

MINUTES OF CORWM MEETING, 2 & 3 JULY 2013, EDINBURGH

Secretariat

Present: (CoRWM): Laurence Williams (Chair), Francis Livens, Brian Clark, John Rennilson, Gregg Butler, Helen Peters, Janet Wilson, Lynda Warren, Stephen Newson, Simon Harley, Paul Davis, Laura Butchins (secretariat) and Alexis Tregenza (secretariat).

Declarations of Conflicts of Interest

1. There were no new conflicts of interest declared by members.

Chair's Update

2. The Chair thanked the members for their contribution to the 2012-13 annual report which had been completed.
3. DECC had asked CoRWM for a meeting the following week to obtain further views from CoRWM on a revised siting process for a geological disposal facility (GDF) to assist DECC in formulating its consultation document.
4. DECC had also asked CoRWM to consider its role in any future siting process, including to consider the option of CoRWM validating information provided to communities during the process.
5. DECC dialled into the meeting to provide an overview of progress made on shaping the consultation document and answer any questions from the Committee.
6. CoRWM would be hosting a meeting with representatives of the regulators from the Environment Agency (EA), the Office for Nuclear Regulation (ONR) and the Scottish Environmental Protection Agency (SEPA) later in the day (see separate minutes of this meeting).

Updates from Recent Meetings

7. Brian Clark had presented at the Nuclear Industry Forum which took place on 17 and 18 June 2013 entitled 'Managing Radioactive Waste Safely (MRWS): Lessons Learned from Cumbria'. Many of the attendees were there for business interests. Jamie Reed, MP also presented although there were few questions on either presentation. On balance, the Committee believed it was important to present at these events to raise the profile of CoRWM.
8. Bill Lee (as his last duty to CoRWM) attended a meeting with Chinese Academy of Sciences to explain how CoRWM worked with Government. His feedback was that he thought it had gone well and there was much interest in the model of an independent expert committee.

9. John Rennilson gave a summary of the main issues that DECC were expecting to cover in the consultation later in the year. The issues of most significance to a revised siting process had been identified by the lessons learned exercise and Call for Evidence that DECC had initiated since the withdrawal of west Cumbria from the siting process in January (see paragraph 10).

Teleconference with DECC Officials

10. One of DECC's officials dialled in to the meeting for a short teleconference to provide an overview of the issues that DECC had previously asked CoRWM to consider concerning any proposed changes to the MRWS siting process. The issues were:

- Decision making; when and by whom?
- Measuring Community support
- The stages of the process
- Advocacy
- Geological information
- Community benefits
- The planning process
- Strategic Environmental Assessment (SEA)
- The inventory
- Regulation and licensing, and
- Provision of independent advice to communities

11. DECC asked CoRWM to consider its potential role in the future siting process, including one requiring independent validation of information provided to communities during the process. DECC understood that this may require additional resource or skills and asked for CoRWM's views on whether CoRWM thought they would be the body based placed to take this on, or whether another existing or new body would be better for this role.

MRWS Siting Process

12. CoRWM discussed the issues in the siting process that DECC had asked CoRWM for views on.
13. The committee agreed a number of general principles for any new siting process. These were that any new process should be as simple as possible with the minimum number of decision points and that the process should be seen as more of a continuum rather than a series of distinct stages as previously.
14. In addition the committee agreed that the option of having more than one Geological Disposal Facility (GDF) should not be ruled out at present. Having more than one facility would allow for not finding sufficient rock volume in a single location or for the potential case that waste types are incompatible in a single repository.
15. The Committee then discussed and clarified a proposed model for a new siting process, based on earlier discussions from a workshop held on 23 May 2013. The Committee thought that the process should broadly be made up of three phases, these being:

- a. An initial engagement phase: The implementation body would actively engage with communities nationally to fully explain the concept of a GDF and the siting process and to attract an "Interested Party". The end of this phase would represent the first community decision point.
 - b. The Community Phase: In this period of time the community or "Interested Party" would receive regular information from the implementation body on progress with the identification of potential sites within their community. This phase would include the gathering of information to develop and substantiate the GDF safety case, including geological data that may require some exploratory borehole investigation. Under CoRWM's proposed model, during the Community Phase there would be an agreed process for community engagement to communicate the status of information gathering to support safety case development, report on results, provide plans for future activities in the community to gather further information and to seek community views and support. In this phase there would be no interim decision points that would require agreement from the Community but, if the Community was not satisfied with progress or the adequacy of the information it received, it would have the right to withdraw from the process at any time. At the end of this phase the implementation body would need to have provided the "Interested Party" with sufficient information to demonstrate that there is a reasonable prospect that a safety case can be made for the siting of a GDF in their community. If the "Interested Party" accepts the arguments put forward by the implementation body (supported as necessary by independent advice from the Regulators and any other independent sources of advice), and agrees to host a GDF in its community, it becomes the "Volunteer Community". At this point it gives up its right to withdraw from the process and will begin receiving Community Benefits. The end of this phase represents the final community decision point.
 - c. Regulatory Control Phase: In this phase the implementation body would apply for planning permission and produce its initial application for a nuclear site licence and environmental permits. If planning permission was obtained and the nuclear site licence granted, on-going work on the design, construction, commissioning, operation and closure of the GDF would be under the control of the nuclear and environmental regulators. The Participating Community would begin to receive the agreed community benefits. During this phase if the regulators were not convinced that the implementation body could make an adequate safety case on the basis of the site characterization work, the project would be halted and the GDF would not be sited in the Participating Community as proposed.
16. The Committee's view was that District Councillors would most likely be best placed to represent the views of those in the immediate area who would be most affected by any potential facility. The Committee agreed that the roles of the decision making body or bodies should be clear from the outset of any process.
17. The Committee also agreed that it would be important for any community to gauge the support of its population before deciding whether or not to host a facility. The different ways of gauging this support should be considered and an appropriate method should be

decided by the interested local community in question, taking into account Government views on the method.

18. The Committee agreed that it would advise Government that advocacy would be required at both the national and local levels to support any new process. At the national level, the Government should be the Advocate and explain:
 - the need to manage the radioactive waste arising from the operation of our existing nuclear industry activities;
 - the implications of radioactive waste arising from “new build” proposals;
 - the quantities of radioactive waste to be disposed of;
 - the risks to people and the environment, in relation to normal everyday risks that people face; and
 - the benefits a community can expect for hosting a GDF.
19. At the local level, the Committee believe that the GDF Implementer should be the main advocate and have the role of:
 - explaining the project to build a well-engineered facility;
 - defining the inventory that any facility would contain;
 - defining the process and timescales for siting, initial licensing, site characterisation, surface facility and underground construction;
 - explaining the safety case, the role of engineered and geological barriers,
 - explaining the risks to people and the environment from the GDF during construction, operation and post-closure;
 - discussing local impacts during the construction and operation phases of the project; and
 - describing potential employment opportunities.
20. The Committee agreed that any issues surrounding geology should be explained in the context of its role in the overall GDF Safety Case, which would be the critical factor in deciding whether or not a particular site was suitable. CoRWM believes that there is a need to explain to the public the current level of knowledge of deep geology.
21. The Committee agreed that the process for allocating, distributing and the timing of provision of community benefits should be clearly agreed at the start of any process.
22. CoRWM agreed that Government should, before entering into any new siting process, be able to articulate the nuclear safety regulatory framework, including licensing, that would be put in place. The Committee thought that the Government should ensure that any changes to existing legislation, or new arrangements that are being considered, were consulted upon. Legislation could cover ways to gauge community support, the right to withdraw from the site selection process during what CoRWM proposes is the “Community Phase” of the process, community benefits and other issues such as planning, private land access for exploratory borehole drilling and possibly regulatory powers. The Committee also agreed that consideration should be given to a specific GDF Act of Parliament which would put all the relevant legislation into one place and therefore make it clearer to understand.

23. CoRWM agreed that there is a need for a clear duty holder for the delivery of a GDF and supports the creation of a stand-alone company that will become the nuclear site licensee. The Committee also agreed that the Government should carefully consider how a GDF will be licensed under a comprehensive regulatory framework. This will be necessary to give the public and other stakeholders the confidence that public safety and environmental protection will be delivered after the decision to become the “Volunteer Community” and the community right to withdraw has been removed. The Committee thought that the design, construction (including site characterization boreholes), commissioning, operation and closure would be controlled under the nuclear regulation “permissioning” regime in addition to environmental and planning regulation.
24. The Committee also agreed the role for the Regulators prior to and at the Community Stage of any siting process was to explain the regulatory framework that would control activities after the “Host Community” decision.
25. In addition, CoRWM agreed that they would, if asked by Government, support what CoRWM refers to as “Interested Parties” and “Participating Communities” having access to independent advice throughout the process. The Committee thought that CoRWM would be well placed to provide this independent and authoritative advice. Members agreed that should such a change in its role be required, the Terms of Reference would have to be modified to include this new responsibility, subject to the availability of sufficient resource. Members also agreed that, in most cases, it would not be possible to ‘validate’ specific data or information that was being provided to communities from the implementing body unless specialist resources were allocated to do this task, however, CoRWM would be able to comment on the robustness of the processes which produced the information or data and the way that it was being presented.

2013-14 Sub-group Work Plan (CoRWM Doc. 3127)

26. The 2013-14 Sub-group Work Plan had been drawn up and was intended as a working document to be kept up to date throughout the year. Its purpose was to assist members to plan the work under their tasks to meet deliverables, to enable planning of items to be tabled at plenary meetings, and to identifying external meetings that would benefit more than one task.
27. The plan contained deliverables for this financial year only and work towards deliverables next year could also be included later if Members required. It would also act as a record of the work done throughout the year.
28. The inventory tasks had been updated from those originally proposed in the 2013-16 Proposed Work Plan (CoRWM doc. 3100) as clarity on the advice required from CoRWM had been received from DECC.

Action 47: Members to ensure that all external meetings, deliverables, work under tasks and items tabled for plenaries were included in the In Year 2013-14 Work Plan and to send any updates to the secretariat.

2013-14 Budget Report (CoRWM Doc. 3125)

29. The spend for the first quarter was reported as slightly above that forecasted. All fees and expenses should be submitted to the secretariat for the preceding month by 5th of the following month without exception.

30. Members were all asked to submit their claims for fees and expenses under the following categories to ensure that reporting could be made fully transparent:

- Work and travel for plenaries
- Work on task groups
- Other engagement

Action 48: Members to submit all future claims with fees allocated under three categories: 1) work and travel for plenaries, 2) work on task groups and 3) other engagement by the 5th of the following month.

Forward Look

31. The meeting with the Radioactive Waste Management Directive (RWMD) of the NDA that had been postponed earlier in the year had been rearranged for 7 November 2013. The meeting would take place in Harwell although members would meet the following day in London.

32. Some members of the Committee were due to attend meetings with the Leaders of Cumbria County Council, Allerdale and Copeland Borough Councils the following week to understand their views on the MRWS siting process.

33. The Chair would be meeting Baroness Verma to answer any questions on the annual report and work plan on 30 July 2013.

34. Some Members were due to visit the SKB and the Swedish Regulator in September.

35. Attendance to observe the GDF Users' Group in September 2013 and January 2014 was agreed.

36. Attendance at the Nuclear Energy Agency's (NEA) Symposium on Safety Cases for a GDF in September was agreed.

37. CoRWM would host a meeting for the Chairs of Advisory Committees for Geological Disposal on 22-23 October in London, which would be jointly organised by the NEA.

CLOSE

Action no.	Action	Progress
21 February 2013 (Minutes: CoRWM doc 3105)		

02/2013/031	Secretariat to update ways of working document.	In progress
24-25 April 2013 (Minutes: CoRWM Doc 3121)		
04/2013/040	Secretariat to draft a statement on Geological Disposal and circulate to members for comment then publish.	Complete
04/2013/041	Chair to complete Chair's introduction to 2013-16 work programme and secretariat to submit to sponsor officials by end of April 2013.	Complete
04/2013/042	Members to draft initial sub-group work plans and send to chair and secretariat by 15 May 2013.	Complete
04/2013/044	Secretariat to ask RWMD to provide an annual update on how they are managing CoRWM's issues in their issues register.	Complete
2-3 July 2013 (Minutes: CoRWM Doc 3121)		
<i>NB There were no actions from the workshop of the 23 May 2013 or the annual report meeting of the 14 June 2013 (CoRWM doc 2126).</i>		
07/2013/047	Members to ensure that all external meetings, deliverables, work under tasks and items tabled for plenaries were included in the In Year 2013-14 Work Plan and to send any updates to the secretariat.	In progress
07/2013/048	Members to submit all future claims with fees allocated under three categories: 1) work and travel for plenaries, 2) work on task groups and 3) other engagement by the 5 th of the following month.	On going