

RESPONSE TO THE CONSULTATION ON THE REVIEW OF THE SITING PROCESS FOR A GEOLOGICAL DISPOSAL FACILITY

From: Varrie Blowers

I am disappointed that the Government has not carried out to the full the recommendations of CoRWM1 and as a result now seems to be engaged in a hasty rush to find a GDF *as soon as possible* – as opposed to *as soon as practicable*. The more *dirigiste* tone of the consultation document betrays a feeling that the Government seems to be suffering from ‘GDF search fatigue’ and has not thought through the implications of some of its proposals in its rush to get the job done.

My comments on the current consultation will cover the areas of:

- National Awareness Raising and Public Engagement;
- Decision-making and Roles (with reference to Questions 1 and 2);
- External Stakeholder Engagement (with reference to Question 3);
- Inventory (Question 6);
- Communities (Questions 7 and 8). This includes communities that will host spent fuel at new nuclear build sites.

National Awareness Raising and Public Engagement

I welcome the Government’s decision to have a national awareness raising and public engagement programme. I believe that radioactive waste is a serious national problem and that the public needs to be made aware of the implications of its disposal. Of course, the devil will be in the detail.

Although information is provided in the consultation document on the subject of this programme and on why it will be undertaken, there is no information on how it will be carried out. I do not know if this is because what will happen is supposed to be so obvious as not to be worth mentioning or because of a lack of imagination on the part of the Government. I am assuming that the Government will be using public information announcements on TV and radio (as happens to good effect in Scotland), as well as advertisements in the national and local press. I imagine that social media will also be used. The purpose would be to inform the public that the launch of the process to find a GDF was about to be carried out and that local authorities would be approached to make an expression of interest.

In order to ensure that such a programme is carried out transparently, I suggest that public engagement meetings be held all over England, Wales and Northern Ireland at which the public would have the opportunity to raise questions and concerns about the proposals. The Government should avoid trying to put forward only a beneficial and one-sided view of its proposals and the public should be made aware of the good and bad implications of hosting the national repository.

It would have been good to have had information on what will be involved in a national awareness raising and public engagement programme in the consultation document as I believe this is a vital part of the search for a GDF.

Decision Making and Roles (with reference to Questions 1 and 2)

Unfortunately, the consultation document betrays the desire for the heavy hand of Government and its nuclear acolytes to push through the revised process.

I do not believe that the Government should say that the previous process in West Cumbria 'failed'. What happened was that the legitimate Right To Withdraw was exercised. To say that this constitutes a failure hints that the Government will ensure that the process will not be allowed to 'fail' again. Unfortunately, this becomes more than a hint as one reads through the consultation document. I fear for the voluntarist, participative approach that the Government wishes to stress it still favours. I would draw attention to two issues.

Firstly, as I say above, what is proposed for governance of the process amounts to a high degree of control by central government. From the document, it appears that the Government and RWMD (an arm of Government and also the developer) will constitute two-thirds of the Steering Group. Even if the decision-making body (DMB) holds the position of Chair of this Group, it can be imagined that it would be severely constrained. Further, the Steering Group will convene a Consultative Partnership which will be 'free' to make appointments. To be frank, this looks like a Government stitch-up and it is made very obvious who would be doing the steering.

Although it may have had its faults, the previous process whereby there was a local Participative Partnership to represent the views and decisions of local communities still appears to be by far the most democratic way of proceeding. I believe that there should be an independent oversight group for the process and that Government, the RWMD, the NDA, DECC and the nuclear industry should be observers only.

The proposals for governance of the process outlined in the consultation document will blatantly diminish the voluntarist and participative elements that the Government emphasises it wishes to preserve. It is a process in which the public will have little confidence. And public confidence is what the Government should be striving to obtain.

Secondly, the proposed abandonment of staged decision making in favour of a continuous process that 'would not require several formal 'hold' points that create unnecessary pressure to make commitments to proceed' seems a rather obvious, blatant and quite cynical attempt to ensure that the importance of voluntarism and participation is severely impaired. Several formal 'hold' points are exactly what are required to make the process an open, transparent and democratic one. The Government appears, alarmingly, to believe that such checks on democratic participation are one of the reasons for the 'failure' of the West

Cumbria process.

A lot can and will happen over the many years it is anticipated that the 'Learning' and 'Focusing' phases will take. Over this time, it is more than likely that the views of the communities will change and elections will take place that will affect the governance of the process. A Steering Group, constituted as suggested in the consultation document, pushing forward a continuous process that terminates with one demonstration of public support, is unlikely to fare well. In these circumstances, the Right to Withdraw could prove a severe temptation for communities who are suspicious of how they are being treated.

The democratic process and the openness, transparency and honesty it requires should be foremost in the Government's dealings on a project it acknowledges to be of vital importance to the nation and which very much depends on the confidence of the nation.

It is, therefore, extremely important that the staged process should be retained. Communities must be kept informed of what is going on, should be consulted and should give demonstrations of their support regularly. It is not good enough to say that a demonstration of public support will be required right at the end of the 'Focusing' phase. Many years will have passed and by then the communities and DMBs will feel they are locked into a *fait accompli*.

Communities should be informed at every stage of the process, from the moment the idea of exploring the hosting of the GDF is but a glint in the local authority's eye. At this point, permission from the electorate to proceed should be obtained (as with Shepway Council). Local authorities and the Government must not work behind closed doors if they wish to obtain community support.

I believe that one of the reasons for Cumbria County Council withdrawing from the previous process was its concern that the Right To Withdraw was not enshrined in statute. Enshrining this Right in statute would increase the faith of communities in the process.

Split boundaries

As acknowledged by CoRWM1, what constitutes a community is difficult to define. This is of particular importance, for example, in the cases of communities which are outwith the jurisdiction of a DMB but which would be severely affected by any decisions made by that DMB.

Purely speculatively, I shall take the example of my own locality: Mersea Island in Essex. If Maldon District Council (as the DMB) were to agree to host the GDF at the Bradwell site this would have a severe effect on the Island. Bradwell is not visible from many points on the Dengie Peninsula where it is situated (including the majority of the village of Bradwell itself). However, it faces Mersea Island, only 2 miles away over the Blackwater estuary - and in the jurisdiction of the Borough of Colchester. This is obviously a problem of split boundaries.

This issue is not considered in the consultation document but it certainly needs to be. The question of what tier of local government will constitute the DMB should be re-visited. In the case of Mersea Island, Colchester Borough Council would need to be given the same weighting and powers as Maldon District Council.

External Stakeholder Engagement (with reference to Question 3)

It is welcome that the Government acknowledges that ‘constructive challenge can lead to more effective policy and delivery’ and, to that end, is ‘keen to explore options for more effective engagement with NGOs and other groups’ whether or not they support the implementation of geological disposal (item 2.82).

I look forward to learning how this more effective engagement will be implemented.

Inventory (with reference to Question 6)

So-called ‘interim’ storage

The Government has been clear since the publication of the National Policy Statements that it is ‘confident’ that a GDF will exist to take the nation’s legacy wastes. The Government is also insisting that spent fuel from new build will be disposed of in this facility. Communities that are already hosting radioactive waste - ILW and spent fuel - are assured that this storage is ‘interim’ and that the wastes will be removed to the GDF when it becomes available, which they are told will be in 2040. Surely by now everyone knows that this will not be achieved in 27 years from now.

The first honest action the Government, the NDA and the industry could take would be to desist from using the term ‘interim’ and substitute this with ‘long-term’. ‘Interim’ is a complete misnomer and its use misleads the public.

Spent fuel

Although spent fuel is being included in the revised Baseline Inventory, it is made clear that it may not be possible for it to be placed in the GDF (although it is ‘expected’ that it will be possible – item 3.62). Although the consultation document raises this prospect, it does not clarify what would then happen to that waste, which is already accumulating at existing nuclear power station sites, e.g. Sizewell and Hinkley B. If new build goes ahead, there could be highly radioactive waste stored indefinitely at places on the coasts of England and Wales, some of which are deteriorating and vulnerable.

Legacy Wastes

I believe that the proposal to include new build wastes as part of the inventory for a GDF, complicates the search for such a facility. It is difficult to see how any

community could commit to hosting an inventory of radioactive waste the size of which cannot be determined.

The recommendations of CoRWM1 clearly relate only to the disposal of legacy wastes. I believe that these recommendations should be followed and that a completely new process for the disposal of wastes from new nuclear build should be undertaken.

Communities (with reference to Questions 7 and 8)

I agree that any communities volunteering to host the GDF must be properly compensated and over the very long term. I am concerned that any payments made to those communities during the proposed Focusing phase in which there are no formal 'hold' points at which stock can be taken, will act to lock them into the process.

The question of how much and when to make payments to any volunteering community needs to be considered very carefully and needs to ensure that communities never feel that they cannot exercise the Right To Withdraw.

Communities at sites of new nuclear build hosting spent fuel

There is no mention of any Government package for communities which will be required to host spent fuel arising from new nuclear build before it is disposed of. (In fact, as I have said above, there are communities already hosting spent fuel stores, e.g. Sizewell.) Effectively, these communities will be hosting spent fuel for many years – and, one imagines, indefinitely if no GDF is found.

It appears that it is not proposed to offer voluntarism, participation and compensation to these communities. And yet this storage is of equal national importance as that in the GDF.

It would be a gross injustice if the Government does not come up with a similar package for these communities to that proposed for those that will host the GDF.

Conclusion

While there are one or two welcome ideas in the consultation document – a national awareness and public engagement programme and possibly more engagement with NGOs – overall it seems to describe a very hasty process (at one point, I wrote down 'Phew!' in the margin). It is also one that will be driven by Government. The document makes it clear that an open, transparent and democratic process is not really what the Government is looking for. My view would be:

- that the Government should re-visit the recommendations of CoRWM1, which were arrived at after a lengthy and very thorough consultation process;

- that the process should deal only with the disposal of legacy wastes and that a new process should be undertaken for the disposal of wastes from new nuclear build;
- that the staged process should be retained and that the continuous process with its requirement for a community demonstration of support only at the end of the Focusing phase has no place in such an important issue as the search for a GDF for the nation's radioactive wastes;
- that there needs to be independent governance of the process through a Participative Partnership, with interested parties such as the Government, its departments and the nuclear industry acting as observers only;
- that there needs to be independent oversight of the process;
- that the Government needs to be honest with the public about what is involved in storage of radioactive wastes and that this is certainly not 'interim';
- that the Government should offer voluntarism, participation and compensation to those communities that will be faced with hosting spent fuel from new nuclear build sites for many years.

Finally, it should be borne in mind that a GDF may never be found.

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