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24<sup>th</sup> February 2026

Dear Edward,

## **DIRECTION TO THE NUCLEAR DECOMMISSIONING AUTHORITY (NDA) IN RESPECT OF HUNTERSTON B**

I am writing to inform you that I am today laying a modification of the Designation Direction regarding the Hunterston B nuclear site in the Scottish Parliament; it was made in exercise of the Scottish Ministers' functions under the Energy Act 2004 (the Act).

This Designation Direction, which provides updated details from the initial Direction laid in June 2021, is made jointly with the UK Government and is being laid at both UK and Scottish Parliaments today. The modification of the Direction also gives effect to the transfer of ownership of the Hunterston B site to the Nuclear Decommissioning Authority (NDA) to begin its decommissioning journey on 1 April 2026.

The 2021 Direction set out the arrangements for the NDA to start planning for decommissioning of the site and so required to be modified to enact the transfer as well as to provide the basis for more specific responsibilities for cleaning up the site. Transferring the site to the NDA, as the UK's expert nuclear decommissioning body and operator of the adjacent Hunterston A site, remains the most logical way forward as part of the responsible management of Scotland's nuclear legacy.

Scottish Ministers, special advisers and the Permanent Secretary are covered by the terms of the Lobbying (Scotland) Act 2016. See [www.lobbying.scot](http://www.lobbying.scot)

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I am grateful to EDF Energy Ltd and the staff at the site for their diligent work since Hunterston B stopped generating energy in 2022 to safely defuel the site's reactors and their constructive work on planning for the transfer to the NDA. I am also grateful to NDA for their ongoing efforts to manage the details of the transfer to ensure the site continues to be managed safely and securely moving forward. I understand that the arrangements for the transfer are now in place, including for the transfer of staff and for the relevant environmental permits from SEPA.

Hunterston B has played its part in supporting the generation of energy in Scotland for many decades and so this is another poignant moment for us all. The next step of cleaning up the site will take many years to complete but the Scottish Government and the NDA will continue to work constructively with local communities and wider stakeholders to ensure that this proceeds safely and securely while protecting people and the environment.

A copy of the NDA Designation of the Hunterston B AGR Station Site (Modification Direction No. 1) is attached to this letter for information.

Yours sincerely,



**GILLIAN MARTIN**

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**ENERGY ACT 2004**

**Direction to the Nuclear Decommissioning Authority (NDA) in respect of the Hunterston B  
AGR Station Site**

Made under sections 3, 5 and 6 of the Energy Act 2004

**ENERGY ACT 2004**

**NDA Designation of the Hunterston B AGR Station Site  
(Modification Direction No. 1)**

Presented to Parliament by the Secretary of State for Energy Security and Net Zero pursuant to section 3(7) of the Energy Act 2004.

Laid before the Scottish Parliament in accordance with section 3(8) of the Energy Act 2004.

## INTRODUCTION AND SUMMARY

*This introduction and summary is not part of the direction*

The Secretary of State and the Scottish Ministers, acting jointly in the exercise of the powers conferred upon them by sections 3, 5 and 6 of the Energy Act 2004 (the "**2004 Act**"), designated the Hunterston B AGR Station Site in a direction which came into force on 23<sup>rd</sup> June 2021 (the "**NDA Designation of the Hunterston B AGR Station Site**").

In making the NDA Designation of the Hunterston B AGR Station Site, the Secretary of State and Scottish Ministers acknowledged that modifications to it might be necessary to:

- (a) ensure that the extent of the designated land is consistent and coextensive with the scope of the land owned by EDF Nuclear Generation Limited ("**ENGL**") and to be transferred to NDA in accordance with the terms of an Option Agreement dated 14<sup>th</sup> January 2005, as amended and restated on 1<sup>st</sup> January 2009, further amended on 3<sup>rd</sup> December 2012 and as further amended and restated on 23<sup>rd</sup> June 2021 between the Secretary of State, ENGL and EDF Energy Nuclear Generation Group Limited; and
- (b) supplement the purposes for which the NDA Designation of the Hunterston B AGR Station Site was given, in particular, to extend the NDA's responsibilities to cover the treatment, storage, transportation and disposal of hazardous material in accordance with section 3(1)(e) of the 2004 Act and/or the decommissioning of designated installations comprised in NDA facilities in accordance with section 3(1)(f) of the 2004 Act.

The modifications envisaged by the NDA Designation of the Hunterston B AGR Station Site, including the designation of additional land, are provided for in this modifying Direction.

The person with control of the Hunterston B AGR Station Site when this modifying Direction was given was ENGL. The person with control when this Direction came into force was Nuclear Restoration Services Limited, a wholly owned subsidiary of the NDA via which the NDA will discharge its designated responsibilities in relation to the Hunterston B AGR Station Site. Both consented to the Direction, as required by sections 3(4)(e) and 5(5)(e) of the 2004 Act respectively.

## **1. Citation and Interpretation**

- (1) This Direction may be cited as the NDA Designation of the Hunterston B AGR Station Site (Modification Direction No. 1).
- (2) In this Direction "the 2004 Act" means the Energy Act 2004 and references to sections are to sections of that Act.
- (3) The Interpretation Act 1978 shall apply to the interpretation of this Direction as it applies to the interpretation of an enactment and words and expressions used in this Direction that are defined in the 2004 Act have the same meaning as in the 2004 Act. Where a word or expression is defined in both the Interpretation Act 1978 and the 2004 Act the meaning attributed to such word or expression in the 2004 Act will prevail.
- (4) The following words and expressions as used in this Direction shall have the meaning set out below:

"NDA Designation of the Hunterston B AGR Station Site" means the direction made by the Secretary of State for Business, Energy and Industrial Strategy and the Scottish Ministers in relation to the Hunterston B AGR Station Site on 22 June 2021, which came into force on 23 June 2021.

"Option Agreement" means the Option Agreement dated 14th January 2005, as amended and restated on 1<sup>st</sup> January 2009, further amended on 3<sup>rd</sup> December 2012 and as further amended and restated on 23<sup>rd</sup> June 2021 between the Secretary of State, ENGL and EDF Energy Nuclear Generation Group Limited."

- (5) Where the context permits, words and expressions used in this Direction that are defined or used in the NDA Designation of the Hunterston B AGR Site have the same meaning as in the NDA Designation of the Hunterston B AGR Site.

## **2. Direction**

- (1) This Direction is given by the Secretary of State under sections 3 and 5 of the 2004 Act.
- (2) This Direction is given by the Secretary of State acting jointly with the Scottish Ministers under section 6(1) of the 2004 Act, insofar as it gives, removes or varies any responsibility under section 6(2) of the 2004 Act.
- (3) This Direction is also given by the Secretary of State under section 3 of the 2004 Act, having first consulted with Scottish Ministers under section 6(3) of the 2004 Act.

## **3. Modification of the NDA Designation of the Hunterston B AGR Station Site**

- (1) The NDA Designation of the Hunterston B Station Site is modified as follows.
- (2) In paragraph 1 (Citation and Interpretation), for sub-paragraph (5) substitute:

"(5) The following words and expressions as used in this Direction shall have the meaning set out below:

**“ENGL”** means EDF Energy Nuclear Generation Limited (company number 03076445), including its permitted successor or assigns;

**“Hunterston B AGR Station Site”** means the parts of Hunterston B power station in West Kilbride, Ayrshire, KA23 9QX, as more fully described in Schedule 1 to this Direction;

**“NDA”** means the Nuclear Decommissioning Authority;

**“NRS”** means Nuclear Restoration Services Limited (company number 02264251).”.

- (3) In paragraph 3 (Designation), for sub-paragraphs (2) and (3) substitute:
- “(2) The Secretary of State and the Scottish Ministers have designated the Hunterston B AGR Station Site situated on the land shown coloured orange on the drawing in the Annex.
- (3) Clean up and decommissioning of the sites, installations and facilities listed in Schedule 2 is deferred until the time specified in Schedule 2.”.
- (4) Omit paragraph 4 (Ancillary Directions).
- (5) Omit paragraph 5 (Modification).
- (6) Omit paragraph 6 (Ownership, Operation and Strategy).
- (7) Omit paragraph 7 (Funding).
- (8) In paragraph 8 (Consent), for sub-paragraph (2), substitute:
- “The Secretary of State and the Scottish Ministers may modify or revoke this Direction in accordance with section 5(4) to (6) of the 2004 Act.”.
- (9) For Schedule 1 (Designated Responsibilities) substitute the Schedule set out in Schedule 1 to this Direction.
- (10) In Schedule 2 (Site and Installations in respect of which decommissioning is postponed until the Transfer Date):
- (a) for the title substitute:
- “Installations in respect of which decommissioning and clean-up is postponed”;**
- (b) omit paragraph 1;
- (c) after paragraph 4, insert:
- “(5) All installations as are needed to support decommissioning responsibilities arising from the Directions to the NDA in respect of the Hunterston A Nuclear Site, until such time as those installations are no longer needed to support those responsibilities.”
- (11) For the Annex substitute the Annex set out in Schedule 2 to this Direction.

#### 4. Consent

The Secretary of State and the Scottish Ministers confirm that:

- (a) insofar as this Direction gives the NDA responsibilities under section 3 of the 2004 Act, as the person with control of the Hunterston B AGR Station Site when this Direction is given, ENGL has consented to this Direction in accordance section 3(4)(e) of that Act;
- (b) insofar as this Direction modifies the NDA Designation of the Hunterston B AGR Station Site, as the person with control of the Hunterston B AGR Station Site when this Direction comes into force, NRS has consented to this Direction in accordance with section 5(5)(e) of the 2004 Act.

#### 5. Commencement

- (1) This Direction is made on *11 February 2026*
- (2) This Direction comes into force upon completion of the transfer of the Hunterston B AGR Site from ENGL to the NDA in accordance with the provisions of the Option Agreement.

Signed:



On behalf of the Secretary of State for Energy Security and Net Zero

Signed:



On behalf of the Scottish Ministers

Paragraph 3(9)

### SCHEDULE 1

#### Substitution of Schedule 1 to the NDA Designation of the Hunterston B AGR Station Site

"Paragraph 3(1)

#### Schedule 1

#### Designated Responsibilities

#### Hunterston B AGR Station Site

No	Site/Installation/ Facility	Description	Designation purpose (paragraphs of Section 3(1))
1	The Hunterston B AGR Station Site (the principal nuclear site)	Land situated in West Kilbride, Ayrshire, KA23 9QX as shown coloured orange on the drawing in the Annex.	3(1)(c) the cleaning-up of the principal nuclear site <sup>1</sup>
2	Reactor Plant & Buildings and Peripheral Buildings	Plant and buildings associated with former electricity generation	3(1)(b) decommissioning
3	Waste Management Facilities	Plant and buildings associated with the treatment, storage, transportation and disposal of hazardous material and of other matter and substances, whether in gaseous, liquid or solid form	3(1)(c) cleaning-up, as covered by row 1  3(1)(d) operation for treatment, storage, transport and disposal of hazardous material
4	Miscellaneous Contaminated Plant and Buildings	Plant and buildings, including, but not limited to, active waste treatment systems, active drains, active laboratories, laundries etc.	3(1)(b) decommissioning  3(1)(d) operation for treatment, storage, transport and disposal of hazardous material
5	Pipes, Conduits and other Apparatus	Including, but not limited to, cooling water intake and outflow, mains water, storm drain outlets, effluent outlets and inlet and outlet culverts, electrical and communications (and all associated land in, on, under or over which the same are installed) not situated in or on the principal nuclear site, but which are connected to buildings, structures	3(1)(b) decommissioning  3(1)(c) cleaning-up  3(1)(d) operation for the treatment, storage, transport and disposal of hazardous material

<sup>1</sup> Section 3(6) of the 2004 Act provides that unless the direction provides otherwise, the designation of a principal nuclear site for cleaning up is to have the effect of designating, as an installation to be decommissioned, every installation situated in or on that site.

		and apparatus in or on the principal nuclear site.	
6	Offsite infrastructure	Plants and facilities (and all associated land in, on, under or over which the same are installed), including but not limited to the sewage treatment plant, dosing plant, oil lagoon, oil lagoon recovery compound and jetty, which are situated outside the principal nuclear site but connected to or otherwise used in connection with the principal nuclear site.	3(1)(b) decommissioning 3(1)(c) cleaning-up 3(1)(d) operation for the treatment, storage, transport and disposal of hazardous material

**SCHEDULE 2**

**Substitution of the Annex to the NDA Direction of the Hunterston B AGR Station Site**

“Annex

