

IMPLEMENTING POLICY FOR THE LONG-TERM MANAGEMENT OF RADIOACTIVE WASTE

Article for Public Servant, Fred Barker, 14 November 2006



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The Government has announced how it wants to tackle the controversial issue of the long-term management of higher activity radioactive wastes. As anticipated, it has accepted the recommendations of the Committee on Radioactive Waste Management (CoRWM) that geological disposal coupled with safe and secure interim storage is the way forward.

Expressing the view that the circumstances surrounding geological disposal are "unique", Government has said that it is supportive of exploring how an approach based on "willingness to participate" and "partnership" with local communities could be made to work in practice. To this end, it has invited local authorities to participate in early discussions to inform development of an implementation framework. A draft framework will then be put out for consultation in the middle of 2007.

The Government also announced that the Nuclear Decommissioning Authority (NDA) will be given responsibility for developing and ensuring delivery and implementation of the programmes for interim storage and geological disposal. It argues that this has the advantage of allowing one organisation to take an "integrated view across the waste management chain". The NDA has been given the initial task of drafting an "outline repository development plan", which will also be consulted upon next year.

To enable the NDA to undertake its new responsibilities, Government is pushing forward with the transfer of Nirex into the NDA. Following this, Nirex will be wound up as a separate company. Government adds that NDA will use a competitive tendering exercise to appoint a contractor to undertake repository development.

Finally, recognising the value of "visible independent scrutiny and advice", the Government is reconstituting CoRWM with modified terms of reference and membership. The new committee will be expected to scrutinise the implementation programme and provide independent advice.

The Nuclear Legacy Advisory Forum (NuLeAF) – which is a Special Interest Group of the Local Government Association – welcomes Government’s invitation to discuss issues that will inform the development of the draft implementation framework. Given past failures to implement policy, it stresses the importance of developing an approach that empowers and incentivises local authority and local community participants, and entails a fair and rigorous siting process.

The challenges that lie ahead in developing such an approach are many and varied. They include:

- *Ensuring that the role of the NDA is developed in a way that visibly addresses stakeholder concerns*

There are three initial concerns. The first is the need to ensure that the NDA’s drive to accelerate the decommissioning and clean-up of nuclear sites does not put undue pressure on the timetable for repository siting. To increase the prospect for success, the siting process must allow sufficient time for potential host communities to participate effectively and for their concerns to be properly addressed. The second is that the NDA has to develop the capacity to work effectively in genuine partnership with potential host communities. The third is that the NDA will need to demonstrate that its contractor model will enable an appropriate level of NDA involvement in decisions about repository design as site investigations and development proceed.

- *Developing a robust process for issuing initial invites to participate in the siting process*

This is a key issue for the implementation framework. Based on CoRWM’s recommendations, there is an expectation that an initial screening of the UK will be undertaken so that invitations to participate in the siting process are only issued to those local authorities in areas that are potentially suitable for repository development. This approach is widely supported because it would enable local authorities in areas, for example, with little prospect of having potentially suitable geologies to avoid difficult discussions about whether to participate. Consultation on the implementation framework next year will include screening proposals. The implementation framework will also need to clarify who will issue invitations (Government or NDA), who they will be sent to (which tier/s of local government), how local authorities might reach decisions (what level of prior community engagement), and how expressions of interest will be taken forward.

- *Developing appropriate forms of partnership with participating communities*

International experience suggests that the prospect for successful implementation will be enhanced if partnerships are established between the

implementor, the relevant local authorities and local stakeholders in areas that are participating in the siting process. In essence, the purpose of the partnership would be to ensure that all the concerns of participating communities are met. Its role would be to scrutinise, research, consult, and negotiate as appropriate, so that decisions within the siting process are fully informed and secure the confidence of local stakeholders. In developing appropriate models of partnership, Government does not have to start from a blank sheet because there is considerable UK and international experience, as recently reviewed in a NuLeAF briefing ('Proposals for Siting Partnerships', October 06). This briefing highlights the need to build on current learning about partnership working, including issues associated with development of a shared vision, representation, skills development, resourcing and timescales for effective working.

- *Developing appropriate participation and benefits packages*

Government has stated that in developing the implementation framework it will need to consider possible participation and benefits packages, when and how they would be defined, and how it would determine whether they are likely to be affordable and offer good value for money. NuLeAF considers that such packages will be necessary to incentivise and empower local authorities that might wish to participate in the siting process. The idea of the participation package is to meet the costs of involvement in the process, including that of any partnership that is established. The purpose of the benefits package is to enhance the well-being of the local communities that ultimately host the repository. The benefits might include, for example, infrastructure improvements and initiatives that make substantial contributions to economic development or regeneration. NuLeAF has published research that reviews international experience and UK precedents on this issue ('The Implementation of a National Radioactive Waste Management Programme in the UK: Implications for Local Communities and Local Authorities', June 2006).

The Government's commitment to pursue an approach based on concepts of willingness to participate and partnership is to be welcomed. Discussions over the coming months will help determine how these concepts can be made to work for the siting of a geological repository in the UK.

NuLeAF aims to represent the views of member authorities in discussion with national bodies and to build capacity within local government to engage with nuclear legacy issues. For further information visit the NuLeAF website at www.nuleaf.org.uk or contact the NuLeAF secretariat (01473 264833).