

4th December 2013.

**Review of the Siting Process for a Geological Disposal Facility.
DECC Consultation. September 2013.**

This response from CORE [Cumbrians Opposed to a Radioactive Environment] is made on behalf of its local, national and international members and supporters. We have no objection to this response being placed in the public domain.

Following the justified refusal by Cumbria County Council in January this year to move to Stage 4 of the MRWS process, stakeholders were invited in May to submit their views on the site selection elements of the UK's ongoing process as part of a 'lessons learned' exercise. CORE responded to this call for evidence on 14th June 2013 with comments that included the view that *unless all regions of the UK were subjected to a geological search for potentially suitable sites – as a pre-requisite to inviting expressions of interest from volunteer communities within those areas deemed to have potential - the MRWS process has no future.*

CORE's reading of the current consultation document 'Review of the Siting Process for a Geological Disposal Facility' strongly implies that this view – known to be shared by many other stakeholders and consultees – has been ignored by Government. It is just one of many elements of the current consultation document that indicate beyond doubt that no lessons whatsoever have been learned by Government from the failure of the MRWS process rejected by Cumbria County Council earlier this year. Further, the overall tone of the consultation document suggests also that Government has no intention of attempting to understand the plethora of public concerns ranged against plans for a GDF, but instead remains intent on forcing through such plans by re-writing the original MRWS document to remove those obstacles to its progress that brought about its downfall last time round.

By so doing, and by reducing some timescales (Right of Withdrawal) and including other elements that were absent from the original MRWS process documents (Spent fuel from new build) the Government has produced a document of little worth and one unlikely to entice local authorities in England and Wales – other than those in Cumbria, to express an interest in the process in the future. On that basis, CORE remains of the view that, like its predecessor, this re-jigged MRWS process i) will fail, ii) should be withdrawn and iii) be replaced by a Government process initiating without further delay the permanent storage above ground of the nation's nuclear wastes at the site of origin.

CORE therefore takes the view that it would not be appropriate to dignify this corrupted consultation process with a full response and therefore comments in outline only on the following specifics:

- The inclusion of new-build spent fuel in the inventory is contested by CORE on the basis that a) it represents an unsolicited departure from the original MRWS process, b) runs contrary to the CoRWM1 recommendation that the future of such fuel should be consulted on and treated as a separate issue, c) its eventual transfer to any proposed GDF will inevitably and significantly increase the GDF footprint and extend its operational life span by many decades and d) fails to answer the multiple, well documented and unresolved challenges presented by the disposal of spent MOX fuel.
- Given the implications associated with a significantly enlarged GDF as above, and taking into account the resultant need for conditioning plant/s (particularly plant at the GDF site) to deal with the higher burn-up spent fuel from any new reactors that may be built, the potential health implications are conspicuous by their absence in the consultation document. The omission is considered particularly remiss as it is probable that the incorporation of new-build spent fuel in the inventory will challenge the level of health risk (currently calculated by the Environment Agency) to members of the general public from a GDF. Such health issues must be explored in detail at the outset and not left to later stages of the process.

- Plans to bring forward the point at which any Right of Withdrawal can be made are unacceptable. Such curtailment of an essential ‘right’ that underpinned the earlier MRWS process could lead to the point of withdrawal occurring well before geological investigations have been completed, thus compromising the decision making rights of the proposed Representative Authority.
- CORE reserves its final comment to what it construes as the most blatant attempt to ‘stifle the opposition’ with the deliberate removal of those obstacles that brought the earlier MRWS process to an end. Such re-engineering of the process by Government is not only an insult to stakeholders but also exposes the inherent weakness of a process that no longer has merit, is unfit for purpose and should be rejected. For it is beyond coincidence that the intended weakening of the decision making role of parish and county councils in any future process stems directly from the emphatic rejection to continuing with the process earlier this year by those very same bodies in West Cumbria.

The clear inference to be taken from this manipulation of the process is that, given the current disinterest by other regions of England and Wales – and anticipating similar disinterest in the future - Government is forced to maintain its focus on West Cumbria as its ‘last chance saloon’ for siting a GDF. By selecting District Councils as what it now considers to be the appropriate Representative Authority, Government is clearly counting on Copeland and Allerdale Borough Councils to deliver the result it is desperate to secure - irrespective of the widespread and well documented opposition to a GDF from other local government bodies, organisations and communities in Cumbria. Given that the decision making of both Councils is delegated to their respective unelected cabinets, they will continue to be viewed as ‘unrepresentative authorities’ who have made an undemocratic decision.

This un-subtle attempt to strip Cumbria County Council and the wider parish councils of decision-making powers over a development that has such major and long term implications for the whole county, its communities and wider regions shows an utter disregard by Government for the democratic process.

It also highlights the Government's woefully poor understanding of the extent to which that wider county area will be impacted upon and stigmatised by the presence of a GDF, and ignores the potential for a GDF site to straddle more than one local authority area, thereby affecting many other levels of local government, organisations and communities located outside the constituency of any representative authority.

- CORE also has major concerns with the constitution and intent of the proposed Steering Group and its relationship to the proposed Consultative Partnership. For the former, our concern lies with the fact that the balance of power of the Steering Group lies within two of three bodies that make up the Steering Group, namely the NDA's RWMD and Government's ONR. Both have a vested interest in ensuring that a GDF is located and operated - the NDA as a waste producer in its own right through its continuing support for reprocessing, and ONR's fixation on a GDF at the expense of the well trailed and practical alternative waste management options. In the unlikely event that the third party of the Steering Group – the Representative Authority – represents any region outside Cumbria, it will face undue pressure from the other two members to fall in line with Government thinking and conform to the process. At worst, should the Representative Authority be represented by either Copeland or Allerdale Borough Councils, the Steering Group will operate as a pro-dumping 'troika' and be seen as such by the public at large who will have little respect for and even less confidence in such a Group.

Moreover, the suggestion that the Steering Group should not only have the freedom to make its own appointees to the Group but at the same time be a fully-fledged member of the Group merely fuels speculation that Government is determined to keep the tightest control of its plans to drive towards a GDF.

Whilst a link between Steering Group and Consultative Partnership is clearly desirable, the Consultative Group must be an independent body, wholly free of Government and NDA influence and pressures.

CORE concludes its outline response by reminding Government, yet again, that since its formation in 1980, CORE has opposed, and continues to oppose the underground dumping of nuclear wastes - advocating instead the long-term management of those wastes in above ground facilities at the site of origin. In contrast to underground dumping, the option can be implemented immediately and offers major benefits which include the self-selection of currently licensed nuclear sites (no volunteerism required), the national sharing of responsibility for managing a national problem and the minimisation of inter-site and trans-county nuclear waste transports.

The process as laid out in this consultation is rejected by CORE. The consultation should be abandoned in favour of expediting and enhancing the financial and practical bolstering of existing site storage facilities nationwide to provide the permanent management option for the UK's higher activity radioactive wastes.

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