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GDF siting process consultation

Department of Energy and Climate Change

Room M07

55 Whitehall

London

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4 Dec 2013

Dear DECC

Atkins response to Consultation on the Review of the Siting Process for a Geological Disposal Facility. – September 2013

Overview

Atkins welcomes the opportunity to comment on the above consultation. Atkins is a multinational engineering, planning and design consultancy, providing expertise to help resolve complex challenges presented by the built and natural environment. Information on the Company can be found on our web site. www.atkinsglobal.com.

Atkins is firmly established in strategic markets around the world and operates from 100 office in the UK and internationally.

Atkins acknowledges the importance of a Geological Disposal Facility (GDF) as a long term enabler to the safe and secure storage of High Level Waste (HLW).

We have written below a comment on 7 of the 8 questions in the consultation document but we do not consider that question 1 should be answered by Atkins and so therefore have not responded to that particular question.

Atkins responses:

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.

The proposed approach to decision-making within the MRWS, with the introduction of two discrete phases ('Learning' and 'Focusing'), is fully supported by Atkins. As proposed, the new arrangements would meet the objectives of putting the decision-making more transparent and would enable those involved to make properly informed decisions. Providing for communities to exercise a continuous 'Right of Withdrawal' throughout both phases is a useful means of encouraging informed engagement in the process.

The engagement with communities in making decisions during the MRWS siting process is welcomed as it would offer the project promoter the opportunity to secure 'buy-in' by local communities. The confirmation that the project will be dealt with through the Development Consent Order (DCO) process as Nationally Significant Infrastructure is also welcome as, once the site is decided upon, there would be a fixed timescale for the determination of the DCO application and challenges regarding the principle of the development would have been dealt during the debate around the National Policy Statement.

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?

Atkins welcomes the proposed changes and the necessary clarifications to the roles and responsibilities of those involved in the siting process. We particularly welcome the proactive role proposed by Government for engaging at a national level on raising the awareness of the GDF and consider this to be a very positive step towards engaging/ encouraging potential host communities.

To maintain confidence from key stakeholders a recommendation would be to refrain from setting up another independent body to provide the verification and/or peer review of technical statements. It would be more effective to widen the Terms of Reference of CoRWM.

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?

Atkins agrees that a staged or step-wise process for assessing geological suitability is necessary. Such a process is routinely adopted for civil engineering and natural resources projects (e.g. construction, mines, hydrocarbons, groundwater).

The staged approach needs to recognise the quantity and quality of data available at each stage. There is no benefit in making judgements when important data are missing. The proposed approach recognises this. We agree with the proposed approach and note, importantly, that:

- It makes explicit statements about the data that will be available at each stage and its limitations.
- It describes the acquisition of new data at the various stages: aerial survey and then non-intrusive surface survey (both stages by geophysical methods), then intrusive investigations (by boreholes).

We agree with the UK Government's preliminary view not to carry out 'pre-screening' of areas as 'suitable' or 'unsuitable' at the outset, for the reasons given in the consultation document. Criteria would need to be more detailed and complex than is appropriate at the inception stage to avoid the risk of excluding suitable areas at the outset.

The BGS will be commissioned to undertake the initial assessments. Presumably, the BGS will funded by government and/or the NDA. It is unclear how NDA and BGS will demonstrate that BGS's views are independent. The proposed peer review process, which aims to overcome this problem to some extent, is not described or explained.

The consultation document states that information generated in the 'Learning' phase "*would be used by RWMD as the basis for making an early judgement on whether there were reasonable prospects for siting a GDF in the area specified*". It is not clear who will advise RWMD in making this judgement, for example, can BGS do this while retaining public confidence in its impartiality?

We agree with the proposed approach that aims to provide a greater level of geological understanding much earlier in the siting process. However, the proposed inclusion of *"communication tools which can effectively inform the general public"* is likely to fail if the public does not trust or understand them. The public may conclude that the 'tools' are not independent and are, actually, designed to lead them to a pre-determined conclusion.

It is desired to provide greater geological information to representative authorities at an early stage. The consultation document proposes that, at the launch stage, BGS would publish brief texts for each of the 13 Regional Guide areas. This would provide little or no information above that already in the public domain. However, it would be onerous and costly to provide detailed information to all possible representative authorities on a national basis.

We believe that the proposed approach insufficiently addresses the potential problems arising from the local authorities' limited ability to understand and make decisions based on the logical information provided to them. In particular, the provision of information may be ineffective as local authorities and other interested parties will have little or no relevant geological expertise by which they can make better informed decisions. From where will they obtain geological advice to help them assess the reports by BGS, NDA and its consultants, and people or organisations with differing views?

Therefore, we believe that the NDA or UK government should provide sufficient funds to the local authorities such that they can retain independent consultants to advise them. Finding such consultants may be difficult as most of the individual specialists and specialist organisations that could provide advice may already be working with/for NDA. Those that are not may be reluctant to be involved with the local authorities because of potential conflict of interest should an opportunity to work for NDA become available to them in the future.

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

The proposed inclusion of a GDF in the nationally significant infrastructure planning regime is to be welcomed. Once the relevant National Policy Statement (NPS) is in place, and the debate about the need for the GDF is resolved during the formulation of the NPS, the Development Consent Order (DCO) procedures will provide for a streamlined consenting process for this nationally significant project. Given that the DCO procedures require extensive public and stakeholder consultation to be undertaken prior to the formal DCO submission to the Planning Inspectorate, there would be the opportunity for interested parties to express their views on the proposals and to influence the project design.

Experience to date with projects progressing through the significant infrastructure planning regime is that 'frontloaded' consultation works makes for greater certainty of the decision-making timescale when applications are submitted, without prejudicing the opportunity for the project promoter to address stakeholders' concerns through changes to project design.

Dealing with the project under the DCO regime also has the advantage that local authorities, free of the perceived need to remain impartial as decision-makers, can take an active role in discussions about the proposals and in representing the views of their communities.

6. Do you agree with 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?

We agree that there is a need for inventory updates and clarification.

Given the acknowledged uncertainty in future waste arising in terms of volume, activity and physiochemical forms, It is believed that there is a greater need to clearly state which locations it will be unacceptable to accept any waste, rather than limiting statements what waste can be accepted and where waste can be received from. For example, it may be unacceptable to import waste from oversees, but can there realistically be a justification to exclude waste from new build generating stations, given the benefit is for the UK i.e. the energy will be consumed in this country.

It is stated that the waste inventory is a continually evolving document as the waste arising from the decommissioning process is increasingly understood. Whilst it is agreed that this is true, there needs to be some recognition that there will come a point in the design and regulatory process where such a continuous evolution creates problems. Will there be a point at which a final upper bound inventory will be defined to enable design and regulatory approvals to progress?

The current radioactive waste inventory does clearly illustrate anticipated sources, activities and volumes of wastes in addition to showing how the activity inventory decreases over time. However, this does not help a member of the public understand the waste in terms of hazard and risk, or how these may change over time. This understanding is essential for the communication process.

To prioritise decommissioning, the NDA created a Safety and Environmental Detriment Index (SED Index) for assessing risk/hazard of facilities to be decommissioning. Could something similar be applied to the Waste Inventory, accounting for activity decay / ingrowth, waste form and barrier degradation, activity release rate, potential exposure routes and dose impact over time. This would allow comparison of either variations in waste types or different geological systems.

Where there is such uncertainty that a quantitative approach would be meaningless, should more emphasis be placed on gaining public acceptance of the robustness of the processes for disposability assessment and waste consignment/acceptance?

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

The proposal to revise the approach to community benefits and to start paying benefits during the 'Focusing' phase is to be welcomed. The proposed creation of a community fund is also welcomed, through which payments would be made during 'Focusing,' following the final decision to construct a GDF and during the early years of underground operations. This approach would allow the communities involved and the project promoter to be clear about the community benefits to be provided prior to the 'Focusing' phase and the DCO application, which would provide certainty for all parties.

Whilst it is recognised that a community fund would be set up potentially through legislation, there is very little detail given in the Consultation paper on how the fund would be set up and how it would be administered nor is there any indication as to what community purposes the funds could be used to support. Further details on these matters and on the likely value of a community fund, perhaps as a percentage of the capital cost of the GDF, should be included in the final version of the siting process for a GDF. Experience drawn from the operation of Planning Performance Agreements associated with Nationally Significant Infrastructure Projects such as the Hinkley C new nuclear power station would usefully inform consideration of how a community fund might be established.

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?

The proposed approach to addressing potential socio-economic effects is based on recognised good practice for Nationally Significant Infrastructure Projects and Atkins agrees with this approach. The proposed approach would enable socio-economic and also the environmental issues to be understood by the project promoter, stakeholders and the local community during the 'Focusing' phase, early in the project definition process. By doing so the information obtained would inform the siting and design of the GDF and facilitate the inclusion of appropriate measures to mitigate any potential significant adverse effects that are identified.