

NuLeAF: NUCLEAR LEGACY ADVISORY FORUM
LGA SPECIAL INTEREST GROUP ON
RADIOACTIVE WASTE MANAGEMENT AND NUCLEAR
DECOMMISSIONING

**Minutes of the Steering Group held on 27 February 2013,
Westminster Kingsway College, Victoria, London**

Present:

Cllr Richard Smith MVO, Suffolk County Council
Cllr Allan Holliday, Copeland Borough Council
Cllr Mark Hackett, Manchester City Council
Cllr Brendan Sweeney, Barrow-in-Furness Borough Council
Peter Day, Oxfordshire County Council
Richard Evans, Cumbria County Council
John Groves, Copeland Borough Council
Louise Nurser, Lancashire County Council
Sean Morris, Manchester City Council
Richard Conway, Purbeck District Council
Clive Pink, Suffolk Coastal District Council
John Pitchford, Suffolk County Council
Guy Robinson, Somerset County Council
Steve Smith, Copeland Borough Council
Philip Matthews, NuLeAF
Stewart Kemp, NuLeAF
Catherine Draper, NuLeAF

		ACTION
1	WELCOME AND APOLOGIES	
1.1	Cllr Smith welcomed everyone to the meeting and participants introduced themselves.	
1.2	Apologies were received from: Christian Branch – Anglesey County Council, Cllr Tim Knowles & Richard Griffin – Cumbria County Council, Charlotte Lewis & Mike Garrity – Dorset County Council, Nia Swann Bowden – Gwynedd County Council, Cllr Geoff Lilley & Adrian Hurst – Hartlepool Borough Council, Lillian Harrison – Kent County Council, Phillip Rowson – Maldon District Council, Bogus Zaba & Lucy Atkinson – Merseyside Environmental Advisory Service, Doug Bamsey – Sedgemoor District Council, Cllr Matthew Riddle & Gillian Ellis-King – South Gloucestershire Council, Robin Graham – South Ribble Borough Council, Cllr Andrew Nunn & Bob Chamberlain – Suffolk Coastal District Council, Cllr Colin Law – Waveney District Council.	

2	UPDATE ON THE POSITION OF NuLeAF CHAIRMAN	
2.1	Following the decision by Cumbria County Council to withdraw from the Government's MRWS process, Cllr Tim Knowles resigned his County Cabinet seat and indicated his wish to stand down as NuLeAF Chair with immediate effect. Therefore, the meeting on 27 February was chaired by Vice-Chair, Suffolk County Councillor Richard Smith MVO.	
2.2	SK gave the meeting an overview of Cllr Knowles decision and outlined three proposed options for covering the Chair's role: <ol style="list-style-type: none"> 1. That RS remained Vice-Chair and chaired meetings in that position until the AGM in October 2. That RS acted up as Chair until the AGM in October, or 3. That the AGM be brought forward or an EGM called to elect a new Chair. 	
2.3	It was agreed that, in view of the forthcoming county council elections in May, option 2 would be the best solution. Consideration would be given to appointing an interim Vice-Chair following the elections.	
2.4	The meeting expressed its regret at the loss of Cllr Knowles involvement. A card was circulated and RS would write a letter of thanks to be included	RS/CD
3	MINUTES OF THE MEETING ON 24 OCTOBER, 2012	
3.1	Subject to amending the attendance list to show the presence of Guy Robinson, the Minutes of the last meeting were approved as a true record of the meeting and would be posted on the website.	CD
4	MATTERS ARISING	
4.1	All matters arising are covered within the papers except:	
	4.2 (clarification from Environment Agency why transport is not amongst their considerations when granting permits for mobile waste streams); and	PM
	4.3 (EA mapping exercise) PM will action these and report to the next meeting.	PM
	8.2 NDA confirmed that they were currently covering insurance costs via LLWR as operators were not in the position to obtain cover. It was anticipated that this situation would change in 2014. Government does not feel that landfill operators should fall within the Convention. A separate initiative is being undertaken by DECC to seek exemption, which is being discussed with other European states and a decision is expected in 2015.	

5	AN UPDATE ON THE MANAGING RADIOACTIVE WASTE SAFELY (MRWS) PROGRAMME	
5.1	<p>SK introduced the paper which gave an update on:</p> <ul style="list-style-type: none"> • developments with MRWS in West Cumbria • continuing MRWS interest in other communities? • report back on Strategic Environmental Assessment (SEA) Workshop • new CoRWM membership • international workshops • application for Finnish repository <p>Key points raised during discussion were:</p>	
5.2	<p>SK confirmed that as far as he was aware the government's position on MRWS remained as described in page 4 of the report. DECC were considering options for taking matters forward and were likely to issue a formal call for evidence from stakeholders in the process (about how policies should be carried forward, and whether there should be modifications to White Paper). If DECC considered modifications to the White Paper there would be further public consultation. However, it was unlikely that there would be any action until after the May 2 local elections.</p>	
5.3	<p>RE commented that there may be value in highlighting to government the commissioned work carried out by NuLeAF in 2006 which recommended that a geological survey before seeking a volunteer community.</p>	
5.4	<p>Following the decision in Cumbria RE had withdrawn from the Regulatory Interface Management Meeting (RIMM). He recommended that a replacement be sought, ideally from a Waste Planning Authority. John Groves of Copeland BC offered to attend. SK would contact RIMM secretariat.</p>	SK
5.5	<p>AH gave the meeting an overview of the situation in Copeland following the Cumbria CC decision. County Council arguments were not widely supported in West Cumbria. Whilst the MRWS process in its current state is finished in West Cumbria, the problem hasn't gone away and the need to find long term solution remains. Allerdale BC holds fairly similar views.</p>	
5.6	<p>SM re the proposal at 1.5 for NuLeAF to act as an 'honest broker' and the possibility of developing LGA conference, he felt this was a good idea. Local government has differing views on way forward and it would be good for central government to understand this, and would help move matters forward.</p>	

5.7	SK clarified what was proposed in section 1.4 and NuLeAF acting as a 'proxy volunteer community'. Although recognising that the MRWS process has finished in West Cumbria, the final report to the WC MRWS Partnership flagged further work which could be undertaken on generic issues such as retrievability. NuLeAF could continue to provide dialogue on that with regulators, NDA and central government and continue work on practical questions which will need to be picked up some time in future regardless of where a GDF is finally located.
5.8	<p>BS stated that, as someone outside the process, his observations are that there would be value in clarifying a number of issues such as:</p> <ul style="list-style-type: none"> • the footprint of the facility – how much would be visible in the national park? What would the overhead works be? This could be addressed as part of proxy challenge. • the issue of benefits. Government failed to adequately articulate what package would be and this could have counterbalanced argument about effects on tourism. • geology – this shouldn't be left so late in process. If a survey of the whole region had been carried out earlier then communities would have known whether or not they were likely to be considered suitable or not.
5.9	SS – Would encourage NuLeAF to get involved and give government feedback. The original intention of 3 local authorities was to make a decision in October 2012. At end of September 2012 there was a view that they didn't know enough around a number of issues and agreed a pause period. At this stage the Partnership no longer existed and so there was no one organisation responding to challenges raised by wider stakeholders some of which were more fiction than fact. In hindsight this was probably a mistake.
5.10	SK – there would be value in reviving DECC/NDA/NuLeAF meetings, which had lapsed with the involvement with the Partnership.
5.11	RE – there is a need for clarity from government about design and community benefits.
5.12	LN – it may be clearer to describe NuLeAF's role in any discussions with government as a 'critical friend' rather than 'proxy volunteer community'.
5.13	This was agreed as a better term to describe NuLeAF's function in any future discussions in the absence of a real volunteer community, but representing its members interests.

5.14	JP – although the government has stated that it is committed to the volunteerism approach, if it re-runs the call for expressions of interest it is unlikely to have any more success than last time. Wouldn't it be better to re-frame it as a national infrastructure project?	
5.15	CP – NuLeAF needs to indicate to government that there needs to be more driving force and that it needs to draw up proper scheme of what will be below and above ground. Also, if the issues raised by Cumbria CC were dealt with, would they reconsider their stance?	
5.16	RE – the outcome of the elections in May will affect any future decisions about whether or not to reengage in the process	
5.17	AH – A period of calm following the Cumbrian decision will allow things to settle. The opposition to moving forward to the next stage of the MRWS process was generated between November to January. If meeting hadn't been postponed then issue wouldn't have arisen. Important NuLeAF involved in future discussion and the Cumbrian concerns should be addressed.	
5.18	SS – Copeland and Allerdale BCs are reviewing lessons learned and will make views available to DECC. These could also be shared with NuLeAF. Copeland BC, as accounting body for MRWS, will close down MRWS activities by 31 March. The Partnership website will remain available for future use. It is a useful repository for original information about the West Cumbrian experience, and also has valuable information about brand management in the work carried out by Ipsos Mori on impact on brand impact.	
5.19	SK – the proposed engagement work with central government as a 'critical friend' could amount to a fairly significant piece of work. Given existing commitments, it may be necessary to seek additional funding to bring in extra capacity.	
5.20	RS – government needs to recognise that if they want us to play positive role they will need to fund appropriately.	
5.21	PM advised the meeting that he had been told at the Strategic Environmental Assessment meeting on 15 February that the SEA process will continue. Although a community is not available, the generic issues will continue to be considered.	
5.22	<p>The Steering Group agreed that:</p> <ol style="list-style-type: none"> 1. NuLeAF should write to DECC with the comments outlined above regarding issues in the MRWS process and offer to be a 	SK

	<p>'critical friend'.</p> <p>2. Re: Item 5.5, that officers explore the costs and practicalities for sponsorship of 2 NuLeAF representatives to attend the EURADWASTE '13 conference, 14-16 October 2013, Vilnius, Lithuania.</p>	SK
6	AN UPDATE ON THE PARENT BODY ORGANISATION COMPETITION	
6.1	<p>SK introduced the report which gave an update on:</p> <ul style="list-style-type: none"> • NuLeAF correspondence with NDA • progress with Magnox & Research Sites Restoration Ltd (RSRL) PBO Competition • reports from the National Audit Office & Parliamentary Accounts Committee <p>Key points raised during discussion were:</p>	
6.2	In response to a question regarding whether the proposed seminar would be too late to have any effective input to the PBO process, SK advised the meeting that it the process was scheduled to take 2 years and only commenced in 2012.	
6.3	RE raised concerns about NDA's reliance on input from SSGs. Cumbria CC had withdrawn from participation in the group as it felt it was insufficiently independent from NDA influence.	
6.4	SS advised the group that Copeland BC and Cumbria CC had worked together to establish working practices with Sellafield in respect of the supply chain and socio-economic issues and had created performance indicators. However, in practice these hadn't been applied. There was still no socio-economic plan in place 12 months after the awarding of contracts. A letter to the CEO of NDA has been drafted regarding socio-economic issues and including a request to be involved in the review of the Sellafield contract. NDA has said that in light of the Public Accounts Committee (PAC) report they need time to digest the report before they decide how activities might be changed.	
6.5	BS highlighted the concerns of other local authorities in the West Cumbria area regarding the effect of Sellafield on the wider community. A lot of work has been done by BAE systems in Barrow on developing the supply chain, and there are also serious issues on salary levels being inflated at Sellafield because of skill level shortage which has knock on effects at BAE / Rolls Royce etc. There needs to be joint working on skills development across the area.	

6.6	RS asked if Copeland BC would be willing to share the letter to NDA. He also suggested that a visit to Sellafield site would be beneficial to NuLeAF members as they could see the scale of the issues which needed to be addressed.	SS/CD
6.7	JP pointed out that local authorities have considerable amount of experience of dealing with procurement; in getting main contractors to integrate with local companies; development of skills and getting local people involved. Perhaps we should offer our assistance.	
6.8	The Steering Group agreed that: 1. officers would liaise with NDA to arrange a briefing for member authorities about a) NDA criteria for PBO selection and b) NDA approach to PBO contract performance. 2. the possibility of organising a trip to view the Sellafield site after the May elections should be explored. 3. the offer of assistance in development of procurement skills should be made.	SK CD SK
7	AN UPDATE ON NDA STRATEGY AND OPERATIONS	
7.1	PM introduced the report which covered: <ul style="list-style-type: none"> • feedback from the NDA National Stakeholder meeting • NDA engagement plans • consultation on NDA Draft Business Plan 2013-16 • NDA/NuLeAF engagement meeting • NDA Theme Overview Groups (TOGs) • NDA Stakeholder survey <p>Key points raised during discussion were:</p>	
7.2	RE raised issue of whether Andrew Smith was attending at the Site Restoration TOG, as it was important that local authorities were represented. LN undertook to attend if relevant.	
7.3	GR reminded the group that at the last NDA engagement meeting he had suggested that planning should be included in the NDA critical enablers.	
7.4	Re Magnox sites, SK advised the meeting that NDA are reviewing if Care & Maintenance (C&M) is best approach to decommissioning. Initial work suggested that in cost terms there was little difference between C&M and continuous decommissioning.	

8	AN UPDATE ON DEVELOPMENT IN LOW LEVEL WASTE (LLW) MANAGEMENT	
8.1	PM introduced the report which covered: <ul style="list-style-type: none"> • Lower Activity Low Level Waste (LA-LLW) capacity paper • an update on the National Waste Plan for England • the revised NuLeAF Planning Briefing Paper 	
8.2	PM advised the meeting that no response had been received from Defra regarding the Waste Management Plan for England since the paper had been issued. However, an email was received whilst the meeting was in progress which advised that they hoped to issue a response shortly.	
8.3	It was hoped that the revised planning paper would be available on the website by the end of March.	
8.4	LN raised concerns that the capacity gap study implies it has greater credibility than it has since it hasn't been out for formal consultation. She also had concerns regarding some of the proposed guidance for Waste Local Plans contained within the draft Briefing Paper, as did RE. LN undertook to clarify her concerns and send on to PM.	LN
8.5	RE requested that the matter of the Northants case being designated a national infrastructure project (although radwaste is not subject to NIP) has not yet been clarified.	
8.6	PM undertook to circulate a revised draft of the Briefing Paper after seminar.	PM
9	SERVICE PLAN UPDATE	
9.1	PM introduced the report which covered: <ul style="list-style-type: none"> • legacy management implications of potential new build • Submarine Dismantling Project (SDP) • seminar update • community funds and socio-economic support 	
9.2	The report was for noting.	
10	NEXT MEETING	
10.1	It was agreed that the meeting scheduled for April 24 th should be cancelled as it fell too soon after the current meeting. The date of the next meeting is to be decided. Interest in the trip to Sellafield will be ascertained and if sufficient the Steering Group will be organised to coincide with this. If not, the next meeting will be held in London on 23 July.	

11	ANY OTHER BUSINESS	
11.1	NuLeAF will be presenting at the Westminster Energy, Environment and Transport (WEETF) forum, 23 April. Also NFLA has invited NuLeAF to attend to give a presentation on MRWS way forward post the Cumbria decisions.	
11.2	GR gave the Steering Group an update on the Magnox ILW storage and FED dissolution workshop. It was led by Magnox (with participants from NDA, industry, SSGs, and host planning authorities). The focus was on storage not disposal. EDF under criticism because lack of synergy between A&B sites. Consideration was given to optimisation for ILW between sites. An optioneering exercise was carried out with input from groups on topics such as transport/emissions/construction. The default premise for ILW and FED is for each site to have own storage facility, but another approach could be regional. Fewer sites came out as the preferred option for FED dissolution. In terms of next steps & outcomes – a workshop summary will be circulated in March and 1 st draft of credible options in April for consultation. The final draft of credible options will be circulated in June and another workshop organised to refine preferred options. 1 st draft of preferred options will be produced late this year and finalised next. It felt like a genuine attempt to engage with stakeholders to receive feedback. Some people were concerned about the lack of consideration of new build and synergy. GR had emphasised the need to engage through NuLeAF on consultations.	
11.3	RE expressed concerns that NDA still weren't meeting requirements for community engagement. The findings of a Magnox review regarding ILW disposal had been announced at the Delivery Overview Group meeting earlier this month. They had decided to opt for off-site disposal at Hinkley Point A because quantities so low and would apply this principle at all other sites. As far as he was aware there had been no community engagement. RSRL's review had shown no difference between disposal onsite or at King's Cliffe.	
11.4	RS was keen to see a synergised solution for A,B & C sites where this was possible.	
11.5	PM proposed the way forward would be to revisit the implementation of the LLW Strategy with NDA and also to continue work with EA on permitting and planning. NDA had agreed that NuLeAF would be engaged in a 'strategic review' of the LLW Strategy that was underway.	PM
11.6	PM advised the meeting that NuLeAF had received approval from LLWR Ltd for the proposed commissioned work on planning and the Duty to Co-operate.	

12	PRESENTATION	
12.1	Duncan Thompson, NDA Strategy Manager gave a presentation on NDA Strategy. The presentation is posted on NuLeAF website . Key points from the presentation and discussion:	
12.2	DT emphasised the importance of local authority involvement in NDA's work as they have a more detailed site specific knowledge.	
12.3	The priorities for the next year are to turn ideas into credible/preferred options and to reflect these in site plans and delivery proposals. This will be done through the Theme Overview Groups (TOGs) for each of themed areas.	
12.4	Business Optimisation: NDA want to make best use of assets (land sales, large legacy contracts). Making the most of contracts to ensure we receive the most revenue. We are also looking at possibility of sharing facilities with MoD/AWE etc in order to use taxpayers money wisely e.g. combine plutonium contaminated materials treatment facilities. We have good assets and need to make best use of them. There are also ongoing contracts with EDF for fuel receipt and management.	
12.5	Critical Enablers (CE): these are a range of enabling factors required to make everything work. Each CE has a strategic authority which is responsible for making it work.	
12.6	MH: Historically NuLeAF has not spent time in developing its understanding of R&D. Decommissioning issues are very major, with significant investment. There may be value in NuLeAF having a better understanding of the issues.	
12.7	Consideration is being given as to whether continuing with the planned Care & Maintenance programme provides better value against moving to an programme of early site clearance.	
12.8	DT clarified that 'final site clearance' required the removal of all radioactive waste from the site. RE was concerned that site plans did not indicate where the waste would be sent and this did not facilitate engagement with the community which would ultimately host it. SK felt this was an issue which should be addressed through the Site Restoration TOG. It should be recognised that it will not be practical to return every site to Greenfield land.	
12.9	DT confirmed that under the PBO process, should a PBO walk away then NDA will step in as operator of last resort. However, he felt this was unlikely to be necessary as there would be significant loss of reputation and contractors would	

	be interested in earning their fee.	
12.10	DT clarified that NDA and government are working together to decide the best solution for dealing with the plutonium stockpile. Issues requiring consideration are finance, security and energy security (the perception of a wasted resource).	
12.11	DT clarified that 'exotics' comprise a variety of materials such as non-standard fuels from early experimental reactors and other materials produced in research and development. They are located at a small number of sites.	
12.12	De-licensing a site requires the removal of any danger. As funds need to be spent wisely this may not always be possible for a licensed nuclear site.	
12.13	Consideration will be given as to whether to move from ONR to EA or the local authority as lead regulator for sites.	
12.14	DT clarified that work is on-going on graphite strategy (Matthew Clark). Initially it had been assumed that graphite would be a large part of GDF inventory and so was a big issue to be resolved. Now thinking is that it will not be such a large part of the inventory and Matthew is determining what work is required in strategy development.	
12.15	NDA are under pressure to produce national strategy for HAW. James McKinney looking at co-ordinated approach across UK.	
12.16	Business Optimisation: NDA will engage with MoD to ensure NDA are sites are considered appropriately in respect of ILW storage options for the Submarine Dismantling Project ILW storage options. Likewise for Vulcan ILW at Dounreay.	
12.17	SS asked how NDA proposed to reflect the Public Accounts Committee report and the PBO review process and responding to PAC report in its strategy.	
12.18	DT responded that although report is critical it recognises NDA is aware of the situation. Lessons had been learnt and would be reflected in future work programmes. NDA is actively seeking ways it can pass costs and risk down the supply chain.	
12.19	SK commented that he felt he was constantly having to remind NDA to take on board stakeholder views, in particular local communities, in the development of policy and strategy. Also the need to include planning as a critical enabler had been flagged with Bill Hamilton at the last NDA engagement meeting and it was hoped that this would be reflected in NDA strategy in future.	

ACTION LIST

Steering Group, 27 February			
	ACTION	FOR	STATUS
2.4	Send card and letter of thanks to Cllr Knowles	RS/CD	Done
3.1	Following the addition of Guy Robinson to the attendance list post the Minutes of the October meeting on the website	CD	Done.
5.4	Contact RIMM secretariat re John Groves of Copeland BC attending RIMM	SK	Agreed.
5.22	Write to DECC with the comments outlined by SG regarding issues in the MRWS process and offer to be a 'critical friend'	SK	Done. SK met with DECC/NDA on 16 May.
5.22	Explore the costs and practicalities for sponsorship of 2 NuLeAF representatives to attend the EURADWASTE '13 conference, 14-16 October 2013, Vilnius, Lithuania	SK	Funding secured.
6.6	Copeland BC to share letter to John Clarke re socio-economic issues/Sellafield contract review	SS	Done
6.8	Liaise with NDA to arrange a briefing for member authorities about a) NDA criteria for PBO selection and b) NDA approach to PBO contract performance	SK/CD	Seminar cancelled because of lack of support
6.8	Ascertain the possibility of organising a trip to view the Sellafield site after the May elections	CD	Sellafield agreed to host visit on 10 July.
6.8	Offer of assistance of member authorities in development of procurement skills should be made	SK	Draft proposal with JP before submission
8.4	To outline concerns with guidance for Waste Local Plans given in draft Briefing Paper	LN	Done
8.6	To circulate revised draft of Planning Briefing Paper after the NuLeAF seminar on 12 March	PM	Done.
11.5	Undertake review with NDA on approach to implementing LLW strategy	PM	NuLeAF to be consulted on revised LLW Strategy. Ongoing engagement through Duty to Co-operate and Planning work.
11.5	Continue to work with EA on planning and permitting	PM	Ongoing
Steering Group, 24 October			
4.2	Obtain or produce overview of groups working on low level radioactive waste management	PM/CD	In progress
4.2	Ask Environment Agency/SEPA to document the criteria used to determine environmental permitting applications	PM	Requested
4.2	Seek clarification from the Environment Agency why transport is not considered when permitting mobile waste streams	PM	To be done
4.2	Obtain update on organisation mapping exercise from Environment Agency	PM	Requested