



Nuclear Industry Association

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Nuclear Industry Association response to DECC's Consultation on the Review of the Siting Process for a Geological Disposal Facility

The Nuclear Industry Association (NIA) welcomes this opportunity to respond to the Department of Energy and Climate Change's consultation.

NIA is the trade association and information and representative body for the civil nuclear industry in the UK. It represents around 270 companies operating in all aspects of the nuclear fuel cycle, including the current and prospective operators of the nuclear power stations, the international designers and vendors of nuclear power stations, and those engaged in decommissioning, waste management and nuclear liabilities management. Members also include nuclear equipment suppliers, engineering and construction firms, nuclear research organisations, and legal, financial and consultancy companies.

Some of these companies, particularly the generators and those involved in the fuel cycle, will be making their own submissions to this consultation. The purpose of this NIA response therefore is to make some higher level points.

Overview

NIA supports the Government's proposals for revising and improving the siting process for a geological disposal facility.

We welcome the continuation of volunteerism and partnership as key principles and first steps in any new process. We also agree that geological screening should take place at an early stage once a community has entered the 'learning phase'.

As Government acknowledges experience has shown there were some significant shortfalls in the original process, in particular uncertainty about the decision making – including the implications of moving to Step 4 – and a lack of clarity on the right of withdrawal and the risks and benefits more generally.

We believe the revised proposals will facilitate a much better understanding of the issues by potential volunteer communities, leading to more informed decision making.

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.

Yes. It clearly makes sense to test whether there is public support for hosting a GDF before the Right of Withdrawal is given up and the development of a GDF proceeds.

In terms of meeting this requirement we agree a number of different approaches could be deployed. However given that in practice the public opinion test is unlikely to be needed for several years we believe it would make more sense to decide the detailed arrangements nearer the time. This would enable relevant factors – some of which may not be currently foreseeable - to be taken into account.

With regard to the timing of the test, we can see the arguments for holding it before any major expenditure of public funds. However we believe the priority is to maintain public confidence in the process, and that this dictates it should take place as near as possible to the end of the ‘Focussing’ phase, to ensure that the greatest possible amount of information is available on the expected local impacts.

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.

Yes. The NIA supports the Government’s proposed changes.

As stated above, we believe there were serious misconceptions about the existing process, not least about the implications of moving to each of the six stages. In particular there was a perception in some quarters that moving to stage 4 was a commitment to build the repository itself.

We agree that the Government’s ‘Learning’ and ‘Focussing’ approach, with the community’s position protected throughout by a Right of Withdrawal, will put the decision making process on a clearer footing, helping to avoid such misconceptions, and building confidence through an iterative process.

We agree with Government that it makes sense to undertake a national public awareness and engagement programme, including the ‘Offer’ to interested communities, before initiating the ‘Learning’ phase. Setting out the information proposed for the Offer should be helpful in enabling interested communities to better understand the process, and importantly the potential benefits associated with hosting a GDF in their locality.

In terms of the right body to represent interested communities we agree that the principle of subsidiarity should apply, and that it would therefore make sense for the District Council to be the Representative Authority, as the democratically elected body for the area most affected. There might however need to be some flexibility to accommodate the possibility that the boundaries of a GDF site could extend beyond one District Council.

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?

Yes. Communities will only participate in the site selection process if they have confidence that they will be effectively engaged and involved in the process. Any concerns about the key issues – including the potential risks and benefits – must be properly considered and resolved.

We argued in our response to DECC's Call for Evidence that an important omission in the existing process was the lack of a clear advocate for the GDF. We therefore strongly support the proposal that the Government should assume a more active role through the public awareness and engagement programme, and that the RWMD, as the NDA's implementing organisation for geological disposal, should play a key role in ensuring potentially interested communities have a clear understanding of the issues. RWMD could also in our view play this role with the local and national media.

Similarly we agree that the regulators, including the ONR and the EA, have a key role to play in explaining their regulatory roles and independence in the siting process. This will increase public confidence in the stringent safety and environmental protection standards that would be applied when a GDF is eventually built.

Finally we agree that the confidence of local communities could be further enhanced if there were arrangements for the independent verification or peer review of technical statements – both those for and against a repository.

We believe that the Committee on Radioactive Waste Management (CoRWM), which has the relevant skills and was specifically set up to provide independent scrutiny and advice on the long-term management of higher activity radioactive waste, would be an appropriate body to perform this role.

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?

Yes. Geological suitability is an important factor in a Community's decision whether or not to participate in the MRWS process, and the local authorities involved in the West Cumbria and Shepway processes felt they had insufficient information. It makes sense therefore to provide as much understanding as possible at an early stage about the significance of geology.

We agree Government should publish information on regional geology in advance of any call for volunteers, and that a rapid and transparent response should be provided to any community interested in learning more about the process.

More generally it would be helpful to provide information about the role of geology for the design, construction and operation of the GDF, possibly with examples from other countries that are developing different engineering barriers to suit different geological environments.

As a general point it is important to note that understanding of the geological suitability of a site will build up progressively as the Focussing phase proceeds.

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

Yes. As an infrastructure development on a major scale it makes sense for the GDF to be considered through the nationally significant infrastructure planning regime as set out in the Planning Act 2008.

We also agree that it would be helpful for a National Policy Statement to be developed with background information about the geological disposal process and setting out the parameters against which applications would be considered. This approach should help objective decision making and has worked well in relation to broader energy infrastructure development, including nuclear power development.

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?

Yes. We believe the Government's amended approach will provide communities engaging in the process with the fullest possible picture of the inventory, helping informed decision making. With this in mind it makes sense for all potential waste types to be included in the definition of the refined Baseline Inventory – on the basis that the inventory could subsequently be reduced if ongoing research leads to the conclusion that some waste types might be better managed via an alternative approach.

With regard to the defined waste types proposed for the revised Baseline Inventory we agree that - based on the currently announced plans of the developers - it makes sense at this stage to assume a 16GW maximum size for spent fuel and uranium oxide from a new nuclear build programme. However we would note that the Government has not ruled out the possibility of further nuclear development beyond this.

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

Yes. In our response to DECC's Call for Evidence we argued that communities would be much more likely to engage with the process if they had a better understanding of the potential benefits. With this in mind we suggested NDA should provide a much

clearer picture of the socio-economic benefits associated with the construction of such a large scale national infrastructure project, and that Government should provide as much detail as possible on the community benefits package available, making clear that at least some of this would be available from the moment a Community decided to become involved in the process.

We therefore welcome the Government's intention to highlight both of these in its proposed 'Offer' to interested communities. In our view it would also make sense to touch on these in the proposed national awareness campaign.

We welcome the Government's intention to clarify its plans for community benefits early in the revised siting process, facilitating the scoping of projects during the 'Learning' phase prior to first payment in the 'Focussing' phase. We also support the creation of a community fund to receive the payments, which in our view would be best defined through legislation.

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?

Yes. We agree that explaining the potential socio-economic and environmental effects earlier in the process would help communities in their deliberations, and that Government and RWMD should play a key role in developing understanding of these issues during the Learning and Focussing stages.

**Nuclear Industry Association
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