1) Do you agree that a test of public support should be taken before the representative authority loses the Right of Withdrawal? If so, what do you think would be the most appropriate means of testing public support, and when should it take place? If you do not agree with the need for such a test, please explain why.

Yes, a test of public support is required, this is beyond question. At issue is the timing and extent of the referendum. It must, of course, come before loss of the right of withdrawal. However it should come much sooner. No local authority should go forward from learning to focussing until a referendum has been held. When the two reports (geology and socio-economics) have been received and given wide publicity, a referendum of the population of the relevant unitary or county authority should be held. If there are dissenting voices on content or extent of the reports, those should also be given a similar level of publicity.

2) Do you agree with the proposed amendments to decision making within the MRWS siting process? If not, how would you modify the proposed phased approach, or, alternatively, what different approach would you propose? Please explain your reasoning.

As a concept the phased approach is acceptable, however there are many faults with this particular design.

We find the idea that "any local bodies" could make the initial approach totally unacceptable. This could lead to vested interests putting pressure on local authorities to take the process further.

As stated in the previous section, the referendum comes too late in the process and must come before the decision to move to the focusing phase.

We have severe concerns about the make-up of the steering group (see next section for more detail). We are also concerned that they are free to make the appointments to the consultative partnership, and that they are also members of the consultative partnership as well as having one member of the steering group acting as a communication channel. This puts far too much power in the hands of the steering group.

We are also concerned that the wider partnership group has been downgraded to "consultative" instead of "participative", which therefore has no powers to make recommendations. As membership of the consultative partnership is within the gift of the steering group many types of organisation which were included in the West Cumbria Partnership (Town and Parish Councils, National Park Authorities, tourism boards, trade unions, farming organisations and faith-based groups to name but few) may be excluded.

We believe that, if a referendum is held earlier the "appropriate point in the focussing phase" (paragraph 2.63), as we believe it should, this should not bring forward the deadline for exercising the right of withdrawal. The right of withdrawal should be held open until just before GDF construction begins.

3) Do you agree with this approach to revising roles in the siting process set out in the White Paper? If not, what alternative approach would you propose and why?

One of the strengths of the MRWS Partnership approach was that it was very inclusive and every effort was made to encourage environmental campaign groups to come on board. **The steering group represented all levels of the community.**

The amendments weaken the partnership approach. The proposed Steering Group comprising Government, nuclear industry and local authority which will oversee the process will not engender trust or community support. All three groups represented are those wanting and needing to drive the process onwards. It is vital that neither Parish Councils nor County Councils (in two-tier authority areas) are excluded from the steering group.

If representatives of parish councils are excluded from the steering group, the voice of the directly affected community is lost. It is a spurious argument to say that many parish councillors (by being

co-opted) are not elected. In fact they do eventually become directly elected even if unopposed. Members of the Executive or Cabinet in local authorities are never directly elected, and yet they (not the full councils) are the ones who have been taking decisions whether or not to participate in the MRWS process so far. Similarly it is untrue to say that parishes have neither finances, nor time nor expertise to take part in the steering group. CALC very ably represented Cumbrian parishes in the MRWS West Cumbria Partnership. Furthermore no group should be excluded because DECC deems them to be unable to do so for reasons of time or financial commitment. It is up to DECC to make a financial commitment to enable them to take part, if this is deemed necessary.

It makes no sense if the County Council is excluded. As strategic authority and the minerals and waste authority, its view is both significant and of vital relevance. A cursory study of responses to the call for evidence does not suggest that this was widely suggested by respondees.

The idea that the leader of the representative authority should chair the steering group will increase the distrust in the process among members of the local community. There is a need for an independent chair who has a scientific background but has respect within the community, who can challenge members of the steering group on behalf of community members.

4) Do you agree with this proposed approach to assessing geological suitability as part of the MRWS siting process? If not, what alternative approach would you propose and why?

Our response to the call for evidence (and, we believe many of the other responses) included the need for much more rigorous geological screening of the whole country to establish where the best geology lies. Geological suitability must be established before communities are allowed to volunteer. This is the approach taken by most other countries embarking on the GDF route for radioactive waste disposal. It is not credible to claim that this screening is either unfeasible or too expensive. Similar screening was carried out by Nirex before their (the first) abortive attempt to build a deep underground nuclear waste dump in West Cumbria. Therefore we may assume the data already exists and may only need fine tuning. If the expense really is too great, then we can assume the whole project is in danger of being too expensive. This survey must necessarily be a tiny proportion of the overall expense, and probably a tiny proportion of the money already spent on the MRWS process (the second) abortive attempt to build a deep underground nuclear waste dump in West Cumbria.

We find the reliance (paragraph 3.9 bullet point 4 of the consultation document) on engineering to overcome geological difficulties less than credible.

We note that in paragraph 2.50 of the consultation document it is proposed to commission some work on local geology during a 'learning' phase
"This includes the application of the current unsuitability criteria, complemented (if necessary) by new aerial geophysical investigations."
Information from other known geological studies should also be included.

Following that it seems that the next geological investigations, under the revised process, only come when boreholes are sunk: after the community 'right of withdrawal' will have ended.

5) Do you agree with this proposed approach to planning for a GDF? If not, what alternative approach would you propose and why?

There are considerable problems with introducing a National Policy Statement on nuclear waste. The NPS process does not encourage localism, participation and engagement in decision making. Instead it makes 'in principle' decisions which close down debate on matters that local communities and their councils would, rightly, expect to have a say in during planning processes. This is not in the sprit of the voluntarist process which the Government is keen to offer in this case.

Furthermore the NPS might further erode the powers of the relevant local authorities for matters currently controlled under their planning processes (e.g. Cumbria County Council, as the waste planning authority, is statutorily charged with forward planning on this issue for the whole county).

6) Do you agree with this clarification of the inventory for geological disposal – and how this will be communicated with the volunteer host community? If not, what alternative approach would you propose and why?

The inclusion of new build wastes has effectively removed control of inventory from the host communities. The determination to include new build wastes raises issues which make finding a potential site much more complex and difficult. It increases the size of the volume of rock required, lengthens timescales, creates issues around surface facilities for storage and creates technical difficulties due to the radiological properties of new build wastes.

We appreciate the intention to build clarity into the proceedings but believe that new build should be removed from the process and not included in the search for a long-term solution which must be confined to the country's legacy wastes. The process for dealing with new build wastes must be dealt with under a separate plan.

7) Do you endorse the proposed approach on community benefits associated with a GDF? If not, what alternative approach would you propose and why?

If community benefits could be paid from the focusing phase, there must be a guarantee that if a volunteer community later proved to be in an area with unsuitable geology, accrued benefits would not be clawed back. Paragraph 4.15 implies that it could be clawed back for whatever reason the GDF was not built.

We would like to see monies paid into a fund, which prioritises social, economic ***and environmental*** wellbeing of the community.

8) Do you agree with the proposed approach to addressing potential socio-economic and environmental effects that might come from hosting a GDF? If not, what alernative approach would you propose and why?

We believe that National Parks, Areas of Outstanding Natural Beauty and areas with national or international wildlife designations should be ruled out of the process (of both underground and surface facilities) from the start, along with the areas with the less suitable geologies.

We are convinced that the Strategic Environmental Assessment and/or Appraisal of Sustainability should assess the environmental implications and potential health risks of GDF disposal compared with not only other sites but also alternative methods of dealing with radioactive wastes.

There are significant generic impacts concerning spent fuel storage and transport which should be looked at early in the process, and before any areas are invited to volunteer.

9) Other comments

One of the central issues is that of radiation and health which is a major concern about the process and proposals for the development of a deep repository.

The scope of this consultation is very narrow focusing solely on the creation of a GDF. But a GDF cannot be developed for many years, far into the future. It is much more important and a much more immediate priority to develop safe storage of existing wastes especially at Sellafield. It is also vital (because of the programme of nuclear new build) to develop a strategy for waste storage for new build spent fuel. Currently the Government maintains that the problem of nuclear waste can or will be solved on the necessary timescales. It is, however, irresponsible to push ahead with this without a proper strategy in place.