

3 Weeks to Save the Lakes

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A Response to DECC's Consultation on the Site Selection Process for a Geological Disposal Facility

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3 Weeks to Save the Lakes represents 719 members across the county of Cumbria and beyond. Formed in 2012 during the MRWS process, our response to the consultation can be found below:

1. Do you agree that a test of public support should be taken before the representative authority loses the Right of Withdrawal?

3 Weeks to Save The Lakes believes that the Right of Withdrawal should be enshrined in any legislation covering GDF. We believe that there should be regular focussed stages whereby communities involved in the process can come together and discuss the pros and cons of their involvement and make informed decisions upon whether or not to continue. The Right of Withdrawal should be available to host communities at any point during the process should they be concerned about developments and implications of progression. Communities should not be penalised for exercising their Right of Withdrawal.

The decision to continue or withdraw should take account of the views and evidence of as broad a spectrum of the community as possible, making it thoroughly democratic and accountable.

Once a community has withdrawn from the process that right should be respected. If each time a community withdraws the government resurrect the process and put same communities back into the frame then the Right of Withdrawal means nothing. The process loses credibility by default and the moving of goalposts is seen as duplicitous. Democracy and trust are paramount. If an area has been assured by government that its county's [withdrawal from the process will be respected](#) then they have legitimate expectation that those reassurances be upheld.

In Cumbria, we have already had a test of the community. At parish and town council level, engagement with the community and the voicing of public opinion and the County Council Cabinet vote there was a resounding no to continuing to Stage 4 of the MRWS process. There should therefore be a moratorium on any representative authority which has withdrawn through the process of voluntarism based on the concept of an unwilling

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community.

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?

3 weeks to Save The Lakes views the removal of the County Council from the decision making process as a blatant attempt to silence dissent raised in MRWS1, and an attempt to get the outcome DECC has decided it wants rather than the outcome a community wants.

DECC received 187 responses to the call for evidence earlier this year, only 3 of which suggested a removal of the county from decision making process. 3 Weeks to Save The Lakes does not believe this amounts to justification for the changes, and is of the opinion that the change would be unworkable in practice.

The proposal displays a distinct lack of understanding of local government tiers of authority and decision making. It makes no differentiation between the size or remit of a representative authority, and takes no account of the differences between those areas governed by a unitary authority and those with a two tier system. The proposed change to the decision making process gives authority to a layer of government which is ill equipped to manage the task.

In an area with two tier local government such a scenario would create unmanageable conflicts between authorities, with a small and ill equipped district council dictating to the more senior level county authority on issues that extend beyond its remit and have impact well beyond its boundaries.

A County council has 800 functions including areas of emergency, highways and an overview of strategic planning. District councils are reliant on the upper tier for strategic decision making and decisions with a wider perspective.

Put simply:

The County waste remit is strategic covering minerals and environmental pollution. The District councils collect the bins.

The County planning remit covers regional growth and development; it is strategic. Districts make decisions over conservatories.

The Districts have no remit over the infrastructure required for such a project whereas the County Council has authority over highways and transport.

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Placing the County in a consultative position rather than a decision making role is unworkable and irresponsible.

3 Weeks to Save The Lakes is concerned that there appears to be a distinct lack of impartial and independent advice available under new proposals. We are also concerned that the governance of the new process appears to be a closed shop with no genuinely impartial supervision of any of the processes. It is vital that independent opinion govern any decision making or guidance aspect of the process to ensure that the safest solutions are found rather than the most convenient. Impartial supervision is imperative in maintaining integrity and ensuring that personal agenda and influence is avoided. We therefore disagree with the proposal that the Leader of the Representative Authority should chair the Steering Group.

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?

Again, out of 187 responses to a Call for Evidence only 3 suggested removal of the County from the decision making process. 3 Weeks to Save The Lakes views the proposals, as laid out in the consultation document as an abuse of the Localism agenda; an attempt to remove the County councils from decision making processes in a blatant attempt to manipulate the eventual outcome.

Giving authority to the Districts in this scenario appears rather arbitrary, and in the case of Cumbria, politically convenient- it is well documented that in the last process both parish level and county level authorities were unwilling to proceed and opting to exclude these levels of government from decision making in any new process is underhand.

Hypothetically, if being so specific in using 'Localism' as to provide the district with a voice, why not take the idea to a further level and ask a parish? When framed in this context it becomes quite obvious that the decision should not be made on such a small scale and by such a few individuals with no governmental infrastructure to implement their decisions. As explained above, the ultimate decision making should lie with the County Council as the relevant authority for strategic matters such as planning, waste, emergency, highways.

The proposal creates a scenario whereby just one body (presumably District Council) becomes decision maker at a number of levels. Giving authority to one body to volunteer, implement, guide and decide on all aspects of GDF is undemocratic and open to abuse. There is no impartiality or ultimate accountability. In the pursuit of fair and just process it is

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vital that independent governance be sought, the remits of each tier of governance respected and the views of all affected communities be taken into account. [Nuleaf](#) made specific recommendation that DECC continue with voluntarism, right of withdrawal, independent oversight.

In all aspects of GDF construction it is imperative that safety be given top priority and therefore responsibility should be put into the hands of the local authority with overarching powers on such matters- the County Council.

The construction of a GDF, and even the exploratory stages will impact on communities far beyond those defined by the physical location of the facility. There will be a huge increase in noise pollution, vehicular access and demand for amenities.

Any siting process needs to take account of water systems, topography, the potential for the formation of pathways to the surface and the risk of environmental damage and pollution. All boundaries become arbitrary in this situation and the environmental community should be the issue under consideration.

The County Council has strategic authority in these areas and the ability to work in partnership with neighbouring authorities to overcome problematic scenarios and reduce impact on other communities.

It would be unthinkable and unworkable for example, for a small District Council to liaise with a neighbouring County Council on strategic issues; it could not work with the neighbouring authority to draw up plans which minimise disruption and impact when it has no remit to undertake decision-making on such issues.

The District councils lack the knowledge, wider experience and political ability to manage a development on this scale and placing them in a position of overarching governance is irresponsible and unworkable.

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?

Geology should come before voluntarism. This is the absolute key message of 3 Weeks to Save the Lakes' response to the consultation. A willing community with inappropriate geology would be a disaster.

According to Professor David Smythe (Nuclear Geologist responsible for previous

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investigation into suitable locations for a UK disposal facility) "The UK is pursuing a unique strategy in seeking volunteer communities before the geology is considered. Ironically, this has led to the volunteering of the very district which has already been thoroughly investigated, but which failed the test of a planning inquiry."

With this in mind, 3 Weeks to Save The Lakes proposes a 'national' geological survey to determine the safest environment possible. Any siting review should take account of IAEA guidelines and UK's own research undertaken via the [Pangea project](#)- arid, lowland, clay, away from mountains and faults. Areas of complex geology should not be under consideration as potential hosts due to the risks posed to future generations.

Internationally it has been recognised that there are two fundamental requirements for any host geology: flat relief and simple geology. It would therefore be irresponsible to investigate areas that do not meet those requirements first.

In 1988 Nirex [identified 537 potential sites](#) for investigation based on their suitable geology yet none of these has been the focus of further detailed investigation. The list was whittled down to just 12 locations which could host our country's nuclear safely into perpetuity, yet none of these has been the focus of exploratory investigation. Instead, the government has repeatedly chosen to investigate sites in close proximity to Sellafield- a decision based on convenience rather than safety and security.

We can not rely on engineered solutions to keep waste safe. The time-scale of toxicity is beyond our comprehension. Even with our advanced knowledge and capacity for unprecedented technical achievement we are unable to engineer our way out of the problem of nuclear waste disposal. No engineered solutions have ever been tested globally. Humanity is incapable of engineering anything which would last even a fraction of the time required to keep HLW contained.

Our most long-lived technical achievements are made of rock but we are unable to manipulate such a substance into secure containment for toxic liquid wastes for 100s of 1000s of years. We are reliant on creation of containers to hold our waste within any disposal facility, but these containers are subject to decay and will be dust long before the radioactive material inside them has become safe. Anything man can create has a limited lifespan and is subject to corrosion and decay at the mercy of the elements-even underground. Nothing we can construct will outlast the lifespan of the material it is designed to hold. Containers will decay. Linings will decay. Eventually the contents of the facility will leak. Therefore our last level of defence is the host geology.

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We cannot 'engineer' an area into being more suitable than it already is, and to opt to locate a GDF in anything other than the safest geology is incomprehensible.

There is a national responsibility to identify a number of potential sites 'nationally' and *then* go to consultation. There should be a process of refinement- focussing on more likely suitable areas rather than repeating the same mistakes. There are better geologies than others and these should be investigated first. Nothing short of safest location in the country will do.

The most important factor here is safe long term storage not speed of repository building. However, the process MUST be accompanied by improved interim storage of nuclear waste to minimise the 'intolerable risk' posed by [current storage methods](#). Safety must be paramount in our priorities -and therefore geological suitability should take precedence in any location search.

Repeatedly looking in same place, spending millions and potentially billions on trying to find a solution in an area which has been continually proven to be geologically unsuitable for such a purpose is adding further and unnecessary delay to a problem which requires urgent action (see contents of NAO report and recent [PAC](#) report).

3 Weeks to Save The Lakes believes that if a region's geology has been continually found to be unsuitable and has been likened to a 'leaky sieve' by eminent geologists conducting the Government's own reports on the matter, it is expensive and irresponsible to locate a repository in such a region just because it is in proximity to the current and dangerous waste store.

3 Weeks to Save The Lakes also believes there should be a moratorium on any representative authority that has been eliminated from previous processes on geological grounds.

5. Do you agree with this proposed approach to planning for the geological disposal facility?

There is a conflict within the government's proposals- voluntarism does not sit well within the concept of NSIP. 3 Weeks to Save The Lakes views DECC's proposal to move the siting process into the realms of NSIP as a move away from voluntarism and a step towards compulsion.

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This is especially worrying when the government is not placing the main focus of the siting process one of geological suitability. Geology should come first, then voluntarism, followed by independent scrutiny and decision making.

The time-scale proposed in the consultation document is too short. There is not enough time for communities to learn about the issues and consider their options. Only those who already have knowledge and experience of the MRWS (and other) processes would feel equipped enough to come forward and volunteer given the scale depicted in the proposals.

In order to find the most appropriate location for a UK GDF, government need to undertake a national geological survey and then engage volunteers before any investigative work is carried out.

As stated above, 3 Weeks to Save The Lakes does not believe that the 'representative authority' role should be delegated to a district council. A County Council can not be demoted to a 'consultative partnership' role and must be fully participant in the process with an overarching remit on decision making.

3 Weeks to Save The Lakes is also concerned by proposals to give final say on the location and progression of a UK GDF to the Secretary of State for energy. The department has a vested interest in the process going ahead according to its plans, and therefore any scenario which gives the DECC overall power in the final decision would be a conflict of interest. Independent authority is necessary to ensure fair and just process.

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?

Any inventory should be specific about its contents. Communities need to know exactly what they are volunteering for before they step forward. There should be a definitive upper limit so that people understand what they can expect from the very beginning. Vagaries create doubt and appear sinister and manipulative. If DECC wish to create an ethos of trust, all processes must be open, honest and accountable.

The UK, as a historical pioneer of nuclear technologies, has a large legacy of wide ranging nuclear wastes. No other country in the world has chosen to mix such a diverse cocktail of toxic wastes in one disposal facility.

International facilities hosting HLW are rare- and untested in our climate. All GDFs are still at the experimental phase and nothing is certain. Despite our vast expertise and

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technological knowledge we can only guess at what may happen when wastes are placed together underground.

Therefore 3 Weeks to Save The Lakes proposes the possibility of a number of storage facilities- each designated to a particular purpose; each one located in the safest geology, but with communities aware that the content is limited and that size of the facility is restricted.

The government's Committee on Radioactive Waste Management (CoRWM) has made recommendations which exclude waste from new build programme. DECC should adhere to CoRWM's recommendations.

Waste from new nuclear build should not be included in any inventory. Any new build should only be given the go ahead on the understanding that it has made provision for its waste outside of the current GDF location search.

3 Weeks to Save The Lakes is of the view that reducing energy consumption to enable us to live within our means is preferable to creating an unmanageable legacy for future generations.

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

Any potential volunteer authority needs to be assessed on ethical grounds as well as geological merit.

If an authority is in a situation of economic strife it is possible that economic benefits be used or perceived as bribery. An area of extreme economic deprivation could view hosting such a facility as its only way out of financial difficulty; in effect volunteering for the wrong reasons. It would then effectively be held to ransom by the process- as withdrawal would plunge the area back into poverty and inequality.

If an area's income is solely dependent on funding obtained from a proposed GDF and/or associated industry it would be unethical to consider that location until measures had been put in place to diversify and secure the local economy of that region independently of the nuclear/energy industries or waste disposal.

Providing financial incentive too early could be construed as manipulative to those communities with limited resources. However, recompensing for damage caused by investigation is vital. Benefits could be paid in the focusing phase of the process, but if it

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was found that geology in this region was incompatible with internationally accepted guidelines it would be detrimental to all concerned to attempt to retrieve these benefits.

3 Weeks to Save The Lakes believes that any community which has hosted nuclear waste thus far should be recompensed for duty served to the nation. It is evident that areas with a connection to the nuclear waste have not yet seen the benefit of their involvement with the nuclear industry. Awarding such communities for services given would also ensure that any decision to volunteer was based on genuine interest and feasibility rather than desperation.

Once a GDF is constructed. Any benefits package should continue into perpetuity. Rewarding citizens and their environment for services to the nation. The concept of Community benefits should be made into statutory legislation that no future government can renege on.

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 alternative approach would you propose and why?

As explained above, it is important to recompense and reward a community for involvement in the process, but it is dangerous to create a scenario of dependence upon involvement. No community should feel pressured into accepting a GDF at any point in the process and the inclusion of financial incentives should take account of that. If there is a risk that a community may use voluntarism as an opportunity to ease economic hardship it should not be considered as suitable for progression.

All information on such benefits should be provided by an independent body so as to avoid conflicts of interest and personal agendas.

Environmental issues and economic issues should be viewed separately. There should be legislation to ensure that a community can not 'sell' its environmental well-being in the pursuit of geological disposal. No amount of community benefit can recompense for loss of habitat and environmental security and it should be made clear that this is the case.

It is impossible to do any investigative work without creating boreholes which cause damage to the natural environment. Therefore any protected areas should be excluded from the search. All areas designated as protected areas should be excluded from consideration and investigation. National and international protections relating to areas such as National Parks, Areas of Outstanding Natural Beauty, World Heritage Sites, Special Areas

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of Conservation, Ramsar Sites and Special Protection Areas should be adhered to. No location should be considered if it will have adverse effect on such areas.

9. A Cumbrian Context:

West Cumbria has played its part in Britain's nuclear storage story. Throughout the development of the UK's nuclear programme Sellafield has stored this country's waste. The facility, the district and indeed, the whole county have been burdened with handling the material, transport and damage to reputation and environment. The west Cumbrian plant has accepted material from energy generation, decommissioning and the military and has been managing that waste to the best of its abilities for over 50 years. Nuclear waste is transported to our county from all corners of the nation and beyond.

However, current storage methods are unacceptable; the geology of the county is not up to the task of safeguarding that waste into the long term future.

West Cumbria has served this country well, but if the waste can be brought to Cumbria it can just as easily be transported out again. It is now time for a more suitable national solution to be found for the nation's nuclear waste. A solution which places safe storage at the top of it's list of priorities.

The government has decided that deep geological storage is the way forward, and if that is the case, then only the safest geology will do. That geology can not be found in Cumbria.

3 Weeks to Save The Lakes is aware of the pressing need to find a solution to the storage of nuclear waste. Living in close proximity to the existing waste we are more aware of the urgency of this situation than any other area of the country. We live daily with the silent threat posed by unsuitable storage and damning reports on the waste's current status. We more than anyone want an urgent solution to the problem. However, having endured numerous attempts to foist underground nuclear waste disposal upon us, we are also aware that our county is not suitable as a location for long term storage of this magnitude. We request that a more appropriate location is found as soon as possible removing the risk from our communities.

It has been suggested that a Cumbrian GDF could fail and leak within 2 generations due to our hydrology. Such an eventuality would cause radioactive contamination of our land and water systems- implications which would spread far beyond Cumbrian boundaries and affect the whole of the North West.

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Despite DECC's suggestions to the contrary, we know an enormous amount about the geology of Cumbria. It is one of the most studied geologies in the world- coal, oil, gas exploration, mining history, Nirex etc. and BGS maps prove this.

This is not a new concept we have investigated the possibility of underground storage many times. We have a good idea where would be the best site for such a facility. A look at previous processes will show that as a nation, we have already identified much more suitable locations than west Cumbria, We *know* Cumbria is not the safest place and west Cumbria can not be expected to host this material into infinity for that reason. Nowhere in Cumbria can be deemed suitable for this purpose on geological grounds. It may well be politically convenient to choose to look for a site here- again- but it is not geologically convenient. Anything other than the safest solution is an irresponsible and disrespectful legacy to leave to future generations.

Over the past 30 years the UK government has spent £1½ billion (perhaps more in today's money) searching for a location to store its nuclear waste underground. Yet we are no further forward. The government's insistence on keeping on looking in the same unsuitable place is causing an expensive delay to an important issue. It is an utter waste of public money to go back down the same route and revisit Cumbria in the search for a suitable location.

For the sake of future generations it HAS to be the safest geology

It is estimated that a national survey would cost £1-2 million. It would remove the doubt and stop wasting time- allowing us to look somewhere more suitable. The beginning of the national survey has already been done. To ignore that evidence and to continue to press for the search for a site in an area which has been found repeatedly to be unacceptable for this purpose makes a mockery of the whole idea of democracy.

If the government really and truly want to use this consultation as an opportunity to determine the will of the people then they should stop centring their search on a single location and extend the search for safe geology to a wider national area.

Likewise, if the government are committed to voluntarism they will stay out of Cumbria in the coming search, because for reasons of scientifically determined unsuitable geology, Cumbria said 'no' to moving any further forward in the development of GDF.

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The County Council did not pull out through disinterest or apathy- the county hosts a wide range of facilities which manage radioactive waste safely and has considerable expertise in the matter. But it has been proven time and time again that a GDF solution can not be sited in Cumbria on geological grounds.

Re-framing this as a new process does not negate the fact that it is the 'same' process repackaged and relabelled. Consulting and engaging on the same issues in the same area undermine the trust that communities should feel when volunteering for such a facility.

3 Weeks to Save The Lakes proposes that there should be a moratorium on Cumbria as a location for a GDF due to its repeated identification as unsuitable for the purpose.

Author: Fiona Goldie

(Founder) 3 Weeks to Save The Lakes

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