



Department
of Energy &
Climate Change

Review of the Siting Process for a Geological Disposal Facility

Summary of Responses

February 2014

© Crown copyright 2014

URN 14D/060

You may re-use this information (not including logos) free of charge in any format or medium, under the terms of the Open Government Licence.

To view this licence, visit www.nationalarchives.gov.uk/doc/open-government-licence/ or write to the Information Policy Team, The National Archives, Kew, London TW9 4DU, or email: psi@nationalarchives.gsi.gov.uk.

Any enquiries regarding this publication should be sent to us at correspondence@decc.gsi.gov.uk.

Contents

1. Executive Summary	5
2. Background.....	6
3. Summary of Responses.....	8
4. Next Steps	16
Annex – Consultation Questions.....	17

1. Executive Summary

- 1.1. The Government is committed to delivering a GDF as the safest and most secure means of managing our higher-activity waste in the long term. The Government favours an approach to siting a GDF that is based on engaging and collaborating with communities who are willing to participate.
- 1.2. During 2013 the Department of Energy and Climate Change conducted a public consultation on the [geological disposal facility \(GDF\) siting process](#). The proposals in the consultation aimed to empower communities around the country to engage in the GDF process with more confidence.
- 1.3. The consultation was launched on 12 September 2013 and closed formally on 5 December 2013. Because of a technical issue with one of the email addresses listed in the consultation document, responses submitted by email (rather than through the online form) were also accepted up to 19 December 2013.
- 1.4. There were 719 responses in total, 301 of which were part of a letter writing campaign.
- 1.5. This Summary of Responses is a factual report of responses to the consultation, highlighting the main emerging themes. This makes it different from a Government Response document, because it does not draw any conclusions with regards to changes to the siting process. As the 'Next Steps' section explains, a Government Response and White Paper will follow later in 2014.
- 1.6. This document reports on the majority of themes coming out of responses and therefore does not reflect all the details of each individual response to the consultation: it would not have been possible to do this effectively and succinctly within a summary document. No individual responses have been given greater weight within the summary than any other. However, all responses have been read in full and the details are being taken into account in the development of policy. We have also published all the responses online (unless explicitly asked not to do so by the respondent concerned) for complete transparency.

2. Background

- 2.1 The purpose of the consultation was to gather views on how aspects of the siting process for a GDF could be revised and improved. The Government's proposals in the consultation were developed by building on experience from the previous process (as set out in the [2008 Managing Radioactive Waste Safely White Paper](#)), further stakeholder engagement and a public call for evidence in early 2013.
- 2.2 In general, the proposal for a revised siting process was to provide more information at an earlier stage in the process on issues such as geology and socio-economic impacts. It was also proposed that any community that became involved in the process should have an ongoing Right of Withdrawal, with a final test of public support involving the local population directly. All of this would represent an additional layer of engagement – adding to rather than replacing the statutory planning and regulatory processes that must apply to a development of this nature. All the usual opportunities for the public to have a say in the process through planning and environmental permitting processes would of course remain.
- 2.3 The consultation document posed a series of questions about the Government's proposals, which covered the following areas:
- **Decision making and roles** in the siting process, including a proposal for there to be a direct test of public support before proceeding with construction of a GDF;
 - **Technical delivery of the GDF**, including information about geology, inventory of waste and planning issues;
 - Involvement of **Communities**, including benefits and socio-economic impacts and assessments.
- 2.4 The consultation was published online. Members of the public were able to respond through an online response tool, by email and by sending postal replies. The Department of Energy and Climate Change also held a web chat to answer questions about the consultation proposals, and held 15 consultation engagement events across the country, including deliberative workshops with a representative spread of members of the public. All these events were designed to help attendees explore and understand the implications of the Government's proposals, to help the Government obtain feedback on the consultation proposals, and to support participants in developing their own responses to the consultation. In addition, the public events aimed to help the Government to gain an understanding of the general public's awareness of geological disposal. Reports of all events are available to read online¹.
- 2.5 The 719 responses were broken down into 12 categories of respondent: Academia and Learned Societies; Individuals and Society; International Governments and Crown Dependencies; International Organisations (include Waste Management organisations); Local Government; Local NGO (Non-Governmental Organisations); National NGO (Non-Governmental Organisations); Not Stated; MPs, Councillors and Political Parties;

¹ <https://www.gov.uk/government/consultations/geological-disposal-facility-siting-process-review>

Regulators, the Committee on Radioactive Waste Management (CoRWM) and other public sector organisations; Trade Unions; and UK Business.

Responses Received

Total number of responses: 719

Respondent Category	Number of Responses	Percentage of total
Academia and Learned Societies	11	3%
Individuals and Society	530	74%
International Governments and Crown Dependencies	2	<1%
International Organisations;	1	<1%
Local Government	94	13%
Local NGO (Non-Governmental Organisations);	22	3%
National NGO (Non-Governmental Organisations)	7	1%
Not Stated	3	<1%
MPs, Councillors and Political Parties	12	2%
Regulators, CoRWM and other public sector organisations	7	<1%
Trade Unions	2	<1%
UK Business	28	4%
Total	719	100%

NB: Totals may not sum due to rounding method used.

3. Summary of Responses

What follows is a summary of consultation responses, organised by question.

In reporting the overall response to the question posed, ‘majority’ indicates the clear view of more than 50% of respondents in relation to a given question, and ‘minority’ indicates less than 50%. ‘About half’ indicates an overall response within a few percentage points of 50% (either way).

Where the following terms have been used in summarising additional points raised in the responses, ‘many respondents’ indicates more than 70% of those answering a given question, ‘a few respondents’ means fewer than 30%, and ‘some respondents’ refers to the range in between.

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.

- 3.1. The majority of respondents to this question agreed or partly agreed that there should be a test of public support before a potential host community gave up its Right of Withdrawal from the siting process for a GDF, although opinions were mixed on how it should be carried out. The main arguments of those who agreed with a test of public support were that this would ensure that the siting process was democratic and that it would support decision making by local authorities.
- 3.2. Some respondents suggested that there should be a test of public support early in the siting process, to provide the authority for the siting process to proceed in that area. This early test was proposed instead of (or, more commonly, as well as) a final test of support to host a GDF. Respondents proposed a range of potential timings for a test of public support during the siting process.
- 3.3. Of those commenting on the specific means of testing public support, many expressed the view that this should be through a referendum - although a number of these responses recognised the potential risk of bias in the event of low turnout. A few suggested that opinion polls or surveys would be more appropriate, as they would be less prone to the impacts of a low turnout. The remainder of respondents who commented on the means of testing public support proposed consultative or deliberative events to identify community views, given the complex range of issues involved in geological disposal.

- 3.4. A few respondents to this question proposed that public support should be tested over a county or larger area, in order to take account of the wider impacts of hosting a GDF. A few respondents proposed that support should be tested at the parish or district level, taking the view that the community closest to the chosen site would be the most directly affected by it. A few respondents argued that support should be tested at multiple levels, to take account of both of these factors. A few respondents commented that the scope of any test of public support should be driven by potential impacts and benefits, rather than existing administrative boundaries.
- 3.5. While a few respondents felt that the process for determining public support needed to be defined early in the siting process, others felt that this would be premature given the timescales of the siting process and/or the need to allow local communities themselves to decide or influence the process for determining public support.

Question 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.

- 3.6. About half of the respondents to this question disagreed with the proposed amendments to decision making within the siting process.
- 3.7. There were mixed views on whether a 'continuous' process was preferable to one with pre-determined milestones. A few respondents thought that without decision making points, the siting process could move forward without an appropriate level of community support. A few stated that the process needed to make clear what the phases are and where decision points are. A few voiced support for the proposal for an ongoing Right of Withdrawal, to ensure that communities engaged in the process would not feel any pressure to continue if they no longer wished to.
- 3.8. Many respondents commented on roles in the siting process, rather than on the process itself. Opinions were divided on where local decision making authority should lie. A few respondents agreed with the proposal that the district council should be the 'representative authority', for the reasons of subsidiarity and localism that the consultation stated. On the other hand, some respondents felt that county councils were best placed to represent the community and hold the Right of Withdrawal and / or felt that Parish Councils should have a role to play in the decision making process beyond that proposed in the consultation document. A few respondents felt that there should be a direct role for local residents in the decision making process.
- 3.9. A few respondents asked for clarity on who would lead the local decision making process if a site extended beyond a single local authority's boundaries. Related to this, a few respondents argued that a combination of authorities would better represent the affected host community (or communities), making best use of authorities' current resources, responsibilities and local knowledge. Some respondents commented on the importance of local consultation as a part of the decision making process, to ensure a

democratic process. A few respondents felt that decision making should be extended beyond the local, immediately affected area, as this was a matter of national interest.

- 3.10. A few respondents commented on the proposed membership of the 'Steering Group' and questioned the involvement of Government and / or the developer, citing a vested interest and a potential conflict of interest. The rationale behind this was that they would unduly influence the process given their interest in a GDF succeeding. A few argued that the 'representative authority', where this was a district council, should also not be on the Steering Group due to vested interest.
- 3.11. Some responses cited the importance of independence – whether in the recruitment of the chair of the Steering Group, the peer reviewing of technical reports, or the involvement of regulators to provide professional opinions to communities during the 'Learning Phase' – in ensuring trust and confidence in decisions that are made.
- 3.12. A few respondents noted the importance of national awareness raising as part of the decision making process, supporting the proposal for a national awareness raising campaign. A few argued that the campaign needed to take place over a longer period of time and include as much relevant information as possible (for example, including impacts on transport and health). Some respondents suggested that, as part of this process, Government should outline and communicate 'suitability criteria' (including geology).

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?

- 3.13. The majority of respondents to this question disagreed with the proposed approach to revising roles in the siting process. A few respondents argued that all affected tiers of local government should be involved in the local decision making process. Respondents expressed specific concern about the role proposed for district councils in England, with a few arguing that, because a GDF could span district council boundaries, this tier of local government should not have sole responsibility for exercising the Right of Withdrawal. Relating to this, a few respondents underlined the importance of county councils' role in decision making.
- 3.14. A few respondents expressed support for the proposal that Government should take a more proactive role in raising awareness around geological disposal, while stating that information must be presented in an objective way. Opinions were mixed on whether Government should have a role in decision making, with a few respondents questioning the proposed roles for Government and the Nuclear Decommissioning Authority on a local Steering Group, arguing that this could present a conflict of interest.
- 3.15. There was support from a few respondents for the proposal that regulators should take a more proactive role in explaining their responsibilities. There was also general support for a body that could independently verify and peer review technical statements, with

many respondents that specified a particular body calling for the role of CoRWM to be expanded to accommodate this function.

- 3.16. A few respondents to this question stated that a search based on geology should come before local communities got involved in the siting process. A few respondents felt that the term 'host community' had to be defined before deciding on appropriate roles could be determined.

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?

- 3.17. About half of the respondents to this question disagreed with the proposed approach to assessing geological suitability.
- 3.18. Some respondents expressed the view that geological suitability was the most important issue in considering a site for a GDF, and that a national screening exercise should be undertaken at the start of any siting process, to focus on potential areas of suitable geology before seeking volunteers.
- 3.19. A few respondents called for nationally designated, or environmentally sensitive areas (for example, National Parks and Areas of Outstanding National Beauty) to be ruled out as potentially suitable areas from the outset. A few respondents proposed using previous Nirex data as the basis for conducting a search, and / or investigating the suitability of Government-owned land first.
- 3.20. Of those disagreeing with the proposed approach, many argued that Cumbria in particular should be excluded from any future siting initiatives as they felt the local geology had already been shown to be unsuitable. A few of those who disagreed with the proposed approach challenged the statement in the consultation that there is "no best or most suitable geology." A few were also concerned that engineering might be used to attempt to overcome 'poor' geology, as they considered that reliance on engineering over the timescales needed was untested and likely to fail.
- 3.21. Whilst a number of respondents were supportive of Government's proposal to provide early reports on regional geology, a few stated that these reports should be interpreted with regard to potential suitability for a GDF. A few respondents advocated an independent peer review of geological data, as an essential part of gaining the trust of potential host communities.

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

- 3.22. About half of the respondents to this question agreed or partly agreed with the proposed approach to land use planning for a GDF (in England). A minority disagreed with the proposals.
- 3.23. A few respondents stated that a GDF would clearly be a piece of nationally significant infrastructure, and it was therefore appropriate that it would be brought within the nationally significant infrastructure planning regime in the Planning Act 2008.
- 3.24. Concerns were raised by a few respondents about county councils being excluded from having a participative role in the process. In some cases, this was clearly in reference to the land use planning proposals under discussion. In others, some misunderstanding was apparent about the difference between the local partnership process for deciding whether to pursue a facility and the land use planning process decisions.
- 3.25. A few respondents felt that there would be a conflict of interest if the final decision on whether to grant development consent rested with the Secretary of State for Energy.
- 3.26. A few respondents voiced general support for the proposed approach to land use planning, provided that the proposed Appraisal of Sustainability of a National Policy Statement dealt with alternatives to the policy of geological disposal.
- 3.27. There was a general desire for the approach to land use planning to be consistent with a siting process that was based on voluntarism. In relation to this, a few respondents argued that a National Policy Statement should be made available early in the siting process, to provide clear information to potential host communities. A few respondents also argued that, while development consent for a GDF might be applied for under the nationally significant infrastructure planning regime, investigations that preceded development of a GDF should be dealt with through the local planning system.

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 propose and why?

- 3.28. Opinions were mixed on the proposed approach to clarifying, and communicating, the inventory for geological disposal, with similar proportions of respondents to this question agreeing and disagreeing.
- 3.29. A few supported clarification of the inventory, and noted the need to raise awareness and present the inventory in an easily understood way. A few respondents also suggested presenting the inventory in terms of hazards, risks and impacts.

- 3.30. A few respondents raised concerns about the inclusion of new build wastes in the baseline inventory, as they considered this to be contrary to CoRWM's 2006 recommendation, and only being done to justify the new build programme. These respondents were also concerned that the spent fuel from the new build programme may be difficult to dispose of due to its higher burn-up.
- 3.31. A few respondents were concerned about proposals that wastes from overseas or devolved administrations could be disposed of in a GDF. Concerns related to the size of potential imports, with some arguing that a GDF in England should be for English waste only.
- 3.32. A few respondents were concerned about the disposal of waste and materials that could be reused or recycled. They questioned if, and how, materials could be retrieved from a GDF if they were subsequently identified as assets, or if a new method was invented to reduce the hazardous properties of the waste.
- 3.33. A few respondents recommended the use of a maximum (or 'worse case') inventory instead of a baseline. They suggested that, due to the uncertainty of both the size of a new build programme and the potential reuse / recycling scenarios for spent fuel and nuclear materials, it would be helpful to assure communities that the inventory would not increase. Alternatively, some suggested use of a number of variant inventories, based on different scenarios.
- 3.34. Relating this question to other proposals in the consultation document, a few respondents suggested that the inventory for inclusion in a GDF should be agreed with the host community, and linked to community benefits.

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?

- 3.35. The majority of respondents to this question disagreed with the proposed approach on community benefits as put forward in the consultation document.
- 3.36. Some respondents were concerned that the provision of community benefits constituted a bribe by Government. A few respondents were concerned that this could mean that economically deprived areas may see their future prosperity as being solely dependent on hosting a GDF. However, a few respondents felt that community benefits were an important reflection of the service that the host community would be undertaking for the nation and noted that community benefits are an accepted part of the planning process.
- 3.37. A few respondents argued that any community benefits fund should be independently administered and not put under the control of local authorities. A few respondents were concerned that local authorities would use such benefits to replace budgets that had

been recently cut, rather than provide additional benefits to the community. Conversely, a few respondents felt that because the impacts of a GDF would be widely felt, any benefits should be distributed widely over all impacted areas, administered by the relevant local authority (or authorities). However, a few respondents felt that only the host community should receive the benefits as they would be most impacted.

- 3.38. Some respondents requested additional clarity on the proposals, including on the definition of 'host community'. Further detail was requested on the mechanism for disbursement of funds, what they were for and who would benefit and on the actual types and scale of benefit available. It was noted that clarity was required to engender trust. A few respondents noted that the GDF is a long term project and that therefore benefits should be designed to reflect its longevity and impact on future generations.
- 3.39. A few respondents supported early distribution of funds and for enshrining the fund in legislation. The clarity around separate engagement funding was welcomed by a few respondents. A few respondents were concerned about the potential retrieval of benefits by the Government from a community fund, should a community withdraw from the process. Clarity was requested about how Government envisaged that this would work, especially on how communities would be impacted.
- 3.40. A few respondents stated that the host community should be identified before any benefits were discussed. This was linked to questions about the need for a community benefits package at all, if the GDF was safe and whether it would bring with it jobs and other related socio-economic benefits.
- 3.41. The issue of planning blight (potential effects on property prices) was raised by a few respondents. Linked to this, a few respondents were concerned about potential loss of business income from tourism and businesses leaving the area because of the siting of a GDF. Some suggestions were made that the community benefits fund should be used to address this.
- 3.42. A few respondents answered specifically relating to the previous process in Cumbria and its implications should there be any further consideration of siting a GDF in Cumbria. A few also raised concerns regarding their views of how the areas surrounding Sellafield had been affected over the years.

Question 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?

- 3.43. More respondents to this question agreed or partly agreed than disagreed with the proposed approach to addressing potential socio-economic and environmental effects that might come from hosting a GDF. However, most respondents were unclear on their level of support for this proposal, for reasons that included respondents not directly addressing the question or focusing on out-of-scope material (for example, opposition to geological disposal or to nuclear power).

- 3.44. A few respondents specifically supported the earlier provision of information in the siting process, arguing that this would allow earlier engagement on the key issues and help communities in their debates and deliberations. A few respondents stressed the importance of providing balanced, impartial, evidence based information to communities, clearly setting out both positive and negative impacts.
- 3.45. A few respondents expressed the view that protected areas such as National Parks should be excluded from the siting process. Related to this, a few respondents expressed the view that socio-economic and environmental considerations should be assessed separately. This view derived from concerns that economic issues could take precedence over environmental issues.
- 3.46. A few respondents expressed the view that assessment information should be provided by an independent body (or bodies), and not the Radioactive Waste Management Directorate of the Nuclear Decommissioning Authority, in order to ensure impartiality and engender trust in the information. A few respondents suggested that the assessments should be independently reviewed in order to build trust.

Question 9: Do you have any other comments?

- 3.47. Within specific responses to this question (and in the material submitted to DECC which did not seek to answer the consultation questions, and was therefore treated as 'other comments' in this context), there was a wide range of opinions expressed and evidence cited.
- 3.48. A large proportion of respondents focused on local issues out of scope of a consultation on a national process (particularly relating to Cumbria), with similar number of respondents making the specific point that any revised national siting process should exclude Cumbria.
- 3.49. A number of respondents took the opportunity to highlight issues relating to other consultation questions – for example, calling for geological screening to identify sites, the need for clear communication, advocating a decision making role for county councils in two tier areas in England, the importance of local consultation and that environmentally sensitive areas should be excluded from any siting process.
- 3.50. A number of respondents discussed other issues out of the scope of the consultation, such as their opposition to the Government's policy of geological disposal and new build.

4. Next Steps

- 4.1. Later in the year, the Government will set out its formal response to the evidence submitted to the consultation. Informed by this, the Government also aims to publish a White Paper, setting out a revised siting process for a GDF.
- 4.2. Next steps beyond publication of the White Paper will be closely linked to the policy decisions which have yet to be taken in response to the consultation. Those further next steps will therefore be set out within or in conjunction with the White Paper.

Annex – Consultation Questions

- 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.**
- 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.**
- 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?**
- 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?**
- 5. Do you agree with this proposed approach to planning for a GDF? If not, what alternative approach would you propose and why?**
- 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?**
- 7. Do you endorse the proposed approach on community benefits associated with a GDF? If not, what alternative approach would you propose and why?**
- 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?**
- 9. Do you have any other comments?**

© Crown copyright 2014
Department of Energy & Climate Change
3 Whitehall Place
London SW1A 2AW
www.gov.uk/decc
URN 14D/060