



Mr Peter Stybelski
Chief Executive
Cumbria County Council
The Courts
English Street
Carlisle
Cumbria CA3 8NA

14th October 2008

Ref: MANAGING RADIOACTIVE WASTE SAFELY – A FRAMEWORK FOR IMPLEMENTING GEOLOGICAL DISPOSAL

13th October 2008

Dear Mr Stybelski

I am writing to you on behalf of Greenpeace UK with regard to the 'soundings' letter from the County Council (31 July 2008) on whether Cumbria should go ahead with a 'without commitment expression of interest' and enter discussions with Government about the process of siting a repository for radioactive wastes.

Greenpeace welcomes Cumbria's invitation to comment on this matter. Greenpeace recognises Cumbria's responsibility and interest in discussions surrounding a national geological disposal facility for radioactive waste. We note that with regard to this the letter briefly outlines that two-thirds of the UK's legacy waste is presently at Sellafield.

Greenpeace does however have concerns over the absence of information in the letter on the potential consequences of hosting a national disposal facility for legacy waste – and that concerns the issue of radioactive waste that might be generated by any new nuclear build programme.

This is particularly relevant to Cumbria's letter for, as the Government's White Paper on Nuclear Power (published in January) stated: *The Government considers that it would be technically possible and desirable to dispose of both new and legacy waste in the same geological disposal facilities and that this should be explored through the Managing Radioactive Waste Safely programme.*

In our view any discussion about potentially hosting a facility for legacy waste should not go ahead without drawing to public attention the fact that the Government's view is that the facility should also take waste from new build waste.

Similarly, Cumbria's own Minerals & Waste Submission Draft Core Strategy (para 8.6) states: *the: Government anticipates that if new nuclear power stations are built, their wastes and spent fuel could be accommodated in the same geological disposal facility(ies). CoRWM estimates that extensions to the lives of some existing reactors, and a possible "new build" programme of ten new reactors, would increase the total volume of material for disposal by about 8%, but total radioactivity by a factor of nearly three. The NDA advise Government that the 'footprint' (size) of a geological repository is difficult to predict, but that the addition of new build waste to legacy waste could increase the size of a joint Repository by around 50%, depending on design and site issues."*

We are aware the MRWS programme appears to leave the issue of new build waste to be dealt with through negotiations between local communities and the developers. In paragraph 3.22 the

MRWS White Paper notes: *Through agreed mechanisms for updating the Baseline Inventory, inclusion of new waste will be taken forward in discussion with host communities as the programme proceeds. Geological disposal facility design activities will consider the necessary features to safely accommodate particular waste types if that proves necessary.*

Cumbria is however also aware of its potential to take a role in discussions on a repository, as its Cabinet Minute (26 June 2008) notes: *4.4 The White Paper will invite communities to express interest in engaging with Government but it will also make it clear that any credible expression of interest will require the support of the relevant local authority/ies. Potentially any community in Cumbria could express an interest and the County Council and any District Council in Cumbria (and the LDNPA) could be involved in the decision making process.*

Given all of the above - in particular Cumbria's consideration to possibly make a 'without commitment expression of interest' on this matter - it is surprising that no reference is made to the issue of new build waste in the Council's letter.

The lack of appropriate information on the issue of new build waste in the Government's consultation on the Energy Review in 2006 was criticised by Justice Sullivan in his judgement following a judicial review brought by Greenpeace. Although we acknowledge that the Council's soundings letter does not constitute part of a formal consultation process, Greenpeace believes it would be inappropriate for it to take any further steps in a process - which may lead it to engage on discussions concerning new build waste - without it including such considerations from the outset.

Obviously there will be further opportunities for the Council to provide details on how it will more fully address the issue of new build waste in its deliberations, but from the very start it has to include this matter in all communications with all stakeholders.

Greenpeace believes therefore that it would not be appropriate for the Council to make a tentative 'expression of interest' without giving some information on the possible implications of new build waste to stakeholders and partners.

It is important to note that the issue of whether new build waste should be created is still viewed as a concern by Committee on Radioactive Waste Management (CoRWM) which has made, and continues, to make statements about the need for full debate on this issue. A paper which covers this matter was accepted by the Committee in April 2008 (CoRWM reference 2316). Two paragraphs are noteworthy in the context of a response to the soundings letter (although we would recommend reading the whole document as well as the final statement CoRWM 1 made, *Re-iteration of CoRWM's Position on Nuclear New Build - September 2008*).

The relevant paragraphs are

14. The most important part of any approach must be to maintain openness and transparency at all times. The greatest danger to the successful fulfilment of a siting programme would be if the public thought they were agreeing to a facility for legacy wastes and then found themselves saddled with new build waste as well.

and

16. In conclusion, my view is that CoRWM's original comments that new build waste demand a separate process remains valid. This does not necessarily mean a repeat of the CoRWM process – indeed this could be regarded as a backward step – but there does need to be an opportunity for the public at large and, in particular, at community level, to be able to participate in decisions on what to do with the new build waste. So, if Government wishes to apply the waste disposal bits of CoRWM's recommendations to new build wastes, they will need to ensure that the issues are fully explored with the public and stakeholders.

Greenpeace considers that that the Council should re-issue its 'soundings' letter and that such a letter should be amplified to include information on the possibility of new build waste being part of a geological disposal programme. It also requests the Council defer any decision on making a 'without commitment expression of interest' until such time it has sought comments on the second letter.

It is essential a county wide discussion takes place on issues surrounding a repository and that discussion covers all possible wastes which might be considered. With regard to this we welcome Cumbria's commitment to meet the first requirement, but find it regrettable it has not moved to meet the second.

If you would like to discuss this matter any further detail please do not hesitate to contact me on this email address or 07 801 212 959.

Yours sincerely
Jean McSorley
Senior Adviser
Nuclear Campaign

Greenpeace UK
Canonbury Villas
Islington
London N1 2PN