

# 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](mailto: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
Organisation Size (no. of employees)	REDACTED
Organisation Type	N/A
Job Title	N/A
Department	N/A
Address	REDACTED REDACTED REDACTED REDACTED REDACTED REDACTED REDACTED REDACTED
Email	REDACTED REDACTED
Telephone	REDACTED REDACTED
Fax	

Would you like to be kept informed of developments with the MRWS programme?	Yes
Would you like your response to be kept	No

confidential? If yes please give a reason

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?

Recommendation 1

*Any future MRWS process needs to be chaired and managed by a person independent, of any government body, and with the power to apply judicial standards for witness evidence from organisations contributing to the MRWS Partnership activities.*

Recommendation 2

*Any future MRWS process needs to ensure that potential host communities have separate representation from town and parish councils and that these town and parish councils are independently responsible for assessing and reflecting the views of potential host communities. The DMB, within the MRWS process, should have no influence on, or role in assessing, the potential host communities' views or in representing those views.*

Recommendation 3

*In order to provide confidence to local people, the MRWS Right of Withdrawal should be extended to the host community and not solely vested with the DMBs. And this Right of Withdrawal is enshrined in statute.*

Recommendation 4

*Any future MRWS Partnership must ensure that the process and decisions are truly independent of the DMBs. DMB representation on any future MRWS Partnership needs to be that of observer status only, similar to the status afforded to NDA and DECC, in the West Cumbrian MRWS Partnership.*

### Recommendation 5

*Before any consideration is given to continuing the MRWS process, there needs to be a UK wide search for the most suitable geology for a GDF. This work has already been partly been carried out so the cost of this search would not be prohibitive.*

### Recommendation 6

*National Parks, SSSIs and SACs, together with other landscapes of future cultural value to the nation, should be treated as excluded areas from the outset. Only after demonstrating that all the previously identified geologically ideal locations, are in fact unsuitable for a GDF, should consideration be given to the excluded areas.*

### Recommendation 7

*Any future MRWS process needs to build in fiscal probity as mandatory requirement on the MRWS Partnership and to provide independent financial oversight of the same, in order to prevent wasteful use of public monies.*

### Recommendation 8

*Cumbria, as a whole, should be excluded from any future MRWS process, because of the lack of trust engendered in the DMB borough councils. Furthermore, there needs to be an independent audit of the MRWS activities in West Cumbria, to determine whether adequate procedures were employed to manage the fiscal risks and to establish criteria to be used to manage any future MRWS process.*

- 1) Throughout the MRWS process in West Cumbria, there have been repeated instances where information is omitted from data provided by NDA and DMBs. Such omissions are misleading and convey a false impression of the impacts a GDF would have on the local community. I refer to correspondence in the Whitehaven News between David Wood and Mr. McKirdy of NDA and separate correspondence between Cllr. Tim Knowles and David Wood. The damaging impact of the Stage 5 exploratory workings, on the Ennerdale valley, were only admitted (by NDA) in the last weeks leading up to the three DMBs decisions on proceeding to Stage 4. This admission was made after the Stage 3 consultation had concluded.
- 2) The MRWS White Paper sought to provide flexibility in defining a 'host community'. Whilst flexibility is essential, such flexibility is open to abuse; as was the case in the MRWS process in West Cumbria. The MRWS Partnership treated the borough, as a whole, as the 'host community; such that the views of a true 'host community' are subsumed into and combined with the views of the wider community. This is at the heart of the Partnership's

failure to implement and deliver voluntarism.

The DMBs sought to represent the views of the potential host communities. It was only through the efforts of numerous parish and town councils, working with Cumbria Association of Local Councils (CALC), did the real views of the potential host communities get voiced.

One example of the MRWS process, as managed by the DMBs, failing to reflect the views of one potential host community, can be seen in the parish of Ennerdale and Kinniside. The MRWS Partnership claimed that the Copeland communities were overwhelmingly in favour of proceeding to Stage 4.

However when an independent parish wide referendum was held, nearly 95% of the electorate voted not to proceed to Stage 4. The views of this community were demonstrably misrepresented by the MRWS Partnership.

- 3) The MRWS Public Consultation document page 93, paragraph e) states “In the event of the partnership concluding that the omission of a potential host community from the PSA (potential site area) would create insurmountable problems for the siting process, then it could recommend the inclusion of the community concerned if this was supported by a full justification and explanation.

When asked if a DMB would override the wishes of an unwilling host community, the Chairman of the MRWS Partnership replied “Yes, we do at this point believe that there are limited circumstances where a borough or county council could ultimately override the wishes of a potential host community (just like in the traditional planning process).”

The voluntarism of potential host communities cannot be safeguarded by DMBs in West Cumbria. The host communities need a right of withdrawal, that in exercised independently of the DMBs.

- 4) The structure of the MRWS Partnership was fundamentally flawed and lacked even the most basic standards for independence. Often the DMB Council Leader would chair MRWS Partnership, strongly influencing the MRWS Partnership advice and recommendations. When the DMBs sat to consider the same MRWS advice and recommendations, they did so under the chairmanship of the same person, who had chaired the formulation of the MRWS advice and recommendations. This in itself is sufficient to undermine the credibility of the MRWS Partnership.
- 5) DECC’s ‘Call for Evidence’ states: “The Government remains firmly committed to geological disposal as the right policy for the long-term safe and secure management of higher-activity radioactive waste.” However the MRWS White Paper fails to address the issue of seeking the most suitable geology first. In fact it does not even give any consideration to finding the most geologically suitable areas, before engaging with communities. The reference in DECC’s ‘Call for Evidence’ reads: “Evidence from abroad shows that this approach can work, with similar waste disposal programmes based on these key principles making good progress in countries like Canada, Finland, France and Sweden.” This also fails to record that in each of these countries, the most suitable geology was identified before seeking volunteer communities. In each country, volunteer communities were found. However, the UK is alone

in seeking the volunteer community before identifying where the most suitable geological areas for a GDF are.

- 6) The MRWS Partnership excluded some locations from the search for a GDF, based on the BGS report. What the MRWS Partnership totally failed to consider was the need to exclude locations based on other grounds than future potential mineral resources. Once it became publically known that the MRWS Partnership intended to consider siting a GDF within the Lake District national park, there was a public outcry from both local people and from the public at large. Not only local people but the wider national community are not willing to volunteer the Lake District national park into hosting a GDF.
- 7) Several independent geologists stated that the rock volumes within the Western Lake District were unsuitable in the search for a GDF. Even the MRWS Partnership's own consultant geologist stated that the poor prospect, of finding suitable geology in the Western Lake District, would render Cumbria unsuitable for commercial exploration.

Despite this information being made available to Copeland Borough Council (CBC) and that to proceed to Stage 4 would most likely lead to a massive waste of public money, CBC decided to vote to proceed to Stage 4. When asked why they were willing to risk losing such large sums of public money, the Leader of the Council, Cllr. Elaine Woodburn stated that "On the issue of financial risks it really is for the Government in the shape of DECC to decide whether national taxpayers money is well spent searching in West Cumbria for a site. It is for us to decide whether we want to be part of that search or not." In effect, Copeland Borough Council knowingly made a decision that would lead to a huge waste of public money.

This same information on the geology of West Cumbria was also know to NDA and DECC. Consequently, both DMBs and Central Government had shown a lack of financial probity in the use of public money. This leaves open to question which body should manage the finances for any future search for a GDF.

- 8) The MRWS Partnership had recognised that there is a lack of public trust in both central government and the local councils. The entire MRWS process, as described above, has only served to add further to this lack of trust. More recently the Copeland Community Fund took the unprecedented step of not granting financial support an Ennerdale community playing field project. This decision involved Copeland Borough councillors, causing the community to feel that this action is in retaliation against the Ennerdale community's referendum decision not to host the GDF.