



A Voice For Cumbria

## CUMBRIA TRUST RESPONSE TO THE DECC CONSULTATION, November 2013.

### Review of the Siting Process for a Geological Disposal Facility.

#### **Summary of Recommendations:**

##### **Decision Making & Roles**

There must be clear, independent and unambiguous evidence of informed public support before an expression of interest. This must be obtained from as large an area as practicable. **Separate local and county-wide referenda must be undertaken.** There must be a legitimate and democratic **Right of Withdrawal** available to host communities, parish councils, district councils and the county council (or unitary authority). The siting process must include a clear and unambiguous definition of a 'Host Community'

**It is wrong to give a small district council such as Copeland or Allerdale equal decision-making status to a huge unitary authority such as Northumberland or Cornwall. We maintain that the most appropriate and competent body to act as the representative authority is the county council which has already a statutory duty to deal with emergencies within a designated emergency planning zone (DEPZ).** The DEPZ is the distance to which local authorities, for each site, are required by law to prepare plans for responding to an off-site nuclear emergency. Neither Copeland nor Allerdale have the resources or legal responsibility to deal with such an emergency.

**The lowest tier of government, closest to the people, is the parish council.** The proposed decision-making process sidelines this whole tier on the grounds that not all parish councillors are democratically elected and that Parish Councils do not have full-time staff or sufficient resources to manage a process or project on the scale of the GDF. Yet neither does a district council have these resources. Therefore to sideline parish councils, while giving the decision to district councils, is inconsistent and unacceptable.

**The Steering Group must be entirely independent and should not be chaired by the Leader of the Representative Authority.** It is unacceptable for the Representative Authority to be the instigator, decision maker and arbitrator of 'all things GDF' as is proposed.

There is a conflict with Radioactive Waste Management Directorate (RWMD) playing a leading role in the community engagement. RWMD is not independent as it will be advocating acceptance and cannot be perceived as unbiased, regardless of its intended role. Any public engagement must be balanced and be externally and independently provided.

Any Regulator must be independent, qualified and able to provide clear unambiguous information to communities on issues of responsibility and compliance with regard to safety, security and environmental standards.

**County-wide organisations and NGOs should have access to central government funding in order to seek impartial and appropriate *independent* advice.**

##### **Geological Suitability**

International guidelines should be followed as should international best practice. Selection of the suitable geology for *geological* disposal of nuclear waste must be the number one priority. The consultation document implies that with the current level of knowledge, all sites are equal. In other words, one site with an extensive flat-lying and unfaulted deep clay volume with low reducing groundwater flow is equally prospective to a hard rock site with extensive known conductive faults and fast, oxidising groundwater flow driven by mountains above. This appears to demonstrate a fundamental lack of understanding of the relative importance of geology and engineering in planning a GDF. Unsubstantiated claims that **'engineered' solutions can be put in place to overcome deficiencies in geology need to be treated**

**with a great deal of scepticism.** All 'engineered solutions' will fail on geological timescales - only the best geological barriers and solutions can, therefore, be acceptable.

## Planning

To ensure that there is no conflict of interest, or *perceived* conflict of interest, **it must be deemed unacceptable for the final decision about a GDF application to be adjudicated by the Secretary of State for ENERGY.**

## Inventory

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. The proposals significantly increase the size of GDF required, potentially to three times the size of a GDF for legacy **wastes alone, with a 400% increase in radioactivity.** CoRWM recognises that this new build waste with its high levels of radioactivity presents political and ethical issues quite apart from unavoidable existing wastes, and goes on to recommend a separate process

## Community Benefits

As community benefits could be paid from the focusing phase, a volunteer community could come forward, then community benefits be paid to a community in an area with unsuitable geology. Any clawback would be hugely disadvantageous to both a community and the representative authority and is not acceptable. **The proposal that funds would be paid only during construction and the early years of operation should be extended to be paid during the life of the GDF facility.**

It would be iniquitous to suggest or imply to a community (however large) that its economic future and well-being was dependent on an agreement to host a GDF and that commensurate community benefits would then ensue. **Essentially, community benefits should be paid and accrue in perpetuity whilst hosting the nuclear waste.**

To prevent a community feeling that it is under pressure to accept a GDF to bring it out of economic hardship, any socio-economic information presented to a community must be factual, unbiased and delivered by an independent body. Health, safety and transport information should be given equal if not greater importance and delivered separately and independently. *The RWMD is not considered independent or appropriate to deliver this information in such a way as to allow a community to make a decision without questioning if they have had all the available information.*

## Economy and Environment

With regard to environmental issues, it would appear to be illogical and entirely counter-productive to attempt to locate a GDF in or under or where it could adversely affect, any **national and international protected areas** (NPs, AONBs, WHSs, SACs, Ramsar Sites, SPAs). There should be clear separation of environmental and economic issues.

## Additional Comments

CoRWM makes it quite clear that there needs to be a much greater focus on the safe and secure management of nuclear wastes in robust interim stores, not just for the period whilst awaiting the completion of a GDF but because of the risk of delay or failure in the repository programme. **We must urge the government to consider the probability that improved interim storage will be required far into the future, if not indefinitely.**

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**The full report of the Cumbria Trust's response and recommendations can be found at REDACTED REDACTED**

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