

Nuclear Free Local Authorities **RADIOACTIVE WASTE POLICY**

Briefing No. 39 – MRWS W.Cumbria ‘lessons learned’?

Prepared for NFLA member authorities, June 2013

NFLA response to UK Government ‘call for evidence’ on ‘geological disposal facility’ site selection process as part of the 2008 ‘Managing Radioactive Waste Safely’ Programme

i. Introduction to Briefing

In March 2013, Cumbria County Council decided that it would not proceed to the next stage of the process for selecting a potential site for construction of a deep underground radioactive waste repository (often referred to as a Geological Disposal Facility of GDF by the UK Government and Nuclear Decommissioning Authority), under the ‘Managing Radioactive Waste Safely’ programme. Despite Copeland Borough Council and Allerdale District Council wishing to proceed with this process, the decision by Cumbria County Council, as the planning authority, means that the process cannot now go ahead in the county.

The UK Government has published a consultation seeking to consider ‘lessons learned’ from this process and the potential way forward. This briefing has been developed for NFLA member authorities by the NFLA Policy Advisor to provide it with the NFLA’s short response to the consultation. In addition, the NFLA Steering Committee will be discussing these matters on the 28th June and, in a joint NFLA English Forum / NFLA Steering Committee seminar on the same day will include a presentation on the matter.

If you would like to submit your own response to the UK Government consultation endorsing the content of the NFLA’s response then please email it to radioactivewaste@decc.gsi.gov.uk by 10th **June 2013** or post your response to the Managing Radioactive Waste Safely team, Department of Energy and Climate Change, 55 Whitehall, London, SW1A 2EY.

The scope of the Government’s consultation is as follows:

“The Government is interested in your views on the geological disposal facility site selection process outlined in the 2008 Managing Radioactive Waste Safely (MRWS) White Paper. To assist us you may wish to consider the following issues in your response:

- What aspects of the site selection process in the MRWS White Paper do you think could be improved and how?
- What do you think could be done to attract communities into the MRWS site selection process?
- What information do you think would help communities engage with the MRWS site selection process?”

NFLA response to the UK Government’s consultation:

1. Re-visiting CoRWM 2006

Although the First Committee on Radioactive Waste Management (CoRWM 1) recommended ‘deep geological disposal’ of high and intermediate level radioactive waste, its recommendation was heavily caveated. CoRWM’s 2006 recommendations should therefore be re-visited by the Government.

Communities will first want to see it demonstrated that a Deep Geological Repository (DGR) will remove a burden from future generations rather than simply changing it into a different kind of burden. In other words, time is needed to ensure the scientific case is credible and to evaluate alternative approaches. There should be consultation on the detail about how an R&D programme on deep disposal might be carried forward in an open and transparent way.

As CoRWM1 recommended, it should also be clear that there will be a separate process for new build waste and consultation on how that separate process will be implemented.

This means that less emphasis would be placed on building a DGR and more on the detail of a programme of R&D into other management options which could offer an alternative to a DGR. These management options will, in any case, be required firstly while DGR options are being developed and secondly should the DGR option not prove possible.

2. The development and implementation of a stakeholder and public engagement programme.

There needs to be an open, transparent and inclusive engagement process at public and stakeholder level similar to the processes organised by CoRWM1, beginning with consultation to determine how they would like to be consulted.

Consultation should include the following:

- An exercise to ensure that the definition of ‘community’ in the context of radioactive waste disposal is robust and can stand scrutiny. Have the results peer reviewed by an appropriate body of experts.
- An aim to identify the issues pertaining to ‘potentially affected communities’ such as, for example, radiological risk; impact on house prices; economic benefits etc.
- Options to be presented to volunteer communities to determine and include in the process the means by which it will be demonstrated at every key decision point that the community is still in support of the process.
- The establishment of some ground rules on community benefit packages – it should be clear from the outset that volunteering will be more about the effort required, cost and time involved in organising a comprehensive and extensive engagement process than about community benefits in terms of the government paying for unrelated infrastructure benefit. On the other hand this needs to be seen as a positive opportunity to develop a decommissioning and legacy waste management industry with associated export opportunities rather than a desperate attempt by an economically depressed area to gain some benefit from taking waste more prosperous areas want to get rid of.
- A review of the former MRWS process and which aspects were positive and should be retained, such as the staged process, the right to withdraw, partnership, volunteerism and participation etc.
- A full consideration of the security issues around the storage of high and intermediate level radioactive active waste, both in existing facilities and in any new facilities that will be developed in the future.

3. Oversight

The Government should establish a new oversight committee which has a wide range of expertise including social science and ethics. This committee should manage a fund to which communities, NGOs, etc can bid for support to pay for independent expertise. This should include funds that can be allocated to critical voices at a national level and some for use by volunteer communities to employ expertise.

4. Waste Issues

The open and transparent engagement process the NFLA is advocating also needs to determine the likely inventory communities will be expected to accept. If it is decided that this includes new build waste, then the consequences of that decision in terms of ethical issues, technical issues, revision of repository surface footprint, etc need to be addressed. In this context communities should also include those expected to host radioactive waste stores.

There also needs to be further discussion on the 'retrievability issue': this will fundamentally affect the design of a repository and the technical/ethical issues associated with it. The casual and disconcerting practice of mixing up disposal and storage needs to end – the two are entirely different and send wildly differing signals to potential host communities.

5. Development of the Scientific Case

Research on the **generic** uncertainty issues on the Radioactive Waste Management Directorate's (RWMD) 'issues list' needs to continue but in an open and transparent way which involves and includes critics, NGOs, nominated representatives of major stakeholder groups and appropriate minority groups in a programme of joint fact finding .

Initially those issues, which can be addressed or partially addressed before a specific site is identified, should be identified. The resolution of generic issues should not be delayed until a specific site is identified. RWMD should be required to undertake work which attempted to resolve generic issues across both or all reference geologies.

The outcomes of this work should be as open as possible to scrutiny by members of the public within and outside the potential host community. It should ensure documents emanating from the process are written in stakeholder-friendly language (where possible) and that the language of possibility rather than certainty is used.

A parallel open and transparent, inclusive, process to examine storage options should be implemented.

6. Geology and site selection

In its implementation report CoRWM 1 proposed that areas unsuitable on scientific or other grounds should be screened out before an invitation to participate is issued. This was one of CoRWM's key proposals that have **not** been implemented in the MRWS process to date. The first step in the process must be to review the existing UK data and identify the most appropriate geological areas of the country.

This should begin with a consultation process which looks at the criteria potential host geology would have to meet. Should it, for example, be based on depth, and natural, very low permeability barriers (as proposed in Canada, Germany (Konrad) and USA (WIPP)) or should it rely on backfill and the integrity of the containers as in Scandinavia? If the former, what should be the role of packaging and backfill?

Once this process has been completed a list of those regions which have been screened out as unsuitable should be issued and a call for volunteer communities made (in a way that is compatible with the definition of community previously decided).

If and when an expression of interest is made, it should be determined by the methodology previously decided whether that expression of interest has public stakeholder confidence and support.

**NFLA Secretariat
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