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 disposal[1]. In 2008 the Managing Radioactive Waste Safely (MRWS) White Paper[2] 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 2013[3], Government has been considering what lessons can be learned from the experiences of

---

[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

the MRWS programme in west Cumbria and elsewhere. We are now inviting views on the 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

Please use this form to respond to this 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
Room M07
55 Whitehall
London
SW1A 2EY

Name	
Organisation / Company	Cumbria County Council
Organisation Size (no. of employees)	
Organisation Type	Local Authority
Job Title	
Department	
Address	The Courts Carlisle Cumbria CA3 8NA
Email	richard.griffin@cumbria.gov.uk
Telephone	
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?**

We have considered the above list of issues and offer the following comments for consideration. We would be pleased to discuss any and all of the following in more detail should any clarification be required.

Legislative Underpinning

Throughout our consideration of the decision about participation, Cumbria County Council remained concerned about the legal underpinning to both the right of withdrawal and community benefits. Before any new MRWS process, it would be prudent for DECC to consider how it can provide firmer guarantees to any future prospective host community that it will retain a right of withdrawal up to the point of GDF construction and that any agreed community benefits package will be delivered.

We suggest that one of the ways of achieving this could be through an amendment to the current Energy Bill before Parliament. Government may believe that there are other approaches that could also be explored.

Decision Making

Agreeing a process for decision making in Cumbria both for progression to Stage 4 of the MRWS process and beyond was difficult and, after much prompting, resulted in letters from Government setting out the so-called "green light" system. Despite this, there were still those that suggested, for example, that a district could proceed without a green light from the County Council. Although, DECC honoured the commitments given in the letters from, originally, Charles Hendry and more recently, Baroness Verma, we believe that DECC should consider ways of ensuring greater clarity and transparency in any future MRWS decision making process. We suggest that greater clarity therefore needs to be given to what is meant by a Right of Withdrawal and the detail of how the process would work, particularly in a 2-tier local government area.

Geology

Questions were raised during the MRWS process in West Cumbria about whether or not

geological screening nationally should take place first, so that Government efforts can be focussed on areas with greatest geological potential. Whilst both geological suitability and a volunteer community are necessary conditions for MRWS to progress, there may be a case for reviewing the approach taken by successful programmes overseas where identification of geology preceded identification of volunteer communities. Either way, lessons need to be learned from the West Cumbria experience of having two high profile geologists putting forward the view that the whole of West Cumbria was unsuitable and little or nothing coming back from DECC/NDA to explain why they were prepared to take the risk of moving on to the next stage. While it might be accurate to say that "we simply do not know enough to rule West Cumbria out", it does not provide much reassurance to local residents when they compare it to a very articulate, well-argued opposing view.

We suggest that more could and should be done with regards to more active community engagement – using the undoubted expertise and knowledge across Government to pro-actively address and deal with the questions and concerns that communities will have through the process. Too often we experienced 'meetings in public' where experts attended to observe, rather than meetings with the public where expertise was utilised and shared.

A Plan B

It remains our view that DECC did not make it clear enough that the current policy of safe and secure interim storage would continue to be prioritised in parallel to the approach set out under the MRWS programme. Our assessment is that there was not clear enough proposals set out as to how the waste could be alternatively managed in the long-term, in the event that the establishment of a GDF was not successful. This resulted in the perception that there was no Plan B and that Government would push through with MRWS in West Cumbria come what may. Our concerns are both in relation to the long-term security of the waste, as well as the long-term economic prospects for Cumbria generally and West Cumbria in particular. At its simplest level, this is a matter of communication – you say "current strategy", we say "Plan B" etc..., but such simple clarifications can be enormously helpful to the layman.

Design

Significant uncertainties exist about the 'footprint' of any future GDF and its environmental impact. DECC and NDA's Radioactive Waste Management Directorate should seek to bring greater clarity to the inventory of wastes earmarked for disposal and the scope for waste retrieval (to alleviate public concern about the irrevocability of deep disposal).

Process

How DECC moves forward in the wake of the Cumbria decisions will be important for the maintenance of, or rebuilding of, public confidence in national policy towards long term management of higher activity wastes, given our clear understanding that the previous site selection process in West Cumbria has come to an end. The lessons from the Cumbrian experience must be learned and DECC needs to be innovative and comprehensive in its approach to this call for evidence and the forthcoming public consultation. The roles of CoRWM, the NDA and DECC need to be reviewed and clarified and it may be useful to establish a national forum of key stakeholders to provide ongoing advice to Government, at least while this policy review continues.

Utmost openness and transparency towards any review of MRWS policy is required. Convincing reassurance that adequate infrastructure exists for long term interim storage of wastes destined for geological disposal is also required.

© Crown copyright 2013
Department of Energy & Climate Change
3 Whitehall Place
London SW1A 2AW
www.gov.uk/decc

URN 13D/105