



18 May 2010

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Dear Sir/Madam,

## **PROPOSALS FOR LEGISLATION ON THE MANAGEMENT OF SPENT FUEL AND RADIOACTIVE WASTE**

I write on behalf of NuLeAF, which is a Special Interest Group of the Local Government Association that seeks to represent the views of its member local authorities in England and Wales on nuclear legacy management issues and developments that may impact upon that management. Further information on NuLeAF may be found at [www.nuleaf.org.uk](http://www.nuleaf.org.uk).

NuLeAF is sympathetic to the suggestion that the EC strengthen in EU law the principles and requirements laid down in the IAEA Safety Standards and the Joint Convention on the Management of Radioactive Waste and Spent Fuel. It does not support the alternative of EU legislation that imposes specific requirements for the scope, content and review of national programmes.

At issue here is striking the right balance between ensuring that EU member states with inadequate programmes take steps to put effective programmes in place, without imposing overly prescriptive requirements on states that have developed their own programmes after thorough reviews of policy and implementation strategies (as in the UK).

Our further comments are:

- We support the approach that has been taken in the UK to reviewing policy and strategy for managing higher activity wastes in the long-term, including the CoRWM review in the period 2003-06, and subsequent adoption of an implementation framework for siting a Geological Disposal Facility based on the principles of voluntarism, partnership and community benefits.



- We would like to highlight that processes based on such principles are more likely to work successfully in practice if: (a) developed in ways that are appropriate to the wider governance and societal context in the member state in question; and (b) allowed sufficient flexibility to be implemented at the pace of potential host communities, so that their issues and concerns are addressed in effective ways, rather than involve the imposition of rigid programme requirements and deadlines, either nationally or at European level.
- Member states should be encouraged to consider whether the concepts of voluntarism, partnership and community benefits should be applied to the siting or other types of radioactive waste management facilities, including treatment, storage or disposal facilities for Low Level Wastes and short-lived Intermediate Level Wastes. The case for application of these concepts could be argued to increase from decentralised to centralised options (in terms of provision of a service for a greater number of sites), and from storage to disposal (in terms of the level of public controversy and difficulty of siting).
- Finally, we would ask the EC to assert the principle that implementers/developers should engage early with whatever land use planning regime exists in any given country, so that the stages of a siting process are not taken in isolation from that regime.

Yours sincerely,

Fred Barker

Fred Barker  
Executive Director