

## **Delegated Regulation to complement the first Taxonomy Climate Delegated Act**

### **PNC-France contribution**

PNC-France understands that the draft delegated act on nuclear power and gas is the result of a political compromise. However, we believe that a pragmatic technical, environmental, and economic analysis is necessary in view of improving this delegated act to provide industry with a stable long-term view, and to promote investments in favor of our climate goals.

Similarly, regarding natural gas, PNC France approves its inclusion as a transitional technology, as it can lead to a substantial reduction in emissions, before a second, more radical reduction stage. We believe that the same open-mindedness should prevail for nuclear energy.

PNC-France has made a pragmatic analysis of the Complementary Delegated act draft version, the main points of which (detailed in the Appendix), are presented below:

**The classification of nuclear energy**, as a transitional energy at the same level as gas (see Appendix - 1), seems unjustified for two major reasons: it is a very low carbon energy, as no one denies, and it is clearly exposed in the draft act that: *"Nuclear energy should be qualified in the absence of technologically and economically feasible low-carbon alternative at a sufficient scale to cover the energy demand in a continuous and reliable manner"*. This gives a comprehensive limit, and classification of nuclear energy as a sustainable energy, and not as a transition energy; it would significantly simplify the delegated act application both for Member States and for the European administration. As far as the DNSH criterion is concerned, the conclusions of the JRC are clear (annex 2), so that nuclear should be included under Article 10-1.

PNC-France is aware of the uncertainties that weigh on the successful achievement of Europe's objectives for 2030 and 2050. This strengthens our opinion that a robust strategy should lead to a significant increase in dispatchable and decarbonized electricity production.

**However, should the European Commission decide to maintain this classification of nuclear power as a transitional energy source**, some dispositions in the draft delegated act would need to be addressed. Some of these, listed below, are of particular concern:

- The 2040 deadline (Appendix - 2) for operating time extension of existing reactors may lead, for the more recent ones, to weakening the possibility of their operation extension beyond 50 years, despite approval granted by the safety authority for such extensions. Yet, they are obviously climate friendly and competitive. 2060 would be more appropriate, considering the lengthy authorization procedures.

- The 2045 deadline (Appendix - 2) for the authorization of new builds seem extremely restrictive: it imposes that the required files be submitted around 2032/2035, much too early from the industrial point of view. It also gives the possibility on the part of radical opponents to systematically delay all the stages of the consultation. If a date were to be set, it would be more appropriate (or realistic) to set a deadline for the submission of the required dossiers or, alternatively to set the deadline twenty years later.

- Concerning the new entrant countries, several provisions appear prohibitive (Appendix - 3), such as the date of commissioning or the date of commitment to final waste disposal, especially considering high and medium level waste.

- The Draft delegated act seems to suggest that the European Commission will have a possibility to analyze safety issues: this role (Appendix - 4) is assumed today by Member State safety authorities under Euratom scrutiny. For instance, any decision concerning hypothetical technologies, such as accident tolerant fuels, is under their competence.

- From a management point of view, the review periodicity of the projects (Appendix - 5), every three years, is extremely cumbersome for long term industrial projects.

- Front and back end of nuclear fuels are essential to the production of nuclear electricity as well as to the implementation of the circular economy principles in nuclear energy called for in the text, such as fuel recycling and the development of fourth generation reactors. They should therefore be clearly in the taxonomy.



