



Department
of Energy &
Climate Change

Call for evidence

Implementing geological disposal:
Working with communities

1 July 2015

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URN 15D/357

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Implementing geological disposal: Call for evidence on working with communities

Call for Evidence Process

Please use this form to answer questions on the Call for Evidence on Working with Communities.

The closing date for submission of responses is **4 September 2015**.

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

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

Or by post to:

Office for Nuclear Development

Geological Disposal 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 the 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. However, we must comply with relevant legislation and cannot promise that we will always be able to keep those details confidential.

Purpose of the Call for Evidence

The purpose of this Call for Evidence is to draw together evidence and information on processes for working with communities in the siting of a Geological Disposal Facility (GDF). In particular, this Call for Evidence focusses on the issues of community representation, community investment and the test of public support. The responses to this Call for Evidence will be used to help the Community Representation Working Group (CRWG) develop proposals for how each of these areas will work in practice during the siting process. The final outputs will be made available in advance of formal discussions between the developer and interested communities.

The Call for Evidence is not a public consultation, nor is it seeking views on where a GDF should or should not be sited.

The Call for Evidence asks questions on the following four areas:

- How to define a community
- How to provide effective representation, governance and decision making
- How to manage and disburse Community Investment
- How to deliver a test of public support

What evidence are we looking for?

We are looking for three types of evidence:

- Case studies or anecdotal evidence i.e. descriptions of projects, such as examples of actual community representation structures that are being delivered. This could include examples of innovation or best practice, as well as information on barriers and challenges
- Quantitative (numerical) evidence.
- Qualitative (non-numerical) evidence.

Evidence could come from a range of sources including academia, the nuclear sector, from other industries, from experience of major infrastructure projects or from community sectors. It does not need to be limited to the nuclear industry or radioactive waste projects. It should be noted that the community representation mechanisms and structures that will ultimately be applied, will need to be capable of functioning in the full range of community settings and situations arising across the country.

We would like to keep stakeholders who are interested in implementation of geological disposal up to date on developments. If you would like to find out more, please contact ond@decc.gsi.gov.uk.

Devolved Administration positions

Radioactive waste management is a devolved matter. Therefore, the Welsh Government, Northern Ireland Executive and Scottish Government each have responsibility for this issue in or as regards Wales, Northern Ireland and Scotland respectively. Their respective policy positions are summarised below:

The 2014 Implementing Geological Disposal White Paper was issued jointly by the UK Government and the Northern Ireland Executive. It confirms the policy of geological disposal for higher activity radioactive waste including a voluntarist approach to the siting process for a GDF that is based on the willingness of local communities to participate.

The **Northern Ireland Executive** has responsibility for ensuring that any proposed GDF will not have an adverse impact upon the environment, health or safety of Northern Ireland. Northern Ireland continues to support the implementation of geological disposal for the UK's higher activity radioactive waste, recognising that it is in the best interests of Northern Ireland that these wastes are managed in the safest and most secure manner.

The **Scottish Government** is not a sponsor of the programme for implementing geological disposal, but does remain committed to dealing responsibly with radioactive waste arising in Scotland. On 20 January 2011, the Scottish Government published Scotland's Higher Activity Waste Policy. Scottish Government Policy is that the long-term management of higher activity radioactive waste should be in near-surface facilities. Facilities should be located as near to the sites where the waste is produced as possible. While the Scottish Government does not support deep geological disposal, it continues, along with the UK Government and other devolved administrations, to support a robust programme of interim storage and an ongoing programme of research and development.

The **Welsh Government** has adopted a policy for geological disposal for the long-term, safe and secure management of higher activity radioactive waste¹. The Welsh Government considers that a GDF will only be deliverable in Wales on the basis of a voluntary partnership with interested local communities willing to enter into discussions about potentially hosting a GDF and the successful conclusion of those discussions.

The Welsh Government has recently issued a consultation on Community Engagement and Implementation Processes² to seek views on the processes by which a GDF might be sited in Wales, and to provide information to potential volunteer host communities which may want to enter discussions, without commitment, about hosting a geological disposal facility

¹ Welsh Radioactive Policy on the Management and Disposal of Higher Activity Radioactive Waste, 2015 <http://bit.ly/1JjyZO1>

² Welsh Government Consultation Document: Geological Disposal of Higher Activity Radioactive Waste: Community Engagement and Implementation Processes, May 2015 <http://bit.ly/1InINYO>

Introduction

What is the issue?

1. The UK has accumulated radioactive waste from a range of sources including generating electricity in nuclear power stations, using radioactive materials in industry, medicine and research, and from defence-related nuclear programmes. Some of this material is in interim storage, but most still forms part of existing facilities and will only become waste over several decades as these plants are decommissioned and cleaned-up. In addition, waste will be generated from the operation and decommissioning of any new nuclear power stations.
2. There are different categories of radioactive waste and it is the higher activity radioactive waste for which geological disposal will provide a secure long-term solution. Other disposal routes are already available for lower activity wastes. Higher activity radioactive waste comprises a number of categories; high level waste (HLW), intermediate level waste (ILW), and some low level waste (LLW) that is not suitable for near-surface disposal in current facilities. If all the UK's higher activity radioactive waste from our past and ongoing uses was put together, it would fill about half of Wembley Stadium.



Examples of Higher Activity Radioactive Waste (ILW and HLW)

3. In addition to the wastes described above, there are some radioactive materials that are not currently classified as waste but would, if it were decided at some point that they had no further use, need to be managed as wastes through geological disposal. These include spent fuel (including spent fuel from new nuclear power stations), plutonium and uranium.

4. In July 2006, following three years of in-depth engagement with experts and the wider public, the independent Committee on Radioactive Waste Management (CoRWM)³ recommended that geological disposal, coupled with safe and secure interim storage, was the best available option for the long-term management of the UK's legacy of higher activity radioactive wastes.
5. Interim storage is an essential component of higher activity waste management, but it is not itself a disposal solution. It provides a temporary safe and secure environment for waste packages that are awaiting final disposal in a Geological Disposal Facility (GDF). New stores currently being built typically have a design life of one hundred years and, if surface storage is required beyond one hundred years, then eventually the stores will need to be rebuilt and the waste packages within them repackaged.
6. It is this requirement for human monitoring, maintenance, constant protection from environmental changes, rebuilding and repackaging that means that, given the very long timescales for which higher activity waste needs to be isolated from people and the environment, interim storage is not a permanent solution.
7. Internationally, there is general agreement that geological disposal provides the safest long-term management solution for higher activity radioactive waste. Other countries that have decided on a policy of geological disposal include Canada, Finland, France, Switzerland, Sweden and the United States of America.

What is geological disposal?

8. Geological disposal involves isolating radioactive waste deep inside a suitable rock volume to ensure that no harmful quantities of radioactivity ever reach the surface environment. This is achieved through the use of multiple barriers that work together to provide protection over hundreds of thousands of years. It is not a case of simply depositing waste underground.
9. The multiple barriers that provide safety for geological waste disposal are a combination of:
 - the form of the radioactive waste itself, for example high level waste that arises initially as a liquid is converted into a durable, stable solid glass form before storage and disposal
 - the packaging of the waste
 - engineered barriers (buffer) that protect the waste packages and limit the movement of radionuclides if they are released from the waste packages
 - engineered features of the facility that the waste packages are placed in
 - stable geological setting (rock) in which the facility is sited

³ Managing our Radioactive Waste Safely – CoRWM's Recommendations to Government, July 2006
<http://bit.ly/15R4QpL>

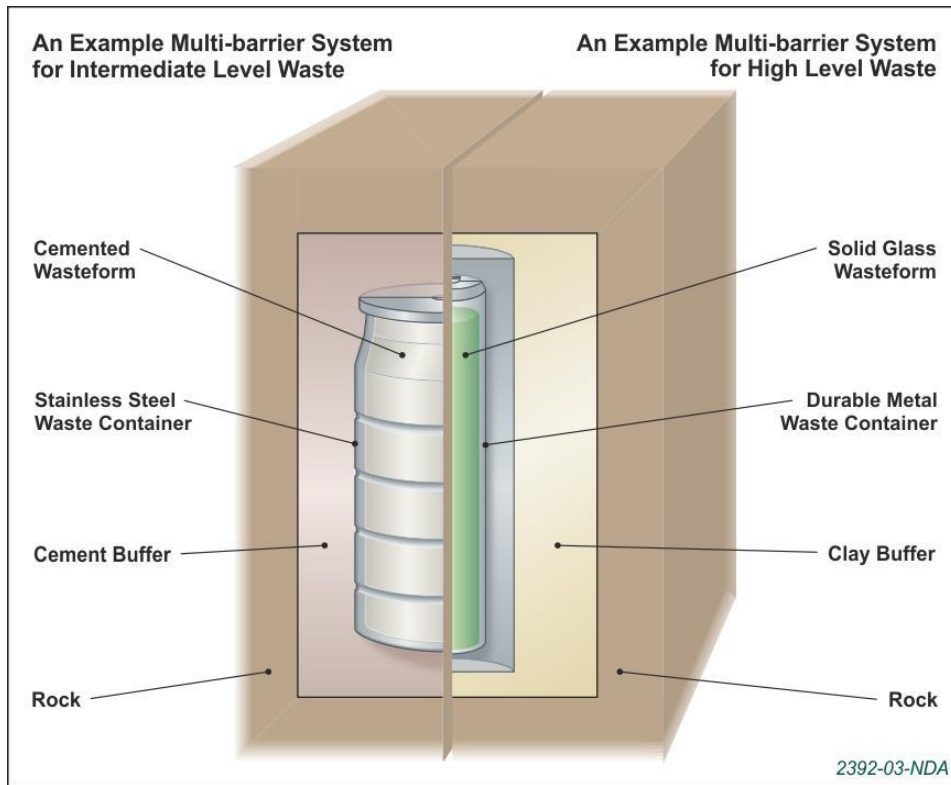


Diagram of example multi-barrier systems

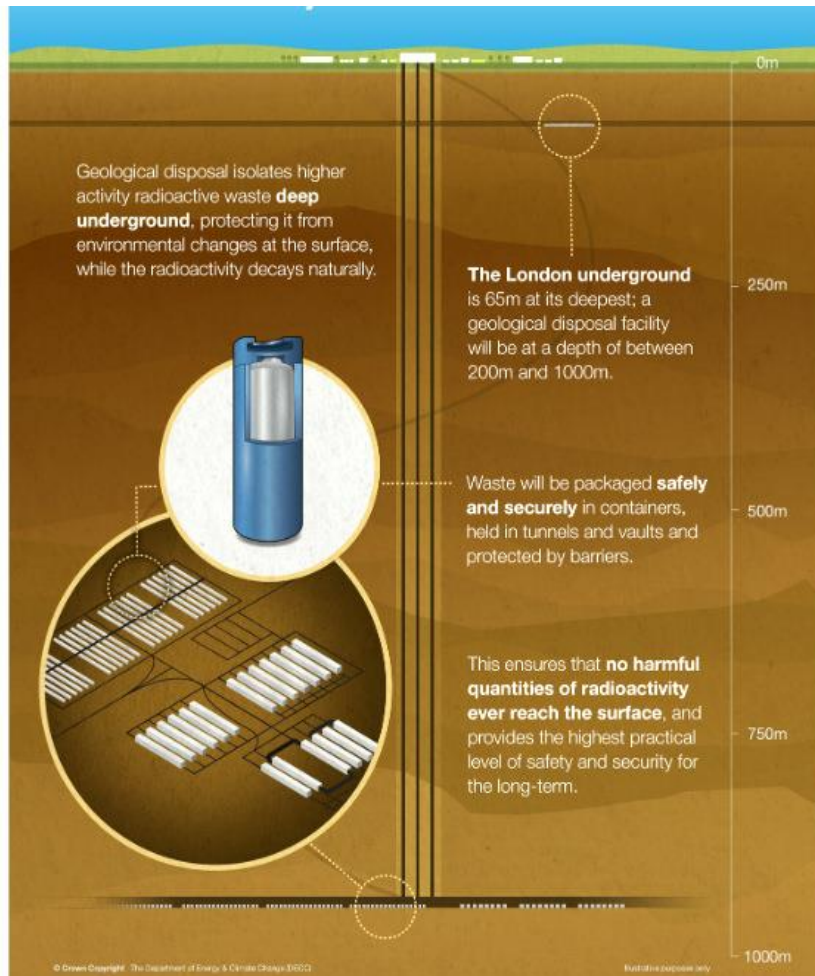


Figure illustrating depths of underground facilities

Implementing Geological Disposal

10. In July 2014, the UK Government published a new White Paper – Implementing Geological Disposal. ⁴The White Paper details a renewed approach to implementing geological disposal of higher activity wastes following a consultation in 2013.
11. To identify potential sites where a GDF could be located, the UK Government favours a voluntarist approach based on working with communities that are willing to participate in the siting process.
12. The White Paper provides background information in relation to the radioactive waste that will be disposed of in a GDF and how it is currently managed; the history of how geological disposal became UK government policy, and that it is in line with the preferred approach internationally; and information on what geological disposal is, including aspects of its design, how it is constructed and regulated, and the roles and responsibilities of those organisations involved in its implementation.
13. The White Paper then sets out a policy framework for the future implementation of geological disposal and explains the work that will happen before formal discussions between interested communities and the developer of a GDF, Radioactive Waste Management Limited (RWM) begin. No sites have been selected or are currently under consideration. Formal discussions to start to identify potential sites will begin once the outputs from this work have been completed. This will ensure that any community wanting to engage with the process at that point can do so with more information and greater clarity about the nature of a GDF development.
14. This initial work includes:
 - bringing development of a GDF in England within the definition of a ‘Nationally Significant Infrastructure Project’ in the Planning Act 2008, including the production of a National Policy Statement and accompanying Appraisal of Sustainability;
 - a national geological screening exercise, which will consider what level of information is already available about geology across the country, how this could usefully be related to the safety case for a GDF and how this could help RWM engage openly with interested communities;
 - working with experts and stakeholders by convening a Community Representation Working Group (CRWG), chaired by Department of Energy and Climate Change (DECC), to develop the processes for working with communities including community representation, the test of public support, and details of community investment.
15. It is the work of the CRWG that is the focus of this Call for Evidence.
16. The following diagram is taken from the White Paper and provides an illustration of the likely timescales including proposed community involvement during the siting process.

⁴ Implementing Geological Disposal. A Framework for the long-term management of higher activity radioactive waste, July 2014 <http://bit.ly/1NtEcUi>



Diagram showing the process going forward

The Community Representation Working Group

17. The White Paper does not prescribe the detailed process of how community representation will operate. Instead, it sets out how the process will be developed over the next two years so that it is ready for when formal discussions start between interested communities and the developer, RWM.
18. One of the key actions in the White Paper, which has since been taken forward, was for DECC to convene the CRWG⁵. This group has been set up to address the issues of community representation, investment and engagement at potential GDF sites. It is the role of the CRWG to help develop approaches to working with communities, in an open and transparent fashion.
19. The group is chaired by DECC and has a core membership comprising relevant other government departments, the GDF developer, RWM and voluntary representatives with experience and expertise in local government issues, delivery of large infrastructure projects, GDF siting, and academia.
20. The CRWG consists of people with skills and expertise relevant to helping UK government develop processes for working with communities; it is not intended to be representative of particular constituencies or special interests, but to draw on the views of interested stakeholders through wider engagement.

⁵ <http://bit.ly/1CEoNL2>

The activities of the CRWG

21. The White Paper stated that:

7.13 The activities of the community representation working group are likely to include, but will not be limited to:

- Developing approaches to defining ‘communities’ in areas interested in learning more about a GDF, and options for effective community representation;
- Defining roles and responsibilities for community representatives and an understanding of how those roles could evolve alongside the GDF siting process;
- Developing options for ensuring that all levels of local government have a voice in the GDF siting process;
- Providing greater clarity around the point at which a test of public support might be considered appropriate, and the method by which such a test could be carried out;
- Developing options for disbursement of community investment, including management of any investment package, assessment of any funding applications and the ability of communities to influence investment within their geographic areas.

Key Issues

Community Representation

22. The UK Government recognises the variety of community settings and local authority structures across the UK. There are many different ways in which people identify with areas, or define themselves against localities within those areas. The 2014 Implementing Geological Disposal White Paper set out the objective of working with communities – to ensure that the developer is held to account, tasked with providing communities with all the information they require and with listening and responding to views in an open and responsive way with communities retaining the ability to withdraw from the process. It underlined the importance of an open and transparent process of working with communities throughout the duration of the voluntarist siting process and set out some high level principles, including that local representative bodies – including all levels of local government – will need to have a voice in the process.

23. The White Paper did not set out to prescribe a detailed process of how community representation should operate. Responses to the 2013 GDF Siting Process Review made it clear that addressing the challenging and complex issues related to community representation in this context would require further work – work that should be carried out in an open and transparent fashion, drawing on the expertise and advice of those with relevant experience. These issues include developing approaches to defining ‘communities’ in areas interested in learning more about a GDF; defining roles and responsibilities for community representatives and an understanding of how those roles evolve alongside the GDF siting process; and options for effective community representation. This Call for Evidence represents a step in that process. In particular, we are asking for evidence and information about how to provide effective representation, governance and decision making.

Community Investment

24. The GDF will be a multi-billion pound project that will provide employment for many decades. As such, hosting a GDF is likely to bring significant economic benefits to a community in terms of employment and infrastructure, maintained over a long period.
25. An element of investment will flow directly from the construction of the facility in the form of jobs and supply chain effects. Further investment will also be negotiated through the planning process and will be covered by planning agreements intended to mitigate the impact of the construction and/or operation of the GDF.
26. Any costs for wider engagement with the local community and other interested stakeholders throughout the period of formal discussions between community representatives and the developer, will be borne by the developer, RWM.
27. In addition, and in line with other large infrastructure projects, additional investment will be made available by UK Government to the community that hosts a GDF. This will be significant – comparable to other, international GDF projects, and capable of generating intergenerational benefits specific to the community that hosts a GDF. This investment is intended to ensure that the local community maximises the potential benefit of the facility. It will be tailored to the circumstances of the local area but could cover issues such as skills development, improved transport infrastructure or other social infrastructure.
28. As set out in the 2014 White Paper, on entering formal discussions with the developer, a community will begin to receive up to £1m per year. If a community remains involved and the process progresses to identifying potential sites through intrusive borehole investigations, this sum would increase to a maximum of £2.5m per year. This funding would only continue for as long as the community remained engaged in the process.
29. This early investment must not fill shortfalls in local budgets, must be spent in accordance with best practice in delivering value for money, must deliver measurable local environmental, social and / or economic benefit and must clearly be additional to engagement funding or and funding made available as part of the mitigation for investigative works.
30. Where the developer (RWM) identifies a site as potentially viable and the community decides to progress to the development stage, following a positive test of public support from the community, investment would increase substantially, as explained in paragraph 27.
31. Investment funding already paid would be retained by a community even if development of a GDF did not proceed in the area in question.
32. The White Paper did not specify the structures and mechanisms for disbursement of this early community investment, how it should be routed to a community, who should hold investment provided by the UK government, nor what types of projects it could support. These are the issues being considered by the CRWG and we are therefore asking for information on this topic in this Call for Evidence.

Test of public support

33. Communities sit at the heart of the voluntarist siting approach. The 2014 White Paper commits that communities will have a right of withdrawal from discussions with the developer at any stage in the siting process leading up to the final test of public support. If a community, via the community representation mechanisms discussed above, decides to withdraw from discussions with the developer prior to the test of public support, the siting process in that community will stop.

34. The final decision to site a GDF in a community that has expressed interest in hosting a GDF will not be taken until there has been a final test of public opinion that demonstrates community support for development at a specific site. This test of public support will be a direct community based decision, taken by the people of the local community. If the community's response to the test of public support is positive, the development can proceed, with the developer applying for development consent for the construction of a GDF, and other permissions to proceed from the environmental and nuclear safety and security regulators. If the community's response is negative, development of a GDF will not proceed, and the siting process in respect of the site under consideration would cease.
35. The process for identifying a potential site for a GDF, and for demonstrating community support for hosting a GDF, is separate from the process of obtaining development consent under the Planning Act 2008 (as a nationally significant infrastructure project). The final decision to apply for development consent in a community will not be taken until, and unless, there is a positive test of public support for a GDF at the site in question.
36. Once sufficient information is available to inform a final test of public support for siting a GDF at a specific location, this test will be taken. The precise mechanisms and timings are matters in relation to which the CRWG will consider and provide advice to DECC to inform a final policy decision, although UK government anticipates that it would be shortly before a development consent application for a GDF at a specific site was made (as this would be when the most information, prior to construction, was available to the community).
37. Against this background, we are asking for information and evidence about how the test of public support could operate within a community.

Response Form

Please use this form to respond to this Call for Evidence on Working with Communities.

The closing date for the submission of responses is **4 September 2015**.

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

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

Or by post to:

Office for Nuclear Development
Geological Disposal Team
Department of Energy and Climate Change
55 Whitehall
London
SW1A 2EY

Call for Evidence Question: Your details	
Name	
Organisation / Company	
Organisation Size (no. of employees)	
Organisation Type	
Are you responding as an individual or on behalf of your organisation?	
Job Title	
Department	
Address	
Email	
Telephone	
Would you like your response to be kept confidential? If yes please give a reason	Yes/No

Call for Evidence Questions

Call for Evidence Question 1: How to define a community

1.1 Siting a GDF will involve a process of working with willing communities – but what constitutes a ‘community’ in this context has not yet been defined.

Do you have evidence, examples, experience about how ‘the community’ should best be defined, in the context of a community considering whether or not it wishes to host a geological disposal facility?

Evidence could be drawn from the UK or from abroad, and from other examples of nationally significant infrastructure, however respondents should bear in mind that the eventual definition will need to be flexible enough to be applicable to different areas across the country that may wish to join the siting process.

1.2 Please provide examples of where this approach has been used and how it contributed to effective community representation during the delivery of a major infrastructure project. Please also identify any barriers and challenges that should be taken into account.

[NB: While the precise layout and design of a GDF will depend on where it is sited, it would have both surface facilities (around 1 square kilometre) and underground facilities, linked by shafts and / or access tunnels. The underground facilities do not need to be located directly below the surface facilities, they could be separated by a distance of several kilometres.]

1.3 Is this approach written up and available? This could be in the form of formal reports, research papers, and articles in periodicals or the press.

Title:

Author:

Publication:

Date:

If not, could you provide a brief summary?

Call for Evidence Question 2:

How to provide effective representation, governance and decision making

2.1 Do you have evidence, examples or experience of effective ways for the views of a local ‘community’ to be represented in formal discussions in the delivery of large infrastructure projects?

Respondents should bear in mind that the siting process for a GDF could take many decades, and representing a community will involve representing a diverse range of local views and opinions over a time period extending over many local and national electoral cycles. Please identify any innovative or best practice examples, as well as any barriers and challenges.

2.2 Do you have evidence, examples or experience of community representation bodies or structures that have worked well in the siting of large projects?

What roles and responsibilities were necessary for the body/bodies to properly represent the community?

Please identify any innovative or best practice examples, as well as any barriers or challenges.

2.3 A community representation body (or bodies) will need to ensure that the developer is held to account in providing information to the community engaging in formal discussions. It will also hold the responsibility for deciding if and when to withdraw from these discussions.

Do you have evidence, examples or experience of governance and decision making approaches in relation to community involvement in large scale infrastructure projects that would be applicable to a community representation body for the siting of a GDF?

2.4 Could you provide examples of where the approach set out above has been used and how it contributed to the successful delivery of a project? Please identify any innovative or best practice examples, as well as any barriers or challenges.

2.5 Is this approach written up and available? This could be in the form of formal reports, research papers, and articles in periodicals or the press.

Title:

Author:

Publication:

Date:

If not, could you provide a brief summary?

3.1 Substantial investment will be made available to communities engaging in the siting process for a GDF (up to £1m per community initially, rising to £2.5m later in the process).

Do you have evidence, examples or experience of methods for disbursing community investment of this scale – including the body that manages the funding, how capacity can be built to disburse investment in the most productive way, and the ability of communities to influence investment within their geographic areas?

3.2 Please provide examples of where this approach has been used and how it contributed to the successful delivery community investment projects. Please identify any innovative or best practice examples, as well as any barriers or challenges.

3.3 Is this approach written up and available? This could be in the form of formal reports, research papers, and articles in periodicals or the press

Title:

Author:

Publication:

Date:

If not, could you provide a brief summary?

Call for Evidence Question 4: How to deliver a test of public support

4.1 The policy set out in the 2014 White Paper is that a GDF will not be constructed unless there has been a positive test of local support for hosting a GDF at the site in question. This test of public support will be a direct community based decision, taken by the people in the local community.

Do you have evidence, examples or experience of how the views and opinions of a community can be most effectively sought? Responses could include the method by which a final public test of support should be taken, and methods to identify whose views should be sought in such a test (e.g. territorial, interest or population extent).

4.2 Could you provide examples of where this approach has been used? Please identify any innovative or best practice examples, as well as any barriers or challenges.

4.3 Is this approach written up and available? This could be in the form of formal reports, research papers, and articles in periodicals or the press.

Title:

Author:

Publication:

Date:

If not, could you provide a brief summary?

Call for Evidence Question 5: Is there any other information or background research that you think would be useful to the CRWG?

Call for Evidence Question 6: Further Information

For some respondents we would like to follow up with additional questions. Are you happy to be contacted for further information if required?

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.

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URN 15D/357