Magnox fuel has to be reprocessed as it is not suitable for long-term storage in ponds.
12. EC Intervention Levels were introduced following the accident at Chernobyl. In the event of a nuclear accident, foodstuffs exceeding the EC Intervention Level must be withdrawn from the market pending further assessment. The levels are conservative in terms of radiological effects. For technetium 99 in lobsters they are approximately one thousand times lower than was originally intended by the Group of Experts. The Group initiated a review of Intervention Levels at their meeting on 14/15 November in Luxembourg.

### **BNFL Shipments of Nuclear Material**

13. All transport of nuclear material is conducted under strict safety regulations laid down by the International Atomic Energy Agency (IAEA), and incorporated into National Law by the Department of Transport. These regulations involve comprehensive and exhaustive international testing and agreement. The majority of BNFL's transport of nuclear material through the Irish Sea is carried out by its associate company, Pacific Nuclear Transport Ltd (PNTL). All PNTL vessels comply with the International Maritime Organisation's (IMO) highest safety regulations for nuclear cargo transportation. Spent nuclear fuel has been transported for more than 40 years (and well over 6 million miles) without a single accident involving a release of radioactivity.

### **Modification of the EURATOM Treaty**

14. Any revision of the existing EURATOM Treaty would involve highly complex issues and discussion. DTI (Whitehall lead) feel strongly that now is not the time (nor the IGC) the place to revise the Treaty. Efforts to do so have foundered twice. We should, of course, listen to what the Irish have to say.

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consumers...will represent no more than a fraction of one percent of a person's total radiation dose from all sources."

5. The European Commission's formal opinion, based on the views of experts from Member States, under the provision of Article 37 of the EURATOM Treaty, is that the implementation of the plan for the disposal of radioactive waste from THORP at Sellafield is not liable, either in normal operation or in the case of accident, to result in radioactive contamination, significant from the point of view of health, of the water, soil or airspace of another Member State.

6. BNFL recognises the genuine concern expressed by many citizens of the Irish Republic about its Sellafield operations. The Company is committed to providing information which will contribute to informed public discussion. BNFL welcomes enquiries on all its operations, and facilitates regular site visits to Sellafield, including representatives of Irish public opinion.

#### **Dundalk residents v. BNFL**

7. On 21 March 1994, four residents of Dundalk began proceedings in the High Court in Dublin against Ireland and the Attorney-General and BNFL. They claimed that THORP is operating in contravention of European law and sought an injunction preventing BNFL from continuing operating the plant. They also sought damages for personal injury.

8. The Irish Supreme Court decided on 24 October 1996 to allow the case taken by the Dundalk residents to be heard in the Irish courts. Following that decision, Mr Brendan Howlin, Irish Minister for the Environment and Chairman of the Ministerial Group on Sellafield and the Irish Sea, announced the Irish Government had decided to provide financial assistance and other technical support; to seek agreement for the removal of the State as the defendant in the action; and to establish a working group subordinate to the Ministerial Committee to assist in the case against the Sellafield operation.

9. It is BNFL's view that all of the issues raised by the plaintiffs were previously examined in detail in the English High Court in 1994 in a case brought by Greenpeace and Lancashire County Council, and which failed. The company believe that its operations do not cause damage to the health of the Irish population or any other population, and that they have every chance of success if a claim for damages is brought.

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