

STRATEGIC OBJECTIVES FOR 2009

Policy Statement 5
November 08



Background

At its AGM on 29 October 2008, NuLeAF adopted a set of strategic objectives to guide its work throughout the following year.

A set of draft strategic objectives were initially discussed in NuLeAF's Strategy Review Group (SRG).

This Policy Statement contains:

- An overview of the objectives
- A description of the key issues addressed in the objectives.

The objectives cover the following issues:

- NDA strategy
- Low Level Waste (LLW) strategy
- Geological Disposal Facility (GDF) siting
- Legacy management implications of new nuclear build
- ISOLUS
- Community funds
- Local engagement

Overview of Strategic Objectives

NDA Strategy

1 To encourage development of NDA funding models and asset optimisation in ways that enable real and timely progress to be made in programmes of nuclear legacy management across the portfolio of NDA sites. This objective is dependent upon pursuance of: an open and transparent approach; effective engagement with local authorities; robust regulation; and due regard being paid to the long term (rather than short term commercial benefit alone).

2 To encourage development of a robust, transparent and participative process for informing NDA decisions about prioritisation of spending across sites.

3 To encourage 'regional' approaches to nuclear legacy management where such approaches are supported by the affected local authorities in the light of the overall balance of benefits and disadvantages.

LLW Strategy

4 To seek to ensure that LLW Strategy is developed and implemented in ways that can inspire local authority and public confidence.

5 To encourage and assist the NDA to take full account of the role and needs of the local authority planning system in the development and implementation of its LLW Strategy.

6 To encourage waste planning authorities to develop policy in Minerals and Waste Development Frameworks on the management of LLW (and VLLW) in their area addressing, where relevant, the potential development of disposal facilities on or adjacent to nuclear licensed sites, and the possibility of increased use of controlled burial at landfill or incineration.

7 In the context of implementation of the waste hierarchy and subject to suitability of the nuclear licensed site in question, to encourage development of local or regional LLW management facilities at existing nuclear sites, rather than at non-nuclear sites.

GDF Siting

8 To liaise effectively with any local authority that may wish to consider, or makes, an expression of interest in the GDF siting process and to provide assistance as appropriate.

9 To work with Government, the NDA, CoRWM, regulators and member authorities to help ensure that the approach based on voluntarism and partnership works successfully in practice.

10 To ensure member authorities are briefed and up-to-date on developments in the GDF siting process.

Legacy Management Implications of Potential New Nuclear Build

11 If Government continues to encourage the building of new nuclear power stations, to seek to ensure that its National Policy Statement is open and transparent about the interactions between new nuclear build and nuclear legacy management.

12 To seek to ensure that proposals for radioactive waste management and decommissioning of new nuclear power stations do not prejudice effective management of the nuclear legacy.

ISOLUS

13 To encourage any member authority that may be affected by the management of the radioactive wastes from laid up nuclear submarines to participate in consultation on the proposed way forward.

14 To seek to ensure that the approach taken to the implementation of the ISOLUS project is consistent with developments in the civil nuclear industry.

Community Funds

15 To seek to ensure that a consistent, proportionate and transparent approach can be taken to the establishment of Community Funds associated with key radioactive waste management facilities.

Local Engagement Arrangements

16 To encourage member authorities with licensed nuclear sites to ensure that effective engagement arrangements with Site Licensee Companies and NDA are in place, either through the SSG or direct engagement.

Key Issues Addressed by the Strategic Objectives

The key issues considered are:

1. the review of NDA Strategy;
2. the development of LLW Strategy;
3. the siting of a Geological Disposal Facility;
4. the nuclear legacy management implications of new nuclear power stations;
5. the ISOLUS project;
6. the establishment of Community Funds; and
7. local engagement arrangements.

Key Issue 1: Review of NDA Strategy

The NDA has initiated a review of its Strategy. This is being undertaken primarily through work on 'Topic Strategies', grouped under the themes of site restoration, nuclear materials management, integrated waste management, business optimisation and critical enablers. The idea of developing strategy through review of individual Topic Strategies is to ensure that strategy is formulated at a rate appropriate to each topic, and to allow more effective stakeholder engagement.

The NDA will still produce an overall Strategy Document. This will consolidate the key areas of strategy across the various topics. It will be consulted on formally and has to be approved by the Government. The NDA intends to produce a new version by the end of 2010.

The NuLeAF Steering Group meeting on 7 July agreed to authorise the Executive Director to:

1. participate in the reviews of key topics reporting back to SG as appropriate
2. keep member authorities informed of the opportunities for participation in reviews of key topics
3. prepare briefing papers as appropriate to inform participation
4. organise regional or national workshops for member authorities as appropriate to facilitate engagement in reviews of the topics of most importance to those authorities
5. explore the scope for establishing a new working group to facilitate NuLeAF's contribution to NDA Strategy Review

Although the NDA is yet to explain to stakeholders what is really 'up for grabs' within the strategy review¹, there appear to be a range of important alternative courses of action that may be open to the NDA. The following issues are relevant to these alternatives:

- **Increased commercialisation:** as part of the process of assessing how to achieve best value from its assets, NDA has invited bids from industry. Some of these bids are understood to propose the development of commercial facilities for radioactive waste

¹ For the latest information about the review, see <http://www.nda.gov.uk/strategy/developing-strategy.cfm>

management, whereby industry would purchase or lease land for NDA to develop an industry funded, commercially run facility (ie offering a fee based service to other sites/sectors for use of the facility). In principle, this might enable some facilities to be developed on an earlier timetable than likely to be the case if they relied on NDA funding (see also the implications of new build below).

- **Prioritisation:** the review is likely to consider the prioritisation of activities across sites and what constitutes the appropriate balance between hazard reduction and other drivers eg the early release of lower hazard sites for other uses. During 07-08 prioritisation on high hazard sites led to significant delays in programmes of waste management, decommissioning and clean up at some sites. Furthermore, as a contingency, NDA has asked Magnox Electric to identify the minimum level of funding required to maintain 'safe secure sites' (S3), involving further significant delays in decommissioning and clean-up. A S3 report is to be submitted to the NDA in autumn 08, to inform NDA decision-making on spending for subsequent years.
- **Timescales:** In contrast, during the site end states review in 2007, Site Stakeholder Groups (SSGs) highlighted the following timescale issues: the time taken to achieve decommissioning and/or site de-licensing should be shortened (Berkeley, Oldbury, Trawsfynydd, Harwell and Winfrith); there should be an early shrinking of the site boundary to release land for alternative uses (Hinkley Point A, Trawsfynydd, Wylfa, the LLWR and Sellafield); and there should be early removal of Intermediate Level Wastes currently stored on site (Harwell and Culham). The NDA's response was that these issues are subject to considerations of affordability and availability of waste disposal routes.
- **Geographical approaches to waste management:** the review is likely to consider different geographical approaches to radioactive waste management, eg whether to pursue local, regional or national treatment, storage and (for LLW) disposal of wastes. For example, there may be opportunities for consolidating the storage of ILW at fewer sites (particularly at southern Magnox and UKAEA sites), and for developing on site LLW disposal facilities that also take the wastes from other sites in a region (see LLW Strategy below).

These issues pose some fundamental questions for NuLeAF's strategic objectives. In particular:

- Should NuLeAF support increased commercialisation of radioactive waste management as a way of reducing reliance on Govt/NDA funding, thereby enabling progress to be made in programmes of waste management, decommissioning and clean-up?
- Should NuLeAF take a view on the prioritisation of activities across NDA sites, taking into account member authority views on timescales for decommissioning and site clearance, and options in 'safe, secure sites' contingency planning?
- In addition to encouraging local approaches to radioactive waste management, should NuLeAF encourage 'regional' approaches that involve the consolidation of facilities at a smaller number of sites (also see LLW Strategy below)?

The SRG recognised that to date NuLeAF has not taken an overt policy position on these questions, at least in part because of recognition that different member authorities are likely to take different views on such issues. Nonetheless, it considered that it was possible to formulate some objectives that could be supported by member authorities. These are set out in the box that follows:

Strategic objectives linked to the NDA Strategy Review are:

- To encourage development of NDA funding models and asset optimisation in ways that enable real and timely progress to be made in programmes of nuclear legacy management across the portfolio of NDA sites. This objective is dependent upon pursuance of: an open and transparent approach; effective engagement with local authorities; robust regulation; and due regard being paid to the long term (rather than short term commercial benefit alone).
- To encourage development of a robust, transparent and participative process for informing NDA decisions about prioritisation of spending across sites.
- To encourage 'regional' approaches to nuclear legacy management where such approaches are supported by the affected local authorities in the light of the overall balance of benefits and disadvantages.

Key Issue 2: Development of LLW Strategy

NDA is developing its LLW² Strategy with the assistance of a LLW Strategy Group which includes the Executive Director and officers from Cumbria CC. The NDA intends to consult formally on a draft LLW Strategy in April 09 and adopt an approved LLW Strategy by the end of 2009.

LLW Strategy is likely to strengthen and elaborate the 'direction of travel' set out in its interim LLW Strategy, including: optimising use of the LLW Repository near Drigg (LLWR); resolving issues on the long-term suitability of the LLWR for disposal; implementing the waste hierarchy; identifying diversified approaches to LLW management; and supporting initiatives to move forward with on-site disposal at or near some NDA sites.

NuLeAF published a Policy Statement on LLW management in July 07. The main aspects of NuLeAF policy are:

- recognition of the need for the development and utilisation of additional LLW management facilities
- encouragement to member authorities to engage constructively with industry on proposals
- highlighting the importance of taking forward proposals in ways that address local authority views and can inspire public confidence
- arguing that the concepts of willingness to participate, partnership and community benefits should, in appropriate form, be applied to the development of new LLW disposal facilities

² This should be read to include Very Low Level Waste.

- welcoming the emphasis on implementation of the waste hierarchy
- strongly supporting the early involvement of communities and stakeholders in the development of programmes and plans
- agreeing that preparation of plans should be based on the assessment of all practicable options
- agreeing that there should be a presumption in favour of options that can be implemented early
- supporting appropriate consideration of the proximity principle, the need to avoid the unnecessary movement of radioactive wastes, and where suitable the implementation of local approaches to LLW management
- highlighting the importance of an open and transparent approach to the inventory of LLW that could in principle be disposed of in a proposed facility (including from adjacent sites or new build)
- calling for the NDA and its primary LLW management contractor to take the earliest practicable opportunity to review the need for the development of new regional or national LLW disposal facilities.

In May 08, NuLeAF also submitted the following comments on the NDA's draft LLW topical strategies:

- NDA should undertake an analysis to identify and examine the scenarios that would require development of a new national LLW disposal facility sooner rather than later.
- The proposals in the topical strategies would involve major changes to current practices, with considerable potential for public concern and opposition. We would suggest, therefore, that a strand of work be initiated to develop practical guidance for SLCs on the steps that should be taken to seek to build community confidence in the development of proposals for local facilities³.
- We agree with the application of the waste hierarchy, but wish to highlight that it would be inappropriate to impose facilities on unwilling communities. The need to recognise and address the barriers to implementation that may arise from a lack of public confidence is of paramount importance.
- It is also essential that the role and needs of the local authority planning system is taken fully into account in the development of strategy and the LLW management plan. LLW Strategy should refer to the need for: the appropriate development, review and revision of local authority Minerals and Waste Development Frameworks; the need for early engagement with local authority planners when preliminary proposals for specific developments are being formulated; and the need for a joint project management approach to the planning application process, including steps to address community confidence issues.

³ The NDA has set up a sub-group of its LLW Strategy Group to consider the preparation of such guidance. The Executive Director has accepted an invitation from the NDA to chair the sub-group.

NuLeAF's LLW Officer Working Group is liaising with the DEFRA Steering Group that is overseeing development of strategy for managing Non-Nuclear Industry LLW. The NDA sit on that Steering Group to ensure consistency in the development of the two strategies.

In the light of NuLeAF policy and comments above, the AGM adopted the following strategic objectives:

Strategic objectives linked to development of NDA LLW Strategy are:

- To seek to ensure that LLW Strategy is developed and implemented in ways that can inspire local authority and public confidence
- To encourage and assist the NDA to take full account of the role and needs of the local authority planning system in the development and implementation of its LLW Strategy
- To encourage waste planning authorities to develop policy in Minerals and Waste Development Frameworks on the management of LLW (and VLLW) in their area addressing, where relevant, the potential development of disposal facilities on or adjacent to nuclear licensed sites, and the possibility of increased use of controlled burial at landfill or incineration
- In the context of implementation of the waste hierarchy and subject to suitability of the nuclear site in question, to encourage development of local or regional LLW management facilities at existing nuclear sites, rather than at non-nuclear sites.

Key Issue 3: the Siting of a Geological Disposal Facility

Government launched the GDF siting process in June, with an invitation to communities to make a *without commitment* Expression of Interest (EoI) in participation. At the time of writing, Copeland BC has made an EoI, with Allerdale BC and Cumbria CC taking soundings from potential partners. Government has said that the option to express an interest will be left open for the foreseeable future.

Once an EoI has been made, it is anticipated that the next two stages in the site selection process could be undertaken during 2008-10:

Stage 2: Apply 'sub-surface' unsuitability screening – a desk top study undertaken by the British Geological Survey in liaison with the local decision making body/ies.

Stage 3: Community engagement leading to a formal decision about whether to participate in the siting process. Following a positive decision, a formal Community Siting Partnership is to be established.

At its meeting on 30 April, the Steering Group agreed that NuLeAF's future work on this issue should be to:

- offer advice and assistance to any local authority that may wish to express an interest in the siting process
- represent local authority views in discussions with Government, NDA, CoRWM and regulators
- produce briefing material and respond to consultations as required.

Current issues include:

- the design of community engagement programmes to inform a decision about participation
- partnership working in two tier areas
- how quickly progress needs to be made in negotiations around benefits packages
- the funding model for the GDF
- the potential role of the Infrastructure Planning Commission
- how Government may use its fallback position that "in the event that at some point in the future, voluntarism and partnership does not look likely to work Government reserves the right to explore other approaches" (WP, para 6.5)

Strategic objectives linked to GDF siting are:

- to liaise effectively with any local authority that may wish to consider, or makes, an expression of interest in the GDF siting process and to provide assistance as appropriate
- to work with Government, the NDA, CoRWM, regulators and member authorities to help ensure that the approach based on voluntarism and partnership works successfully in practice
- to ensure member authorities are briefed and up-to-date on developments in the GDF siting process.

Key Issue 4: the Nuclear Legacy Management Implications of New Nuclear Power Stations

NuLeAF does not support or oppose the development of new nuclear power stations. Its remit does however encompass all aspects of the management of the UK's nuclear legacy. This includes the implications for legacy management of any developments that are likely to impact on that management, including new nuclear build.

The Government is currently undertaking a consultation on the Strategic Siting Assessment process and Siting Criteria for new nuclear power stations. During the course of 2009, the Government will:

- publish the final SSA criteria
- invite third parties to nominate sites
- assess sites against the criteria
- consult on a draft National Policy Statement (including a draft list of sites)

NuLeAF Briefing Paper 9 ([BP9, July 07](#)) argues that there needs to be greater clarity about the way interactions between any new nuclear build and legacy management should be handled. It proposes that the following requirements should be adopted as Government policy:

- in developing proposals for new build at specific sites, the developer should ensure that it identifies the requirements for on and off-site facilities for radioactive waste management and decommissioning, and the implications for existing, planned or

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anticipated facilities for managing the nuclear legacy on or adjacent to the site concerned and for any regional or national facilities;

- the developer should ensure that it briefs the local planning authority and Site Stakeholder Group on those requirements and implications at the pre-application stage, and through subsequent application steps;
- the developer should brief the NDA on those requirements and implications at the earliest opportunity;
- the developer should publish the above information;
- in liaison with the NDA, and taking into account the views of local authorities and the communities they represent, the developer must ensure that its proposals for radioactive waste management and decommissioning do not prejudice effective management of the nuclear legacy; and
- steps will be taken to ensure that the recruitment of staff into any new build programme does not leave nuclear legacy management short of staff and skills.

The AGM considered that the key aspects of these requirements should be expressed as strategic objectives.

Strategic objectives linked to the nuclear legacy management implications of a potential programme of new nuclear power stations are:

- if Government continues to encourage the building of new nuclear power stations, to seek to ensure that its National Policy Statement is open and transparent about the interactions between new nuclear build and nuclear legacy management.
- to seek to ensure that proposals for radioactive waste management and decommissioning of new nuclear power stations do not prejudice effective management of the nuclear legacy

Key Issue 5: the ISOLUS Project

Project ISOLUS was set up in 2000 to determine the means of managing radioactive wastes and other material from laid up nuclear submarines. The project is overseen by the MoD ISOLUS Steering Group (MISG), of which NuLeAF is a member.

The proposed future timetable for the project is:

2008	Undertake option studies and develop proposed way forward
2009	Consultation on proposed way forward
2011-12	Main investment decision

A technical options study is currently underway. This is assessing the three technical options for interim land storage, namely:

- the intact Reactor Compartment (about the size of two double-decker buses)
- the Reactor Pressure Vessel, and other large items
- size reduced and packaged ILW

A generic siting assessment for submarine dismantling is also underway, assessing the relative pros and cons of using a Greenfield, Brownfield or existing nuclear licensed site.

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Following dismantling operations, the resulting ILW could, in principle, be stored at the dismantling site or at another site (including existing nuclear licensed sites). Following a period of storage, the ILW would be disposed of to the proposed GDF.

Strategic objectives linked to Project ISOLUS are:

- to encourage any member authority that may be affected by the management of the radioactive wastes from laid up nuclear submarines to participate in consultation on the proposed way forward
- to seek to ensure that the approach taken to the implementation of the ISOLUS project is consistent with developments in the civil nuclear industry.

Key Issue 6: the Establishment of Community Funds

The Executive Director and officers from Sedgemoor DC have been in discussion with NDA and Government about the case for establishing community funds in association with key radioactive waste management facilities. Further meetings are to be held with Government and NDA to discuss, in particular, the legislative basis for such funds, and whether it is possible to identify criteria which could be used to identify which types of development could be subject to such Funds.

The strategic objective linked to Community Funds is:

- to seek to ensure that a consistent, proportionate and transparent approach can be taken to the establishment of Community Funds associated with key radioactive waste management facilities.

Key Issue 7: Local Engagement Arrangements

Following a review of local engagement arrangements, the NDA is issuing new guidance to SLCs and SSGs to encourage improvements to these arrangements.

One of the recommendations made by NuLeAF during the review was that:

Local authorities with NDA sites are encouraged to: (a) respond positively to invitations to attend SSG meetings, SSG working groups and workshops; and (b) establish processes to ensure that the reports and minutes from SSG meetings, working groups or workshops, are considered in a timely way by relevant councillors and officers.

In response, the NDA guidance to SSGs states that:

Being an SSG member means that: you represent your organisation .. actively on the SSG, including consulting them beforehand on major agenda items; you formally update your organisation .. after SSG meetings, either verbally or in writing (para 4.4)

In addition to improving the effectiveness of SSGs, NDA advises that SLCs should engage directly as necessary with local authorities.

The strategic objective linked to local engagement arrangements is:

- to encourage member authorities with licensed nuclear sites to ensure that effective engagement arrangements with Site Licensee Companies and NDA are in place, either through the SSG or direct engagement.