**Nuclear Waste:  very long term sustainable stewardship and affected communities**

**Response to RWML consultation on: Site Evaluation - How we will evaluate sites in England**

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**Introduction**

I attended the Site Evaluation Consultation forum hosted by RWML in London on 13 February 2019.

I found it an extremely depressing experience as a succession of BEIS and RWML officials presented a series of misinformation, and given the seniority the presenters have, they must also have dissembled, as the presenters must have known what they were saying on certain issues was inaccurate  and/or untrue.

I tried to intervene several times to challenge or correct this ‘fake’ information, to be fobbed off, and told I would be contacted after the forum to deal with the points I raised. This did not happen for five weeks, then all I got was a pdf copy of the very documentation I already possessed, and had already decried as replete with inaccuracies.

*I regard this form of response to criticism from the body designated as the ‘implementer’ by the UK Government as quite contemptuous, disgraceful and indefensible.*

It makes me concerned that the RWML officials are tin-eared and do not want to hear any  comments that do not accord with their own distorted vison.

Indeed, the way officials present at the forum mentioned above, justified  RWML not taking account of  the detailed evidence I submitted to a similar consultation a year ago on *Working with Communities.*

In my view, the situation I addressed in that submission remains the same today, and so I decline to  commit further work to craft a new submission, but am re-submitting the evidence in the hope finally those reading the submissions will take note of critical submissions, and, importantly  act on them not just cheerleading submissions in favour of developing a GDF.

**Please publish my submission in full.**

Dr David Lowry

31 March 2019

**Annex**

My submission addresses these issues below, rather than following the four consultation questions:

Transport – the potential implications for national and local transport networks of constructing, operating and closing a GDF at any given geographical location, including any enhancements to local networks that may be required at that location and the ability to mitigate those potential impacts.

Security [18](https://www.gov.uk/government/consultations/site-evaluation-how-we-will-evaluate-sites-in-england/site-evaluation-how-we-will-evaluate-sites-in-england#fn:23) - The ability to design, construct, operate and close a GDF in accordance with all Requirements relating to security.

**Table 6: Evaluation Considerations for the Siting Factor - Transport**

The potential implications for national and local transport networks of constructing, operating and closing a GDF at any given geographical location, including any enhancements to local networks that may be required and the ability to mitigate those potential impacts.

Transport Safety [23](https://www.gov.uk/government/consultations/site-evaluation-how-we-will-evaluate-sites-in-england/site-evaluation-how-we-will-evaluate-sites-in-england#fn:28) - The ability to design, construct, operate and close a GDF in accordance with all Requirements relating to transport safety. This will include consideration of Requirements relating to the safety of transport of both radioactive materials (regulated by the Office for Nuclear Regulation) and non-radioactive materials.

Transport Security [24](https://www.gov.uk/government/consultations/site-evaluation-how-we-will-evaluate-sites-in-england/site-evaluation-how-we-will-evaluate-sites-in-england#fn:29) - The ability to design and operate a GDF Transport System in accordance with all Requirements relating to security.

Transport impact [25](https://www.gov.uk/government/consultations/site-evaluation-how-we-will-evaluate-sites-in-england/site-evaluation-how-we-will-evaluate-sites-in-england#fn:30) - The potential impact of proposed transport infrastructure and associated traffic movements will be considered in line with Requirements relating to transport impact, including the ability to avoid, mitigate or compensate for those impacts.

**Consultation Question 1:**

Are there any other sources of high level Requirements, other than the Siting Process Requirements and the Legal Requirements identified, that you think should be reflected in the Site Evaluation and why?

**Consultation Question 2:**

Do you agree with the Siting Factors we have identified? Are there any other Siting Factors that should be included and why?

**Consultation Question 3:**

Do you agree with the Evaluation Considerations we have identified? Are there any other Evaluation Considerations that should be included and why?

**Consultation Question 4:**

Is there anything else that you think we should consider in our site evaluations and why?

**Nowhere to Glow?**

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**Analysis of the BEIS joint consultations on Working with “Communities” and the National Policy Statement on plans for a national Geological Disposal Facility (GDF)**

The *Working With Communities* consultation document asserts at para 2.4:

“The work to take into account the views of stakeholders and the public has supported an open policy making approach throughout the development of the Working with Communities policy proposals. We are continuing this approach by seeking views through this consultation from the general public and stakeholders on the policy proposals. Once the consultation has closed, and the responses have been considered, a Government response and final policy position will be published.”

While public engagement is a good practice, *listening to the views expressed, and altering draft policy as a result*is better practice. Experience suggests this rarely happens in radioactive waste consultations, and when it does, the changes are minimal.

*It is hoped this consultation will mark a significant change from this hitherto counter-productive policy of early alienation of interested parties*.

**Q1.Do you agree with this approach of identifying communities? Do you have any other suggestions that we should consider?**

In the consultation document, the energy minister responsible for nuclear waste policy, Richard Harrington writes: “We believe the best way to select a site for a geological disposal facility is in partnership with communities.”

He adds “Building and operating a geological disposal facility is a multi-billion pound, intergenerational, national infrastructure project, which is likely to bring substantial benefits to its host community, with skilled jobs for hundreds of people over many decade.”

This short quote embodies the problem with how BEIS has characterised what comprises community for the purposes of the consultation document “Working with  Communities (WWC).” For BEIS in this document a “community” is really a “directly affected host community” around the location of the above-ground receipt and transfer terminal for waste packages transported to the GDF. It is a great pity BEIS has decided to use such a narrow definition, because it excludes by fiat several much wider issues of public, political and safety concerns that will inevitably arise with development of a GDF.

In the WWC consultation summary, it describes the nature of community concerns as follows:

“There are many different ways in which people identify with areas, or define themselves against localities within those areas. Lessons learned from previous processes have underlined the importance of finding an approach that is clear, flexible, reflects the long-term nature of the siting process, and represents local government at all levels and other community groups appropriately.”

BEIS thus sees the relevant community as a “locality” relatively closed to and surrounding the GDF above ground workings.

But several years ago, BEIS actually established and sponsored a ‘Community Representation Working Group (CRWG) to explore the meaning of community, and the consequences of defing “community” in a particular way. The WWC consultation summary states:

“Efforts have been made to include input from a range of stakeholders and the public. A call for evidence, a literature review and public dialogue events in Manchester and Swindon have been undertaken to help develop the proposals”

The relevant footnote points out that the call for evidence can be found at:<https://www.gov.uk/government/consultations/implementing-geological-disposal-working-with-communitie>

The literature review and public dialogue events can be found at:<https://www.gov.uk/government/publications/public-dialogue-on-geological-disposal-and-working-with-communities>

BEIS needs to revisit this evidence  when determining the final scope for the definition of community in this decision making process. Below I have extracted some of the discussion from reports published by the CRWG, which demonstrates the differing implications for policy of adopting narrow or broader conceptualization of “community.”

One major issue underpins the reason why the wider definition is essential is any GDF will require the transport to the GDF receipt facility of the radioactive waste packages, even if the GDF were to be build close to Sellafield, where the preponderance of waste  ( both by volume and radioactivity) is currently stored. This is actually recognised - in a minor way- in the WWC consultation, when it concedes that there are wider ‘affected’ communities from such a 100 plus year development, atParagraph 4.7, which makes clear that transport links/routes, from the geological disposal facility site to the nearest port, railhead or primary road network (i.e. as far as where minor roads meet the nearest ‘A’ roads used for transport on a regional or county level’ will be considered relevant.

At footnote number 26 to the document adds: “In selecting a site, the ‘delivery body’ would give consideration to existing transport infrastructure, suitable transport modes and routes, and appropriate mitigation measures to minimise any adverse impacts on a community.”

But the potentially hundreds of miles of ‘affected communities’ along road and rail routes from radioactive waste stores, to any centralized repository, are essentially ignored. Why does BEIS believe people living in these communities with multiple hundreds of loads of radioactive materials coming past where they live for many decades do not deserve significant attention, not least because radioactive waste in transit is more immediately dangerous to  people close to transport routes than it is in an engineered GDF deep underground?

The Draft National Policy Statement recognizes at para 4.11.3 that there are security implications of developing a GDF, stating inter alia:

“Where national security implications have been identified, the applicant should consult with relevant security experts from the Centre for the Protection of National Infrastructure, the Office for Nuclear Regulation Civil Nuclear Security Programme and the Department for Business, Energy and Industrial Strategy (BEIS) to ensure that physical, procedural and personnel security measures have been adequately considered in the design process and that adequate consideration has been given to the management of security risks. If the Centre for the Protection of National Infrastructure, the Office for Nuclear Regulation Civil Nuclear Security Programme and the Department for Business, Energy and Industrial Strategy (BEIS) are satisfied that security issues have been adequately addressed in the project when the application is submitted to the Examining Authority, they will provide confirmation of this. *The Examining Authority should not need to give any further consideration to the details of the security measures in its examination.(*emphasis added) The Office for Nuclear Regulation Civil Nuclear Security Programme is responsible for approving security arrangements within the civil nuclear industry and enforcing compliance to prevent the theft or sabotage of nuclear or other radioactive materials, the sabotage of nuclear facilities, and to protect sensitive nuclear information; it does this in accordance with the Nuclear Industries Security Regulations 2003 and the Ionising Radiations Regulations 1999. The Secretary of State is entitled to rely on appropriate regulation of impacts in considering development consent applications.”

The Centre for the Protection of National Infrastructure was contacted in February, asking for further details of the work it has done on protecting the GDF and associated transport networks, but failed to even acknowledge the request, let alone answer it.

***It is surely unacceptable that a potentially key Government body that will be involved in the future security of the GDF project can ignore enquiries for relevant information helpful to clarifying the important consultation questions.***

One day before the consultation closed, BEIS delivered by e-mail an additional set of four answers to questions raised at consultation forums several weeks earlier. One Question asked was:

If the eventual site for a GDF is not near Sellafield, what are the plans for transporting all of this waste out of Sellafield?  Have (RWM) considered the costs and safety and security considerations for transporting most of the GDF inventory out of Sellafield to the GDF?

The answer given was:

“Higher activity radioactive waste is currently stored at over 30 sites in England and Wales. It will be transported to a GDF site over a long period of operation and therefore the rate of movement of radioactive waste will be low. The preferred modes of transport for radioactive waste would be rail or sea, though consideration of the mode of transport will be undertaken on a site specific basis. As the developer, RWM will have to consider the transport impacts (and consult on this and other impacts) as part the planning process. Radioactive waste has regularly been transported around the country for many decades.

Waste arriving at a GDF site will be in highly engineered transport containers. Radioactive materials have been safely transported not only in the UK but worldwide for over 60 years. There is a lot of experience in this area. There are very strict safety requirements laid out in national and international law. A number of large-scale safety demonstrations have been conducted to demonstrate that transport packages can withstand severe accident conditions.”

This is both an inaccurate and misleading answer by omission and commission.

BEIS needs to do better and more credible background research, rather than mak unsupported safety assertions. It’s claim “radioactive materials have been safely transported not only in the UK but worldwide is highly misleading. BEIS should review the internationally available reports on nuclear materials transport accidents, such as

‘Transportation accidents/incidents involving radioactive materials (1971--1991)’

The Radioactive Materials Incident Report (RMIR) database contains information on transportation-related accidents and incidents involving radioactive materials that have occurred in the United States.  (USDoE, Office of Science and Technology, OSTI, *International symposium on the packaging and transportation of radioactive materials:* PATRAM '92, Yokohama (Japan), 13-18 Sep 1992; <https://www.osti.gov/biblio/7193124> & <https://inis.iaea.org/search/search.aspx?orig_q=RN:24038415>

The international standards and arrangements are included in this 468 page IAEA document: ‘Advisory Material for the IAEA Regulations for the Safe Transport of Radioactive Material- Specific Safety Guide (No. SSG-26).’(<https://www-pub.iaea.org/books/IAEABooks/8851/Regulations-for-the-Safe-Transport-of-Radioactive-Material-2012-Edition-Specific-Safety-Requirements>)

The regulator of nuclear materials transports, the Office for Nuclear Regulation, published report in which indicated over 1000 accidents/ events involving radioactive material in transit within, to or from the UK since 1958. The abstract states:

“This report includes descriptions of thirty eight accidents and incidents involving the transport of radioactive materials from, to, or within the United Kingdom, which occurred in 2011. The number of events reported in 2011 was higher than in 2010 (30 events), and near the top of the range of the number of events that have occurred in the last five year period: 30 events in 2010, 33 events in 2009, 39 events in 2008, 26 events in 2007 and 29 events in 2006. Of the 38 events included in this review 11 involved irradiated nuclear fuel flasks (there were also 8 such events in 2010). Only one of the events reported, involving the transport of a radiopharmaceutical source, resulted in any potentially significant radiation dose.

The details of these events have been entered into the RAdioactive Material Transport Event Database (RAMTED), which now contains information on 1018 events that are known to have occurred since 1958.”

(Radiological Consequences Resulting from Accidents and Incidents Involving the Transport of Radioactive Materials in the UK – 2011 Review; <http://www.onr.org.uk/transport/hpa-crce-037.pdf>)

 It is also obvious the BEIS response makes no attempt to address the security question. ***By avoiding inconvenient questions does not make them go away.***

Here is what the Nuclear Free Local Authorities policy Briefing 145 on *Nuclear security concerns – how secure is the UK civil nuclear sector? (*<http://www.nuclearpolicy.info/wp/wp-content/uploads/2016/05/A258_NB145_Nuclear_Security_concerns.pdf>) – published in May 2016 - said on the security hazards from nuclear transports:

**Risks from an attack on a nuclear material transport**

One of the key issues for UK nuclear regulators and policy makers is around security with the transportation of radioactive materials and their protection from a malicious attack.

Many transports of radioactive materials involve mildly radioactive material such as pharmaceuticals, ores, low-level radioactive waste, and consumer products containing radionuclides (e.g., watches, smoke detectors). However, increasing quantities of much more radioactive - and thus hazardous - nuclear materials such as irradiated (“spent”) nuclear fuel and fresh, un-irradiated nuclear fuel, including some containing plutonium (in so-called MOX or a mixed oxide plutonium-uranium mix), is beginning to be transported around the UK as the existing nuclear programme is wound down and decommissioned; and a new build programme of over a dozen new reactors distributed

around the country is planned.

High-level nuclear waste materials, such as spent nuclear fuel, are transported in very heavy, robust containers, which must meet extremely demanding standards to ensure their integrity in the most severe conditions, including sabotage.

***International assessments of risk to transportation casks -***

After September 11, 2001, the US NRC issued to licensees special new orders to increase security in the transportation of specific types of radioactive materials, including spent fuel shipments.

(24) The September 11, 2001 terrorist attacks on the US caused the German government to reassess the security of its nuclear power plants and spent fuel storage facilities. The German Nuclear Safety Commission issued a statement recommending that an analysis be carried out on each plant to assess its vulnerability to September 11-type attacks. Plant operators assert that terrorist attacks are a general risk of society and should be treated like attacks on other infrastructure (e.g., chemical facilities). Moreover, general analysis of the impact of the different civilian aircraft on commercial nuclear plants was requested by the German Environment Ministry and has been carried out by a nuclear industry consortium.

(25) A series of tests simulating terrorist attacks on transportation casks were undertaken in Germany, France, the United States (for the German Government), and Switzerland (for the Swiss Government). Additional tests may have been done that are not publicly acknowledged. As long ago as 1979–1980, at the German Army facility in Meppen, a hollow charge (i.e. “ shaped charge”) weapon was fired at a ductile cast iron plate and fuel assembly dummy to simulate a CASTOR cask.

The cask plate was perforated but release fractions from the fuel assembly were not examined.

From this experiment, the German government concluded that the wall thickness of the cask should not be less than 300 millimetres.

(26) (27) Other tests were carried out at the Centre d’Etude de Gramat in France in 1992 on behalf of the BMU involving shaped charges directed at a CASTOR cask filled with nine fuel element dummies with depleted uranium. The shaped charge perforated the cask and penetrated fuel elements. *This* *damaged the fuel and resulted in the release of fuel particles from the cask.*

***UK issues around the transportation of radioactive materials -***

Looking more closely at these issues for the UK, regulations covering the safety and security of transport of nuclear materials are based on the recommendations of the IAEA.

(28) The UK nuclear regulator, ONR states of its responsibilities and mission: ―ONR Transport carries out a range of regulatory activities to assure the safe transport of radioactive materials. Approval is granted for the designs of packages used to carry high-hazard radioactive materials to ensure they meet exacting international safety standards, and the packages are built to robust quality assurance plans, and are correctly used and maintained. Regulation is also carried out through a programme of targeted, risk-informed inspections and engagement with duty holders which may lead to interventions. Inspections examine the management systems utilised by duty holders, as well as compliance with safety and security legal requirements. ONR Transport inspects duty holders across

nuclear; non-nuclear; and industrial, medical and carrier sectors.

(29) But groups like CND, CORE and the local pressure group Highland Against Nuclear Transport have been critical about the robustness of the ONR oversight of such transports in practice.

(30) NFLA have also consistently been raising concerns over the safety of nuclear material transports for a number of years, whether they be of radioactive waste material transports or nuclear weapon convoys (which is being considered in a parallel briefing on the defence nuclear sector).

Of particular recent concern has been the transport of highly radioactive materials from Dounreay to Sellafield. These exotic‘ fuels have been to date sent on rail transports, but the Nuclear Decommissioning Authority (NDA) has also commenced sea transports. NFLA‘s concern relates to the occurrence of a malicious incident or an accident taking place on a remoter part of the rail network or close to one of Scotland‘s large towns or cities…

The [then] UK Energy Minister Andrea Leadsom also informed Parliament in April 2016 of a relevant new report by the Office of Nuclear Regulation (ONR) Details of safety events involving the transport of nuclear material both by rail and on the strategic road network.

This report noted that there have been 3866 noteworthy events‘ relating to health and safety and security recorded either at civil sites or with the transport of nuclear materials between the 1st April 2001 and 31st March 2015 (a list which also includes conventional health and safety events). Of these, 3141 were rated on the INES scale as being of ‘no nuclear safety significance‘ (INES level 0 or not rated), and 716 were rated at INES level 1 (anomaly), being the lowest level of nuclear safety significance on the INES scale. There were eight events rated at INES Level 2 (incident), and a single event rated at INES level 3 (serious incident), which was in 2005. No events occurred that merited a higher INES rating during this period, and none were designated as ‗accidents‘.

(33) NFLA welcomes the publication of this report as a serious attempt to develop a culture of openness and transparency between the nuclear regulator and nuclear policy groups on such matters. It also welcomes the steady reduction of incidents in recent years. NFLA still remains to be convinced that the large and increasing amount of nuclear transports taking place in the UK is best practice for the future, despite a good safety record. NFLA would rather see transportation of nuclear materials limited as much as is practical, with safe on-site storage facilities developed instead.

This comment of Dr John Large lay at the heart of NFLA‘s concerns:

*“Movement of nuclear materials is inherently risky both in terms of severeaccident and terrorist*

*attack. Not all accident scenarios and accident severities can be foreseen; it is only possible to*

*maintain a limited security cordon around the flask and its consignment; the transportation route will*

*invariably pass through or nearby centres of population; terrorists are able to seek out and exploit*

*vulnerabilities in the transport arrangements and localities on the route; and emergency planning is*

*difficult to maintain over the entire route”*(34)

25) Federal Ministry for the Environment, Nature Conservation and Nuclear Safety Summary of GRS study -

Protection of German nuclear power plants against the background of the terrorist attacks in the USA on 11

September 2001, English version:

<http://www.greenpeace.org/raw/content/international/press/reports/protection-ofgerman-nuclear-p-2.pdf>

(26) F. Large, G.Pretzsch, J.Döhler, E.Hörmann, H.Busch, and W.Koch. 1994. ‗Experimental Determination of UO2-

Release from a Spent Fuel Transport Cask after Shaped Charge Attack‘. 35th INMM Annual Meeting

Proceedings (Naples, Florida). Vol. 23, pp. 408–413.

(27) RSK (Reaktorsicherheitskommission). 2001. Safety-Related Guidelines for the Dry Interim Storage of Spent

Fuel Elements in Storage Casks. Recommendation of the Commission on Reactor Safety. April 5. Available at

<http://www.rskonline.de/Download/Leitlinien/English/RSK-GUIDELINES-DRY-INTERIM-STORAGE.pdff>

(28) Regulations for the Safe Transport of Radioactive Material 2012 Edition; IAEA, Vienna, <http://wwwpub>.

iaea.org/MTCD/publications/PDF/Pub1570\_web.pdf

(29) Office for Nuclear Regulation <http://www.onr.org.uk/transport/>

 (33) Office for Nuclear Regulation, April 2, 2016<http://news.onr.org.uk/2016/02/events-reported-to-nuclear-safetyregulator-2001-15/>

(34) John Large, Briefing on the safety of transports of radioactive material transports for Greenpeace UK, 2006<http://www.greenpeace.org.uk/MultimediaFiles/Live/FullReport7848.pdf>

***The case for considering the implications of a GDF in respect of the impact on  the interests of affected en-route  communities  along the transport routes is thus unchallengeable, and the revised tests must address this in detail.***

***Extracts from CWRG documentation***

In considering who should be eligible for funding it is proposed that the principles for community representation are followed. The *Directly Affected Host Community (DAHC)* would be eligible for community investment funding. In addition, those who are considered to have *Wider Local Interests (WLI)* would be eligible for funding although those in the host community may be given priority. Those with interests under the Nationally Significant Infrastructure Project (NSIP) process, who are not part of the DAHC or the WLI groups, would be those in neighbouring counties. This means that they are likely to be a reasonable distance from the development and should they be affected by the development their interests would be addressed by agreements associated with development consent conditions.

**Section 2: Approaches for defining the ‘community’**

11.This section of the paper attempts to pull together the theory raised through the Call for Evidence and previous CRWG meetings. It is not exhaustive and will be updated as the evidence base develops. Any new insights will be raised to the CRWG in the March meeting. The detailed background theory will be made available in the form of a literature review – a draft of which should be available for the CRWG also in March. A number of case studies will also be developed which will illustrate practical lessons learnt.

12.The term ‘community’ is one which has been debated by academics and practitioners for many years and any number of ‘community’ definitions can apply within a given area and for different given purposes, ranging from spatial and political definitions to virtual, cloud-based definitions of community where people join together through a sense of shared belonging and are located nationally, if not internationally.

13.With respect to the actual delivery of a site for a GDF, practical approaches will be required to help a community to be identified and a definition formed within the constraints of the delivery of this nationally significant infrastructure project.

14.Responses to the Call for Evidence raised a number of important ideas and theory about potential guidance for approaches to defining ‘community’. One of the reports recommended through the Call for Evidence; the US National Academy of Science reports on risk governance have emphasized the complications associated with defining who legitimate stakeholders are in a public decision. In particular, they have argued that what is legitimate must be determined by the stakeholders themselves who they broke down into ‘interested and affected’ parties. This was meant in the sense that there are two types of legitimate stakeholders 1) those who decide for themselves that they have an interest and 2) those whose interests can be deemed to be at risk, through some sort of formal assessment.

15.These different types of community are acknowledged in the responses to the Call for Evidence where suggestions covered ‘those proximate, those living elsewhere with an interest in the site or the issue and wider society within which the Nationally Significant Infrastructure Project (NSIP) will sit’. It was reflected that it is important to engage multiple forms of affected community and not just the very local while neglecting the wider societal picture.

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16.In addition, one of the respondents outlined a two stage approach which firstly identified a ‘Directly Affected Population’ and then looked at the elements of the experience of living in a community. This wider relationship included individuals’ feelings and status of membership of their community. It was stated that of crucial importance is the relationship between the ‘Directly Affected Population’ and wider definitions of community (Wiley, 20101).

1 Wylie, R. (2010) Defining an Affected Community. European Commission under the Sixth Framework Programme Euratom Research and Training Programme on Nuclear Energy (2002-2006)

2 Devine-Wright, P. (2009) Rethinking Nimbyism: the role of place attachment and place identity in explaining place protective action. *Journal of Community and Applied Social Psychology*. 19(6), 426-441.

17.Of special concern for radioactive waste siting issues, is that a ‘directly affected population’ may have a distinct emotional relationship to a site and this may be very different, even at odds with a resource based conception of the issue felt by a wider community, especially where the siting of a facility is associated with significant economic benefits or impacts on the wider community. Emotional or place-based elements of community may be felt only in their immediate vicinity by members of the directly affected population whilst political and economic aspects of their community experience may involve wider administrative areas, or functional economic areas.

18.It was raised that local residents are individuals with strong bonds and feelings to a place. Where a GDF is seen to maintain or enhance local character, it is more likely to be supported by residents with strong place attachments (emotional bonds). Where it is interpreted as a threat to local place-character, protest is more likely (Devine-Wright, 20092). There is a need to consider the emotions and meaning already associated with a potential site as the site is characterised and the directly affected population is identified.

19.This reflects the 2008 *Managing Radioactive Waste Safely (MRWS)*White Paper which recognised two definitions of community; Host Community and Wider Local Interests but didn’t consider as to how these should be identified during the process.

20.The responses highlighted a number of issues associated with defining ‘community’ – it may take time for a community to be fully identified; there is a need to understand local impacts as well as wider impacts and that different perspectives on the siting process will need to be taken into account. Given this and the need for flexibility within the timeframes involved in siting a GDF, a single definition of community appears to be extremely hard and unhelpful to deliver, especially under a nationwide approach with an open call for interested communities.

21.The fact that it may take years to identify fully the actual site for a GDF within an interested area also means that it is challenging from the outset to understand the complex social relations of the public and civil society on the ground, as well as the potential interaction between the GDF and the community. It was suggested that an approach (or approaches) that allows a community to work with the developer to define itself over time, (through processes such as enquiry by design or charrettes), within clear representation structures and governance, may lead to a more successful outcome.

22.This interplay between interested and affected/’directly impacted’ stakeholders was also clear in the responses to the Call for Evidence from various tiers of local authority and individuals who all saw a legitimate stake within the community representation process – in some cases, viewing its stake as more valid than others, showing the wide range of interests and different perspectives that people see in the siting of a GDF.

23.In particular, respondents from the parishes asserted that they were the only tier of local government which accurately understood the individual concerns of the local people and should play a role in representation; there was a concern that the wider community could ‘ride roughshod’ over local community views. In contrast, at County level, there was a concern that the impacts and effects of a GDF will be felt far wider than just the local host site and that needs to be taken into consideration. The roles of the various tiers of Local Authorities in the process are looked at in more detail in section 7.

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This feeds into a point raised by the CRWG in previous meetings regarding the difference between those who ought to be involved and those who ought to be consulted. This will be explored in more detail under 9; the structure of the representative body.

24.A key challenge for the siting process is to create approaches that accommodate this plurality of communities and diversity of interests and perspectives.

25.An evidence base is being developed which will pull together examples from other large infrastructure projects to reveal some practical lessons for how a surrounding community may be defined but it should be noted that the majority of these start from the point of having a pre-selected site or route. The ongoing work on the evidence base will also draw out lessons from international GDF projects such as Sweden, Canada, Finland, France and the US.

26.By way of example of identifying differently impacted communities, one project raised in the Call for Evidence, was the National Grid Hinkley Connections Project which illustrates how different community ‘zones’ were identified as part of their consultation under the Planning Act 2008.

27.The project was initiated in 2009 to route a new 400kV power line from Bridgewater in Somerset and Seabank in Bristol. The Planning Act 2008 places a statutory requirement for the applicant to consult the local community, the general public, local authorities, a range of statutory and other non-statutory bodies and those with land interests. It is important to note here that this is engagement as required by the Development Consent process, as opposed to community decision-making/representation. However, some of the lessons are applicable.

28.National Grid’s approach was to create an inner consultation zone, comprising those geographically closest to the proposed connection forming corridors 1km from various viable routes that were developed in an initial scoping exercise. This initial scoping exercise involved statutory consultees (e.g. English Heritage, Environment Agency, Local Authorities) but not the general public. Beyond these corridors, an outer zone was identified, which National Grid kept informed. The outer zone was created to keep those outside of the consultation zone informed through social media and providing them access to consultation materials. The focus of the consultation was with local communities within the consultation zone; however the National Grid understood that other groups would be interested in the proposals. They therefore ensured the information was made available to the wider public and that stakeholders were engaged and consulted as appropriate and through various means.

**Suggested conclusions on approaches for ‘defining’ a community**

29.Given the information and ideas laid out above, the following draft conclusions are suggested for the CRWG to consider:

• Flexibility needs to be given to the structures and processes which allow the ‘community’ to change and be refined during the process, especially as potential host sites and then the eventual host site is identified.

• There is a range of views and perspectives that need to be taken into account, from local, emotional place-based perspectives, to wider economic resource-based ones.

• The community needs to identify these perspectives itself, or be a key part of the process that identifies them.

• There cannot be a ‘single definition of ‘community’. Instead, definitions of ‘community’ will include those who are ‘directly impacted’ and those with a ‘wider interest’ in the process (the roles and responsibilities will be described in the Community Representation section 7), as well as the ‘interests that will be consulted under the Nationally Significant Infrastructure Planning (NSIP) process’. It is suggested that the following terms could be used to help understand these different

Discussion paper on Community Representation issues for 4 Feb CRWG meeting

**Section 2: Question for the CRWG:**

Does the CRWG agree with the principle that the community comprises the ‘directly affected host community’, a wider local interests group and those with interests under the NSIP process?

**Section 3: Identifying interests - how does the theory work on the ground?**

31.The Call for Evidence raised some suggestions by respondents as to how an approach to identify ‘community’ could be delivered practically on the ground. Around a third of respondents cited the need to define community based on a geographical area. Some respondents suggested that community delineation should be by the local authority boundaries, while others felt that it shouldn’t be restricted in this way but rather defined by reference to local topography and the range of potential impacts on the social, economic and environmental wellbeing of the locality.

32.Other respondents suggested a combination of both; 1) the extent to which people or the environment are directly impacted upon by the construction and operation of the GDF facility and 2) the Local Authority areas within which the surface facility or underground facility sits. They went on to say that where sites are close to local authority boundaries, there may be a need to consider the involvement of neighbouring authorities.

33.In terms of practical methods for identifying who is directly impacted, responses to the Call for Evidence raised a few suggestions. One common suggestion was that, given that the GDF is now a Nationally Significant Infrastructure Project (NSIP) under the Planning Act 2008, many respondents suggested using the assessment tools associated with the NSIP planning process to help to identify key impacts:

34.‘*Established principles of planning and Environmental Impact Assessment (EIA) provide a sound basis for establishing the zone within which there may be impacts. The requirements for the Local Impact Report and the EIA will identify the extent of the environmental impacts from commuting, traffic, noise (etc) and the scope of these documents could be extended to specifically delineate communities affected’*. See Annex A for more details.

35.Whilst the use of the NSIP assessment tools could be beneficial, they shall not be applied until much further into the siting process when the Development Consent Order (DCO) application for the eventual construction of the GDF is undertaken. This could be around the same time as the test of public support might be delivered (as suggested by the 2014 *Implementing Geological Disposal*White Paper and to be informed by the CRWG in later discussions), possibly 15-20 years into the siting process itself. Assessments *will*have to be undertaken for the DCO process for the deep boreholes (around 5 years into the process) but these will only focus on the impacts to a community caused by activities associated with the boreholes themselves.

36.Figure 1 shows the various stages of the siting process and associated timings/coordination. The Working with Communities siting process is separate to the planning processes and decisions on these will be taken through the formal statutory processes. The figure also shows the permitting and licencing work that will be undertaken.

Discussion paper on Community Representation issues for 4 Feb CRWG meeting

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**Figure 1 – overview of processes**

37.In lieu of being able to use formalised statutory NSIP assessment tools early in the siting process and in line with opinions put forward in previous CRWG meetings [footnote], it is suggested that a period of ‘learning’ takes place at the beginning of the siting process. At this point, details around who is impacted by the development could be at quite high level, depending on the type of area under consideration (ranging from, for instance, a district with an identified area of investigation to a County Council or Unitary Authority without a specific area) and how developed their thinking is about possible areas of investigation and land that they might put forward.

38.Lessons can be learned from the Canadian siting process where the Canadian Nuclear Waste Management Organization (NWMO) undertook social, economic and cultural studies with the community and as the process progressed involved communities in the surrounding area, (including the First Nations and if appropriate Inuit or Métis (collectively known as Aboriginal peoples)).3

3 (Courtesy NDA, Overview of International Siting processes, 2013

39.Following ‘Initial Contact’ of an enquiring party with RWM (see section 4.1), this process of ‘learning’ about the local community will enable the developer to understand more detail regarding the specific geographic, social, economic and political aspects of the communities making contact alongside the potential technical opportunities for GDF development. This will help identify stakeholders, the shape and nature of the representative body and the wider engagement with the community, as well as articulate the economic benefits of the GDF in the locality.

Discussion paper on Community Representation issues for 4 Feb CRWG meeting

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40.To do this, RWM would need to undertake/commission some high level desk based research to start to understand the potential ‘community’. This work should be discussed and agreed with the enquiring party and would form a report which we suggest could be called the **Initial Community Report**. It is suggested that this **Initial Community Report**would contain the necessary information to determine an outline definition of community before detailed impact studies are undertaken during site characterisation. The detail of these studies will depend on the size of the area being considered. It is suggested that this work is scoped jointly between the enquiring party and RWM but that, as developer, RWM will commission/manage the research on behalf of the ‘enquiring parties’ in the process.

41.The aim of this ‘**Initial Community Report**is to provide the enquiring party and RWM with enough information to be able to meet the requirements of ‘Constructive Engagement’ (see section 4.2). It is not meant to be exhaustive but instead it is suggested that it forms a preliminary assessment of the area’s potential, which will be developed further post Constructive Engagement as siting progresses and sites for the surface and sub-surface facilities are identified.

42.It is suggested that this work be carried out within 6 months of Initial Contact (see section 4.1). The development of the ‘**Initial Community Report’**is meant to be facilitative and allow the community to progress efficiently to Constructive Engagement and so access community investment of up to £1m without undue delay.

43.At this point, the nominated area could be quite large and the exact location for a potential site may not have been identified. The ‘community’ may therefore encompass a wide range of possible sub-communities within wider local authority boundaries. Local interests will need to be identified and a high level understanding of places of importance needs to be gained. However, it is too early in the process to have a detailed understanding of where a site might eventually be located and therefore what the most local impacts, concerns and opportunities might be. These should be kept under review as the site characterisation works progresses and the understanding of ‘community’ updated accordingly. Guidance could be provided on appropriate representation for specific local issues as work progresses.

44.Following conversations at previous CRWG meetings, it is suggested that the **Initial Community Report**provides summary information on certain issues like local administration, demographics, local economic circumstances and the civil society groups who will likely wish to be engaged. This should also include initial consideration of the high level environmental, landscape and transport impacts and outline understanding of whether there are reasonable prospects of finding a suitable4 site in the area under nomination.

4 ‘suitable site’ covers geology and long term safety

45.It is suggested that the outputs of this work will determine:

• The area under consideration and associated community. It may determine the Directly Affected Host Community (if it is possible to identify this at this point), as well as the Wider Local Interests

• A high level understanding of possible impacts of the GDF, to be developed further following Constructive Engagement,

• An understanding of local interests and interest groups,

• An initial identification of issues and opportunities that could be considered in the local economic visioning work that would follow including the potential role that a GDF could play. A summary of the economic vision for the area where documents exist, (e.g. a Strategic Economic Plan),

Discussion paper on Community Representation issues for 4 Feb CRWG meeting

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• Recommendations for membership of community representation body/ies (see section 9) geared to the particular community.

• Support required in terms of capacity and capability e.g. project management.

46.Following Constructive Engagement, RWM should undertake detailed **Local Studies**to gather further information to determine detailed impacts. These **Local Studies**could explore a number of impacts which could be used to identify those who will be directly affected by the siting and construction of a GDF and could be carried out under the same criteria as an Environmental Impact Assessment (EIA).

47.It is suggested that these studies be used to help further refine the **Directly Affected Host Community**(DAHC) up until the point at which the assessment tools under the planning act kick in. Given that the 2014 White Paper stated that all Local Authorities should have a ‘voice in the process’, where those impacts sit within a two tier area, both the relevant District Council and the County Council should be involved in the process but the geographical extent of the DAHC will remain defined by impact. It follows therefore that the DAHC can be limited to an area within an existing boundary that is open for initial consideration (i.e. the entire Borough or County need not be identified as the potential host community). Wider local interests will sit outside this.

48.**Figure 2:**The Directly Affected Host Community is identified as being within in one parish, sitting wholly in one district and within one county who would be involved in representation. Wider local interests sit in the neighbouring districts (green and orange) and County C. Interests to be consulted under NSIP will be wider still.

[Discussion paper on Community Representation issues for 4 Feb 2016 CRWG meeting]

49.**Figure 3:**The Directly Affected Host Community covers a number of parishes, sits wholly in one district and within one county who will be involved in representation.

50.**Figure 4:**The Directly Affected Host Community is identified as being within in one parish, sitting within two districts and within one county. It is proposed that both districts would be involved in representation at this point, although this might be hard to deliver in practice.

[Discussion paper on Community Representation issues for 4 February 2016 CRWG meeting]

**Suggested conclusions on how impacted communities can be identified**

51.Given the information and ideas laid out above, the following draft conclusions are suggested for the CRWG to consider:

• Both impact and local authority borders are relevant for defining community.

• Whilst there are a number of tools associated with the Planning Act 2008 to determine the impacts of the GDF on a community most of these won’t be officially realised fully until further into the siting process as part of the Development Consent Order processes.

• From the outset, an **Initial Community Report**should be undertaken by RWM and the enquiring party (commissioned using RWM’s frameworks) to identify the information required to allow a community to satisfy the conditions for ‘**Constructive Engagement’**(Section 4.2) using the same tools and criteria as those used under the Planning process (e.g. EIA).

• The **Initial Community Report**should be owned by RWM and developed with the ‘enquiring party’ (see section 4.1).

• Following ‘constructive engagement’, RWM will undertake detailed **Local Studies**to understand the impacts further as site characterisation progresses.

**Section 3: Question for the CRWG:**

Are there other assessments or tools (in addition to those associated with environmental impacts) that should be investigated to identify and define communities? In particular with respect to understanding very localised impacts, place-making and emotional connections, including perceived risks, to an area? How might they be applied?

How might representation be affected where the impacts and the site of investigation crosses a number of districts, or even sits across county boundaries?

52.These draft conclusions help to start to identify the processes around how a community is identified and introduces the concept of an Initial Community Report to help draw together information to allow a community to meet the requirements of Constructive Engagement (see section 4.2).

**Q2. Do you agree with the approach of formative engagement? Do you support the use of a formative engagement team to carry out information gathering activities? Are there any other approaches we should consider?**

The Managing Radioactive Waste Safely (MRWS) process produced two existing ‘nuclear communities’ that expressed a nascent interest in volunteering, Allerdale and Copeland Borough Councils in Cumbria and Shepway District Council in Kent. The former produced a very detailed engagement process; the later fizzled out almost before it began. It will be educative for Government decision- makers in this new process to learn the appropriate lessons from these differing real–life experiences. But in the end, both volunteer initiatives were blocked, by the bigger County Council in the Cumbia  case, even though the district councils favoured going forward to the next exploratory phase, and by the district council, after conducting a local consultation, in the latter Kent case

**The Kent Story:**

**Below are media reports and Count Council and District Council documents detailing what happened**

**Kent and Shepway councils in Romney Marsh nuclear waste row**

<http://www.bbc.co.uk/news/uk-england-18917732>

BBC on line, 19 July 2012

 waste underground with research facilities at ground level

**Two council leaders have clashed over a report opposing plans for a nuclear waste facility on the Romney Marsh.**

The report, co-authored by Kent County Council leader Paul Carter, has been criticised by Shepway council leader Robert Bliss as emotive and inaccurate.

Mr Carter said he believed the report, which said the facility would blight the area,

was factually correct but Mr Bliss said it was a knee-jerk reaction.

Earlier, Kent County Council voted to "totally oppose" the facility.

The area is already the site of Dungeness nuclear power station, where Dungeness A is being decommissioned and Dungeness B is due to stop generating power in 2018 or 2023.

In a letter, Mr Bliss wrote: "You have co-authored a public report that is so full of emotive statements but lacking in fact, I feel I need to correct the inaccuracies."

**'Don't jump ahead'**

He said the facility could bring "potentially significant benefits", including the creation of 500 jobs.

He also wrote Shepway council's position remained neutral, and the authority was seeking the views of the community.

**He thinks I may have got a few facts and figures wrong. I think he's got his facts and figures wrongCouncillor Paul Carter, Kent council leader**

Mr Bliss told the BBC: "I reacted rather badly really because I feel that we shouldn't jump ahead, as far as I'm concerned, with a knee-jerk reaction, because they are used to nuclear down there."

Mr Carter said: "He thinks I may have got a few facts and figures wrong. I think he's got his facts and figures wrong and I will be responding intelligently as to why I believe that factually our report was correct."

The report said the facility would create few jobs and would be built in an area prone to earthquakes.

**Public consultation**

On Thursday, Kent County Council voted to oppose the establishment of a nuclear research and development facility in the county.

It also agreed that if Shepway council decided to progress the proposal further, Kent council should review whether or not to hold a county-wide referendum.

Shepway council, which began a [**consultation**](http://www.romneymarshnrdf.org.uk/home.htm) in May, has said that with the loss of Dungeness power station, the Marsh community would lose up to 1,000 jobs and an estimated £46m a year from the local economy.

It said the government was implementing its policy of geological disposal of nuclear waste and was inviting communities to find out more and express an interest, which West Cumbria had already done.

The facility would place nuclear waste in secure containers underground in vaults and tunnels, and at ground level, buildings would house research, office, transport and other facilities.

The Shepway consultation is asking people whether it should find out more information about a possible facility on the Marsh.

**Romney Marsh nuclear waste storage plant plan rejected**

BBC on line, 20 September 2012

<http://www.bbc.co.uk/news/uk-england-kent-19656382>

**Plans to build a nuclear waste storage facility on Romney Marsh in Kent have been thrown out by Shepway council.**

The final decision was taken by Conservative council leader Robert Bliss after councillors voted against the proposals on Wednesday.

The issue had split residents with 63% of people rejecting it in a survey.

Councillors voted 21 to 13 against formally expressing interest in the government's facility for the geological disposal of nuclear waste.

Supporters believed it would safeguard the economic future of the area after Dungeness Nuclear Power Station closes.

**'More information'**

The public gallery was packed with residents opposed to the scheme as the full council debated the waste plant on Wednesday evening.

Lydd Conservative councillor Victoria Dawson said members had been assured the proposal would not go ahead if the community was against it.

Fellow Conservative Councillor Susan Carey said: "We asked them a simple question - do you want us to go to the next stage or not - and the overwhelming majority of those who did respond said no and I think we have to listen to that."

But Lydd Conservative Tony Hills was among members who voted in favour.

 Members of the public filled the gallery at Wednesday night's council meeting

"I think a lot of people didn't understand the question," he said.

"The question was do you want to find out more information? Like a lot of councillors I would like to find out more information and see what we are being offered.

"That is common sense, we need investment, we need jobs. They are not going to come out of fresh air so lets look at all that's on the table."

Kent County Council and neighbouring East Sussex County Council both opposed the plan.

The area is the site of Dungeness nuclear power station, where Dungeness A is being decommissioned and Dungeness B is due to stop generating power in 2018 or 2023.

Proposal for a possible Romney Marsh Nuclear Research and Disposal Facility

**Romney Marsh and its nuclear heritage**

**Shepway District**

**Council’s view**

[**http://www.shepway.gov.uk/webapp/romney-marsh-nrdf/Documents/April/300412-ApprovedNewsletter.pdf**](http://www.shepway.gov.uk/webapp/romney-marsh-nrdf/Documents/April/300412-ApprovedNewsletter.pdf)

The Council does not have a formal view as to whether Romney Marsh should host a Nuclear Research and

Disposal Facility. However, we do believe that residents of Romney Marsh should be given the option to

consider the opportunity and decide whether it is worth discussing the idea further.

The Government has made it clear that the local community must take the lead but the process has to

begin somewhere, which is why the Council is getting the ball rolling and asking for your views.

Ultimately, it is YOUR decision as to whether you wish to talk to the Government, how far you want

those discussions to go, while retaining the right to pull out at any stage before construction starts.

The question we would like you to answer is:

*‘Do you think that Shepway District Council should submit an community’s behalf, in order to*

*find out more information about a possible Nuclear Research and Disposal Facility*

*on Romney*

*Marsh?’*

The nuclear industry has been a familiar part of Romney Marsh ever since Dungeness A started generating

electricity in 1965.

The Marsh’s two power stations are major employers and local residents have benefited from the skilled jobs that

they offer. Between them, they employ – either directly or through agency staff and subcontractors – around 1,000 people and put an estimated £46.5m a year into the local economy.

But it is a relationship that is drawing to a close. As decommissioning progresses at Dungeness A, jobs will gradually be lost. Dungeness B, meantime, is set to cease generation in either 2018 or 2023. Without a new station being built at Dungeness C, which currently seems unlikely, there could be very few jobs left in the nuclear industry on Romney Marsh 20 years from now.

There is, though, the possibility that Romney Marsh could continue its association with nuclear power by taking

the industry into a new era. The Government has asked communities if they might be interested in hosting a Nuclear Research and Disposal Facility to manage the radioactive by-products from the country’s nuclear industry.

Shepway District Council would like to know if you, as local residents, want to take these discussions further.

**What’s in it for us?**

If it went ahead, the Romney Marsh Nuclear Research and Disposal Facility would be a long-lived, multibillion

pound engineering project. It would draw on the skills of both the underground construction and nuclear

industries, providing skilled employment for hundreds of people over many decades. These would be well-paid, long term jobs that would help offset the loss of employment from the closure of the power stations. This is something many residents may welcome.

Equally, though, there will be people who do not want to see Romney Marsh continue to be involved with

the nuclear industry. There may also be concerns about disruption from the construction and operation of the site.

In recognition of the essential service that the host community would be providing, the Government would put

in place a community benefits package. It is impossible to give precise details at this stage but the types of things that could be considered include:

• Improved local skills training and

education

• Improved infrastructure, housing

and recreational facilities

• Better transport infrastructure

• Investment in healthcare

• Environmental improvements.

It would be up to the community to negotiate the exact package. It is impossible at this stage to put a value on it but in other countries around the world communities hosting similar facilities have enjoyed benefits packages

worth many millions of pounds. There could also be further benefits for Romney Marsh. A facility of this type

would be of national importance and might well result in further investment in, for example, coastal defences.

Long term, once the facility has been filled with waste, it can be sealed and the surface structures dismantled or

used for something else. The site could be farmed, forested, allowed to return to nature, or used for other purposes, with the waste itself isolated within the multi barrier system in the geological formations hundreds of metres below the ground.

**Some questions can’t yet be answered**

We are at the very earliest stage of what could turn out to be a 15 or 20 year

process even before construction starts so there are a lot of questions that simply

can’t be answered yet. We don’t know, for example, where on Romney Marsh any

Nuclear Research and Disposal Facility might be located.

We can’t even say if there is anywhere reasonably accessible from a surface site

on Romney Marsh that might have suitable geology to host such a facility. It is also

much too early to have more than just initial ideas of how the facility would be laid

out or how large it would be, as indicated on the following pages. All these things

would, though, become clearer if we as a community decided we wanted to

explore further the idea of hosting a Nuclear Research and Disposal Facility.

Meantime, the Government and organisations such as the Nuclear

Decommissioning Authority have provided some outline information, some of

which is included in this leaflet. Further details can be found at

www.romneymarshnrdf.org.uk

*Cllr David Godfrey*

*Project Lead Member*

**MAY 2012**

*For further*

<https://democracy.kent.gov.uk/documents/s32944/Possible%20Nuclear%20Waste%20Facility%20in%20Shepway.pdf>

By: Paul Carter, Leader of the Council

Paul Crick, Director of Planning & Environment

To: County Council – 19 July 2012

Subject: Possible Nuclear Waste Facility in Shepway

Classification: Unrestricted

Summary: On Thursday 17 May 2012, Shepway District Council launched a

leaflet drop to residents and businesses on Romney Marsh, asking

them whether or not Shepway District Council should submit an

Expression of Interest to the Government, on the community’s behalf,

in order to find out more information about a possible Nuclear

Research and Disposal Facility (NRDF) on Romney Marsh. This

report sets out the reasons why an NRDF anywhere near or around

Kent must be resisted in the strongest possible way.

1. Introduction

This report provides members with information about the current ‘soundings’ exercise

being undertaken by Shepway DC to potentially build/construct a Nuclear Research

and Development Facility (NRDF) on Romney Marsh, provides a summary of what is

proposed by an NRDF and sets out why Romney Marsh is the wrong location for

storing nuclear waste, and a completely unacceptable proposition. The report goes

on to conclude that, should Shepway DC decide to take this proposal further, the

County Council should consider seeking the views of the whole of the Kent

community by way of a public referendum.

2. Financial Implications

None at this stage. It is estimated that a Kent wide referendum will cost in the region

of £50,000, should it be decided to pursue this at a future date.

3. Bold Steps for Kent and Policy Framework

The proposed decision aims to protect the massive steps taken in recent years by

KCC and several partner bodies to promote and secure viable economic plans for the

East Kent economy, and the much improved perception of Kent and, in particular

East Kent, as a place to invest in and do business. This accords with ambitions 1

and 2 – helping the economy to grow and tackling disadvantage and Bold Steps

priority 8 in particular – respond to key regeneration challenges working with our

partners.

4. The Report

(1) The Government is looking for a way to safely manage the radioactive byproducts

from the country’s nuclear industry. This includes Higher Level Waste,

Spent Fuel, Intermediate Level Waste and a small amount of Low Level Waste.

(2) Much of this material is currently stored above ground. The Government and

it’s expert advisers believe that in the long term it would be much safer to store it

deep underground, inside a suitable rock formation in a purpose built facility, where it

could slowly decay over time and be secure from, for example, the risk of terrorism.

When full, the facility could be permanently sealed.

(3) The waste would be stored in secure containers, which themselves would be

surrounded by thousands of metres of concrete. This process is known as geological

disposal. It is likely that the larger part of the facility would be underground in vaults

and tunnels between 200m and 1000m below the surface. The area needed for an

NRDF would be in the region of four square kilometres. At ground level there would

be research, handling, office, transport and other facilities covering an area of about

one square kilometre. If it went ahead, the facility would be expected to become a

UK centre of nuclear expertise.

(4) KCC, along with Ashford Borough, Dover District, Canterbury City and Thanet

District Councils were invited to a briefing by Shepway District Council on 11 May

2012 on their proposal to seek soundings from residents and businesses of Romney

Marsh whether or not they want Shepway DC to submit an Expression of Interest to

the Government to host an NRDF. The Leader and Deputy Leader , along with

senior officers attended for KCC. The Leader is totally opposed to the “consultation”

in line with the views of other districts. We were advised that Shepway DC would not

decide to go ahead with the soundings exercise until the evening of Monday 14 May.

On Tuesday 15 May, Shepway DC advised KCC that they would be commencing the

soundings exercise on Wednesday 16 May by way of a press briefing. The

Community of Romney Marsh has been given a deadline of Friday 20 July to make

their views known.

(5) The impact of an NRDF in Kent would be immense:-

• Nuclear waste can remain radioactive for up to 2 million years.

• An NRDF facility would be big enough to house Wembley Stadium 20 times

over – it should be in a remote area, not in a relatively densely populated area

close to London and the Home Counties that will involve transporting of high

activity waste through London and the South East.

• KCC already operates a number of projects and programmes which will help to

deliver local economic growth on Romney Marsh and East Kent.

o The Regional Growth Fund £35 million Expansion East Kent programme

to encourage new businesses and grow existing companies

o A national marketing campaign to attract relocating businesses to East

Kent

o The Regional Growth Fund £5 million investment into High Speed Rail to

reduce journey times to East Kent and improve connectivity to Manston

Airport

o Cultural regeneration in the area

o The Kent Downs and Marshes Leader programme, which has provided

grant support to farm diversification, rural business and tourism

development projects

o The Kent Employment Programme, providing additional support for

employers in employing apprentices and recent graduates

o Rollout of the Make Kent Quicker campaign to provide superfast

broadband to 90% of homes by 2015 (and universal access to at least

2mb per second)

o The emerging development of a county-wide programme to support

flexible incubator space for small businesses, which could potentially

support proposed developments on the Marsh.

o Advocating a greater role for Lydd Airport to help meet the demand for

aviation capacity in the south east, as outlined in KCC’s discussion

document, Bold Steps for Aviation.

o A concerted campaign with local MPs to build Dungeness C and extend

the life of industry.

• The area has a history of seismic activity – 5 earthquakes in the last 400 years

– and existing fault lines make the area geologically unstable.

• Located in an area with one of the busiest shipping lanes in the world.

• Proposal would create more rubble and mess than the Channel Tunnel.

• Job creation would not be until 2025 when construction would begin. Ongoing

operation of the site would only employ around 100 people to manage and

administer the site – so not a long term economic solution.

• Blight – the danger of starting this process is that the suggestion of this unviable

proposal could lead to a detrimental effect for the growth of Kent’s economy,

which is bristling with opportunity.

(6) East Sussex County Council have also raised their opposition to the proposal.

(7) An opportunity for new employment in the nuclear sector exists with the

potential for the development of Dungeness C as a new nuclear power station. This

was proposed by EDF Energy (the current operators of Dungeness B) in an initial list

of potential sites published in 2009. However, Dungeness C has not so far been

taken forward on the Government’s list of preferred sites within the National Policy

Statement due to environmental constraints. Nevertheless, evidence of local support

for Dungeness C, proximity to electricity demand and the presence of existing local

infrastructure may mean that the potential for a new power station could be revisited.

Kent County Council has commissioned further work to explore the potential case

and a public meeting to discuss the opportunity was held on 21 June.

(8) In addition, it should also be noted that the owners of Lydd Airport have

submitted an application for expansion. This application has been through

examination in public and has been called in by the Secretary of State for

determination. The outcome of the Secretary of State’s decision is awaited and we

continue to press for a decision to be made.

5. Conclusions

(1) The perils of Shepway DC taking this proposal any further forward is that this

unviable proposal could lead to a detrimental effect for the growth of Kent’s economy,

particularly in East Kent, which is bristling with opportunity.

(2) An NRDF would be totally counterproductive to the far larger, wider and better

alternative economic opportunities in prospect both immediately and in the longer

term, and to host such a ‘bad neighbour’ facility anywhere near or around Kent must

therefore be resisted in the strongest possible way.

(3) Shepway DC have only sought soundings from residents and businesses on

Romney Marsh. This proposal would have such an impact on Kent as a whole, that

residents and businesses across Kent should be given the opportunity to have their

say, should this proposal be progressed further.

6. Recommendations

It is recommended that:

1. The County Council totally opposes the establishment of a Nuclear

Research and Development Facility in Kent.

2. Should Shepway DC decide to progress this proposal further, the County

Council should review whether or not to hold a Kent-wide referendum on

this proposition at a future date.

7. Background Documents

Shepway DC consultation leaflet ‘Have your say’ dated May 2012.

8. Contact details;

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Leader of the Council

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Paul Crick

Director of Planning & Environment

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Planning and Environment

Kent County Council

July 2012

**Nuclear Waste Facility on Romney Marsh**

[**https://greenerother.wordpress.com/2012/05/17/laag-nuclear-waste-facility-on-romney-marsh/**](https://greenerother.wordpress.com/2012/05/17/laag-nuclear-waste-facility-on-romney-marsh/)

[May 17, 2012](https://greenerother.wordpress.com/2012/05/17/laag-nuclear-waste-facility-on-romney-marsh/) · by [REG admin](https://greenerother.wordpress.com/author/greenerother/)

This is a message received from Louise Barton of Lydd Airport Action group.

Do Shepway District Council really think this is the way to create local employment?

**Sent:** 17 May 2012 15:

Dear Member

Shepway District Council is promoting the development of the UK’s singular nuclear waste facility on Romney Marsh – involving the burial of high to low level radioactive waste. The facility would not be on the Dungeness nuclear site (BBC was incorrect), but on Romney Marsh at a location to be decided.

Leaving aside all hazard related issues, this development would have a major urbanising impact on Romney Marsh. The facility above ground (holding areas for waste before it is stored underground) would be as large as the Channel Tunnel terminal and require major upgrades to the rail and road infrastructure.

In terms of the Lydd Airport campaign – it represents another nuclear hazard and therefore enhances the case against Lydd Airport’s development, although airport supporters are likely to argue that the new infrastructure will serve both developments.

It is an absurd proposition for various logistical and technical reasons but the intention must be taken seriously. The Council is gathering local opinion – survey letters have been sent to all Romney Marsh residents but anyone can give their view. Please do

You can voice your opinion directly to Shepway via their website on this link.

<http://www.romneymarshnrdf.org.uk/have_your_say.htm>

and vote on the Kent-on-line poll –<http://www.thisiskent.co.uk/polls>

Louise Barton

Lydd Airport Action Group

The Hook

Madeira Road , Littlestone

Kent ,TN28 8QX,

**The Cumbria Story**

West Cumbria Managing Radioactive Waste Safely Partnership (westcumbria:mrws) produced an extremely detailed and insightful final report of the work, course and conclusions of the partnership in August 2012, which ministers should  very carefully study (<http://www.westcumbriamrws.org.uk/images/final-report.pdf>)e:**www.westcumbriamrws.org.uk**

If any “community”, however so defined,  were to offer itself  for ‘formative engagement’ then BEIS  has made clear, in a memorandum published on 10 April 2018, arising from the  Stakeholder Forum held on 2 February 2018 in London,  that:

“The purpose of **Engagement Funding**is to ensure that anyone engaging in the siting process can do so without incurring costs. The consultation proposes that Engagement Fundingis available during formative and constructive engagement.  The intention is that Engagement Funding can be used by the community within the Search Area and later on the potential host community to fund activities to learn about geological disposal. It will also cover the formation and operating costs of the Formative Engagement Team and the Community Partnership…”

In another explanation provided by an advisor to BEIS on GDF development, dates, 13 March 2018, it makes clear that in BEIS’s understanding:

“engagement funding is not a pot of money that individuals or organisations can bid for, it is to facilitate community engagement in the siting process. It is entirely separate to community investment funding.  It is there to ensure that communities engaging in the siting process can do so without incurring costs for that engagement.  RWM will be developing guidance on the use of engagement funding and this will ensure that any engagement funding is distributed in accordance with best practice in delivering value for money.

It will be for the Formative Engagement team and subsequently the Community Partnership  to decide what information it needs to gather based on the issues raised by  the community and for it to decide whether and from whom it needs to commission further work and how it wishes to utilise the funds. The guidance on the use of engagement funding will be made available at the launch of the siting process.”

At this point it is essential to stress that, for equitable democracy, access to this engagement funding must be widened to dissenting individuals or community groups both in the “Search Area, plus in potential en route communities through which transports by road, rail or port communities  the radioactive waste could  be transported to the GDF receipt station.

Paragraph 4.5 of the consultation states: “The purpose of identifying a community or communities in relation to the geological disposal facility siting process is to enable a transparent and fair approach”

***Unless this ‘engagement funding’ is made available without strings attached by RWM, it is likely that the proponents and developers will have a disproportionate advantage to press ahead with GDF development against the legitimate concerns of many affected stakeholders. And therefore it will not be “fair”.***

Q3. Do you agree with this approach to forming a Community Partnership? Are there other approaches we should consider?

The WWC consultation states:

a. A community could be identified by using existing administrative boundaries, which, whilst providing a clear democratically accountable boundary of a certain geographical area, also ensures that the planning, waste and other important duties relevant to the delivery of a geological disposal facility and any associated developments, are incorporated in one place. There is, however, no guarantee that a pre-existing administrative boundary will relate neatly to a geological disposal facility community, either now or in the future, which could be smaller or larger than an existing political unit or even straddle several of these existing political units.

b. Another way a community could be identified is by using the boundaries created by the range of potential impacts on the locality caused by the siting and construction of a geological disposal facility itself – an area of development impact. There are standard environmental impact assessment methods that the delivery body will use to identify potential impacts and discuss potentially suitable sites with community representatives. The delivery body will provide guidance on the assessment tools that they will use as part of their site evaluation process to ensure that there is clarity on how impacts will be identified. Whilst neatly defining the impacts of the geological disposal facility of an area, using this method to identify a community would mean the imposition of a brand new boundary.

4.10 It is proposed therefore, that a combination of these two approaches is adopted to identify both the Search Area and the Potential Host Community in the geological disposal facility siting process; using both administrative boundaries *and*identifying the areas in which the impacts caused by the siting and construction of the geological disposal facility will be experienced. This approach enables existing administrative boundaries to be used, rather than needing to develop bespoke boundaries for the purpose of geological disposal facility siting; but these boundaries will be matched as closely as possible to the impacts of the development so that the populations that are most affected are engaged and represented in the siting process. This approach has been used to identify the

Working with Communities policy proposals

The first matter that needs clarification is how the “Community” around which a partnership is to be created. As has been argued earlier in response to Q1, the impact on affected communities must always be at the forefront of consideration. There is an extremely loose and undefined use of “community” in this section. Thus when the  WWC consultation states it will take into account “the areas in which the *impacts caused by the siting*and construction of the geological disposal facility will be experienced” the very much wider “communities”  close to the potential transport routes to the site for the  radioactive waste  packages needs to be fully incorporated.

Secondly, the WWC consultation identifies the perceived interests of the immediately potentially affected communities geographically contiguous with the prospective host community thus:

“The role of raising awareness of the geological disposal facility siting process will be undertaken by the delivery body and will mean that communities in *neighbouring administrative areas will be made aware of the siting process and the identification of the Search Area.”*

Being “made aware” is entirely insufficient. Such neighbouring communities must have the full right of access to engagement funding, so any concerns they may have can be properly represented from the start of the process.

After all, this would be in line with the planned approached outlined at paragraph

4.26 which states, inter alia:

“The advice from members of the Community Representation Working Group and the responses to the Call for Evidence on working with communities highlighted *the need to engage communities early* *to get an understanding of each community and their concerns*. (emphasis added)

The following description of the in the BEIS memorandum of 10 April 2018 is therefore totally unacceptable, as it ignores the genuine  interests of stakeholders in  affected communities.

“The current working with communities proposals allow for only those living in the potential host community to have a say on whether to proceed with a GDF through the Test of Public Support. The intention is that those who will be directly impacted by the development will get the final say on whether they are willing to host a GDF”

.

**Q4.Do you agree with the approach to engaging people more widely in the community through a Community Stakeholder Forum? Are there other approaches we should consider?**

The WWC consultation identifies at para.4.31, Table 2, the important role to be played by ‘Independent facilitators” in managing the local discussions of interested stakeholders with the formative engagement team as a “Community Stakeholder Forum” – to  be engaged in ‘outreach’ activities to the wider communities- is established, stating:

“Independent facilitators can help ensure that discussions progress in a constructive and informative manner. The facilitators can assist in designing and delivering engagement with communities; asking relevant questions and directing conversation to cover the points of interest from the interested parties and other members of the community.”

What will be crucial to the legitimacy of the process is the genuine independence of the facilitation team. The Government needs to study very carefully how the West Cumbrian MWRS Partnership worked well; and learn from the instances where it did not deliver successfully.

The WWC consultation states at para. 4.53

“To support the operation of the Community Partnership, a**Community Stakeholder Forum**could be set up to provide outreach to the people in the community more widely. In addition, **working groups**could be set up to address specific issues, for example on technical issues or communication and engagement issues..”

But unfortunately, any further detailed description or framework for the establishing of any CSF is missing from the consultation document. It is unclear whether this is because BEIS has not yet devoted sufficient thought to how this should  happen, or  lacks sufficient interest to do so.

The UK Government says it “will ensure that communities will be able to access third party expert views on contested and unresolved technical and/or scientific issues once communities are constructively engaged. There will be an agreed process whereby third party expert views can be accessed from Learned Societies, as was committed to in the 2014 White Paper. The delivery body will produce guidance to help communities understand when and how they can access the process for third party expert views.”

The BEIS memorandum of 10 April 2018 states, in respect of information availability to interested parties in the volunteer host community, that:

“The intention of the working with communities proposals is for the delivery body (RWM) to be held to account, tasked with *providing communities with all the information they require* and with listening and responding to views and concerns in an open and responsive way.” ( emphasis added)

Neither the availability of Third Party expert views from so called ‘Learned Societies’ nor from the implementer, RWML, is acceptable, as they do not cover the range of relevant expertise from which  analysis and assessment may be drawn.

Clearly the developer/implementer RWML, has a central stake in delivering the GDF project, so its information is almost certainly going to be selected to support the successful outcome of the project. RWML is very unlikely to provide the  interested parties in the  Directly Affected Host Community or  less still affected communities, with

“all the information they require.”

***It is known from experience that when DECC decided to  produce its own supportive information for a national public consultation on the National  Policy Statement for Nuclear Power, it was forced to re-hold the consultation after a High Court  Judgment  supporting  a judicial review appeal from Greenpeace, based on the Ngo’s claim that information provided by DECC was biased in favour of the Government policy This would be an extant concern in the case of  RWML  providing  information for the GDF project.***

The issue of the independence of  the Learned Societies is more complex, and  perhaps more contestable. In general, British Learned Societies have a globally respected reputation for high quality of  research competence, scholarship and excellence.

Unfortunately, this reputation is underserved when it comes to work they have undertaken and published on nuclear power, including  nuclear waste. In this atomic arena, the reports have tended to be much too uncritically supportive eof  nuclear projects, drawing their  references form a far too  narrow  base, and  resulting in conclusions which are more cheerleading than objective. The Royal Society, the pre-eminent Learned Society, has been especially bad in publishing poorly edited and uncritically peer-reviewed papers on nuclear issues.

Two examples of this poor scholarship are:

***Fuel cycle stewardship in a nuclear renaissance***

The Royal Society Science Policy Centre report 10/11

October 2011 DES2159

(<https://royalsociety.org/~/media/Royal_Society_Content/policy/projects/nuclear-non-proliferation/FuelCycleStewardshipNuclearRenaissance.pdf>)

A note by the Royal Society revealed in respect of this report: ‘The Royal Society is very grateful to the UK’s Strategic Programme Fund for its financial support and the Foreign and Commonwealth Office for its assistance’

and

***Strategy options for the UK’s separated plutonium***

September 2007

Policy document 24/07

(<https://royalsociety.org/topics-policy/publications/2007/options-separated-plutomium/>)

Appendix 5 on page 29 of this report comprises map of nuclear facilities in the UK, but totally omits the UKAEA Dounreay fast breeder nuclear plants in Caithness, demonstrating shoddy scholarship and equally shoddy editing.

***BEIS should re-examine the proposal that Learned Societies should be the primary information source in the Third Party Mechanism. Citizens concerned over different aspects a of the GDF proposals should have the right to obtain funds to engage genuinely independent expertise- whether based intheUK or abroad- to examine aspects that concern them.***

The WWC consultation document is unclear which party or parties will hold the commissioning capacity within the Community Stakeholder Forum for engagement of external expertise to examine part or all of the GDF proposals. It should make clear dissenters form the proposals will be given commissioning capacity alongside neutrals and proponents.

The BEIS memorandum of 10 April 2018 also states:

“We are proposing that the potential host community would include all of the electoral ward areas in which the following are likely to be located:

* Surface and underground facilities
* Any associated development (as defined under the Planning Act 2008 in England) and any development to mitigate impacts
* Transport links from the geological disposal facility site to the nearest port, railhead or primary road network
* Direct physical impacts associated with construction and operation of the GDF.

One matter that must be clarified with the Directly Affected Host Community is the above ground footprint of the GDF. In the published literature from BEIS and RWML, the indication is a very small above ground footprint, but a very much larger subterranean complex of tunnels and shafts. The WWC consultation states the following:

What will a geological disposal facility look like?

3.6 A geological disposal facility will have both surface and underground facilities, linked by shafts or inclined tunnels, as illustrated in Figure 2 on the next page. The surface facilities will comprise a number of buildings for waste receipt and transfer, infrastructure for the underground environment and administration and other support buildings. In total, the buildings above ground will cover an area of approximately 1 square kilometre with the details of the layout and appearance being dependent on the features of the particular location.

3.7 The underground facilities will comprise a system of vaults and engineered tunnels for the disposal of waste. The underground facilities will be located at a depth of between 200 and 1,000 metres underground and will cover an area of approximately 10 to 20 square kilometres.

Figure Illustrative drawing of a geological disposal facility – above and below ground

But what this picture does not paint for the local communities is what  would happen if the Government of the day were to have to  implement the full evacuation of the contents of the  GDF from their subterranean  emplacement for safety reasons, including  packages containing  nuclear explosive fissile materials such as plutonium?

This would amount to the operationalisation of the reversing of the emplacement decisions and retrieval of the radioactive waste (ie an R&R process), which effectively is the reassurance given to any community that volunteers to be a host: if safety procedures go identifiably wrong underground, the danger can be mitigated by removing the waste.

But to do so, an above ground secure and safe temporary storage facility would have to be built in preparation of such a retrieval procedure. It may not  have exactly the same size above ground footprint as the subterranean tunnels, but it would be very substantially bigger than the above ground GDF workings. *However, no illustration of any such above ground emergency store is ever shown in the material published by the promoters of the GDF.*

BEIS ministers and officials need to study the available literature that explores every aspect of the R & R requirements. Here are some reports they should consult.

[Reversibility of Decisions and Retrievability of Radioactive Waste](http://www.oecd-nea.org/rwm/reports/2012/7085-reversibility.pdf) [ 100% ]

Reversibility of Decisions and Retrievability of Radioactive Waste Considerations for National Geological Disposal Programmes The most widely adopted solution for the definitive management of high-level radioactive waste involves its emplacement in deep geological repositories whose safety should not depend on the active presence of man. In this context, national programmes are considering whether and how to incorporate the concepts of reversibility of decisions and retrievability of waste, including to what extent retrieval can or should be facilitated at the design stage of a repository,

03/2012 [free download](http://www.oecd-nea.org/rwm/reports/2012/7085-reversibility.pdf) - ISBN: 978-92-64-99169-9

2. [Reversibility and Retrievability in Geologic Disposal of Radioactive Waste Reversibility and Retrievability in Geologic Disposal of Radioactive Waste: Reflections at the International Level](http://www.oecd-nea.org/rwm/reports/2001/nea3140.pdf) [ 100% ]

Reversibility and Retrievability in Geologic Disposal of Radioactive Waste La réversibilité et la récupérabilité dans la gestion des déchets radioactifs Reflections at the International Level - Une réflexion à l'échelle internationale Reversibility of decisions is an important consideration in the step-wise decision-making process that is foreseen for engineered geologic disposal of radioactive waste. The implications of favouring retrievability of the waste within disposal strategies and the methods to implement it are also being considered by NEA Member countries. This report reviews the concepts of reversibility and

08/2002 [free download](http://www.oecd-nea.org/rwm/reports/2001/nea3140.pdf) - ISBN: 92-64-18471-6

4. [Reversibility and Retrievability in Geologic Disposal of Radioactive Waste La réversibilité et la récupérabilité dans la gestion des déchets radioactifs : Une réflexion à l'échelle internationale](http://www.oecd-nea.org/rwm/reports/2001/nea3448.pdf) [ 98% ]

Reversibility and Retrievability in Geologic Disposal of Radioactive Waste La réversibilité et la récupérabilité dans la gestion des déchets radioactifs Une réflexion à l'échelle internationale - Reflections ... J.B., D.H. Dodd, J.-M. Hoorelbeke, B. Mouroux, J.M. Potier, J. Ziegenhagen, J.L. Santiago, J. Alonso, J.Jfernàndez, P. Zuidema, I.G. Crossland, B. McKirdy, J. Vrijen, J. Vira, G. Volckaert, T. Papp, and C. Svemar, 2000. Concerted Action on the Retrievability of Long-lived Radioactive Waste in Deep Underground Repositories, European Commission Project Report EUR 19145 EN. IAEA, 1972. The Structure

**Q5. Do you agree with the proposal for a Community Agreement and what it could potentially include?**

This is contingent on securing agreement on what “community” means. It f it is to include all potential ‘affected communities’ along the prospective transport routes to the GDF host “community”, then the nature of the  “Community Agreement  could be  very substantially different;  and it should  be.

Para. 4.44 sets out how BEIS envisages Community Partnership thus:

A Community Partnership should be designed to reflect as many different aspects of the community as possible, taking into consideration local social, economic, political and environmental interests and reflecting the diversity of the community.

It outlines its prospective role thus:

The Community Partnership will decide when it has had sufficient information to answer all of its questions. It will decide when the Potential Host Community will hold, and engage in, a test of public support for the development. In addition, at any point in the siting process, up to the test of public support, it can decide to withdraw, as is discussed further on in this document. The Community Partnership will decide when the test of public support should take place and the method by which it is delivered. The process by which decisions will be made by the Community Partnership will be set out in a Community Agreement.

The WWC consultation outlines the function of the  ‘Community Agreement’  as follows:

4.56 A Community Agreement will be signed by the Community Partnership to agree the roles of its members including all relevant principal local authorities, if they wish to be involved, and the delivery body (see Table 3), and how the different parties on the Community Partnership will interact with each other in the siting process, including how disputes will be resolved. This will be central to ensuring transparency and community involvement in the siting process. The agreement could take the form of a Memorandum of Understanding. It is important that a suitable level of engagement and interest is maintained throughout the siting process, and this agreement could set out a programme of interaction that all parties agree to. It will be up to each individual Community Partnership to determine how it will work together.

4.57 The Community Agreement should also include the manner in which decisions will be taken by the Community Partnership, such as potential voting mechanisms. This could include whether votes require unanimity in order to be carried or alternatively whether a single relevant principal local authority is afforded the ability to individually carry a motion with their vote. As new members join the Community Partnership, the decision making processes in the Community Agreement should be reviewed and updated where appropriate.

4.58 This Community Agreement would allow progress to be monitored, and would help to identify if the community is becoming disengaged from the process or if disputes arise, how they will be handled and whether the delivery body is taking forward activities it has committed to.

The key issue is how broadly drawn will be the scope of inclusion in the  Community Partnership? For example, will there be a mechanism to include dissenting voices comprising concerned citizens who disagree with the development in or near their communities of a GDF? If not, why not?

If support for a GDF is only marginally  more for than against, as in the Brexit Referendum, how will the minority interest be represented? Unless this is addressed from an early stage, it will incubate huge local resentment and potential civil disorder.

It will be better for the legitimacy of the GDF process if the majority of locally elected representatives are in favour, but that will not solve the problem of significant popular dissent fomenting if the views and interests of dissent are not engaged.

***Q6. Do you agree with the proposed approach to the way community investment funding would be provided? Are there alternatives that we should consider?***

Para. 4.62 of WWC consultation makes clear:

“The Government will provide *additional investment* to the community that hosts a geological disposal facility, to help to maximise the significant economic benefits that are inherent in hosting a nationally significant infrastructure project. (emphasis added)

It is essential if any GDF goes ahead that any community investment funding always remains *additional* to other investment made, or financial provision for, the Directly Affected Host Community and the concerned affected communities. If normally provided public funds are displaced by the CIF, this will impoverish the community, making the risk burden taken uncompensated. This disastrous situation happened in Germany, where a similar community fund was used to supplant the existing Lander funding, creating understandable major resentment in the Gorleben community of Wendland in Lower Saxony, the location of one of Germany’s long-term radioactive waste storage/disposal sites.

For opponents of the project, the CIF is always likely to be characterised as a “bribe” especially if the “host community” is economically deprived, and desperately in need of inward infrastructural investment. Because of this, it is very important that dissenting  voices are funded throughout the process, so any unforeseen difficulties, or difficulties that turn out to have been underestimated by the project implementor, RWML, or its successor, can be investigated by independent experts chosen by opponents of the GDF project.

***Q7. Do you agree with the proposed process for the right of withdrawal? Do you have views on how else this could be decided? Are there alternatives that we should consider?***

A right of withdrawal is essential in a democratic process. The problem seems to be that once involved,  a volunteer potential host community the area could be locked into the process for a very long time before evoking the wish to exit, should that emerge to be the majority local expression of wish after experience.

Both the *Cumbria Trust* and the *Nuclear Free Local Authorities* share this worry. This is important as the former in part represents many communities in Cumbria who have already experienced the MRWS process, and the later seeks to advise many interested and concerned local authorities across the UK.  The latter states at page 4 in its submission to the WWC consultation:

“Paragraph 5.8 [of the WWC consultation document] for instance seems to suggest that even though a Community Partnership may include parish councillors and other community representatives, once the process has started, they will be powerless to withdraw if the local authority decides it wishes to continue. There could be a partnership of around 12 people, where the 2 or 3 representatives of the local authority can overrule the other 9 or 10 members and force the partnership to continue against their will.”

(<http://www.nuclearpolicy.info/wp/wp-content/uploads/2018/04/Rad_Waste_Brfg_71_UK__Welsh_radwaste_policy.pdf>)

Understandably, Government must be careful that a potential host community is serious about offering itself as a location for a prospective GDF site before it commits public money  in support through the Community Investment Fund, but receipt of Community Fund resources must not act a  permanent, irreversible commitment to continuing with a GDF if support reverses. If *constructive engagement* becomes *destructive engagement*, the Government of the day must be prepared to listen. The governance procedures set in place and supported by legislation must be fit-for-purpose to facilitate this possibility

***Q8. Do you agree with the approach to the test of public support? Do you agree that the Community Partnership should decide how and when the test of public support should be carried out? Do you have views on how else this could be decided? Are there alternatives that we should consider?***

A key issue in the test of public support (TOPS) is which body will design and supervise the test. How will TOPS be ensured to be conducted fairly? Will concerned residents in affected communities along prospective transport routes for radioactive waste delivered to the site of the GDF be included in the TOPS survey? If so, how will it be decided which communities - how far off any transport route- will be included?

It is unclear whether BEIS has engaged any social scientists in the preparation of the TOPS. If and when it designs the TOPS procedure it is essential social scientific expertise is used by BEIS- or its successor department- to ensure the framing of questions is fair and balanced. The WCC Workshops suggested the Electoral Commission should be formally engaged to oversee the process.

An example from Japan is exemplary:

In the inland community of Honorobe  on Japan’s northernmost large island of Hokkaido, the Japanese Government  began two decades ago seeking a site for the development of a subterranean ‘Underground Research Center’ as a possible precursor for the development  to  final disposal site for long-lived high activity  radioactive waste. Land was compulsorily purchased a a price  well-above market value for agricultural land, which made the land owner farmers happy and rich. But it was opposed by the fishermen of the nearby port, who gained nothing economically, but feared the reputation of its fish catch would r suffer from association with a nuclear facility nearby, and the port being used for future nuclear imports from around Japan. The subsequent negative impact on the fisheries industry around  the Fukushima  nuclear complex, after the Great North Eastern Earthquake of 11 March 2011, demonstrated their concern over the fish catch being boycotted over radioactive revulsion proved accurate.

“Underground lab tackles trouble-plagued nuclear waste issue,” *Japan Times*, 15 July 2014(<https://www.japantimes.co.jp/news/2014/07/15/national/underground-lab-tackles-trouble-plagued-nuclear-waste-issue/#.WtBsMqaWzjo>)

“METI maps out suitable nuclear waste disposal sites,”*Japan Times*, 28 July 2017

(<https://www.japantimes.co.jp/news/2017/07/28/national/meti-posts-map-potential-nuclear-waste-disposal-sites/#.WtBrbaaWzjo>)

“Japan’s 17,000 Tons of Nuclear Waste in Search of a Home,” Bloomberg, 10 July 2015 (<https://www.bloomberg.com/news/articles/2015-07-10/japan-s-17-000-tons-of-nuclear-waste-in-search-of-a-home>”

Aileen Mioko Smith, convenor of GreenAction in Kyoto, Japan commented insightfully on the Japanese Government process to find a burial site for radioactive waste thus:

"They have been trying to get this plan of the ground for years and one thing they tried was to offer money to any town or village that agreed to even undergo a survey to see if their location was suitable…There were a number of mayors who accepted the proposal because they wanted the money - even though they had no intention of ever agreeing to host the storage site - but the backlash from their constituents was fast and it was furious….In every case, those mayors reversed their decisions and the government has got nowhere.. But I fear that means that sooner or later they are just going to make a decision on a site and order the community to accept it."

“Japan seeks final resting place for highly radioactive nuclear waste,” Deutche Welle 5 May 2017 (<http://www.dw.com/en/japan-seeks-final-resting-place-for-highly-radioactive-nuclear-waste/a-38709488>**)**

This dirigiste implementation must be avoided in the UK.

**Q9. Do you feel this process provides suitably defined roles for local authorities in the siting process? Are there alternatives that we should consider?**

Although elected councillors should play a significant role in the decision-making over the GDF, as they must under existing planning legislation, primarily the 2008 *Planning Act,* it is essential a much wider collectivity of stakeholder interest is not just represented, *but has decision-taking powers in respect of the WWC process*. The main reason for this is that experience demonstrates that councillors representing  wards and districts around nuclear facilities have typically tended to be somewhat  uncritical supporters of the facility, notwithstanding  problems with human health and ecological threat it may be perceived to be causing  in the vicinity, primarily because of the economic dependency of the area on the nuclear facility. (Professor Andrew Blowers’ study, ‘The Legacy of Nuclear Power,’ Routledge, 2017, demonstrates this phenomena perfectly.)

The  regularly uncritical support of  nuclear facilities by  the NDA’s site Stakeholder Groups, and collective national stakeholder forum , often  substantially populated by local political representatives, also shows this situation clearly.

**Q10. Do you have any other views on the matters presented in this consultation?**

BEIS Officials and ministers should collect media coverage of the consultation, such as from Leicestershire and Derbyshire below, and examine the implications for the GDF planning and consultation process.

**Could north Leicestershire be put forward as location for a nuclear waste dump?**

Concerns have been raised that one area could be considered by the government

* BY [**DAN MARTIN**](https://www.leicestermercury.co.uk/authors/dan-martin/)POLITICS REPORTER

LEICESTER MERCURY, 13 APRIL 2018

<https://www.leicestermercury.co.uk/news/local-news/could-north-leicestershire-put-forward-1447618>

Concerns have been raised that parts of north Leicestershire could be earmarked for a potential dumping facility for nuclear waste.

The Government is seeking a site to develop as a £12billion geological disposal facility (GDF) to store an estimated 750,000 cubic metres of radioactive material that has been produced by 50 years of nuclear power and defence activity.

[Leicestershire County Council](https://www.leicestermercury.co.uk/all-about/leicestershire-county-council) has this week agreed a response to a proposed Government package of incentives designed to get communities to agree to ‘host’ a storage complex that would see the waste buried at least 200 metres underground.

Max Hunt, the opposition Labour group's environment spokesman, said he was concerned the Widmerpool Gulf, an area between [Melton](https://www.leicestermercury.co.uk/all-about/melton-mowbray)and Nottingham, could be deemed a suitable for a GDF.

He said: "Widmerpool Gulf is geologically favourable for storing such material.

"It was an area suggested for such a facility around 25 years ago.

"It may well be a place the Government looks at and that would be a huge concern."

The county council has said there are no specific proposals for a GDF in [Leicestershire](https://www.leicestermercury.co.uk/news/local-news/) at this stage but it has asked for further information on the issue from the Department of Business, Energy and Industrial Strategy.

The council's head of planning Lonek Wojtulewicz said: "The underlying principle is these sort of facilities will only come forward if communities are prepared to accept them."

Where is Widmerpool Gulf?

The precise location of the sedimentary basin differs depending on the text book - with some extending the gulf into a big part of Leicestershire.

The rough description is that it starts in Melton Mowbray and stretches through south Nottinghamshire into Derbyshire.

The text Nottingham: A geological background for planning and development, goes further though, suggesting virtually all of north Leicestershire is included.

That map suggests the gulf stretches from an area well to the south of Loughborough.

The Government has said £1million a year could be offered to a community willing to host a GDF rising to £2.5million as a scheme progresses.

A county council report said: "Building and operating a GDF is a multi-billion pound, intergenerational, national infrastructure project, which is likely to bring substantial benefits to its host community, with skilled jobs for hundreds of people over many decades.

"The process to identify a suitable location for such a facility will require detailed discussions on the opportunities that it would offer the host community and the wider region.

"The process to identify and select a site requires detailed technical work that is estimated to take around 15 to 20 years; the eventual construction and operation of the facility will then run for 100+ years.

"The final decision to site a GDF in a community will not be taken until there has been a test of public support that demonstrates clear community support for development at a specific site."

[Map shows where Soviet Union would have dropped nuclear weapons on Leicester during cold war](https://www.leicestermercury.co.uk/news/leicester-news/map-shows-soviet-union-would-1428431)

Such a test could be a local referendum or poll and any interested community could withdraw from the process at any point until that has taken place.

Conservative deputy council leader Byron Rhodes said: "In parts of the county where nuclear industry takes place - I'm think particularly of Cumbria - those involved in it and who live near to it take a sensible view of this and are prepared to have disposal facilities in their neighbourhoods.

"It's just as well because they don't take it off the site at the moment.

"As far as I know there are no proposals [to bring any of it to Leicestershire](https://www.leicestermercury.co.uk/news/local-news/) at the moment.

"This is a bit of a theoretical position but its something we need to be prepared for if this came forward."

Coun Hunt said: "The council had an opportunity to say no to ever having such storage facility here but they haven't done that.

"We should not be leaving the door open for the potential storage of toxins in the future.

"If all councils said they would not have one of these facilities the Government would be forced to look at alternative technologies to nuclear."

Cumbria was being lined up to have a GDF but its county council rejected the idea in 2013 forcing the Government to search for a new location.

**Why fears have been raised that Derbyshire might end up hosting a nuclear waste facility**

<https://www.derbytelegraph.co.uk/news/local-news/fears-been-raised-derbyshire-might-1461024#ICID=sharebar_twitter>

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|  | [Why Derbyshire might end up hosting a nuclear waste facility](https://www.derbytelegraph.co.uk/news/local-news/fears-been-raised-derbyshire-might-1461024#ICID=sharebar_twitter)www.derbytelegraph.co.uk"It was an area suggested for such a facility around 25 years ago." |

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* [**5**COMMENTS](https://www.derbytelegraph.co.uk/news/local-news/fears-been-raised-derbyshire-might-1461024#comments-section)

BY **DAN MARTIN**

08:55, 16 APRIL 2018

A geological formation in Derbyshire could be considered for a nuclear waste facility, it is feared.

The Government is scouring the UK for a suitable location for a new £12 billion geological disposal facility (GDF).

Cumbria was being lined up to to store an estimated 750,000 cubic metres of radioactive material produced by 50 years of nuclear power and defence activity - but its county council rejected the idea in 2013, forcing the Government to search for a new location.

Now a neighbouring council has discussed hosting the nuclear waste dumping facility in a sedimentary basin known as the Widmerpool Gulf - which extends across Derbyshire, Nottinghamshire and Leicestershire.

A response to a Government package of incentives designed to get communities to agree to ‘host’ a storage complex has been discussed by Leicestershire County Council, [**reports the Leicester Mercury**](https://www.leicestermercury.co.uk/news/local-news/could-north-leicestershire-put-forward-1447618) .

Any facility would look to bury waste at least 200 metres below ground somewhere in a geological area which stretches from the eastern fringes of Derby across the countryside to the south of Nottingham and on to the west of Melton Mowbray in north Leicestershire.

Councillor Max Hunt, the opposition Labour group's environment spokesman, said: "Widmerpool Gulf is geologically favourable for storing such material.

"It was an area suggested for such a facility around 25 years ago.

"It may well be a place the Government looks at and that would be a huge concern."

Leicestershire County Council has said there are no specific proposals for a GDF in Leicestershire at this stage but it has asked for further information on the issue from the Department of Business, Energy and Industrial Strategy.

The council's head of planning Lonek Wojtulewicz said: "The underlying principle is these sort of facilities will only come forward if communities are prepared to accept them."

The Government has said £1 million a year could be offered to a community willing to host a GDF rising to £2.5 million as a scheme progresses.

A council report said: "Building and operating a GDF is a multi-billion pound, intergenerational, national infrastructure project, which is likely to bring substantial benefits to its host community, with skilled jobs for hundreds of people over many decades.

(Image: Photo credit should read FREDERICK FLORIN/AFP/Getty Images)

"The process to identify a suitable location for such a facility will require detailed discussions on the opportunities that it would offer the host community and the wider region.

"The process to identify and select a site requires detailed technical work that is estimated to take around 15 to 20 years; the eventual construction and operation of the facility will then run for 100+ years.

"The final decision to site a GDF in a community will not be taken until there has been a test of public support that demonstrates clear community support for development at a specific site."

Such a test could be a local referendum or poll and any interested community could withdraw from the process at any point until that has taken place.

Conservative deputy council leader at Leicestershire Byron Rhodes said: "In parts of the country where nuclear industry takes place - I'm think particularly of Cumbria - those involved in it and who live near to it take a sensible view of this and are prepared to have disposal facilities in their neighbourhoods.

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"If all councils said they would not have one of these facilities the Government would be forced to look at alternative technologies to nuclear."

Radioactive nuclear waste sites "not wanted in Wales” says Anglesey AM

North Wales Chronicle, 28th March 2019

<https://www.northwaleschronicle.co.uk/news/17533650.radioactive-nuclear-waste-sites-not-wanted-in-wales-says-anglesey-am/>

By [Dale Spridgeon](https://www.northwaleschronicle.co.uk/author/profile/119186.Dale_Spridgeon/)

**WE don’t welcome radioactive waste sites in Wales says Anglesey's AM Rhun ap Iorwerth.**

The Plaid Cymru Shadow Minister for Economy and Finance is urging Local Authorities in Wales to respond to a consultation by Radioactive Waste Management (RWM) before the consultation closes on April 14.

In a question to Welsh Government Minister for Environment, Energy and Rural Affairs Lesley Griffiths Mr ap Iorwerth raised his own and constituents' concerns that the consultation process being undertaken by RWM, as they seek a site for a Geological Disposal Facility to bury radioactive waste.

Mr ap Iorwerth said: “Constituents of mine have raised concerns that there is an effort here by Radioactive Waste Management to move towards a less open consultation process.

"I also have a number of concerns regarding the consultation process.

“My main concern is that it is possible for one landowner or one business even to express an interest in make an application to express interest in hosting a site for radioactive waste disposal.

"I think that is totally unacceptable, especially in the context where Local Authorities may have long since said they don’t want such sites in their area, as Isle of Anglesey County Council has done.

"If a Local Authority has said they don’t want a disposal site in their area then that should be the end of the matter.

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"Councils in Wales should be declaring clearly between now and the end of the consultation on April 14 that we don’t welcome permanent geological waste sites here in Wales.”

Councillors call for talks on nuclear waste store

Carlisle News & Star, and Cumberland News, 25th March 2019

By [Federica Bedendo](https://www.newsandstar.co.uk/author/profile/293095.Federica_Bedendo/)

<https://www.newsandstar.co.uk/news/17525179.councillors-call-for-talks-on-nuclear-waste-store/>

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[1 comment](https://www.newsandstar.co.uk/news/17525179.councillors-call-for-talks-on-nuclear-waste-store/#comments-anchor)

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**LEADING councillors in Allerdale are calling for the Government to be clear on its energy and nuclear policy as plans for a underground nuclear waste store are revived.**

Members of Allerdale council’s executive committee made the comments at a meeting on Friday when considering an official response to a consultation launched by Radioactive Waste Management – an organisation established by the Government to plan and deliver the nuclear waste store.

The consultation is about the process the Government’s organisation intends to follow to identify a site for the multi-million Geological Disposal Facility (GDF). But Labour councillors sitting on the executive, said the Government needed to be clear about what its plans are for the future of energy and nuclear in the country.

Allerdale council was a key partner in the former Managing Radioactive Waste Safely (MRWS) process and the council has been working with other local authorities under the umbrella of NuLeAF since that last process came to an end.

The plans caused huge controversy in West Cumbria when first mooted, before being rejected by Cumbria County Council in 2013.

Councillor Mike Heaslip said: “It’s right that we should use our expertise. I was involved in the previous process, we spent an awful lot of time, blood, sweat and tears to try to work out what the process was. Lessons have been learnt from that and those need to be communicated. I’m not entirely clear that they are listening to the message we have been giving them from this council.

“I take it the process is about a consultation, about a process of finding a site in an area that isn’t West Cumbria. If anywhere in West Cumbria was to be considered, this process is inadequate.”

He added: “We need to look at the bigger picture and we have no indication from the Government that they’re willing to engage with us on this. There isn’t an energy policy or a nuclear policy in the UK. We need a far bigger conversation.”

The response agreed by the committee said: “On the basis of our MRWS experience alone, the argument that all communities are equal falls down and yet, six years later, you have launched a new process that pretends the UK is starting with a blank piece of paper. We believe that what is needed is a more strategic discussion around all the nuclear related challenges the UK is facing, how those challenges might impact on Sellafield and the Low Level Waste Repository and how we might secure the maximum benefit for this community going forward. We remain disappointed, not to mention confused, that such a discussion is not supported by those responsible within Government and the nuclear industry.”

Councillor Mark Fryer, deputy leader of the council, told members they should be aware of predetermination. His comments were echoed by independent councillor Bill Jefferson, who said: “It’s very easy to exclude ourselves if we predetermine this. We simply need to decide if we’re keeping a seat at the table - that’s what it’s all about.”

Councillors unanimously agreed to submit the proposed response.

Letters: Nuclear waste will be stored at site for 50 years

Essex Gazette, 25th March 2019

<https://www.gazette-news.co.uk/news/17521597.letters-nuclear-waste-will-be-stored-at-site-for-50-years/>

Chris Jacobs took this picture from Mersea Island, with Bradwell power station in the background

[0 comment](https://www.gazette-news.co.uk/news/17521597.letters-nuclear-waste-will-be-stored-at-site-for-50-years/#comments-anchor)

**Alan Rayment, the new chief executive of Bradwell B nuclear power station, omits to say long-term highly radioactive waste, including spent fuel, stores would also be built at Bradwell should the new nuclear power station go ahead (Gazette, March 16, Bradwell B chief on his links to Essex and plans for future).**

In the past, spent fuel and other wastes were removed to Sellafield from Bradwell A.

However, the spent fuel from Bradwell B would be required to remain on site for at least 50 years after operations ceased, i.e towards the middle of next century, before it could be removed.

It cannot possibly be known what state the site will be in by then owing to climate change.

But removed when and to where? There is still no concept or site for a national nuclear waste repository.

I hope Mr Rayment is not referring to Blackwater Against New Nuclear Group, with whom he met recently, when he says people with concerns about nuclear might be misinformed.

We are likely to be better informed than most and are chaired by a leading world expert in the field of radioactive waste management.

Varrie Blowers

Secretary, Blackwater Against New Nuclear Group

West **[Mersea](https://www.gazette-news.co.uk/search/?search=Mersea&topic_id=3364" \t "_self)**

**Radwaste**

ALLERDALE council looks set to formally respond to the Government’s search for a host site for a controversial nuclear waste store. The executive will meet later this week to discuss the hunt for multi-million Geological Disposal Facility (GDF) re-launched at the end of last year. Members will be asked to agree to the draft response and then submit it to Radioactive Waste Management - an organisation established by the Government to plan and deliver the nuclear waste store. The report from Richard Griffin, the council’s nuclear policy manager, will go before the council’s decision-making body on Friday. He said: “There are only two options – we either respond or we do not. There is no impact on the Authority from either option but, given our extensive experience of these issues from our involvement in the last GDF siting process and from our close proximity to the Sellafield site, it would seem to be a wasted opportunity if we were not to respond.” Geological experts would first have to rigorously assess any site’s suitability and the people would have the final say – possibly in a referendum. Expressions of interest from landowners, including district authorities, would trigger the forming of a community partnership. But only organisations within the partnership would have a say, so a council choosing not to be a member would have no power of veto. But Allerdale council’s response also revealed that the council has several unanswered questions and concerns about the process.

*Carlisle News & Star 18th March 2019*
<https://www.newsandstar.co.uk/news/17508765.council-to-decide-response-to-underground-nuclear-waste-store-search/>

*Whitehaven News 18th March 2019*
<https://www.whitehavennews.co.uk/news/17508764.council-to-decide-response-to-underground-nuclear-waste-store-search/>

**Hartlepool council chiefs rule out major radioactive waste store coming to town**

<https://www.hartlepoolmail.co.uk/news/politics/hartlepool-council-chiefs-rule-out-major-radioactive-waste-store-coming-to-town-1-9653591>

Hartlepool council chiefs have ruled out putting the town forward as a place to store radioactive waste in a multi-billion pound government project. The Mail exclusively revealed on Thursday how the town had been identified as potentially suitable to build a deep underground radioactive waste storage facility due to the kind of rocks present here. Radioactive Waste Management Ltd have just started a nationwide search for a willing host site for a Geological Disposal Facility (GDF). It would be used to store all of the UK’s intermediate and high activity radioactive waste, which comes from the nuclear industry and other sources, for 150 years.

Project leaders have written to all of the council leaders and chief executives in England and Wales including Hartlepool’s.But Hartlepool Borough Council says it has no plans to talk to them about the project.A council spokesperson said: “We have had no direct contact with the consultants about their conclusions or the implications of such a site for the people of Hartlepool. “Whilst we understand that Hartlepool could be a suitable site due to its geology, we have no intention of expressing an interest.” A report of Radioactive Waste Management RWM) said the layers of rock salt around Hartlepool and Teesside made the area suitable for such a facility where the sealed waste would be stored at a depth of between 650ft and 3,280ft. A RWM spokesman said while the three types of suitable rock exist in much of England and Wales, it is believed the final host community will already have some knowledge or experience of the nuclear industry.

Hartlepool Power Station, where radioactive waste is already produced and stored, is due to be decommissioned in 2024.The scheme is the first Nationally Significant Infrastructure Project (NISP) that requires the consent of the host community. The spokesman said: “We will not do it do a community, we will only build it with their consent.  “We are looking for communities that want to come and talk to us.”Project leaders say significant economic benefits would go to the place that decides to host the facility including jobs, new facilities and infrastructure spanning several generations for over 100 years.Radioactive waste is currently produced and stored at a number of sites around the UK.In December, the Government launched a new policy to find a place to build a single underground facility. Several other countries already have or are further ahead in plans for similar storage facilities.

Read more at: <https://www.hartlepoolmail.co.uk/news/politics/hartlepool-council-chiefs-rule-out-major-radioactive-waste-store-coming-to-town-1-9653591>

**WANA press release, March 17th 2019**

info@wana.wales

[www.wana.wales](http://www.wana.wales/)

<https://www.facebook.com/1837140856315591/posts/1874352405927769>

 **Site Evaluation Consultations for ‘ High Level’  Nuclear Waste Disposal in Wales – A sham**

The invitation to the public to attend meetings in North and South Wales to discuss Nuclear Waste dumping in Wales has been a secretive and rigidly controlled process which has made it a **CON**sultation.

Having announced the meetings it soon became apparent that Radioactive Waste Management (RWM) were concerned about the amount of interest expressed by the public and they were very coy about where exactly the meetings would be held.

Rather than their experts meeting real live people, RWM’s consultation then became an exercise in virtual reality when they cancelled the proposed meetings in Swansea and Llandudno and ran them as online “Webinars” instead. In fact the venue forSwansea never materialised and the one for Llandudno was announced three days beforehand and then promptly cancelled.

Those who did attend the online webinars found them to be totally inadequate as the Llandudno webinar, scheduled to be 3 hours long, actually lasted an hour and that included a half hour video with no chance of interacting with the experts as you would have in a real meeting.

In fact, as one participant remarked, since it was online there was no evidence that the experts had actually come to Wales at all and as another participant remarked “it looked as if Wales was being discriminated against in terms of public engagement again.”

It was a rigidly controlled event with no chance of a proper debate but as these events did not constitute part of a formal consultation process it became obvious that RWM do not really care what the public think at all.

This was clear when RWM said that any views expressed and questions asked at the events will not be formally included in the consultation analysis so quite what they were about is not clear, except to give the pretence that RWM were serious about consulting the public in Wales.

This was in contrast to the public consultations organised in England which were in person, much more interactive and longer. The London and Manchester events were run as single, extended meetings from 10am to 4pm. These two events were aimed at people who wanted  to go into greater detail about the content and background to RWM’s Site Evaluation approach. However, Dr David Lowry (an independent Environmental Policy Research Consultant ) who attended the London event said “ The event was poor, there were inaccuracies in information and lack of knowledge on some key issues by the presenters. In fact they have promised to come back to me on the inaccuracies but to date nothing has materialised …”

In the background the Nuclear Free Local Authorities (NFLA) and CND Cymru have written to all local authorities in Wales briefing them on the process and their concerns about the search for a deep Nuclear Waste Disposal site for high level waste.  To date Swansea, Neath Port Talbot, Powys and Ceredigion have voted **not** to support a GDF (Geological Disposal facility) on their patch

The refusal by local authorities in Wales is significant for 3 reasons

1. Communities in England, Wales and Northern Ireland are to be offered up to £1m a year just to volunteer to host an underground nuclear waste disposal facility for thousands of years. The payments would rise to up to £2.5m annually as deep investigative boreholes are drilled.
2. Local Authorities will have to be involved in any Community Partnership that is established to explore the development of a GDF in any community that volunteers to host the GDF
3. Welsh Government Policy is slightly different from that in the rest of the UK in that ( waste is a devolved matter) they have said they will not impose a GDF on an area that does not want it .

**NPS Consultation**

|  |
| --- |
| ***Q1. Does the draft NPS provide suitable direction to the Planning Inspectorate and Secretary of State on the need for geological disposal infrastructure?*** The need for a GDF has never been properly demonstrated by Government or its promoters. As one (long term pro-nuclear) contributor put it at the London consultation meeting on 22 February put it pithily: “This is a totally unnecessary ostrich performance. There is no demonstrable need, just a policy desire.” It was suggested by the same contributor that the GDF plan was more about “retaining a productive economy for the nuclear sector”, as others aspects, such as new construction have slowed due to continuing financial and technical problems. BEIS has frankly cherry-picked the recommendations made by the CORWM-1 committee, with its qualified support for a form of geologic disposal, overlooking or misrepresenting the implications of, several important recommendation for a decade. One such is Recommendation 2: *“*A robust programme of interim storage must play an integral part in the long-term management strategy. The uncertainties surrounding the implementation of geological disposal, including social and ethical concerns, lead CoRWM to recommend a continued commitment to the safe and secure management of wastes that is robust against the risk of delay or failure in the repository programme. Due regard should be paid to:i. reviewing and ensuring security, particularly against terrorist attacks;ii. ensuring the longevity of the stores themselves;iii. prompt immobilisation of waste leading to passively safe waste forms;iv. minimising the need for re-packaging of the wastes;v. the implications for transport of wastes. The current NPS for a GDF is premature, as the existing radioactive waste stocks at  reactor sites will have to  be stored while the heat cools and the radioactivity  naturally reduces. Neither ministers nor their BEIS advisors- nor indeed their regulatory advisors from the Environment Agency,  the Office for Nuclear Regulation and CORWM-2  respectively have not paid sufficient attention to the need for much longer on site storage in their politically motivated desire to (spuriously) demonstrate that there is an acceptable route for th e disposal of radioactive waste, something the public demand  if a new  build  programme of nuclear reactors is to get their collective majority support. Another is recommendation 4.“There should be a commitment to an intensified programme of research and development into the long-term safety of geological disposal aimed at reducing uncertainties at generic and site-specific levels, as well as into improved means for storing wastes in the longer term.” “Managing our Radioactive Waste Safely,” CoRWM-1, July 2006. Para 26(<https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/294118/700_->\_CoRWM\_July\_2006\_Recommendations\_to\_Government\_pdf.pdf)RWML has an ongoing research programme containing over 1000 unresolved technical and scientific issues, as has emerged in the long running bilateral dialogue undertaken by the Nuclear Waste Advisory Associates and RWML. But unfortunately ministers seem to be ignorant of this huge number of important matters that still need resolution, not least the corrosion of copper in anoxic environments,(<http://www.mkg.se/en/the-swedish-environmental-court-s-no-to-the-final-repository-for-spent-nuclear-fuel-a-triumph-for-th> & <http://www.mkg.se/en/translation-into-english-of-the-swedish-environmental-court-s-opinion-on-the-final-repository-for-sp>)  often talking as if the technical issue  have already been solved, and the only issues that now need sorting out are planning matters.(<http://www.nuclearwasteadvisory.co.uk/>)There are several other ways to manage long-lived radioactive waste other than a GDF. One permanent, above ground engineered security-hardened storage, with active human stewardship. This is essentially what the Scottish Government has decided to do since 2011. (<http://www.gov.scot/Topics/Environment/waste-and-pollution/Waste-1/16293/higheractivitywastepolicy>). The UK and Welsh government should revisit this option, along with examining the *Implementation Strategy* dating from December 2016. (<http://www.gov.scot/Resource/0051/00511782.pdf>)Another is deep borehole disposal, which is controversial and has its detractors. Its main merit is to ensure no fissile material placed into the borehole can ever be retrieved by any malevolent actors. ( see, for example, the presentation by Fergus Gibb, emeritus  professor of  Petrology and Geochemistry  at the University of Sheffield on behalf of Swedish  nuclear waste group MKG at the *Swedish Land and Environmental Court*hearing  the planning application for a Swedish GDF equivalent  on 8 September 2017; and proceedings the first open international scientific conference on nuclear borehole waste disposal, in held  in June  2016:<http://energy2050.ac.uk/sheffield-holds-first-open-international-scientific-conference-on-nuclear-borehole-waste-disposal/>) |
|  ***Q2. Do the assessment criteria adequately address the principles that the developer, the Planning Inspectorate and the Secretary of State should take into account in an application for development consent? If not, what further information on the assessment criteria is required?*** The major unresolved problem is the size of the radioactive waste inventory destined for the proposed GDF (or indeed GDFs) is presently unquantifiable, so sign off is being requested from Parliament and the planning process without any robust quantification. A related additional problem is the GDF process assumes in all its aspects normal operation of the UK nuclear sector. It does not take into account, or present any contingency for, the possibility of very significant additional volumes of radioactive waste that could be created either in a Fukushima-scale accident, or a terrorist incident, with widespread uncontrolled dispersal of radioactivity across swathes of countryside. It could also produce very damaged fuel elements in the reactor core, as in Three Mile Island in the US in 1979, Chernobyl in 1986 and Fukushima in 2011. Below is what the impact of the radioactive remediation of contaminated soil around Fukushima looks like in the week this information is  being compiled in April 2018, seven years after the accident in Japan.      |

Q3. Does the draft NPS appropriately cover the impacts of geological disposal infrastructure and potential options to mitigate those impacts? Please provide reasons to support your answer.

Simply put, No!

According to BEIS:

“The underground facilities will comprise a system of vaults and engineered tunnels for the disposal of waste. The underground facilities will be located at a depth of between 200 and 1,000 metres underground and will cover an area of approximately 10 to 20 square kilometres.”

Figure Illustrative drawing of a geological disposal facility – above and below ground

But what this picture does not paint for the local communities is what would happen if the Government of the day were to have to  implement the full evacuation of the contents of the  GDF from their subterranean  emplacement for safety reasons, including  packages containing  nuclear explosive fissile materials such as plutonium?

This would amount to the operationalisation of the reversing of the emplacement decisions and retrieval of the radioactive waste (ie an R&R process), which effectively is the reassurance given to any community that volunteers to be a host: if safety procedures go identifiably wrong underground, the danger can be mitigated by removing the waste.

But to do so, an above ground secure and safe temporary storage facility would have to be built in preparation of such a retrieval procedure. It may not  have exactly the same size above ground footprint as the subterranean tunnels, but it would be very substantially bigger than the above ground GDF workings. *However, no illustration of any such above ground emergency store is ever shown in the material published by the promoters of the GDF.*

**Q4. Chapter 5 - Do you agree with the findings (of ‘likely significant effects’) from the Appraisal of Sustainability Report and the recommendations for enhancing the positive effects of the draft NPS? Please provide reasons to support your answer.**

Para.5.6 (p.70) of the Appraisal of Sustainability (AoS) report states, inter alia that:

“the draft NPS sets out how the interests of protected areas/sites… should  be considered by the Secretary of State which is *expected to have a positive effect on biodiversity and nature conservation*.”(emphasis added)

It is impossible to see from the appraisal how the GDF development could possibly have a “positive effect” on the volunteering host community and its neigbouring communities and affected communities on the transport route.

At the technical Consultation on the NPS and associated AoS and Habitats Regulations Assessment hosted by BEIS in London on 22 March, the two lead authors of the AoS and HRA from the Wood consultancy conceded that their analysis only considered normal operations, and made no multi-scenario assessment of an accident  either at the GDF site, or with the nuclear waste packages being transported to the site, and the  uncontrolled radiological release that could occur. The authors were unable to explain why they did not examine radiological contamination scenarios.

*They should have been modelled for the AOS and HRA documents, and still should be  done following the end of this consultation, so ministers can be properly advised to the full potential implications on British habitats of such contamination scenarios.*

**Q 5. Chapter 6 - Do you agree with the conclusions of the Appraisal of Sustainability Report? If not, please explain why.**

It is impossible to know whether the conclusions are robust in all their particulars.

At the technical Consultation on the NPS and associated AoS and Habitats Regulations Assessment hosted by BEIS in London on 22 March, it was made clear that the AoS did not take into account  various future climate change scenarios. As climate change is widely acknowledged as a key environmental driver, this is surely a serious fault in the AoS analysis, and should be rectified  in the necessary re-analysis.

In the

**Q 6. Do you agree with the findings from the Habitats Regulations Assessment Report for the draft NPS? Please provide reasons to support your answer**.

 The vast volume of rock and spoil that would need to be excavated in construction of a GDF would put considerable pressure on  local habitats if disposed of ( or possibly re-used) locally. If it is transported for disposal or reuse far from the GDF site, it could have significant sustainability implications with large numbers of heavy transports involved.. If the GDF plans materialise to project and site specific stage, then a project specific HRA will be a necessary requirement, so all the local particulars can be taken into account.

Para. 4.4(at p.23) of the HRA states in part:

“The regulators will only accept the safety case for a GDF if it demonstrates that the facility meets their required high standards for protection of people and the environment. It is therefore reasonable to rely on the robustness of the regulatory regime to ensure effective operation of the facility. As such, the risk of incident outside normal operating conditions is considered unlikely and therefore the assessment considers the conditions in respect of the ordinary operation of a site.”

The faith put in the infallibility of the safety regulator is dangerously misplaced. They may be very good, but to err is human is very powerful aphorism. No doubt the Japanese equivalent document would have said much the same prior to the Fukushima accident.

There isa very powerful ‘Precautionary Principle’ that should govern decision makers and their advisors when planning a long term strategy to manage/ dispose of radioactive waste.

Accident scenarios should be included and justified in all such appraisals. To have omitted them is totally unacceptable, and this should be rectified in the necessary revisions orderd n m by ministers.

All Documents

Consultation Question

7 **Do you have any other comments on the draft NPS and the accompanying documents (Appraisal of Sustainability, Habitats Regulations Assessment)**

Just before the Consultations closed,  a report – ‘UK Environmental Policy Post-Brexit: a risk analysis’  -  was issued by Friends of the Earth on how Brexit  might affect the continued implementation of environmental regulations transposed into UK law during the forty six years of UK membership of the European Communities/Union. (<https://cdn.friendsoftheearth.uk/sites/default/files/downloads/Environment%20and%20Brexit%2C%20C%20Burns%20Et%20al%2C%20March%202018%20web.pdf>)

*The Guardian* newspaper reported on its key finds thus:

**Green Brexit unlikely despite government claims, report concludes**

Environmental standards are at risk across the board, from wildlife and habitats to water and air quality, a risk assessment shows

The Guardian, 12 April 2018

<https://www.theguardian.com/environment/2018/apr/12/green-brexit-unlikely-despite-government-claims-report-concludes>

Government promises of a green Brexit have been cast into doubt by a new study that warns of declining protections for water, birds and habitats once Britain leaves the [European Union](https://www.theguardian.com/world/eu).

[The risk assessment](http://friendsoftheearth.uk/brexit/uk-environmental-policy-post-brexit) – commissioned by Friends of the Earth – found standards are likely to weaken in every sector of environment policy, from chemicals and food safety to air pollution and climate, though the extent of deterioration will depend on the departure deal.

The environment secretary, Michael Gove – a fervent Brexiter – [insists the UK will be a global “champion”](https://www.politico.eu/article/michael-gove-opinion-brexit-is-a-chance-to-take-back-control-of-our-environment/) of green policies after the split on 29 March 2019, but many fear a bonfire of regulations that [would result in lower government spending](https://www.theguardian.com/environment/2018/jan/21/green-coalition-alarm-environment-protection-brexit) on air and water quality, allowing businesses to cut corners. To avoid a race to the bottom, the EU’s chief negotiator, Michel Barnier, [has insisted on a “non-regression” clause in any future trade deal](https://www.theguardian.com/environment/2018/apr/10/eu-will-seek-non-regression-clause-to-tie-uk-to-environmental-standards), tying the UK to the bloc’s high standards after Brexit.

The new study underscores the need for caution. Academics from Sheffield University, Queen’s University Belfast and the University of East Anglia assessed the post-Brexit risk of governance gaps, coordination problems between Westminster and devolved nations (Scotland, Wales and North Ireland) and the differing levels of protection between strong EU regulations and weaker international commitments by the UK.

The researchers considered 15 environment policies under five different scenarios, ranging from a Norwegian-style arrangement that would keep the UK close to the EU, to a chaotic no-deal scenario that would mark a total separation.

In every case, they predicted a “very high risk” [to birds and habitats](https://www.theguardian.com/environment/2017/oct/06/how-will-brexit-affect-british-wildlife). Current EU rules – notably Natura 2000 and the habitats directive – oblige member states to set aside conservation areas for wild species. Before these directives, protected sites in the UK were being lost at a rate of 15% a year, but this declined to just 1% a year afterwards, according to the RSPB. Current farming minister George Eustice, however, has [said the “spirit crushing” rules would go after Brexit](https://www.theguardian.com/politics/2016/may/30/brexit-spirit-crushing-green-directives-minister-george-eustice). The authors of the risk assessment also cite comments by Gove and foreign secretary, Boris Johnson, calling for the directives to be reformed, rescinded or weakened.

Water standards are also threatened. In compliance with EU rules, many UK rivers have recovered, serious pollution spills have gone down and natural bathing areas are cleaner. But in all but the Norwegian scenario, the study considers there to be a “high risk” to the water framework and regulations on urban wastewater and groundwater after [Brexit](https://www.theguardian.com/politics/eu-referendum). Even if these and other EU rules are kept on the UK statute book, the researchers say they would be “zombified” unless a mechanism is put in place to keep them in force.

Similar worries about policy gaps are evident in every other area including waste disposal, nitrates, fisheries and agriculture. The report says it is not enough to fall back on international environment commitments, which are mostly far laxer than EU standards.

The government claims its recently announced [25-year plan for the environment](https://www.theguardian.com/environment/2018/jan/11/conservatives-25-year-green-plan-main-points-at-a-glance) gives Britain some of the most progressive policies in the world, but the study’s authors say it replaces concrete regulations [with vague aspirations](https://www.theguardian.com/environment/2018/jan/11/may-defends-inspiring-green-plan-as-critics-call-for-immediate-action).

 “The 25-year plan was depressing and concerning,” said Prof Charlotte Burns at Sheffield University. “If the government is not tied down to strict standards, we will see waning investment in the environment and less capacity for NGOs to challenge what they do in the courts.”

She said there was still time for Brexit to produce some positive changes – particularly on fisheries and agricultural policy – but that current policies and ministerial statements gave far more cause for concern than optimism.

Friends of the Earth and other conservation groups have called on the UK government [to establish a new environment watchdog](https://www.theguardian.com/environment/2017/dec/12/not-asking-earth-independent-environment-watchdog-fill-eu-gap), though this has yet to materialise. Campaigners also support calls for a non-regression clause.

“We were promised that Brexit wouldn’t harm our environment – but this analysis shows that under all scenarios currently on the table, this promise will be broken,” said Kierra Box of Friends of the Earth. “We hope this report will spur parliament to make much needed changes to the withdrawal bill currently in the process of going through parliament, to lock in guarantees for our environment that the report authors have found lacking so far.”

In response to the risk assessment, the Department of Environment said a “Green Brexit” would enhance environmental standards.

“As Friends of the Earth have themselves said, the EU’s Common Agricultural Policy has encouraged environmentally damaging methods of farming. Leaving the EU also means we can create a more sustainable fisheries policy and do much more to improve animal welfare,” a Defra spokesman said. “We will soon consult on an independent, statutory body to hold the government to account on the environment and on a new statement of environmental principles.”

***This risk assessment has significant implications for the AoS and HRA documents, which assume the regulations protecting habitats will be continued without change  as the UK exits the EU. Ministers have it in their powers to ensure that the Wood  AoS  and HRA documents  will remain accurate, and the FOE consultants’ study  prove a misplaced concern.***