



**BANNG**  
Blackwater Against New Nuclear Group



## **REVIEW OF THE SITING PROCESS FOR A GEOLOGICAL DISPOSAL FACILITY CONSULTATION**

### **RESPONSE FROM THE BLACKWATER AGAINST NEW NUCLEAR GROUP (BANNG)**

**BANNG Paper No. 23**

#### **The basis for our Response**

Over the past five years The Blackwater Against New Nuclear Group (BANNG) has responded to many consultations by Government, NDA, nuclear industry and House of Commons Energy and Climate Change Committee relating to the long-term management of highly active solid radioactive wastes. We have been specifically concerned with the management of spent fuel and ILW at new nuclear sites such as Bradwell in our responses on the Strategic Siting Assessment for new nuclear power stations (BANNG Papers 1 and 2); on National Policy Statements for Energy and Nuclear Energy (Papers 4,5 and 9); on funding for decommissioning and waste management (Papers 8 and 10); and on other issues such as Justification (Papers 3 and 7), plutonium management (Paper 11) and Generic Design Assessment (Paper 6). These and other papers are available on our website (BANNG.info) or from our Secretariat<sup>1</sup>. More specifically, in the present context, we have responded on the desk-based identification of potential sites for geological disposal (Paper 13), on the process conducted by the West Cumbria MRWS Partnership (Paper 15) and to the 'Call for Evidence' (Paper 19) on the MRWS process which has been drawn upon in the development of the present consultation. BANNG has also participated in the review of the MRWS process through its membership of the DECC/NGO Nuclear Forum and in the engagement in the NGO Stakeholder Workshop held in London on 27<sup>th</sup>. November 2013.

Given this background of detailed and professional knowledge and local experience of the nuclear industry we feel we are able to provide the constructive challenge which, in the words of the Consultation Document, 'can lead to more effective policy and delivery' (DECC, 2013, para. 282). In the past we have criticised the approach to participation and engagement and have been disappointed with the evident lack of influence we have had on the process. There has been for us and for other NGOs a palpable feeling of being marginalised or ignored, a sense of futile participation in a process whose purpose has appeared to be to provide premature legitimisation of a foreordained policy. The present consultation also indicates a rather forbidding set of

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<sup>1</sup> BANNG Secretary, Varrie Blowers (REDACTED REDACTED)

ground rules to responses from organisations such as ours. We are asked whether we are ‘representing’ the views of our organisation and to ‘make it clear who the organisation represents and, where applicable, how you assembled the views of members.’ We would hope the same strictures are equally applied to all organisations, including the nuclear industry. For the record, BANNG is a citizens’ based organisation with supporters based primarily around the Blackwater estuary but also in other parts of Essex, England and overseas. Supporters are kept informed of activities and issues through a regular newsletter, through our website and through participative events such as public meetings, protests and social events. Among our major activities has been the collection of around 10,000 signatures face-to-face to a petition opposed to new build and spent fuel storage at the Bradwell site which was handed in to the Minister for Energy in February 2011. Our core group meets regularly and contributes to consultations such as this. We consider we are representative and democratic and that the views we express are shared by the vast majority of the population around the Blackwater.

The consultation paper also indicates that the Government ‘will give greater weight to responses that are based on argument and evidence, rather than simple expressions of support or opposition’ (para. 5.3). We would suggest that the Consultation Document itself hardly subscribes throughout to this injunction. Indeed, one interpretation might be that its purpose is to achieve a deep repository as quickly as possible in order to support new build. **Although it proclaims its faith in voluntarism, partnership and participation, the proposals set out in the consultation document reveal a more centralised and elitist decision making process based on consultation, not participation.**

Be that as it may, we are prepared to take the Government at its word that it is looking for ‘more effective engagement with NGOs and other groups’ (para. 2.82). We believe our response is based on sound argument and evidence, where available, leading to opposition or support for proposals that are founded on our judgement. **Overall, BANNG believes its submission meets the strict criteria of rigour and representativeness that will be applied by the Government in weighing up the quality and provenance of responses. We look forward to the Government’s response which, in the spirit of this consultation, we trust will indicate specifically where and why our views have been accepted and where disregarded.**

### *Some General Principles*

The MRWS siting process is still ostensibly based on the recommendations of the CoRWM1 Report of 2006 (CoRWM, 2006) together with the Committee’s Report on Implementation (CoRWM, 2007). These were essentially endorsed in the Government’s White Paper on implementing geological disposal (Defra, 2008). But, in its interpretation and implementation of the proposals the Government made some significant variations. In particular, the Government put emphasis on achieving geological disposal *as quickly as possible* rather than the more measured approach to disposal set forward by CoRWM1. Secondly, new build wastes were introduced into the potential inventory whereas the CoRWM1 recommendations applied to legacy wastes only. We consider these variations of emphasis and substance were primarily responsible for the decision in Cumbria not to proceed further in the siting process.

CoRWM1 had crafted a set of interdependent recommendations which set out geological disposal as the ‘best approach’ in the light of present knowledge. Geological disposal was not seen as the only approach and it had to be put in the context of a measured programme of safe interim storage, research and development and monitoring of alternative approaches. In implementing the process the emphasis has been almost wholly on finding a site for a GDF as the ‘right policy’ (DECC 2013, Call for Evidence, Introduction point 4) to be achieved as quickly as possible. BANNG believes the original intention of CoRWM1 should be reaffirmed. **Within the present state of knowledge deep geological disposal is considered the best approach for the long-term management of highly radioactive wastes but must be pursued in the context of emphasis on the need for continuing and safe long-term interim storage and research and development into disposal, storage and other alternatives.**

The emphasis on disposal was to the neglect of storage. However, should a GDF be delayed or fail to materialise storage becomes, for the foreseeable future, the only available option for managing the wastes. It is, for the time being, the solution and, whether or not there is a repository, will continue to be the solution for a long time to come. We believe the GDF needs to be more clearly set in the context of an integrated decision making process leading through storage to disposal and taking into account the changing nature of the inventory, the siting of stores, repackaging of wastes, opening a repository, retrievability and final closure and monitoring. Over time priorities will change and options will narrow. But, the emphasis on siting and developing a GDF is a simplistic approach and neglects the complexities of successfully and safely managing wastes over a very long time period. Finding a GDF is only part of a long-term solution and, when a site is found, it will be many decades before most of the legacy wastes are emplaced. And, it is unclear what the potential inventory will be in composition, volume and radioactivity. The scale of the new build programme is entirely unclear with predictions of anything from no new power stations to a programme of 16GW with, at the more fanciful limits, a fleet of 50 stations producing 75GW. And future policy with regard to plutonium stocks and reprocessing is unclear, making it almost impossible to conceptualise the repository let alone take steps towards implementing it. In such conditions of uncertainty it seems to us premature to focus single-mindedly on developing a repository with an unknown inventory in the far future. Far better to deal with the problems we already have, which are intractable enough, than embarking on programmes which will produce unknowable inventories of complex waste streams into the indefinite future.

The immediate priority must be dealing with the existing legacy. The condition of much of the waste in store at Sellafield is a major problem that has been frequently recognised and which must be addressed. It was clear during the debates in Cumbria that disposal, far from being the solution for Cumbria’s problems, was a distraction from the problem of clean-up which requires priority, resources and time. Therefore, we fully support the Government’s statement that the retrieval of materials from the legacy facilities at Sellafield in order to put them into safe interim storage, is a national priority’..and ‘needs to be seen as a precursor to a GDF rather than an alternative..’ (para. 1.19). This statement echoes the recommendation in BANNG’s response to the Call for Evidence that **emphasis must be placed on safe and secure**

**long-term storage and clean-up especially at Sellafield and that appropriate resources and community benefits should be directed to that end.**

Alongside the Sellafield clean-up, the safe management of wastes at other sites is another early priority. **The NDA's current programme of consolidating its ILW stores needs to be seen in the context of a need for a strategic storage programme for a period of 100 years which takes into account future requirements for repackaging, encapsulation, removal of wastes, clean-up of sites and the creation of possible regional or central stores.**

The search for a repository site needs to be seen as an integral part of the overall management programme including storage and disposal. The whole programme should be focused on the need to reduce uncertainties, save costs and minimise risks. **Consequently, the search for a site and generic design of the repository should be confined to accommodating those wastes which are already in store or committed. The management of wastes that might arise in the future from new build, from new fuels or from materials declared to be waste must be subject to a separate policy process**

We applaud the Government's confirming its commitment to the fundamental principles of the CoRWM1 report and, in particular, its continuing support for 'an approach based on voluntarism (that is, the willingness of local communities to participate), working in partnership with communities that may ultimately host a facility' (Executive Summary and elsewhere in the document). Voluntarism is the approach favoured in most countries seeking to define and operate geological repositories. It has already been tried in the UK in Cumbria and it is the decision not to proceed there that is the reason for this review of the siting process. We do not subscribe to the view that the process 'failed' because it did not proceed to the next stage. Rather, the decision not to proceed by Cumbria County Council could be taken as confirmation that the process was, indeed, voluntary.

BANNG is concerned that the revised proposed process provides for a rather narrow and rhetorical interpretation of voluntarism and partnership. As we set out later, we fear the process is much more top-down, centralist and closed and less participative and open than the previous process. We are concerned that there is a lack of effective governance mechanisms which can inspire and protect the principles of participative democracy that is at the heart of the concept of voluntarism. The power to decide has become more concentrated whereas voluntarism thrives on dispersal of power and the achievement of consensus. **We believe that any new process must start from a reaffirmation of the core principles of voluntarism and partnership that are Partnership, Participation, Packages (both to support engagement and to provide benefits to enhance communities) and the Right to Withdraw, as the basis for any process of site selection for long-term radioactive waste management.**

In sum, BANNG believes the voluntary process is fundamental to a successful siting process. But we consider that success can only be achieved through an open, measured and coherent process that takes full account of what is scientifically and practically feasible in the present state of knowledge. At this present time it is our view that the focus of attention should be on legacy wastes

**and upon securing safe and secure *storage* of wastes as a necessary stage in an integrated process which may ultimately lead to deep disposal.**

In the rest of this response, for convenience, we have grouped our comments under the questions set out in the document. We think that the questions are, in some cases, too directive and in other cases too vague. Moreover, they do not invite comment on some of the key issues in the consultation. For example, there is no question relating to the nature and structure of partnership although that is one of the main ideas on which the process is allegedly based. In weighing up responses we believe Government should take special care to note those which cover matters that are relevant to the siting process but are not explicitly prompted by the questions or which are not covered in the consultation document.

***Question 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.***

The question focuses solely on testing public support whereas the matters to which it relates cover the raising of national awareness, the continuous or staged process, the representative authority as well as community support and the Right to Withdraw. We consider each of these four issues in turn.

#### *Raising National Awareness*

We support, in principle, the raising of national awareness before seeking volunteers. But, we are concerned about what, in practice, this would mean. Much more detailed thought needs to go into both the purpose, process and substance of national awareness raising. As to *purpose*, there will be a temptation on the part of government to see this as an opportunity to ‘sell’ the idea of a repository to potential volunteers by emphasising the benefits while ignoring or playing down the risks. The ‘offer’ may be designed to persuade and encourage as well as merely inform. **The purpose should be to provide a basis of information on which a community can choose whether to participate in a process.**

As to *process*, the intention is to provide ‘a national public awareness and engagement programme’. It may prove difficult to interest the general public though the effort must be made through the national media. Given the low public profile this may achieve it will be important to develop deliberative engagement events across the three countries involved. It will be tempting to focus attention on those parts of the country with nuclear facilities but this should be resisted. **We believe it is important to concentrate on raising awareness and not to start applying pressure to potential host communities beyond informing them of the campaign at this early stage.**

In terms of *substance*, the offer should provide a realistic appraisal of what is involved in developing a GDF ensuring that the timescale, physical scale and risks and uncertainties including issues of inventory, impacts of climate change and so on are given due consideration. There are negative as well as positive socio-economic impacts. A general description of the geology of England, Wales and Northern Ireland

will not have much purpose unless it is indicative of those areas which should be excluded (see later comment on screening). Similarly, there should also be an indication of areas likely to be excluded for socio-economic and cultural reasons. **The information presented during the national awareness raising campaign must be balanced, supported by evidence, intelligible and cover risks and uncertainties as well as benefits.**

### *Continuous or Staged Process*

In common with most other countries adopting voluntarism, the UK embarked on a staged process as recommended by CoRWM1. Indeed, it was the decision not to proceed to Stage 4 which halted the process and led to the current review. It might be argued that a staged process with clear points at which a decision to proceed further is taken, if necessary backed by community approval in some form, is a logical and progressive way to deliver a complex project over a very long time-scale. However, the Government's latest thinking is that a staged process requires 'artificial decision points' that 'create unnecessary pressure to make commitments to proceed'. We do not accept this. We feel there is a danger of gradually developing a state of 'lock in' where communities feel the process is inexorably proceeding to its inevitable conclusion. In any case, the consultation document recognises that there are decisions to be made throughout the process such as the initial decision to proceed, the decision to form a consultative partnership and the final decision to develop a GDF. These and other points will require a clear decision to be taken by the decision making body. Over the length of the project the composition of the decision making body may change and public opinion may also shift. It may prove more sensible in terms of moving forward to consolidate decisions by ratification at key points rather than risk the whole process unravelling at a late point in the process. **BANNG believes that for both democratic and pragmatic reasons a staged process of decision making should be retained in order to ensure the continuity of community support throughout the decision making process.**

### *The Representative Authority*

Much has been made of the recommendation in the Consultation Document that the decision making body (DMB) that holds the key Right of Withdrawal should be the single tier of local government, the district authority in those cases where there is two-tier local government. It has been widely suggested that the removal of the upper tier (county council) of local government was a deliberate move to enable the West Cumbrian option to be reinstated. While we recognise the point we do not believe this process has an ulterior purpose but that it is open to any volunteers and not predetermined. That said, we do not agree that the DMB should be limited to the lower tier authorities for three reasons. Firstly, two tier authorities do not cover the whole country (England) and there are many parts of the country, major cities and some county areas (Bedfordshire, Berkshire, Cheshire), where there are single tier unitary authorities. Secondly, in two-tier authorities the local government powers are shared and both tiers constitute the local representative authority. Thirdly, county councils cover a wide area which includes areas that may be affected by a GDF which do not lie within their territory. Indeed, we feel that suitable arrangements need to be made where the site of a GDF is close to an administrative boundary. For instance, in France, the Bure site is on the border of two departments both of which have equal

standing in decision making. In the UK, we would point to our own local example of Bradwell which, though sited within Maldon District Council, is very close to Colchester Borough Council territory. There are many other examples of transboundary impacts.

**BANNG believes that in the case of two-tier administrations both tiers should be represented as DMBs. Where potential host sites for a GDF lie at or close to administrative boundaries the neighbouring authorities should each be the DMBs. Suitable arrangements must also be made to provide some decision making role for potentially affected areas. In the case of two-tier authorities county councils might be considered for this transboundary role.**

#### *Right to Withdraw and Demonstrations of Community Support*

These are different but related issues. As we have indicated above, we favour a clearly demarcated staged process. It may well be that demonstrations of community support will be needed before the DMB decides whether to proceed. At certain points, for example before a decision to undertake underground investigation, such a demonstration might be required. It would be prudent to maintain deliberative engagement processes to support demonstrations of support. The precise means of testing support (in terms of constituency, sampling, questions, method, interpretation) will need further clarification and public discussion.

The Right to Withdraw (RTW), along with the Decision to Participate, is the formal mechanism of a voluntarist process. In principle, it should be available for exercise at any point during the voluntarist process. **Once the RTW is exercised the voluntarist process is at an end. We believe this point should be once planning and regulatory consents have been achieved and a commitment to proceed has been made by the DMB based on a clear demonstration of community support.**

***Question 2. Do you agree with the proposed amendments to decision making within the MRWS siting process? If no, how would you modify the proposed phased approach, or, alternatively, what different approach would you propose? Please explain your reasoning.***

We have made a number of observations about the decision making process in response to Question 1. In sum we favour a national awareness raising programme, a staged decision making process, the involvement of both tiers of local government in the case of two-tier authorities, tests of community support at key points, and the right of exercise of the Right to Withdraw up to the point when the GDF is ready to proceed. In this section we will focus on the problem of governance of the process.

We consider the governance mechanisms are poorly conceived and do not respect the voluntarist process. They are too centralised, undemocratic and unfit for purpose. It is proposed to have a Steering Group composed of the DMB, the Government and the developer that would review the acceptability of the site, guide the Government and developer through the process and engage with the wider local community. This indicates a potential conflict of roles with the Government/developer in a dominant position able to drive a process which leads ultimately to a desired outcome. The DMB which represents the local community will have its freedom to decide

constrained by its partners in the Steering Group. The DMB will hold the RTW but the Steering Group will jointly run community engagement programmes. In our view there should be independent oversight of the process by an entirely new independent advisory body an option suggested in para. 2.85.

**BANNG is opposed to the Steering Group as defined which it considers would place far too much power in the hands of government and the developer to influence the course and outcome of the process. What is required is an independent oversight group composed of experts, representatives of community, environmental and other relevant interests to monitor the conduct of the process, the quality of information and the participation in decision making.**

The process of decision making itself should be carried forward through a participative form of partnership. The notion of partnership, so prominent in CoRWM1's recommendations and in the first essay into practice, has been substantially weakened in the present dispensation. A 'consultative partnership' only is proposed which would be appointed by the Steering Group and whose role is not clearly spelled out in the Consultation Document. We consider this to be wholly inadequate and little more than a fig leaf to confer spurious legitimacy on the Steering Group. We strongly urge that a 'participative partnership' be established along the lines of the former West Cumbrian MRWS Partnership but with the following major differences. One, there should be a clear distinction between the participative democratic function of the partnership and the representative function of the DMB. It may be desirable that the DMB (or DMBs) are not members of the partnership but might have observer status. Two, the partnership should carry out the detailed work of carrying forward the process, including information provision, research where necessary and engaging with the wider local community. In short, the partnership should supply the governance framework absent in the Consultation Document. Third, the partnership should be required to make recommendations to the DMB which the DMB would be expected to ratify in its role as representative authority.

**Therefore, we recommend that a Participative Partnership be established to undertake the governance functions of the siting process including making recommendations to the DMB. The DMB's role would be to ratify recommendations and provide democratic legitimisation for the process.**

***Question 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?***

In terms of roles in the decision making process, the focus of Question 3, we have already made some observations. In short, we do not consider the Government should take a more active role in a voluntarist process beyond awareness raising and bringing the opportunity to engage to the attention of potential host communities (see para. 2.71). Similarly, the NDA should not be a participant in the voluntary siting process beyond its formal role in providing information on the concept, undertaking geological exploration, obtaining consents and constructing the facility. **It would be quite inappropriate for the developer to participate politically in the decision**



**making process. As for the regulators it is important that they protect their independence as disinterested authorities acting in the public interest.**

We fully support the view that NGOs and other groups should play a more effective role in the process. But, we believe that their effectiveness is dependent on a willingness to involve and engage with NGOs which has been absent until fairly recently. BANNG, in common with other NGOS, has felt frustrated at the apparent lack of interest or attention paid to some of its views presented in numerous detailed and well-evidenced reports. We no longer wish to engage in a dialogue of the deaf but consider we have reached a point where our expertise and representativeness should be more obviously embraced. The setting up of the DECC/NGO Forum is a start but we are well aware that it is regarded as relatively marginal in the decision making structures of government. However, **we would welcome further discussion on how the role of NGOs might be developed in the decision making process. It must be recognised that we do not wish our independence to be compromised or our roles appropriated as part of a legitimisation exercise.**

The DMB has a key role in ratifying and legitimating decisions at key points and holds the RTW. We believe the DMB should act as democratically as possible. Its decisions should be based on the best evidence and advice of the partnership and on the basis of community support. **We consider that an issue so transcending in space and time as a GDF requires the consent of the full membership of the DMB and not of its executive alone.**

***Question 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?***

One of the reasons cited for the decision not to proceed in West Cumbria was the lack of a sufficiently convincing case that there were suitable geological formations of the size, depth and properties required for the development of a GDF that could meet the stringent safety case that would be required. There has been a call for a 'geology-led' process identifying capable geologies preceding a voluntary process to find a site within suitable formations. BANNG does not consider the two processes to be mutually exclusive. However, we do feel that more information and greater clarity on the geological prospects is required before proceeding to find volunteers.

It is proposed that during the pre-launch phase some general information on geology in Britain with some visualisation would be supplied to form the basis for discussion with communities wishing to learn more. Once siting has begun, interested communities would be provided with a more detailed assessment of the known geology of their area sufficient to make an informed judgement on whether there are 'reasonable prospects' of geology suitable for a GDF. It would then be for exploratory investigation, including underground, to determine precise possibilities during the 'focusing' phase.

This procedure is both vague and inadequate. Government is fearful that any attempt at initial screening has limited usefulness and 'might exclude areas with suitable geology by oversimplifying the process' (3.9). Is there, perhaps, a fear that the geology of West Cumbria might be ruled out in some such screening process? We

consider that there should be some initial screening as proposed by CoRWM1 in its implementation report (2007, p.20). Efforts to develop suitable screening criteria have been made in the past and should be revived. Moreover, there should also be criteria developed to screen out areas unsuitable on other grounds, socio-economic, demographic, cultural. We would commend the German AkEnd report (2002) which provides a detailed analysis of potential screening criteria. The benefit of screening out those parts of the country where a GDF would be unacceptable on scientific or other grounds is that it would not involve abortive siting ventures by volunteers and would avoid unnecessary expenditure on investigations at a later stage. It might well take longer in the initial stage but we have already commented that we think the process is unduly hasty prompted as it is by the apparent desire to find a solution to the waste problem that would help to justify the new build programme.

**BANNG recommends the development of criteria that could be applied to screening out those areas that are unsuitable for the development of a GDF on geological or other scientific, social, economic or cultural grounds.**

***Question 5. Do you agree with this proposed approach to planning for the geological disposal facility? If not, what alternative would you propose and why?***

It is proposed that, as a nationally significant infrastructure, the GDF should be brought within the policy framework of a National Policy Statement (NPS) and within the planning framework of the Infrastructure Planning Process. Both these processes are relatively new and essentially replace the former major planning inquiry process which covered both policy and approval. The proposed NPS would be 'generic' setting out assessment principles and providing background information. It would be published more or less at the outset of the process.

BANNG is baffled as to the necessity or purpose of this proposal. We have had extensive experience of the NPS process and commented both on its validity and application in our responses to the NPS Energy and Nuclear Energy Statements (see especially BANNG papers 4,5 and 9). We particularly criticised its lack of openness and the use of Imperative Reasons of Overriding Public Interest (IROPI) which heavily biased the process in favour of development against environmental considerations. The nuclear NPSs were site specific, setting out policy proposals for the eight sites identified as potentially suitable for new nuclear power. In the present case the whole process is directed to finding a site, not to setting out the policy proposals for sites already identified. In any case, the policy for managing nuclear wastes has already been determined; it is a given. While we might wish to continue to question the policy, in particular the lack of integration with long-term storage, it has been developed through a long MRWS process. We do not see what a generic policy statement can add. Indeed, we feel it could unnecessarily constrain the flexibility necessary for a long-term, evolving project of this nature.

We do support the early development of Appraisals of Sustainability and Strategic Environmental Assessments for those areas considering participation. These, along with other information on geology, socio-economic impacts and other matters should be seen as an essential part of the information package necessary for moving forward.

**BANNG does not support a generic NPS for a GDF. It considers the policy for a GDF has been developed in considerable detail and will necessarily evolve as more information (e.g. design concepts, geological suitability, environmental impacts) becomes available for individual sites. We feel the governance framework we have recommended is a sufficient and robust vehicle for carrying the process forward to the point where a decision to develop a repository is taken.**

We are also doubtful that the Nationally Significant Infrastructure Planning process is appropriate for determining consent for a GDF. The siting process we are proposing is elaborate, participative and representative and will take place over many years. Once the decision is reached it should not be necessary to revisit all the issues. Indeed, **the decision to proceed, together with the ending of the Right to Withdraw, should result in a robust and acceptable termination of the siting process. If a formal decision is required then it should be a relatively simple requirement for the DMB and Government to give their consent.**

***Question 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 adopt and why?***

BANNG regards the question of the inventory for the GDF as the most problematic issue in the review. The document makes it unambiguously plain that the GDF will take wastes from new build. We are convinced this is to ensure justification for the Government's claim that 'effective arrangements will exist to manage and dispose of the waste that will be produced by new nuclear power stations'. This raises two major problems. One is that the eventual size of the new build programme is uncertain and could range, as we noted above, from nothing to up to 75GW. Thus the volume, radioactivity and time-scales for emplacement of wastes in the GDF is unknown and, therefore, a volunteer community has no idea what it may be signing up for. Secondly, new build means the long-term storage of spent fuel and other wastes at an indefinite number of sites around the country, some of them in very vulnerable coastal locations where conditions may well deteriorate within the next century. BANNG has alluded to these problems in several of its responses to consultations and we will not rehearse them here. Sufficient to say that new build both increases the volumes and disperses the locations at which dangerous wastes must be handled for an indefinite period.

There is the further problem that the Baseline Inventory may also come to include uranium stocks, MOX and residual plutonium. The future of the plutonium stockpile has yet to be determined and, until it is, it is quite impossible to forecast what may or may not be declared as waste and destined for the repository.

**In these circumstances of great uncertainty, where the potential inventory to be declared is unknown, BANNG finds it incredible and irresponsible that the Government is proceeding with plans for a GDF when the size of its new build programme is unknown and it has failed to determine the future of its plutonium stocks. We urge the Government to restrict the wastes to be disposed of in the proposed GDF to the UK's legacy, that is wastes already in store and those committed from existing programmes.**

**We are opposed to new build for the reasons we have stated many times in previous consultation responses. In terms of radioactive waste, new build raises different issues, ethical, social and technical, which require a quite separate siting process taking into account inventory, storage and possible disposal. Therefore, we believe this review of the MRWS siting process must be limited to legacy wastes only.**

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

There are three possible functions of community benefits. They can be incentives, rewards or compensation and each has different implications. Used as *incentives* they are designed to attract volunteers and, hopefully, to encourage them to stay in the process. These payments have previously been called ‘Involvement’ (CoRWM1) or ‘Engagement’ (White Paper) packages consisting of support for participating such as information provision, administrative support and engagement funding which are needed to make participation fair and effective. Such packages would be presented in the early stages of the process. Payments as *reward* may be conceived as a measure of approval and pay back for undertaking certain tasks or a provision for good behaviour. As such they may function to ‘lock in’ participants to a continuing process and make withdrawal more unacceptable or difficult. At worst, they may be regarded as bribes to undertake tasks that might not otherwise be performed. *Compensation* payments (familiarily known as Community Packages) are provided in recognition of costs borne in the performance of a role which may involve risks, disbenefits or sacrifice in the national or public interest. These would be applied once communities have volunteered and continue both during the siting process and beyond during repository construction, operation and closure.

Needless to say we feel that benefits as rewards should be avoided. We support the provision of incentive payments provided they are restricted to supporting communities during the exploratory stages of their involvement. We also support payments as compensation throughout the later stages of the process. There are several issues to be considered. One is timing, as these payments should not be brought in too early as it might be construed as bribery; but, if they are applied too late, there is the danger that volunteers might withdraw. Another issue is distribution of benefits. They should be seen as additional, not substitutes, for local government expenditure. It would be unethical to target disadvantaged communities. Mechanisms for distributing the benefits within communities should be defined and based on principles of equity and effectiveness. A third issue is that the provision of benefits should not seek to introduce competition between volunteers where more than one is involved in the siting process. Finally, community benefits should not be applied simply to the present generation but should be regarded as intergenerational, continuing so long as there is a need for compensation.

**BANNG supports in principle the payment of benefits both as incentives and as compensation. It does not support payment as reward which is effectively a bribe. There are issues of timing, distribution, competition and intergenerational equity that need to be carefully considered. Provision of benefits must be based**

**on the overriding principle that they enhance the well-being of potential host communities in the short and long term.**

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

We support the idea that socio-economic and environmental effects should be identified early on in the process and be developed in more depth and detail as the siting process proceeds and fixes on specific volunteer community areas. We also agree that it should move from generic to site-specific content. We have already indicated that we feel there should be an initial broad screening phase intended to apply criteria to exclude areas on social, environmental and demographic grounds. These criteria might include designated areas, national parks, areas of dense population, military reservations and so on. We support the intention to provide information at the launch of the process on such matters as environmental, socio-economic, health and transport impacts. But we consider the information provided must be based on clear evidence recognising uncertainties and risks and that it should cover risks as well as benefits. As well as emphasising benefits of jobs, incomes and regeneration it should also be made clear that a repository may cause blight, deter certain economic activities and damage amenity affecting tourism and leisure pursuits.

**Issues of community image, identity and integrity should be discussed. It should be emphasised that, as a key principle, any community hosting a radioactive waste facility should, as a consequence, experience enhanced well-being, that is ‘those aspects of living which contribute to the community’s sense of identity, development and positive self-image’ (CoRWM, 2007, p.12). In short, a community hosting a GDF should, in terms of well-being, be better off than before.**

**Professor Andrew Blowers, Chair**

**On behalf of the Blackwater Against New Nuclear Group (BANNG)**

**18<sup>th</sup>. December 2013**

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