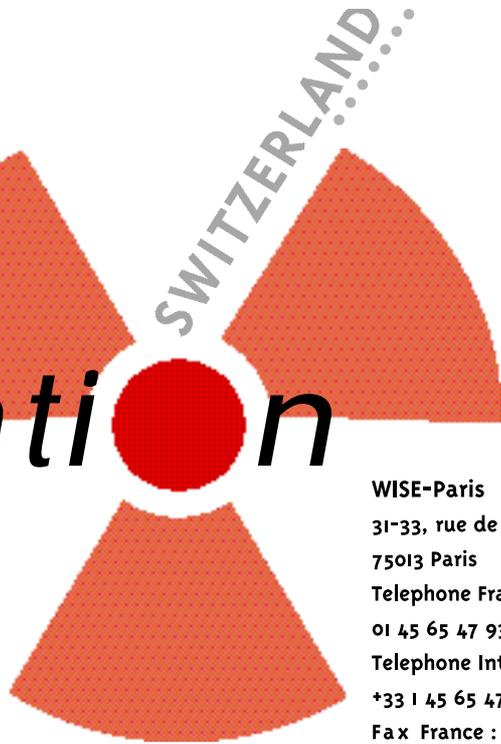


Plutonium *Investigation*

N°8 JULY-AUGUST 1998
Monthly - 20 FF



WISE-Paris
31-33, rue de la Colonie
75013 Paris
Telephone France
01 45 65 47 93
Telephone International
+33 1 45 65 47 93
Fax France : 01 45 80 48 58
Fax International
+33 1 45 80 48 58
e-mail
WISE-Paris@globenet.org

EDITORIAL

No Shipments - No Plutonium

The nuclear lobby makes a big mistake if it thinks that the public will forget about the contaminated nuclear transport scandal on the grounds of some hollow declarations. The aftertaste is bitter. People feel betrayed and the loss of confidence in the nuclear industry is profound.

Swiss officials, including the Safety Authority HSK, have been following their French counterparts in complete harmony with a radioactive fiction: "The transports were clean when they left the power plant". Of course, everybody in the system knows that this version - contamination on the way? - represents only the ultimate attempt to divert attention from the uncomfortable truth: an impressive number of people have covered up the fact that international rules have been violated for more than a decade and contamination levels on transport casks, rail cars and trucks have exceeded limits by a factor of several thousand.

The French utility EDF restarted shipments on 6 July 1998 on a site by site basis, exactly two months after the story broke. No detailed overview of contamination levels has been published. No explanation has been given to the difference in performance from one site to the other. No legal consequences enforced. No responsible officials replaced.

The incriminated shipments go to reprocessing facilities at La Hague and Sellafield. The key product obtained is plutonium. Our usual section **Figures of the Month** is empty this time, the Swiss authorities have never published any consistent figures on their plutonium production and stocks. There is no economic or energy policy incentive to reprocess. The only destination in Switzerland for plutonium is mixed oxide fuel (MOX). Three of five Swiss reactors are over 25 years old. The utilities should not be allowed to stockpile plutonium in order to create a **fait-accompli** situation for the prolonged operation of their ageing reactors.

SWITZERLAND Natural Nuclear Phase-Out

Switzerland has developed a nuclear power programme since the middle of the 1960s. It has replaced a significant share of the traditional domestic hydro power. However, since the middle of the 1980s all projects for additional reactors have progressively been abandoned. Finally, on 23 September 1990, the Swiss people voted for a ten year moratorium on the construction of new nuclear power plants. In 1996, the Federal Council, i.e., the Government, signed an indemnity agreement with the promoters of two plants (Graben and Kaiseraugst) which had been ordered before the moratorium. So the previous plans to double the nuclear capacity to 6,000 MWe have been abandoned. Currently, there are therefore no plans to replace the existing nuclear power plants though some nuclear power increase has been effected (in Mühleberg by 15 per cent), and, accordingly, an application by Leibstadt is pending - both of which is a violation of the 1990 sovereign vote. Decommissioning is expected to begin

CONTINUED ON PAGE 2

wise

Service Mondial d'Information sur l'Energie / World Information Service on Energy /
Weltweiter Energie Informationsdienst / Servizio Mondiale d'Informazione Energetica /
Servicio Mundial de Información sobre la Energía

sometime after 2005.

In 1997, out of a total of 59 billion kWh net generated domestically, 41% came from nuclear power plants, while 56% came from hydro power. There are five ageing nuclear power reactors, which have been commercially operated since 1969, 1972 (2), 1979, and 1984 respectively. The units are located on four sites and are operated by four different electricity utilities.

Plutonium Programme: Stuck with the Past

Together with other European utilities, Swiss electricity utilities signed reprocessing contracts with French and British reprocessing companies, COGEMA and BNFL respectively. The total amount of fuel to be reprocessed is between 1,000 and 1,100 tonnes of heavy metal (see box) which corresponds to about one third of the total quantity of fuel produced during forty years of operation of the five power plants. However, besides increasing doubts over the reprocessing option, it remains to be seen if the Swiss nuclear safety authorities will agree with the operation of the plants over a forty-year lifespan.

With the reprocessing contracts, Switzerland is entitled to a considerable amount of separated plutonium. The only use for this plutonium in Switzerland is to introduce it into mixed oxide fuel (MOX), containing both plutonium and uranium. Since the middle of the 1980s, first one and then another utility started to use MOX fuel. It is highly probable that the plutonium produced through the reprocessing of Swiss spent fuel will not all be used. Therefore the country, as others, is likely to be confronted with a significant plutonium stockpile.

Given the stockpiles of plutonium owned by all the countries which have developed the plutonium industry, it is clear that no country would be willing to take responsibility charge for Switzerland's plutonium.

The NOK utility operating the two Beznau reactors has used MOX fuel on an experimental basis as early as 1978. Currently, MOX fuel is used on a commercial basis in the three PWRs operated in Switzerland (two at Beznau and one at Gösgen). The Belgian company Belgonucléaire - with the PO plant at Dessel/Mol - and the British BNFL - with the MOX demonstration facility MDF at Sellafield - have both produced MOX fuel for the Beznau plant. The MOX fuel supplied to the Gösgen plant was produced by Belgonucléaire.

All shipments from the UK are made by air, a practice based on the argument of an increased level of physical protection. However, this transport mode raises severe safety issues since the casks in which the MOX is transported cannot ensure that criticality is not reached with the MOX fuel in plane crashes. This aspect concerns France particularly since the route is mostly above French territory. The Swiss transport practice is all the more surprising as the nuclear industry never transports MOX produced in France by air.

Equally, all shipments from Belgium, also through French territory, are carried out by road.

After a trial period from 1978 to 1980, Unit 1 of the Beznau plant was commercially loaded with MOX fuel in 1988. Unit 2 was first loaded with MOX fuel in 1984. For both units, the maximum at-once licensed number of MOX fuel elements is 48 out of the 121, thus a share of 40% MOX fuel in the core. The latest shipment of MOX fuel to the Beznau plant was an air transport of MOX from Sellafield during 1997, when 4 MOX fuel assemblies were loaded. The small number of MOX fuel assemblies (totalling to some 120 since 1978), as compared to the 40 enriched uranium fuel assemblies which were replaced on unit 1 of the Beznau plant, indicates that the Beznau plant is not using as much MOX fuel as it is licensed to. Apart from operating problems at Beznau, one may suppose that the British BNFL is not able to produce MOX fuel quickly enough.

The Gösgen reactor has been using MOX fuel since summer 1997, when 8 MOX fuel assemblies were loaded, out of 40 assemblies which were replaced. This corresponds to 20% of the fuel replaced, while the plant is licensed for 30% MOX.

In total 28 MOX fuel assemblies were supplied to the Gösgen plant already during April and May 1997 from Belgonucléaire. The operator Kernkraftwerk Gösgen-Däniken AG has therefore stored the MOX fuel on-site. Apparently Belgonucléaire was not willing to store this MOX fuel before shipping it to Switzerland according to Gösgen's refuelling schedule.

Storage of fresh MOX fuel on reactor sites is not authorised in France. MOX fuel is therefore sent to La Hague where it is stored in spent fuel ponds pending shipment to the power plants. However, storage of fresh MOX fuel at the power plants is authorized in Germany.

According to the figures supplied by the Swiss representation to the IAEA in March 1998, "more than 2.2 tonnes of plutonium" in MOX fuel has been used in Swiss reactors.

It is noteworthy that only two utilities are using – some of – the plutonium being reprocessed from the spent fuel from all Swiss utilities. Also, the original plan to reprocess the total spent fuel quantity to be produced by the nuclear power plants is somewhat incoherent. On one hand, using MOX fuel will produce spent MOX fuel which will not be reprocessed; on the other hand, the spent fuel from the last years of operation of the plants would be reprocessed and would produce plutonium which would be impossible to use... in the shut-down plants. Even if Beznau and Gösgen used the MOX licence to the maximum allowed extent (consuming 1 tonne of Plutonium annually), there would result a yearly surplus of another tonne. Swiss authorities clearly should have required a review of the reprocessing contracts following the 1990 moratorium.

INCOHERENCE WITH REPROCESSING FIGURES

The official figures on reprocessing contracts of Swiss utilities with the British and French reprocessing companies are not all coherent. According to documents from COGEMA, Swiss utilities signed the first contracts, for reprocessing at the old UP2 plant at La Hague, for a quantity of 132 tonnes. This fuel has already been reprocessed. A further reprocessing contract corresponds to 510 tonnes to be reprocessed at the UP3 plant, of which 229 tonnes had been reprocessed as of 1 March 1998. According to BNFL, Swiss utilities signed reprocessing contracts with the British reprocessing company for the reprocessing of 422 (initially 369/370, then 390) tonnes at the THORP plant at Sellafield. We asked BNFL how much Swiss spent fuel had been reprocessed, but BNFL considers this information to be under commercial secrecy.

Totalling these figures, the quantity of Swiss spent fuel to be reprocessed, according to the industry figures, is thus 1,064 tonnes. However, official information from representatives of the Swiss government does not coincide with this figure. According to the Swiss Permanent Mission to the International Atomic Energy Agency (IAEA) in Vienna, the first contracts with COGEMA correspond to 147 tonnes (15 tonnes higher than the industry figure), while the further contracts with COGEMA and BNFL would correspond to 880 tonnes. The first figure does not coincide with HSK/BEW/BFE figures (132 tonnes). The total quantity of spent fuel to be reprocessed would thus be 1,027 tonnes (37 tonnes shorter than the industry figure). Independent sources have put the figure to 1,097 tonnes.¹

The figure concerning the plutonium content in spent fuel is also subject to caution. This aspect is not to be minimised, since the estimate of plutonium produced at the reprocessing plants is necessary to assess the stockpile of surplus plutonium, and therefore the real cost of the plutonium programme. While the industry generally gives a figure close to 1% for the *total* plutonium content in spent fuel, this figure varies widely with the initial enrichment of fresh uranium fuel and the burn-up rate of spent fuel, the Swiss representation in Vienna states that "about 5.7 tonnes of [fissile] plutonium" will result from the reprocessing of the 1,027 tonnes of spent fuel. This corresponds to a rather low total plutonium content of 0.7% in spent fuel (considering an average 75% fissile plutonium in the total plutonium). The figure generally given to the public are *total* plutonium figures. Publishing *fissile* plutonium figures disables precise comparisons to be made with other plutonium programmes.

Contamination of Spent Fuel Transports

As in the case of French and German nuclear power plants, (see Plutonium *Investigation* n°6-7) casks and rail cars carrying spent fuel from Swiss plants to COGEMA's reprocessing facility at La Hague were contaminated. According to the Swiss Federal Nuclear Safety Inspectorate HSK, it was informed by the French safety authority DSIN on 28 April 1998 that casks and rail cars had been identified contaminated on arrival at the COGEMA terminal at Valognes near La Hague. With the exception of the Mühleberg boiling-water reactor (BWR), all the Swiss plants were concerned. According to an HSK representative, neither casks nor rail cars were contaminated when they left the Swiss power plants. The same - highly incredible - defence line had been taken by French and German utilities.

In July 1998, the Swiss Safety Inspectorate, which has forbidden new transports in the meantime, stated that the licences for new shipments would be granted once the industry proposed a method to tackle the problem, and that this approach "will convince" the safety authorities. The representative said this could last "two or three months". The reasons for the contamination "are still under study".

However, an empty cask which had arrived at the Leibstadt nuclear power plant at the beginning of May 1998 shall be sent back - empty - to France. This transport should enable the analysis of new measuring procedures and decontamination techniques.

It can be assumed that if the transports are resumed over the next few months, the transport contamination will not have had a critical influence on the management of spent fuel at the power plants since refuelling operations are required about once a year.

Nuclear Waste: only Interim Solutions

The four Swiss utilities have co-operated to create a centralised facility for the intermediate storage of radioactive waste. Construction started in 1996 at the Würenlingen site. The Zwiilag facility (Zentrales Zwischenlager Würenlingen ZZL) is mainly planned for the intermediate storage of spent fuel and of reprocessing waste, returned from reprocessing countries, prior to final disposal.

¹ for a detailed analysis on the Swiss reprocessing policy, German language readers see T.Flüeler, et al. "Die Wiederaufarbeitung von abgebrannten Brennelementen aus schweizerischen Atomkraftwerken", CAN Anti Atom Koalition, Zürich, September 1997.

SWISS UTILITIES RESPONSIBLE FOR THE HEALTH OF FRENCH AND BRITISH CITIZENS

In an unprecedented move, on 22 June 1998, ten French and British citizens filed a suit with the Swiss Federal Prosecutor's Office against Swiss electricity utilities. The plaintiffs, all neighbours of the plutonium plants at La Hague, France and at Sellafield, UK, argue that reprocessing of Swiss spent fuel generates liquid and gaseous radioactive discharges which in turn put at risk the human health of people living in the area. According to Greenpeace, damaging the health of a person by means of ionizing radiation is a criminal offense in Switzerland. The fact that the offense is not made on Swiss territory would not make a difference.

Among the plaintiffs are the mayor of a small town close to La Hague, as well as an "occupational cancer victim and former employee of the COGEMA reprocessing company". According to Greenpeace, the Federal Prosecutor's Office has promised a provisional ban on nuclear transports - halted because of the contamination of casks and rail cars (cf. *Plutonium Investigation* N^o. 6-7) - pending the outcome of the proceedings. This case is very significant since it remains to be seen if similar cases could be brought up in other client countries of the French COGEMA and the British BNFL.

The Zwilag facility is also planned for the handling of low and intermediate-level radioactive waste. Industrial operation is planned for the beginning of the year 2000. This facility is a joint project of the four nuclear electricity utilities. For the moment, no decision is made concerning the final disposal of the radioactive waste, once it is taken out of the Zwilag. The proposed site for low- and intermediate-level waste at Wellenberg in Central Switzerland was rejected in a cantonal vote in June 1995.

Where to Go Now?

The Swiss nuclear industry realized long ago that reprocessing and the subsequent plutonium programme was not the best choice concerning the management of spent fuel. The head of the Zwilag waste interim storage facility stated in 1994: "Using uranium and plutonium from reprocessing in Light Water Reactors is not currently economically interesting. In fact, the forecasted depletion of uranium supplies did not happen, and the price of natural uranium is low. Reprocessing is revealing itself technically more demanding than what was thought initially."

More recently, the Federal Government replied the following to a written question by Mr Chiffelle concerning air transport of MOX fuel rods: "In the framework of the complete remodelling of the atomic law, there are reasons to reconsider if and under what conditions reprocessing and/or the transport of spent fuel rods [...] can continue to be accepted". This reply was quoted at the beginning of 1998 by Herbert Bay, head of the fuel department at the NOK electricity utility and nuclear operator.

Since many questions are raised concerning the usefulness and the cost of the reprocessing and plutonium programmes in Switzerland, it is quite surprising that the Government does not (officially) analyse the conditions for disengaging the utilities from the reprocessing contracts. Economic and environmental aspects should be thoroughly analysed, and decisions subsequently made. It is quite clear that a governmental decision forbidding the continuation of the contracts or an equivalent amendment to the nuclear law would help the utilities to get out of the contracts since this could be used as a "force majeure" justification towards the British and French reprocessing companies.



Who's Who ? In Switzerland

STATE and INDUSTRY

BFE

The Swiss Federal Energy Office (Bundesamt für Energie Office) has factual oversight over safeguards and physical protection and administrative oversight over safety (the actual regulator is the Swiss Federal Nuclear Safety Inspectorate HSK, see below). The future of the reprocessing option has been and is a key question raised in meetings and hearings of the «energy dialogue group».

CH-3003 BERNE

TEL : +41 31 322 56 11 - FAX : +41 31 323 25 00

web site : <http://www.admin.ch/bfe/>

HSK

The Federal Nuclear Safety Inspectorate (Hauptabteilung für die Sicherheit der Kernanlagen HSK) is responsible for the safety of all the nuclear sites and transports, reactors and fuel chain facilities.

CH-5232 VILLIGEN-HSK

TEL : +41 56 310 38 11 - FAX : +41 56 310 39 95

web site : <http://www.hsk.psi.ch/>

KSA

The Swiss Federal Nuclear Safety Commission (Eidgenössische Kommission für die Sicherheit von Kernanlagen KSA) includes independent experts besides utility and State representatives. The KSA is meant to give a "second opinion" on nuclear safety issues.

KSA-SEKRETARIAT - CH-5232 VILLIGEN-HSK

TEL : +41 56 310 39 48 - FAX : +41 56 310 49 68

NAGRA

NAGRA (in German) or CEDRA (in French) is the National Cooperative for the Disposal of Radioactive Waste (Nationale Genossenschaft für die Lagerung radioaktiver Abfälle - Coopérative suisse pour l'entreposage de déchets radioactifs).

HARDSTRASSE 73 - CH-5430 WETTINGEN

TEL : +41 56 437 11 11 - FAX : +41 56 437 12 07

BKW

Bernische Kraftwerke AG is the operator of the Mühleberg nuclear power plant.

BKW FMB ENERGIE AG

VIKTORIAPLATZ 2 - CH-3000 BERNE 25

TEL : +41 31 330 51 11 - FAX : +41 31 330 56 35

web site : <http://www.bkw.ch/>

KKG

Kernkraftwerk Gösgen-Däniken AG is the operator of the Gösgen nuclear power plant. Gösgen has been loaded with MOX fuel for the first time in summer 1997.

CH-4658 DÄNIKEN

TEL : +41 62 288 20 00 - FAX : +41 62 288 20 01

web site : <http://www.kkg.ch/>

KKL

Kernkraftwerk Leibstadt AG is the operator of the Leibstadt nuclear power plant. The KKL management has the reputation of preferring direct storage to any future reprocessing contracts.

CH-5325 LEIBSTADT

TEL : +41 56 267 71 11 - FAX : +41 56 247 14 37

web site : <http://www.kkl.ch/>

NOK

Nordostschweizerische Kraftwerke AG is the operator of the two units of the Beznau nuclear power plant. Both units have been loaded with MOX fuel.

PARKSTRASSE 23 - CH-5401 BADEN

TEL : +41 56 200 31 11 - FAX : +41 56 200 37 55

OPPOSITION ACTIVITIES and CONTACT ADDRESSES

WWF

World Wide Fund for Nature organised a complaint which was filed jointly with the city of Geneva and other environmental organisations against the Superphénix fast-breeder reactor in France. According to the arguments made by WWF, the French Cour d'Etat, the highest administrative court, cancelled the operating license on 28 February 1997. Since then, the reactor was never relicensed and the reactor has been shut down permanently by the current French Government.

WWF GENÈVE

FRANÇOISE CHAPPAZ

10, RUE DE VILLEREUSE - 1202 GENÈVE

TEL : +41 22 700 42 00 - FAX : +41 22 700 42 02

e-mail : wwf-ge@bluewin.ch

web site : <http://www.wwf.ch/>

Contr'Atom

Contratom is an antinuclear organisation which publishes a newsletter every two or three months. In July 1998, Contratom - together with national and other regional organisations - launched two national initiatives: the first one being "for the prolongation of the moratorium in the construction of nuclear power plants and the limitation of nuclear risks" and the second one is "for a turning point in the energy domain and for a nuclear phase-out".

7, BOULEVARD CARL-VOGT - CASE POSTALE 65

CH-1211 GENÈVE

TEL : +41 22 781 4844 - FAX : +41 22 320 4567

APAG

The Association for the Geneva Appeal (Association pour l'Appel de Genève) is one of the oldest NGOs of critical experts working on nuclear issues. Their focus has been plutonium and the Superphénix reactor in particular.

IVO RENS

4, RUE JOHN REFHOUS - CH-1208 GENÈVE

Greenpeace Switzerland

The Swiss Greenpeace section has been following the plutonium issue continuously and has recently organised a legal case against Swiss utilities for potential health consequences of the Swiss plutonium separation at La Hague and Sellafield.

HEINRICHSTRASSE 14, POSTFACH - CH-8031 ZURICH

TEL : +41 1 447 41 41 - FAX : +41 1 447 41 99

e-mail : gp@greenpeace.ch

<http://www.greenpeace.ch/>

EnergieExpress

The Magazine EnergieExpress and her infatigable director, local MP Heidi Portmann, have been monitoring the plutonium issue for many years.

HEIDI PORTMANN

NULLENWEG 31 - CH-4144 ARLESHEIM

TEL : +41 61 701 82 83 - FAX : +41 61 701 88 88

Schweizerische Energie-Stiftung - SES

SES is one of the NGOs involved in the "energy dialogue group" organised by the BFE.

INGE TSCHERNITSCHEGG

SIHLQUAI 67 - CH-8005 ZURICH

TEL : +41 1 271 54 64 - FAX : +41 1 273 03 69

Umweltrecherchen & -gutachten, Thomas Flüeler

Thomas Flüeler is an independent environmental consultant specialising in energy and nuclear including waste issues. He initiated a report on Swiss reprocessing, co-authored by experts of the German Öko-Institut

THOMAS FLÜELER

MÜNZENTALSTRASSE 3 - CH-5212 HAUSEN AG

TEL/FAX : +41 56 441 63 19

e-mail : flueeler-urg@bluewin.ch

SEDE SA

Pierre Lehmann of the Société d'Etude de l'Environnement is one of the outstanding independent experts on plutonium and other nuclear issues in Switzerland.

RUE DU MIDI 33 - CH-1800 VEVEY

TEL : +41 21 921 05 15 - FAX : +41 21 921 05 57

Plutonium

IN SWITZERLAND

5 NUCLEAR POWER PLANTS IN OPERATION

- 2 boiling water reactors (BWRs).
- 3 pressurised water reactors (PWRs), all licensed for MOX use, all using MOX fuel. Fresh MOX fuel is currently stored on site at the Gösgen plant.

1 INTERIM STORAGE SITE FOR RADIOACTIVE WASTE (UNDER CONSTRUCTION)

- Zwiilag (Zentrales Zwischenlager Würenlingen)

NO REPROCESSING PLANT

NO MOX FABRICATION PLANT

NO FIGURES OF THE MONTH

Switzerland has agreed - in theory - to the contents of the recent "Guidelines for the Management of Plutonium" proposed by parties to the International Atomic Energy Agency (IAEA). While these guidelines explicitly request countries to publish annual figures for the countries' plutonium stockpiles, Switzerland has never published such figures. However, in a 31 March 1998 "note verbale", the Permanent Mission to the IAEA of Switzerland comments: "In the last years, political opposition against reprocessing has grown. Fuel element transports to reprocessing plants are increasingly the target of anti-nuclear activities by environmental organisations". And this was one month before the scandal of the contaminated spent fuel transports was revealed.

THE WORD OF THE MONTH

"It is striking that the [US-] Euratom and [US-] Swiss agreements have been concluded at precisely the time new governments in France and in the United Kingdom are questioning the wisdom of the totally uneconomic reprocessing, MOX, and breeder reactor programmes which British and French taxpayers have been saddled. Hopefully, these agreements will prove to be the 'last hurrah' of the old guard fuel cycle fraternity".

US Nuclear Regulatory Commission (NRC) Member Edward McGaffigan in a written statement in the framework of an interagency review process, according to *Nuclear Fuel*.

WHAT A WASTE

French Commission Against Geological Disposal of HLW

At the end of April, the French Government requested from the National Evaluation Commission (CNE) a report on the retrievability of the geological disposal of radioactive waste, in order to influence further research to be carried out by the national radioactive waste management agency ANDRA. The CNE was created on the basis of the 30 December 1991 Act on radioactive waste research to annually assess the evolution of research concerning the management of radioactive waste.

The CNE report, published at the beginning of July 1998, gives much importance to public acceptability: "No solution concerning the final disposal of nuclear waste will be found until the general public has been convinced of quality and sturdiness of the retained option".

Its conclusions are quite surprising, and go against the general official view that geological disposal is the ultimate solution for high-level radioactive waste (HLW). Since spent nuclear fuel contains nuclear materials which can be reused, the CNE recommends to store it in surface or subsurface storage facilities. The same storage option is recommended for HLW generated by reprocessing, on the basis that future research might identify a better solution. However, the CNE recommends - for unclear reasons - to dispose of intermediate-level radioactive waste in geological sites and thus "saves" the current government strategy.

Phénix Operated - Under Legal Jeopardy

Since the industrial-size Superphénix fast-breeder reactor has been abandoned by the current French government, governmental and industrial authorities have decided to carry out research concerning transmutation of long lived isotopes in the demonstration FBR Phénix.

At the end of May 1998, the *Forum Plutonium*, a French pressure group of organisations and people concerned about plutonium production and use, filed a complaint against the restart licence of Phénix. *Forum Plutonium* considers that its operation is unsafe, since the oldest French operating reactor is planned to undergo major refurbishment only after a period of operation. Furthermore, according to *Forum Plutonium*, the licensing is not legally sound. The original creation Bill should be nullified since the plant has not been operating for a period exceeding two years (a particularity of French law); also, the new objectives of the plant concerning nuclear research are not compatible with the original objective of being a demonstration nuclear power plant.

The *Forum Plutonium* filed the complaint at the Montpellier Administrative court. One decision has already been made: the case has been transferred by the highest administrative court (Conseil d'Etat) from Montpellier to the Paris administrative court. Knowing about the highly centralised and often government friendly Paris administration, this is hardly a good sign for the *Forum Plutonium*. Nevertheless, the

