

Meeting:	NuLeAF Steering Group, 25 January 2012
Agenda Item:	5
Subject:	NDA Strategy Development and Implementation
Author:	Fred Barker
Purpose:	To report on developments and propose a response to an NDA paper on a Strategy Development Programme for Integrated Waste Management (IWM)

Introduction

This report covers:

- strategy development on Integrated Waste Management (IWM)
- strategy development on Site Restoration
- other aspects of strategy development
- an update on representations about implementing NDA strategy for contracting and supply chain development
- an update on the proposal for a Community Benefits Protocol

Recommendation

That the Steering Group agree the comments on NDA's draft IWM strategy development programme, as set out in the annex to this report.

Contribution to Achieving Strategic Objectives

The initiatives are intended to contribute to the achievement of the following NuLeAF objectives:

- Encourage NDA and SLCs to engage early and effectively with the relevant local authorities when considering options for centralised and multi-site approaches, and to only move forward with such approaches where they are supported by the affected local authorities in the light of the overall balance of benefits and disadvantages.
- Seek to ensure that proposals for new projects that may be simpler, faster or cheaper than current practices can be convincingly demonstrated to be the best practicable, taking into account a full range of life cycle, safety, environmental and socio-economic factors, and stakeholder views.

1 Strategy Development on Integrated Waste Management (IWM)

The NDA has published a paper for comment on its proposed IWM strategy development programme. The paper is available on the NDA website at [IWM Draft for Comment](#). The closing date for comments is 24 February 2012.

NDA explains that the purpose of documenting the strategy development programme is to:

- provide reassurance that the central importance of IWM to the delivery of our mission is recognised and that we have a credible programme to realise opportunities and address key challenges; and
- seek feedback and support from within NDA, the Site Licence Companies (SLCs), regulators and the wider stakeholder community.

Further detail, and a proposed set of NuLeAF comments, is contained in the Annex to this report.

The SG should also note that:

- Key issues relevant to strategy development were discussed at the meeting on 11 November between NDA, Magnox, RSRL, the EA and representatives from member local authorities with Magnox or RSLR sites in England and Wales. In particular, the meeting heard updates from RSRL and Magnox, and discussed NDA's current thinking about the scope for consolidation of ILW storage across its estate. The note of the meeting and presentations are available on the NuLeAF website at [Note of 11 November Engagement Meeting](#).
- NuLeAF will have officer representation at meetings of the NDA Topic Overview Group (TOG) on Integrated Waste Management. This TOG is the group taking forward the IWM strategy development programme. NuLeAF input will be provided by the Executive Director and David Palk from Suffolk County Council.

2 Strategy Development on Site Restoration

NDA strategy development is addressing: the level of restoration that should be aimed for (with a preference for a 'condition suitable for next planned use'); how restoration should be undertaken (considering the cases for in-situ and ex-situ approaches); and when it should be undertaken (including continuous or deferred restoration).

NDA envisages that over the next 18 months 5 products will come out of this work:

- principles for defining site end states;
- an estate-wide view on options for future land use;
- principles for defining 'interim states',
- principles for prioritising restoration projects; and
- guidance on institutional controls that apply throughout site restoration.

NDA anticipate that a 'work programme priorities' paper addressing these products should be available for comment by the end of January.

Note that in order to develop a view on options for future land use, NDA is considering reviewing:

- what assets exist at each NDA site
- what plans exist for local area development
- what preferences were expressed during site end states consultation

These reviews are anticipated to inform consideration of the following land use options: nuclear reuse; another economic reuse; long-term management of wastes; or use as a 'green space'.

NDA acknowledges that some form of engagement with local authorities will be needed on local area development plans and how they might inform thinking on options for future land use. The ED has written to the NDA to offer to help facilitate that engagement.

As reported to the October SG meeting, Andrew Smith from Lancashire CC is providing local authority officer input to the Site Restoration Topic Overview Groups. The ED will maintain liaison with this officer to feed in views and receive report backs.

3 Other Aspects of Strategy Development

The ED and Chair attended the NDA National Stakeholder Meeting on 23-24 November, which discussed other key aspects of strategy development, including the NDA 'skills transition framework', oxide spent fuel management and magnox spent fuel management.

NDA Skills Transition Framework

A framework is being developed to:

- coordinate estate wide resources and interface with other nuclear industries;
- recruit new employees to fill the skills gap and refresh the workforce;
- retain key skills and experience through the provision of career pathways;
- ensure smooth and effective employee release where required;
- retain and rebuild the UK nuclear skills base.

A business case for the work has been signed off by the NDA Executive and work is underway to: capture data; develop IT systems, broker secondments and develop best practice.

Oxide Spent Fuel

NDA strategy for oxide spent fuel (including from overseas customers and from UK AGRs) is to honour its contractual obligations and complete the reprocessing contracts in THORP and place any remaining fuels into storage. THORP was expected to complete the reprocessing contracts by 2010. However, due to operational difficulties both in THORP and in downstream support plants this has not been possible. THORP is now expected to complete the reprocessing contracts in 2018.

The NDA has been investigating whether the current strategy for managing oxide fuels, compared to other credible alternatives, remains the most cost-effective. The options

considered were: complete the reprocessing contracts in THORP (ie current strategy); reprocess less than the contracted amount of spent fuel in THORP; and reprocess more than the contracted amount of spent fuel in THORP.

NDA analysis has shown that the amount of fuel that should be reprocessed in THORP on economic grounds is comparable to the amount that is contracted to be reprocessed. This is due to a number of interacting factors which results in an alignment of economic and commercial drivers. Therefore NDA concludes that the delivery of the current strategy, to complete the reprocessing contracts, remains the most viable and cost-effective option (see the 'credible options' paper at [Oxide-Fuels-Credible-Options-November-2011](#)).

Magnox Spent Fuel

A strategy position paper is scheduled for publication in mid-January. A breakout session at the national stakeholder meeting discussed the ground that this will cover, including:

- consideration of 'what if' scenarios for not being able to complete Magnox reprocessing to current plans (around 2017);
- various plausible end dates for the end of Magnox reprocessing;
- contingencies for managing Magnox spent fuel.

The secretariat will alert the relevant local authorities to the strategy position paper once published.

4 NDA Strategy for Contracting, Competition and Supply Chain Development

At its meeting in October 2011, the SG considered a report on the outcome of an NDA workshop on Small and Medium Enterprise (SME) access to SLC contracts and representations that had been made by Cumbria CC about the nature of contracts to be let by Sellafield Ltd. After discussion, the SG agreed that letters should be written to DECC, NDA and the Chair of the Select Committee on Public Administration to follow-up the representations that had been made.

In early November, Sellafield Ltd announced that a new supply chain agreement had been reached with local authorities in Cumbria to enable them to input on how Sellafield Ltd spends its money in the supply chain.

The press release from Sellafield Ltd (at [Latest news - Sellafield Ltd](#)) states that: "The move is aimed at helping the community see more socio-economic benefit from the money Sellafield Ltd spends in the supply chain while allowing Sellafield Ltd to move ahead with its new acquisition strategy and meet its commitment to get best value for the UK taxpayer."

Councillor Knowles, in his capacity as Cumbria CC cabinet member responsible for nuclear issues, is quoted as saying: "I am very pleased that Sellafield Ltd has agreed to work with local authorities to ensure the procurement process is fair, legal and achieves maximum value".

5 Community Benefits Protocol

At its last meeting, the SG approved a note setting out the basis for discussion with NDA.

The ED has had a preliminary discussion with NDA about the proposed Community Benefits Protocol. NDA, however, is not yet in a position to progress discussions about a national protocol because it is involved in high level 'pathfinder' discussions with Cumbrian local authorities about the approach that may be appropriate in relation to developments on the Sellafield site. It is not yet clear when these discussions will conclude.

The purpose of a protocol would be to: (a) provide a nationally agreed framework for negotiation of local community benefits that are separate and additional to mitigation measures (Section 106) and (b) ensure that regional or national needs in radwaste management are met in a way that is fair and reasonable at a local level. The proposed scope of the protocol is that it would apply to facilities for the treatment, storage or disposal of radioactive wastes (other than a GDF) that fulfil a role in implementation of national strategies by managing radioactive wastes from more than one site, customer or sector.

ANNEX: DRAFT COMMENTS ON THE NDA ‘INTEGRATED WASTE MANAGEMENT STRATEGY DEVELOPMENT PROGRAMME’

The NDA has published a paper for comment on its proposed Integrated Waste Management (IWM) strategy development programme. The paper is available on the NDA website at [IWM Draft for Comment](#). The closing date for comments is 24 February 2012.

NDA explains that the purpose of documenting the strategy development programme is to:

- provide reassurance that the central importance of IWM to the delivery of our mission is recognised and that we have a credible programme to realise opportunities and address key challenges; and
- seek feedback and support from within NDA, the Site Licence Companies (SLCs), regulators and the wider stakeholder community.

It clarifies that as its strategy for LLW “is mature and drives the current lifetime plans”. The primary focus of the proposed programme is therefore on strategy development for higher activity wastes (HAW).

The proposed programme involves the preparation of:

- A. Strategic guidance to SLCs on HAW treatment
- B. Strategic guidance to SLCs on HAW storage
- C. Strategic guidance to SLCs on HAW disposal
- D. Strategic guidance to SLCs on specific waste streams
- E. Strategic guidance to SLCs on LLW disposal
- F. IWM position statements to support strategy development for other NDA themes
- G. Revised IWM topic strategies and public facing documents
- H. Strategic and/or tactical guidance regarding integrated waste issues

Particular points of interest on HAW management are:

- The paper re-iterates the NDA strategic view that the current baseline approach to HAW management is “sub-optimal” and that changes should involve: better use of the waste hierarchy, consideration of more treatment options, optimised selection of package and store designs, greater integration across the estate (by sharing treatment and storage facilities), and risk-based approach to disposal. The paper suggests that changes provide opportunities to reduce risks and realise benefits (including reduction of the UK’s nuclear liability by several billion pounds).
- On consideration of treatment options, the paper proposes production of a tranche of strategic guidance by August 2012 (covering treatment options, current and proposed treatment capabilities, and business case assessment of thermal treatment technology).
- On the sharing of treatment and storage facilities, the paper states that the “consolidation project” will also consider EdF and MoD sites. The proposals include production of a “strategic instruction to SLCs regarding HAW storage consolidation (and developing the process of implementation)” by the end of 2012.
- On a risk-based approach to disposal, proposals include the issue of guidance to SLCs on alternative disposal routes (eg near surface disposal) by July 2013.

Particular points of interest on LLW management are:

- The paper explains that work is necessary to: (a) ensure that NDA has an established, robust position on the long term use of the LLW Repository and has determined how it will respond to potential scenarios that could result from the EA's assessment of the Environmental Safety Case; and (b) provide guidance on its expectations for the management of VLLW and other lower hazard LLW "in response to the developing market solutions".
- On the LLWR, the paper proposes production of strategic guidance that defines the long-term vision for the optimum use of the repository by August 2012.
- On the management of VLLW and lower hazard LLW, the paper proposes production of strategic guidance based on a "review of VLLW disposal capacity and need (Gate 0 – strategic case for change)". The target date for this guidance is January 2013.

A particular point of interest on 'IWM position statements to support strategy development' is:

- The paper proposes production of a statement to support strategy development on site restoration, covering: in-situ storage, in-situ disposal and on-site disposal; the use of specific sites for HAW treatment, storage and disposal; and a summary of available waste routes. The intention is produce the statement by August 2012.

The paper also highlights that the sorts of changes involved "will require continual stakeholder involvement to ensure views are properly captured, understood and taken into account." It explains that engagement with key stakeholders will primarily occur through existing arrangements, for example, "engagement with the planning authorities will be co-ordinated via NuLeAF ..".

It is proposed that NuLeAF make the following points in response:

1. The publication for comment of a draft programme with a clear high level schedule for preparation of key outputs is most welcome, as is the commitment to use NuLeAF for coordination of engagement with planning authorities.
2. We recognise the importance of assessing opportunities to reduce risks and realise benefits, and urge the NDA to take careful account of the risks of not securing local community acceptance and, where required, appropriate planning permissions for proposals involving changes from the current baseline. We would suggest that proposals that ultimately have to be forced through the development control process, potentially involving public inquiries and legal challenge, will not be seen as forming the basis of a credible programme that effectively realises opportunities. As we believe NDA recognises, a key starting point for managing and mitigating these risks is through early and meaningful engagement with the appropriate local authorities, and a willingness to discuss options and alternatives, and ways in which local communities can share in the benefits that would be realised by proposals.
3. We would encourage the NDA to give careful consideration to the case for adoption of a 'Radioactive Waste Community Benefits Protocol' which could provide a framework to help ensure that regional and national needs in radioactive waste management are met in a way that is fair and reasonable at a local level. We look forward to engaging in discussion with the NDA about potential adoption of such a protocol.

4. Although we recognise that implementation of strategy for managing LLW is, in many respects, resulting in a more optimised approach, we remain concerned about reliance on the supply chain to come forward with proposals for landfill disposal of VLLW and lower activity LLW. The NDA will note that the proposals that have come forward in Northamptonshire and Cumbria have not secured local community acceptance, nor the support of the relevant local authorities. In accordance with NDA's commitment to monitor strategy implementation and, when appropriate, review strategic positions, we would suggest that it would be timely to reconsider the approach to securing VLLW and low hazard LLW disposal routes. We recommend that this be done as part of the proposed "review of VLLW disposal capacity and need" (product E2).
5. Finally, we welcome NDA's agreement to NuLeAF officer participation in the IWM Topic Overview Group and look forward to contributing to the development of the strategic guidance and statements outlined in draft strategy development programme.