

## NuLeAF: NUCLEAR LEGACY ADVISORY FORUM

### LGA SPECIAL INTEREST GROUP ON RADIOACTIVE WASTE MANAGEMENT AND NUCLEAR DECOMMISSIONING

**Minutes of the Steering Group held on 15 July, 2009,  
County Hall, Oxford**

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*Present:*

Cllr Allan Holliday (Chair) - Copeland Borough Council  
Fred Barker – NuLeAF  
Peter Day – Oxfordshire County Council  
Catherine Draper – NuLeAF  
Richard Evans – Cumbria County Council  
Cllr Terry Fraser – Vale of White Horse District Council  
Peter Mayes – Lancashire County Council  
Sean Morris – Manchester City Council/NFLA  
John Pitchford – Suffolk County Council  
Cllr David Potts – South Tyneside Council/LGA  
Kerry Rickards – Sedgemoor District Council  
Cllr Matthew Riddle – South Gloucestershire Council  
Cllr Neil Swannick – Manchester City Council  
Susan Tipping – Kent County Council

Dr Adam Meehan of EnergySolutions/Magnox gave a presentation 'Taking Magnox Forward' after the lunch break.

		ACTION
<b>1</b>	<b>WELCOME AND APOLOGIES</b>	
1.1	Cllr Holliday welcomed everyone to the meeting, especially first time attendees.	
1.2	Apologies were received from: Mark Woodger – Maldon District Council, Cllr Nancy Matthews – Flintshire County Council, Steve Giblin & Cllr Gary Oldham– Tameside Metropolitan Borough Council, Andy Appleby – London Borough of Harrow, Stewart Kemp & Sue Brett – Cumbria County Council, Tony Curd – Waveney District Council, Phil Watson – Northamptonshire County Council, David Palk – Suffolk County Council, Richard Conway – Purbeck District Council, Jon Beckett – Stroud District Council, Maurice Maynard – Merseyside Environmental Advisory Service, Carol Reeder – Cornwall Council, Gerald Hudd – Somerset County Council, Adrian Hurst & Cllr Geoff Lilley– Hartlepool Borough Council, John Bennett – Dorset County Council, Lesley Stenhouse – Essex County Council	

1.3	The Chairman advised the Steering Group, that the Vice-Chair, Cllr Julian Swainson of Suffolk County Council, had not been re-elected in June. The Steering Group recorded its thanks for Cllr Swainson's work and support of NuLeAF and directed the ED to formally note its appreciation in a letter to JS.	FB
1.4	Nominations for a new Vice-Chair will be needed for the AGM in October. The e-bulletin and meeting invitation email will canvas for nominations. The post can be for a term of up to three years.	FB/CD
<b>2</b>	<b>MINUTES OF THE MEETING ON 28 APRIL, 2009</b>	
2.1	Subject to the amendment of a spelling mistake and the correct council designation of Sean Morris, the Minutes were approved as a true record of the meeting and would be posted on the website.	CD
<b>3</b>	<b>MATTERS ARISING</b>	
3.1	All action points had been completed.	
3.2	With regard to minute 3.4.5, the Environment Agency (EA) response was that their role when permitting is to make decisions based on the potential environmental or human health impacts of a particular activity. This is done by considering the technical aspects of the activity. They have a legal duty to consult but ultimately the decision to either grant or refuse to grant a permit is theirs alone. If public concern was backed up by substantial, authoritative evidence that their decision was unsound and wouldn't protect people and the environment then they would reconsider. If the evidence was lacking the EA would engage and endeavour to reassure, possibly imposing conditions in the permit specifically for public reassurance (eg through environmental monitoring) and encourage the operator to help to build more public confidence.	
<b>4</b>	<b>CONSULTATION ON UK STRATEGY FOR MANAGING LOW LEVEL RADIOACTIVE WASTES</b>	
4.1	<p>FB introduced the report which covered:</p> <ul style="list-style-type: none"> <li>• Background information on the key drivers influencing the NDA's proposed LLW strategy;</li> <li>• The outcome of pre-consultation discussion between NDA and NuLeAF;</li> <li>• The outcome of the three NuLeAF seminars on LLW</li> </ul>	

<p>4.2</p> <p>4.3</p>	<p>strategy in May;</p> <ul style="list-style-type: none"> <li>• The outcome of the NuLeAF Officer Working Group meeting on 9 June;</li> <li>• Reporting to the LGA Environment Board; and</li> <li>• The key points for a consultation response.</li> </ul> <p>The following points were made in discussion:</p> <ul style="list-style-type: none"> <li>• NS - could not endorse all the key points as currently drafted. In particular, NS concerned that the draft strategy misapplies the Waste Management Hierarchy (WMH) and involves a move away from containment of waste to dispersal. Also the polluter pays principle could be contravened by suggesting that future disposal sites consider offering services to new build operators.</li> <li>• KR – needs to be greater education of the public about the risks of Very Low Level Waste and Low Level Waste (VLLW/LLW). Also, if local authorities assist the NDA with delivering efficiency savings, NDA should look to reinvest some of the savings back in to the community. This should be reflected in the positioning of the key point about community benefits in the consultation response.</li> <li>• RE – because the draft strategy is informed by a Strategic Environmental Assessment (SEA) rather than a Sustainability Appraisal (SA), it does not put sufficient emphasis on the potential socio-economic benefits/disbenefits of the proposals. Also as two-thirds of the waste arisings will be generated by the Sellafield site, serious consideration should be given to retaining land at or adjacent to Sellafield for waste management.</li> <li>• JP – in respect of on/adjacent site disposal, it should be recognised that not all sites would be suitable. There needs to be a strong contingency provision.</li> <li>• ST – the contingency planning element of the draft strategy is too weak and the draft does not contain sufficient information to enable spatial planners to make informed decisions.</li> <li>• PD – there is a need to avoid a “one size fits all” approach and recognise that local issues/circumstances will influence the preferred approach at each site. Also, the principles of the WMH should not be discarded.</li> </ul> <p>In the light of discussion, FB proposed that the following key points should be incorporated or highlighted in the strategy response:</p> <ol style="list-style-type: none"> <li>1. Recognition that one size doesn't fit all. The draft</li> </ol>	
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4.4	<p>strategy should promote local option assessments and genuine community engagement. Potential socio-economic impacts need to be properly taken into account at this stage.</p> <ol style="list-style-type: none"> <li>2. Application of the WMH should be supported but with important qualifications about the need to recognise public concerns, for example, about the recycling of radioactive wastes.</li> <li>3. Specific reference should be made to adhering to the "polluter pays" principle in respect of how new build wastes are managed.</li> <li>4. Serious consideration should be given to providing new waste management facilities at or adjacent to the Sellafield site.</li> <li>5. Perceived weaknesses in the contingency planning should be addressed.</li> <li>6. The reference to community funds should be strengthened.</li> </ol> <p>It was agreed that authority for approving the draft response be delegated to the Chair, NS and Executive Director.</p>	FB/AH/NS
<b>5</b>	<b>SCOTTISH GOVERNMENT POLICY FOR HIGHER ACTIVITY WASTES</b>	
5.1	<p>FB introduced the report which gave an update on Scottish Government policy on the long term management of higher activity waste (HAW) and the implications for local government in England and Wales.</p>	
5.2	<p>The following points were made in discussion:</p> <ul style="list-style-type: none"> <li>• DP – there is a need to liaise effectively with SCCORS.</li> <li>• SM – there is a need to avoid a nationalistic response to the issues raised.</li> </ul>	
5.3	<p>The Steering Group endorsed the recommendation to:</p> <ol style="list-style-type: none"> <li>1. Write to the Scottish Government to suggest that the forthcoming consultation should include a question about whether Vitrified High Level Waste from reprocessing spent fuel from nuclear power stations in Scotland should be included within the scope of its policy.</li> <li>2. Write to the NDA to ascertain the current position with regard to its review of alternative disposal concepts for some Intermediate Level Waste streams, and when it</li> </ol>	<p>FB</p> <p>FB</p>

	expects to engage with stakeholders on potential ways forward.	
<b>6</b>	<b>SUBMARINE DISMANTLING PROJECT</b>	
6.1	FB introduced the report which outlined the MoD's proposals and intention to undertake a consultation later in 2009. (This project was formerly known as ISOLUS.)	
6.2	The consultation will be based on the Strategic Environmental Assessment that is currently being undertaken. When published it will name specific sites under consideration for dismantling the submarines or storing the radioactive wastes.	
6.3	KR – if the submarine wastes are stored at an existing or committed store at an NDA site, a proportion of the cost/efficiency savings should be passed back to the host community in the form of community benefits fund.	
6.4	The Steering Group agreed in principle to arrange, or assist with arranging, a pre-consultation briefing for potentially affected local authorities and delegated authority to the Executive Director to make the necessary arrangements	FB/CD
<b>7</b>	<b>NDA STRATEGY REVIEW AND DEVELOPMENTS</b>	
7.1	<p>FB introduced the report which covered:</p> <ul style="list-style-type: none"> <li>• The NDA response to NuLeAF's request that it consider ways of increasing stakeholder understanding of, and confidence in, the Value Framework.</li> <li>• The discussion at the National Stakeholder Group on 17-18 June, including socio-economic support and waste strategies.</li> <li>• The appointment of the NDA's new CEO.</li> </ul>	
7.2	The NDA had accepted an invitation to speak to NuLeAF on its Value Framework at the next Steering Group. It also intended to address this issue in depth at the next National Steering Group (NSG).	
7.3	<p>On NDA socio-economic policy, NuLeAF is seeking further information from NDA on what makes a successful application to the NDA socio-economic fund and why applications have failed. The following points were made in discussion:</p> <ul style="list-style-type: none"> <li>• JP - there is a need to understand the key criteria used</li> </ul>	

	<p>by the NDA and what they really want to see demonstrated.</p> <ul style="list-style-type: none"> <li>• FB - there needs to be a statement from the NDA that sites outside the four designated priority areas have a realistic chance of securing funding.</li> <li>• KR – the policy should be extended to cover Community funds associated with particular developments.</li> </ul>	
7.4	<p>KR suggested that there were several areas of concern about NDA activity, including a lack of engagement with key local authorities.</p>	
7.5	<p>The Steering Group agreed to:</p> <ol style="list-style-type: none"> <li>1. the preparation of a Briefing Paper on opportunities for socio-economic support from the NDA;</li> <li>2. consider a report at its next meeting on the NDA's approach to the concentration of waste management at a smaller number of sites; and</li> <li>3. write to the NDA to scope out issues of concern for discussion in the meeting with the new CEO.</li> </ol>	FB
<b>8</b>	<b>CONSULTATIONS ON RADIOACTIVE SUBSTANCES REGULATION</b>	
8.1	<p>FB introduced the report which provided an outline of current consultations covering:</p> <ul style="list-style-type: none"> <li>• Government guidance on Radioactive Substances Regulation under the Environmental Permitting Programme (EPP)</li> <li>• Proposals for a future Exemptions Regime under the Radioactive Substances Act 1993 and the Environmental Permitting Regulations 2010 (EPR)</li> <li>• Proposals for restructuring the HSE's Nuclear Directorate</li> </ul> <p>FB had attended workshops on both the EPP and EPR consultations and reported verbally on key points from the workshops.</p>	
8.2	<p>Comments on the EPP consultation included:</p> <ul style="list-style-type: none"> <li>• RE - concerned about the weakening of information provision to local authorities about waste transfers between sites.</li> <li>• NS – the Government should be encouraged to seek the advice of the Information Commissioner over the level of information which should be made public</li> </ul>	

8.3	<p>regarding waste transfers.</p> <p>FB proposed that comments on the EPR consultation should include:</p> <ul style="list-style-type: none"> <li>• There is a need to find a way to illustrate the practical implications of the proposals so that they can be comprehended by a wider range of stakeholders and the public.</li> <li>• The Government should demonstrate that the new numerical thresholds for exemption are robust to the range of uncertainties in risks highlighted by the CERRIE report.</li> <li>• Changes should not be made that exempt high volume VLLW from regulation as this would have a negative impact on public confidence.</li> <li>• The proposals should state that the WMH must be applied to excluded or exempt wastes as omission to do so may lead to the assumption that all such wastes can be disposed of.</li> </ul>	
8.4	The Steering Group agreed that authority be delegated to the Executive Director and Chair to submit comments on the consultations as appropriate.	FB/AH
<b>9</b>	<b>FUTURE MEETINGS AND SEMINARS</b>	
9.1	<p>FB introduced the report which outlined arrangements for:</p> <ul style="list-style-type: none"> <li>• The next meeting of the Strategy Review Group (SRG) in Manchester on 23 September</li> <li>• The SG and AGM in London on 15 October</li> <li>• The CARL workshop in West Cumbria between 20-21 October</li> <li>• A proposed NuLeAF seminar on case studies in radwaste management and planning</li> </ul>	
9.2	<p>The Steering Group agreed to:</p> <ol style="list-style-type: none"> <li>1. Encourage attendance at the SRG on 23 September.</li> <li>2. Identify nominees to the CARL workshop in October.</li> <li>3. Delegate authority to the Executive Director to make the necessary arrangements for a seminar on case studies in radwaste management and planning.</li> </ol>	FB/CD
<b>10</b>	<b>PROGRESS REPORT</b>	
10.1	FB invited questions and comments on the report which provided updates on developments in:	

	<ul style="list-style-type: none"> <li>• Siting a Geological Disposal Facility (GDF)</li> <li>• The long-term management of plutonium</li> <li>• NuLeAF case studies</li> <li>• Radioactive waste management in regional planning</li> <li>• COWAM in Practice</li> <li>• The audit of NuLeAF finances</li> </ul> <p>No questions or comments were made.</p>	
<b>11</b>	<b>ANY OTHER BUSINESS</b>	
	None was tabled.	
<b>12</b>	<b>PRESENTATION</b>	
	<p>Dr Adam Meehan of EnergySolutions/Magnox gave a presentation on "Taking Magnox Forward". Consideration is being given to reducing the timeframe for getting some sites into the Care and Maintenance phase through use of innovative techniques such as: Fuel Element Debris (FED) Dissolution, the use of 'yellow boxes' to store ILW, metal recycling, disposal of VLLW to landfill and, draining and sealing ponds. Benefits could include: cost savings, the release of funds to the NDA, reduction in hazards and sustaining the skills base. An outline business case is to be considered by the NDA Board shortly.</p>	