

Response form

Please use this form to respond to this call for evidence on Managing Radioactive Waste Safely: Review of the Siting Process for a Geological Disposal Facility.

The closing date for the submission of responses is **10 June 2013**.

Responses can be returned by email (preferable) or post.

Email address: radioactivewaste@decc.gsi.gov.uk

Or by post to: The Managing Radioactive Waste Safely team
Department of Energy and Climate Change
Room M07
55 Whitehall
London
SW1A 2EY

Name	REDACTED
Organisation / Company	REDACTED REDACTED REDACTED
Organisation Size (no. of employees)	REDACTED REDACTED
Organisation Type	
Job Title	
Department	
Address	
Email	REDACTED REDACTED
Telephone	
Fax	

Would you like to be kept informed of developments with the MRWS programme?	Yes
Would you like your response to be kept confidential? If yes please give a reason	No

The Government is interested in your views on the geological disposal facility site selection process outlined in the 2008 Managing Radioactive Waste Safely (MRWS) White Paper. To assist us you may wish to consider the following issues in your response:

- **What aspects of the site selection process in the MRWS White Paper do you think could be improved and how?**
- **What do you think could be done to attract communities into the MRWS site selection process?**
- **What information do you think would help communities engage with the MRWS site selection process?**

- The key issue in relation to the site selection process, in the light of experience in West Cumbria, is to decide whether it is worth clinging to the principle of voluntarism enshrined in the MRWS White Paper, Cm 7386.
- Regardless of whether this principle is to be retained, the sequence of steps in the process set out in Figure 1 on page 62 of the White Paper needs to be reordered so that invitations to participate in the process are targeted on those areas judged to be technically capable of providing a suitable host geology.
- This would require a desktop survey of the whole country to identify and mark on a map all those areas that can offer one of the various types of host geologies that have been identified as being technically suitable, taking account of international experience.
- These areas should then be narrowed down having regard to their logistical suitability for a Geological Disposal Facility (GDF), given the current and likely future locations of those wastes planned to be consigned to a GDF.
- At this stage, there are a number of possible ways forward. One possibility would be to seek conventional planning approval for the construction of exploratory boreholes to further examine the geological suitability of the target areas. Any areas found suitable after this stage – equivalent to Stage 5 on Figure 1 under the present system – could then be approached to ascertain whether they were willing (in the spirit of voluntarism).
- A second option would be to recognise that due to the strength of ‘NIMBY’ attitudes, there is at best only a remote chance of finding a volunteer community, and therefore to progress both the preliminary site investigation works and the construction of a GDF on the eventually chosen site in the usual way using the current planning legislation. In the event of the rejection of the planning application for either preliminary works or for the actual construction of a GDF at the local level, an appeal to the Planning Inspectorate and ultimately to the Secretary of State could be used to decide whether the project should go ahead. This frequently happens for new developments where there is strong local opposition, for example new

housing estates in existing Green Belt areas, wind turbines, etc. The argument for handling the GDF project through the conventional planning process is that the footprint on the surface and the employment levels provided are likely to be comparable to those of a new factory, and that therefore securing planning consent ought to be treated in exactly the same way as a planning application for a new factory. In the normal planning application process there is little or no role for a Community Siting Partnership as each step is part of a well-established formal process.

- A third option would be to progress the scheme under the Planning Act 2008 as a Nationally Significant Infrastructure Project (NSIP). The latter course might require a re-examination of National Policy Statements and/or the definition of a Hazardous Waste Facility (see Sections 5 and 30 of the Planning Act, respectively), but the Planning Act was designed specifically to deal with exactly those kinds of major national project for which a host community was unlikely to volunteer.
- Experience from West Cumbria suggests that communities are unlikely to volunteer to participate in the MRWS process if they have (i) little initial knowledge of what it might involve, (ii) no knowledge of the Benefits Package on offer, or (iii) no idea of whether they stand any chance of being chosen as a potentially suitable area to host a GDF.
- Asking for volunteers at the very start of the MRWS process amounted to a scattergun approach that was always going to be a highly inefficient way of selecting a potential site for a GDF. One only has to look at the huge amount of effort expended by all participants in the West Cumbrian MRWS process prior to its rejection on 30 January 2013 by Cumbria County Council.
- If volunteers are to be sought, they are more likely to be found if details of the Benefits Package have already been published, thus providing a solid basis on which to explain the costs and benefits of participating in the MRWS process. In the case of West Cumbria, the planning lead on waste and mineral matters is currently at County level, with the Boroughs as consultees. In order to succeed, the process should have been targeted more at County level than was the case in West Cumbria.
- For the future, it might be worth considering whether the planning laws should be changed to shift the planning lead from County to Borough, i.e. to a more local level. In the West Cumbrian example, if the usual planning process had been used instead of a partnership approach and Cumbria County Council had been merely a consultee of Allerdale and/or Copeland Borough Councils, the County Council's opposition would not have been binding, and the site assessment process might not have been terminated prior to Stage 4. The way in which the Guidance in Annex C of the MRWS White Paper on Community Siting Partnerships was interpreted in West Cumbria left the process open to veto by too wide a community, many of whom saw themselves as unlikely to see any slice of whatever Benefits Package might be on offer.
- One can argue that Annex C of the 2008 MRWS White Paper gives far too

high a prominence to the concept of a Benefits Package, which has never been an integral part of the planning process. It should not be necessary to 'bribe' a community to accept a development of this kind: the White Paper sets an unfortunate precedent that carries the potential to set local factions arguing with central government and each other about the size, timing, nature and distribution of the benefits, whether in cash or kind, rather than concentrating on the usual planning considerations of environmental impact, job creation, etc. Indeed, the mere offer of a Benefits Package could be seen as creating the suspicion that the detriments of the project are such that 'inducements' are needed to sweeten any opposing views, so leading to increased distrust of central government's underlying motives. One of the main aims of the GDF design should be to minimize any perceived intrusion and preserve the local environment as far as possible.

- In any case, local communities need to be reassured that any proposed GDF will sit within a strong existing regulatory framework that will need to be satisfied on all aspects of environmental and nuclear safety.