

## Response to DECC Consultation document : Review of the Siting Process for a Geological Disposal Facility

**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?

Well, obviously, yes, of course a test of public support should be taken – but in Cumbria it has already been taken, on 31 January 2013, by the democratically elected, representative body of Cumbria County Council. So the process under discussion in this document is simply a rebrand of the MRWS process. Rather like the way Windscale became Sellafield after the Windscale fire?

Any test of public support should be by a public, county-wide referendum, and no local community should have a GDF forced on them from outside. A legal, democratic Right of Withdrawal should be sacrosanct for each level in a local community, parish council, district council and county council (or unitary authority)

AND, I believe that before a process gets anywhere near a Right of Withdrawal stage, and before “volunteers” are sought, there should be a national geological survey to identify the **safest** sites for a GDF, following the international criteria for such sites, namely, areas with simple geology and low relief.

Horses before carts principle.

**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.

No, I don't agree. A District Council should not be the decision-making body. In the DECC Call for Evidence 3% supported vesting decision-making in the District Council, yet this has been the chosen method. In Cumbria, the MRWS process was halted, because, in Baroness Verma's own words, “*Absent three green lights the MRWS process cannot continue in West Cumbria.*” So now, in the amended method, the County Council, which voted no in that process, is excluded from the decision-making process. This looks very much like changing the goal-posts so the score you want can be achieved – and not likely to inspire trust.

**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 approaches would you propose and why?

No, I do not agree with the approach because I do not agree with a District Council being the Representative Authority (RA). The decision-making process should not lie with any single body, and certainly should not marginalise the County Council, which acts as the Strategic Waste Authority, and exclude it from the decision-making. Nor should a body that is closest to a community involved, such as a Parish or Town Council, only have a role by being “consulted” rather than having a role in decision-making.

Again, the DECC seem to be creating a process to enable them to achieve the result they wish, rather than the best way forward for a Host Community.

**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?

The selection of suitable geology for geological disposal of nuclear waste must be the absolute first priority. A national geological surveying or screening process for sites with suitable geology is assuredly the logical first step. The data already exists that could be examined and compiled into a national report within a matter of months – as suggested in 3.11. Areas which have been identified with suitable geology could then decide on whether to progress into the Learning Phase. We have wasted hundreds of millions of pounds and decades of time by trying to engineer a site for a geological disposal facility close to Sellafield simply because legacy waste is there at the moment. This is madness when the geology is known to be unsuitable and we know we have better and safer geology elsewhere – as the Nirex inquiry indicated in 1995-1996. The lead inspector of that inquiry reiterated this in a letter to the *Guardian* 26 June 2007: *“The site should be in a region of low groundwater flow, and the geology should be readily characterisable and predictable, whereas the rocks there are actually of a complex volcanic nature, with significant faulting. The site is not suitable and investigations should be moved elsewhere.”* The fact that the legacy waste is at Sellafield is a red herring – it has been moved safely there (NDA boasts 10,000,000 nuclear waste incident-free miles) so there is no reason to suppose that it should not be moved safely to a geological disposal facility in an area of more suitable and safer geology. Where presumably any new nuclear waste created from any new nuclear sites would also go to be stored.

The Parliamentary Accounts Committee are quite rightly currently taking a keen interest in how taxpayers' money is being (mis-)spent at the Sellafield site and I'm sure would be very concerned at the prospect of any further waste of taxpayers' money in pursuing a GDF in unsuitable geological areas – as has been the case recently in MRWS in West Cumbria between 2008 and 2013, and of course in the Nirex debacle.

In short, there is sufficient geological data available to enable areas of suitable (according to international criteria) geology in England to be identified. Once these areas have been identified, then volunteer communities should be sought from those areas. Putting volunteerism before geology is unsafe; it is a waste of the taxpayer's money, and ultimately legally challengeable on safety grounds.

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

I believe I have already made clear that I do not agree that the RA should be a district council. Nor do I believe it is a decision to be taken by central government. If, however, a national planning statement were to be made about the siting of a GDF it is essential that it would exclude from the outset all National Parks, AONBs and environmentally sensitive sites. Not just for environmental and moral reasons but also as from a practical perspective these sites are likely to be undeliverable. For example, from a planning law perspective, the development of a GDF in a National Park would only be possible if all alternative sites on a national basis had been exhausted. So, if the DECC were to find a National Park site with suitable geology (according to the international criteria mentioned previously), then it would not be able to proceed unless and until it had exhausted all other sites nationally. Then the DECC would waste yet more time and money, in the meantime needlessly blighting the site in question when the process then fails. And fail it would, given the amount of suitable geology outside such sites.

**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?

The revised Baseline Inventory (3.60) will include “ wastes and materials that might be defined as wastes in the future” and (3.62) “spent fuel from existing and from new nuclear power stations”. The DECC appears to be ignoring the government's Committee on Radioactive Waste Management (CoRWM) recommendations by including waste from a new build programme in the revised Baseline Inventory. No other country is proposing to mix wastes in this way. The inclusion of new waste is a new development since the 2008 White Paper and is a fundamental departure from what has been stated previously in MRWS.

It seems that no-one has a clue how much waste there will be for disposal. How can a community have faith in a plan if it is not known how big a GDF will be constructed as nobody knows how much waste is involved?

**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?

The proposed approach (4.10) “a meaningful and proportionate payment” is still vague. Indeed, the word “potential”, remains a key feature of the promised benefits, with little if any real facts – like will a community still have to pay rates? Will our roads be upgraded? Our health and education services be improved? But no amount of benefits will suffice unless a GDF is safe and is perceived by a potential host community to be safe; that is, at the risk of repeating myself again, in suitable and safe geology. At the moment the DECC approach seems to be “persuade” communities (especially vulnerable or communities with high levels of deprivation) with the lure of money to accept a GDF in an inappropriate place. This smacks of exploitation in developing countries; it is not right in any country let alone in a supposedly civilised democracy.

**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?

There should be a clear separation of environmental and economic issues. Socio-economic information presented to a community should be clear, factual and unbiased. There have been a great many unpleasant comments in West Cumbria, from our MP and from the leader of Copeland council, to the effect that by protesting against MRWS proposals, individuals are wrecking the economic prospects of the area. The creation of jobs for a host community is a myth which must not be offered as fact – a true estimate of the number, type and duration of jobs must be set out clearly in the initial stages of the siting process see <http://cumbriatrust.wordpress.com/the-jobs-myth/>

See my response to Question 5 on the subject of the effects on the environment - it is illogical and counter-productive to attempt to put a GDF where it would adversely affect any nationally and internationally protected areas (National Parks, Areas of Outstanding Natural Beauty, World Heritage Sites, Special Areas of Conservation, Ramsar Sites, Special Protection Areas). In MRWS in Cumbria we had the ridiculous situation of over 70% of the area under consideration for a GDF siting being in the Lake District National Park. More was in the Solway AONB. Such environmental issues could be addressed by excluding such sites from the outset.

Question 9 Do you have any other comments?

I reiterate that to put the policy of voluntarism first over geological suitability, and therefore over safety, is completely irrational. In the Call for Evidence earlier this year, according to the DECC's own figures, 59% called for this change of approach. So, please, don't ignore it. Any re-launch of a truly national process must involve this step otherwise no sensible community, district or authority will volunteer.

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