



Cumbrians Opposed to a Radioactive Environment

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National Geological Screening Guidance. Public Consultation.

A response from CORE [Cumbrians Opposed to a Radioactive Environment]

CORE's response to the four questions raised in the consultation document follow our general comments on a number of overarching issues which underpin RWM's case as outlined in the document under the headings **Introduction, Context, Government Policy, and Demonstrating Safety.**

Preface

CORE maintains its long established opposition to the underground disposal of nuclear wastes in a Geological Disposal Facility. The basis upon which CORE's opposition since the 1980's is founded is well documented and in the public domain – as is its advocacy of the alternative policy of long-term above ground storage at the site of waste origin.

Introduction.

RWM's statement at para 1.9 that it has 'expertise in the science and engineering of geological disposal' is questionable and, in CORE's view, a self-promotion that cannot be substantiated. Where, for example, has RWM gained any engineering experience in geological disposal here in the UK where no such disposal programme has ever been initiated or completed? Whilst lessons may have been learned from ongoing overseas projects, such experience has only limited value in this country as it reflects considerable differences in respective government policies, geological conditions and categories of waste for disposal.

Irrespective of RWM's unwarranted self-promotion, the greater problem of RWM's suitability to lead the UK's disposal programme is, for CORE and others, its undeniable corporate connection, as a wholly owned subsidiary, of the NDA. Supportive of the magnox and oxide waste producing reprocessing operations at Sellafield, NDA is a de facto waste producer as admitted most recently in its 'Overview of Higher Activity Wastes', November 2015 (Table at para 2.4, page 7).

As a wholly owned subsidiary of a nuclear waste producer, RWM's role of leading the UK's waste disposal programme contravenes and undermines the accepted international principle of the requirement for a transparent separation between waste producer, waste disposer and waste regulator. CORE believes that RWM's position within the NDA, and is untenable and we have no faith or confidence in the ability of the corporate collective to conduct and deliver a wholly independent process free of its own vested interests and those of the nuclear industry generally.

CORE's long standing concerns on what it describes as an incestuous relationship between waste producer and waste disposer is shared by many others. Such a relationship has done little to engender confidence that the issue as complex and contentious as nuclear waste disposal is being handled with the level of independence so clearly required.

Confirmation of the need for such independence has come from many quarters, initiated largely in 2006 when the shares of the Nuclear Industry Radioactive Waste Executive (NIREX) were transferred to the NDA and the subsequent incorporation of NIREX into the NDA. In its own September 2006 report 'Creating a New Nuclear Waste Management Organisation (NWMO) to replace NIREX (Ref.516537)' NIREX itself warned not only that *'any organisation charged with progressing a repository site must operate independently of the commercial imperatives of the nuclear industry if it is to be credible with its host community, stakeholders and the wider public'* and that *'the transfer to the NDA represents a reversal of a specific policy decision made by Government in April 2005 that any new waste organisation must be independent of the industry and the NDA'* (emphasis added by CORE).

The issue of non-independence was also highlighted in the House of Lords Fourth Report of its Select Committee on Science & Technology which raised the matter of the legal advice given to NIREX in September 2006 that warned that the merger of NIREX and the NDA *'would give rise to serious issues as regards the UK's compliance with International Law and Community Law'*. The legal advice went further, with Counsel warning to *'preclude allowing the NDA to subsume, own or control the new Waste Management Organisation (NWMO), or any other body which might play a key role in all stages of site selection'* Even the Prospect Union warned in 2006 that *'independence from the waste producers – including the NDA who are responsible for THORP, the magnox reactors and MOX – is fundamental for maintaining public confidence in the project and providing visibility and transparency to avoid damaging conflicts of interest'*.

It is highly regrettable that, in echoing CoRWM's July 2006 recommendations to Government to *'appoint an independent overseeing body to help drive the implementation programme forward ...'* (para 4, page 151), the concerns and criticisms above and those of CORE have not been taken on board – a failure that has safety implications and leaves both NDA and RWM as 'tainted goods' in terms of their ability to act with the level of independence owed to and expected by the public at large.

Context.

In its statement at para 2.3 relating to higher-activity wastes, RWM refers to the current non-classification as waste of spent nuclear fuel. Given that an estimated 4000-5000 tonnes of spent AGR fuel is, with Government/NDA consent and approval, destined for disposal, it would have been more appropriate and indeed helpful to consultees for RWM to have acknowledged the presence of this volume of spent fuel along with the other waste materials listed rather than describe it as being subject to a decision to be taken in the future. The schematic on multi-barrier systems (Figure 2, page 6) could also more usefully have incorporated a view of conditioned spent fuel either in schematic or text form.

Para 2.3 also makes reference to provision being made for wastes arising from the UK's new-build programme – but provides no further definition of those wastes and whether or not it includes spent fuel from new reactors whose developers are currently advised that such fuel will not be reprocessed.

Further, in making such provision, RWM blatantly contravenes the respected and widely accepted view of CoRWM in 2006 (CoRWM report para 18, page 115) that *'future decisions on new-build, including consideration of waste, should be subject to their own assessment process'* – ie a separate process to that undertaken for legacy and other existing wastes.

Government Policy.

At para 2.4 Government Policy for higher activity wastes to be managed through geological disposal is presented as the only game in the box. To convey a more rounded understanding of the waste disposal issue, RWM would have been better employed in reminding consultees that whilst deep disposal was considered by CoRWM to be the best approach *'within the present state of knowledge'* (CoRWM recommendation 1 – as adopted by Government) it also recommended that *'the commitment to ensuring flexibility in decision making should leave open the possibility that other long-term management options should emerge as practical alternatives'* (recommendation 5).

RWM may be tasked with taking forward the plans for deep disposal, but the lack of evidence of any flexibility in respect of alternative waste management options by RWM is disturbing and a major concern.

Demonstrating Safety

No reference is made as to whether any form of pre or post closure waste retrieval is being contemplated. It would have been helpful to know RWM's position on the retrieval of disposed wastes as it more clearly defines the likely underground area of any repository and has major implications for the vital safety case for such a facility.

CORE's response to questions.

Question 1. To what extent do you think our proposed approach to providing national-scale existing information about geology relevant to long-term safety is appropriate?

It is hoped that RWM will ensure that, whilst such information is sourced from publicly available datasets and compilations, it does not become selective when it comes to the more detailed information available for particular areas or geological attributes. The information gathered should be on a 'warts and all' basis, with no discrimination made between the more detailed information which may support the suitability of an area as opposed to not supporting it.

Question 2. The proposed sources of information are summarised below. To what extent do you think that these sources are appropriate and sufficient for this exercise?

CORE can see no reason why data obtained and compiled by NIREX UK during its site selection process of some 500 sites UK-wide in the late 1980's would not make a significant contribution to the screening process adopted by RWM today.

Question 3. To what extent do you agree or disagree with the proposed form of the outputs from geological screening? What additional outputs would you find useful?

CORE's reading of the consultation document infers that whilst the geological data will be supplied by BGS, the application of Guidance and the development of the outputs will be largely a matter for RWM. If so, and in order to enhance public confidence levels, CORE believes the crucial role of developing the outputs should be undertaken by an independent body - and not by RWM who's 'expertise in the science and engineering of geological disposal' and vested interests as a wholly-owned subsidiary of waste producer NDA we have commented on above.

Plans as to how the screening results will be presented to stakeholders and the public at large are somewhat confusing. It is unclear whether at the stage of 'early discussions with communities' the potential ranking of their local geology will be feature of the output. Given the complexities of the science of geology and the need to present information in an easily understandable form, CORE believes that some attempt to provide a basic ranking should be made at this stage, either as a numerical assessment or colour coding

Question 4. Do you have any other views on the matters presented in the draft Guidance? CORE's response to this question is encapsulated under **Introduction** above.