



Department
of Energy &
Climate Change

Call for Evidence

Managing Radioactive Waste Safely: Review of the Siting Process for a Geological Disposal Facility

Response form

13 May 2013

Call for Evidence

Please use this form to answer questions on the Call for Evidence on Managing Radioactive Waste Safely: Review of the Siting Process for a Geological Disposal Facility.

The closing date for the submission of responses is **10 June 2013**.

Responses can be returned by email (preferable) or post.

Email address: radioactivewaste@decc.gsi.gov.uk

Or by post to: The Managing Radioactive Waste Safely team
Department of Energy and Climate Change
55 Whitehall
London
SW1A 2EY

In order to help us analyse responses, please provide details of your organisation.

When the call for evidence ends, we may publish or make public the evidence submitted. Also, members of the public may ask for a copy of responses under freedom of information legislation.

If you do not want your response - including your name, contact details and any other personal information – to be publicly available, please say so clearly in writing when you send your response to the call for evidence. Please note, if your computer automatically includes a confidentiality disclaimer, that will not count as a confidentiality request.

Please explain why you need to keep details confidential. We will take your reasons into account if someone asks for this information under freedom of information legislation. But, because of the law, we cannot promise that we will always be able to keep those details confidential.

The responses to this Call for Evidence will inform a public consultation that will follow in the autumn.

We would like to keep stakeholders who are interested in the MRWS process up to date on developments. If you would like to be kept up to date please sign up at the end of the form.

Introduction

1. The UK Government's policy for the long-term management of higher-activity radioactive waste is geological disposal¹. In 2008 the Managing Radioactive Waste Safely (MRWS) White Paper² was published which outlined a framework for implementing geological disposal based on the principles of voluntarism and partnership.
2. Three local authorities formally expressed an interest in the MRWS programme: Copeland and Allerdale Borough Councils, and Cumbria County Council. In January 2013, the three local authorities voted on whether to proceed to stage 4 of the process. The two boroughs voted in favour, but the county voted against. The Government had in 2011 given a specific undertaking that the existing site-selection process would only continue in west Cumbria if there was agreement at both borough and county level. The county's decision therefore ended the existing site selection process in west Cumbria.
3. Shepway District Council in Kent had also taken soundings from local residents, but subsequently decided against making a formal expression of interest in the current MRWS process.
4. The Government remains firmly committed to geological disposal as the right policy for the long-term safe and secure management of higher-activity radioactive waste. The Government also continues to hold the view that the best means of selecting a site for a geological disposal facility (GDF) is an approach based on voluntarism and partnership.
5. Evidence from abroad shows that this approach can work, with similar waste disposal programmes based on these key principles making good progress in countries like Canada, Finland, France and Sweden.
6. The fact that two local authorities in west Cumbria voted in favour of continuing the search for a potential site for a GDF demonstrates that communities recognise the substantial benefits that are associated with hosting such a facility – both in terms of job creation and the wider benefits associated with its development.

Purpose of the call for evidence

7. In line with the Secretary of State's written Ministerial statement of 31 January 2013³, Government has been considering what lessons can be learned from the experiences of the MRWS programme in west Cumbria and elsewhere. We are now inviting views on the

¹ Radioactive waste disposal is a devolved matter. The Scottish Government has a separate policy and supports long-term interim storage and an on-going programme of research and development. The Welsh Government has reserved its position on geological disposal of radioactive waste while continuing to play an active part in the MRWS process. The Department of the Environment in Northern Ireland supports the MRWS programme.

² Managing Radioactive Waste Safely: A Framework for Implementing Geological Disposal
<https://www.gov.uk/government/publications/managing-radioactive-waste-safely-a-framework-for-implementing-geological-disposal>

³ See <https://www.gov.uk/government/speeches/written-ministerial-statement-by-edward-davey-on-the-management-of-radioactive-waste>

site selection aspects of the ongoing MRWS programme in this call for evidence, particularly from those who have been engaged in (or have been interested observers of) the MRWS process to date. The responses to this call for evidence will inform a consultation that will follow later in the year.

Background

8. Higher-activity radioactive wastes are produced as a result of the generation of electricity in nuclear power stations, from the associated production and processing of the nuclear fuel, from the use of radioactive materials in industry, medicine and research, and from military nuclear programmes.
9. As one of the pioneers of nuclear technology, the UK has accumulated a substantial legacy of higher activity radioactive materials. Some of it has already been processed and placed in safe and secure interim storage on nuclear sites. However, most will only become waste over the next century or so as existing facilities reach the end of their lifetime and are decommissioned and cleaned up safely and securely.
10. These higher-activity wastes can remain radioactive, and thus potentially harmful, for hundreds of thousands of years. Modern, safe and secure interim storage can contain all this material – but this method of storage requires on-going human intervention to monitor the material and to ensure that it does not pose any risk to human or environmental health. While the Government believes that safe and secure interim storage is an effective method of managing waste in the short to medium term, the Government is committed to delivering a permanent disposal solution.
11. In October 2006, following recommendations made by the independent Committee on Radioactive Waste Management, the Government announced its policy of geological disposal, preceded by safe and secure interim storage. The Government subsequently announced that it would pursue a policy of geological disposal with site selection on voluntarism and partnership. This remains Government policy.

Geological disposal

12. Geological disposal involves isolating radioactive waste in an engineered facility deep inside a suitable rock formation to ensure that no harmful quantities of radioactivity ever reach the surface environment. It is a multi-barrier approach, based on placing packaged wastes in engineered tunnels at a depth of between 200 and 1000m underground, protected from disruption by man-made or natural events.
13. Geological disposal is internationally recognised as the preferred approach for the long-term management of higher-activity radioactive waste. It provides a long-term, safe solution to radioactive waste management that does not depend on on-going human intervention.

Response form

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Email address: radioactivewaste@decc.gsi.gov.uk

Or by post to: The Managing Radioactive Waste Safely team
Department of Energy and Climate Change
Room M07
55 Whitehall
London
SW1A 2EY

Name	REDACTEDREDACTED
Organisation / Company	Ennerdale and Kinniside Parish Council
Organisation Size (no. of employees)	REDACTED
Organisation Type	REDACTEDREDACTEDREDACTEDRE
Job Title	REDACTEDREDACTED
Department	
Address	REDACTEDREDACTEDREDACTEDRE DACTEDREDACTEDREDACTEDREDA CTEDREDACTEDREDACTEDREDACT EDREDACTEDREDACTEDREDACTED
Email	REDACTEDREDACTEDREDACTEDRE
Telephone	REDACTEDREDACTED
Fax	

Would you like to be kept informed of developments with the MRWS programme?	Yes
Would you like your response to be kept confidential? If yes please give a reason	No

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?

Recommendation 1

Any future MRWS process needs to be chaired and managed by a person independent, of any government body, and with the power to apply judicial standards for witness evidence from organisations contributing to the MRWS Partnership activities.

Recommendation 2

Any future MRWS process needs to ensure that potential host communities have separate representation from town and parish councils and that these town and parish councils are independently responsible for assessing and reflecting the views of potential host communities. The DMB, within the MRWS process, should have no influence on, or role in assessing, the potential host communities' views or in representing those views.

Recommendation 3

In order to provide confidence to local people, the MRWS Right of Withdrawal should be extended to the host community and not solely vested with the DMBs. And this Right of Withdrawal is enshrined in statute.

Recommendation 4

Any future MRWS Partnership must ensure that the process and decisions are truly independent of the DMBs. DMB representation on any future MRWS Partnership needs to be that of observer status only, similar to the status afforded to NDA and DECC, in the West Cumbrian MRWS Partnership.

Recommendation 5

Before any consideration is given to continuing the MRWS process, there needs to be a UK wide search for the most suitable geology for a GDF. This work has already partly been carried out so the cost of this

search would not be prohibitive.

Recommendation 6)

National Parks, SSSIs and SACs, together with other landscapes of future cultural value to the nation, should be treated as excluded areas from the outset. Only after demonstrating that all the previously identified geologically ideal locations, are in fact unsuitable for a GDF, should consideration be given to the excluded areas.

Recommendation 7

Any future MRWS process needs to build in fiscal probity as mandatory requirement on the MRWS Partnership and to provide independent financial oversight of the same, in order to prevent wasteful use of public monies.

- 1) Throughout the MRWS process in West Cumbria, there have been repeated instances where information is omitted from data provided by NDA and DMBs. Such omissions are misleading and convey a false impression of the impacts a GDF would have on the local community. The damaging impact of the Stage 5 exploratory workings, on the Ennerdale valley, were only admitted (by NDA) in the last weeks leading up to the three DMBs decisions on proceeding to Stage 4. This admission was after the Stage 3 consultation had concluded.
- 2) The MRWS White Paper sought to provide flexibility in defining a 'host community'. Whilst flexibility is essential, such flexibility is open to abuse; as was the case in the MRWS process in West Cumbria. The MRWS Partnership treated the borough, as a whole, as the 'host community; such that the views of a true 'host community' are subsumed into and combined with the views of the wider community. This is at the heart of the Partnership's failure to implement and deliver voluntarism.

The DMBs sought to represent the views of the potential host communities. It was only through the efforts of numerous parish and town councils, working with Cumbria Association of Local Councils (CALC), did the real views of the potential host communities get voiced. One example of the MRWS process, as managed by the DMBs, failing to reflect the views of one potential host community, can be seen in the parish of Ennerdale and Kinniside. The MRWS Partnership claimed that the Copeland communities were overwhelmingly in favour of proceeding to Stage 4. However when an independent parish wide referendum was held, nearly 95% of the electorate voted not to proceed to Stage 4. The views of this community were demonstrably misrepresented by the MRWS Partnership.

- 3) The MRWS Public Consultation document page 93, paragraph e) states "In the event of the partnership concluding that the omission of a potential host community from the PSA (potential site area) would create insurmountable problems for the siting process, then it could recommend the inclusion of the community concerned if this was supported by a full justification and

explanation.

When asked if a DMB would override the wishes of an unwilling host community, the Chairman of the MRWS Partnership replied "Yes, we do at this point believe that there are limited circumstances where a borough or county council could ultimately override the wishes of a potential host community (just like in the traditional planning process)."

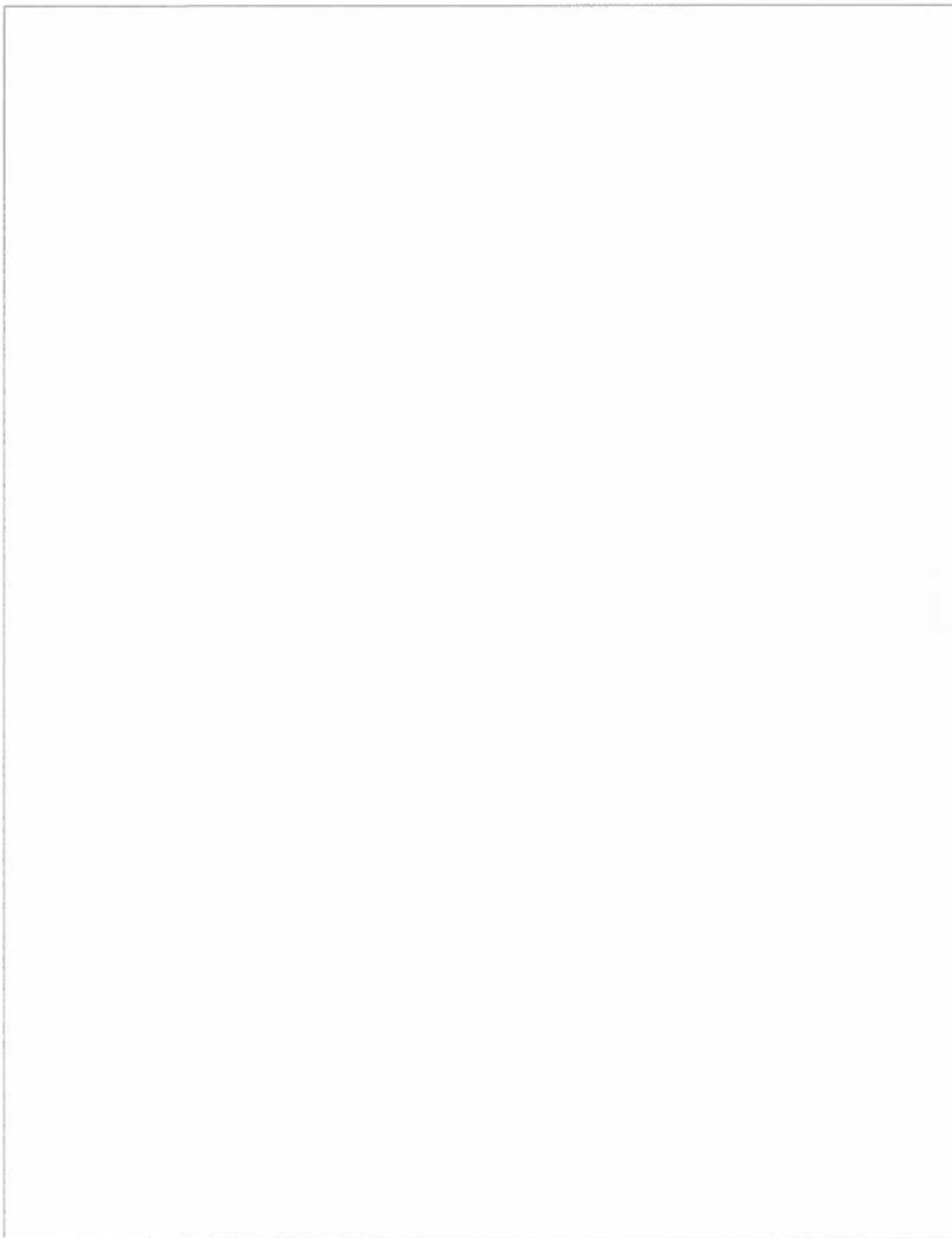
The voluntarism of potential host communities cannot be safeguarded by DMBs in West Cumbria. The host communities need a right of withdrawal, that is exercised independently of the DMBs.

- 4) The structure of the MRWS Partnership was fundamentally flawed and lacked even the most basic standards for independence. Often the DMB Council Leader would chair MRWS Partnership, strongly influencing the MRWS Partnership advice and recommendations. When the DMBs sat to consider the same MRWS advice and recommendations, they did so under the chairmanship of the same person, who had chaired the formulation of the MRWS advice and recommendations. This in itself is sufficient to undermine the credibility of the MRWS Partnership.
- 5) DECC's 'Call for Evidence' states: "The Government remains firmly committed to geological disposal as the right policy for the long-term safe and secure management of higher-activity radioactive waste." However the MRWS White Paper fails to address the issue of seeking the most suitable geology first. In fact it does not even give any consideration to finding the most geologically suitable areas, before engaging with communities. The reference in DECC's 'Call for Evidence' reads: "Evidence from abroad shows that this approach can work, with similar waste disposal programmes based on these key principles making good progress in countries like Canada, Finland, France and Sweden." This also fails to record that in each of these countries, the most suitable geology was identified before seeking volunteer communities. In each country, volunteer communities were found. However, the UK is alone in seeking the volunteer community before identifying where the most suitable geological areas for a GDF are.
- 6) The MRWS Partnership excluded some locations from the search for a GDF, based on the BGS report. What the MRWS Partnership totally failed to consider was the need to exclude locations based on other grounds than future potential mineral resources. Once it became publically known that the MRWS Partnership intended to consider siting a GDF within the Lake District national park, there was a public outcry from both local people and from the public at large. Not only local people but the wider national community are not willing to volunteer the Lake District national park into hosting a GDF.
- 7) Several independent geologists stated that the rock volumes within the Western Lake District were unsuitable in the search for a GDF. Even the MRWS Partnership's own consultant geologist stated, that the poor prospect of finding suitable geology in the Western Lake District, would render Cumbria unsuitable for commercial exploration.

Despite this information being made available to Copeland Borough Council (CBC) and that to proceed to Stage 4 would most likely lead to a massive waste of public money, CBC decided to vote to proceed to Stage 4. In effect, Copeland Borough Council knowingly made a decision that

would likely lead to a huge waste of public money.

This same information on the geology of West Cumbria was also known to NDA and DECC. Consequently, both DMBs and Central Government had shown a lack of financial probity in the use of public money. This leaves open to question which body should manage the finances for any future search for a GDF.



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