

<b>Meeting:</b>	NuLeAF Steering Group, 19 April 2007
<b>Agenda Item:</b>	5
<b>Subject:</b>	Management of Low Level Radioactive Waste
<b>Author:</b>	Fred Barker and Jill Sutcliffe
<b>Purpose:</b>	To report on developments

## **Introduction**

This report outlines developments covering:

- Government policy on the management of LLW
- NDA Strategy for managing LLW
- the Low Level Waste Repository (LLWR) near Drigg
- the potential for LLW facilities at existing nuclear sites
- plans for a LLW disposal facility at Hinkley Point
- implications for new regional or national facilities.

## **Recommendations**

That the Steering Group agrees that:

- 1 this report be submitted for information to the LGA and to the Waste Advisory Group of the Planning Officer Society;
- 2 this report be submitted to the NDA, with a request that NuLeAF be included in future discussions about the development of NDA strategy for LLW management;
- 3 a Briefing Paper on LLW management be prepared for member local authorities, including a brief guide to the literature on LLW management options, environmental and safety assessments and climate change impacts; and
- 4 a report be tabled at the next meeting of the Steering Group considering the applicability of siting processes based on concepts of willingness to participate, partnership and community benefits to the development of long-term LLW management facilities.

Annex 1: NuLeAF LLW Consultation Submission

Annex 2: Extracts from Local Authority Waste Plans

## Government Policy for the Long-Term Management of LLW

The Government published its policy on the long-term management of LLW on 26 March 07<sup>1</sup>, following an extended period of review of consultation responses<sup>2</sup>. This raises important issues for local authorities, not least because Government will expect local waste plans to be developed or revised to take into account its policy for the management of LLW from both nuclear and non-nuclear industry sources.

### *Summary of the Government Policy Statement*

Government summarises the policy in the following terms:

“The new policy puts providing public safety at the forefront of dealing with LLW. It sets out a more flexible and pragmatic approach to its management, stressing the need to minimise the amount of waste created and recognising the need to involve the public in developing and authorising LLW management plans.”

The main aim of the policy statement is to provide a high level framework, placing the onus on waste managers to develop approaches on a case-by-case basis. All nuclear licensed sites are required to have a plan for the management of their LLW that is part of a wider integrated strategy and compatible with proposed end states. These plans must be developed with appropriate regulatory and stakeholder involvement.

In addition, the plans must be based on:

- the use of a risk-informed approach (to ensure safety of the public and protection of the environment)
- minimisation of wastes (applying the waste management hierarchy)
- forecasting future arisings
- consideration of all practicable options
- a presumption towards early solutions (to contribute to inter-generational equity)
- appropriate consideration of the proximity principle
- consideration of the potential effects of climate change

Although emphasising flexibility and the need for case-by-case assessment, the Government states that it “believes that disposal to an appropriately engineered facility, either below or above ground, with no intent to retrieve should be the end point for LLW ..”). With regard to LLW and VLLW disposal to landfill, “Government sees no reason to preclude controlled burial of radioactive waste from nuclear sites *from the list of options to be considered in any options assessment..*” (emphasis added). It adds “incineration may be considered as a treatment or disposal option for some combustible LLW”.

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<sup>1</sup> Policy for the Long Term Management of Solid Low Level Radioactive Waste in the UK, 26 March, 07, Defra, DTI, SE, WAG, NI DOE

<sup>2</sup> The delay in the publication of the policy occurred in part because of the large amount of public interest and number of contributions to the consultation which exceeded expectations. This may have implications for future consultations, for example, on the MRWS implementation framework.

The policy explains that the proximity principle should be used in option assessments as “a point of reference” and that transport should be explicitly covered. It adds that although the desire to avoid excessive transportation is an important consideration, it must be balanced with all the other relevant factors.

The Government highlights the importance of public involvement, including any host community and the local authorities concerned. Guiding principles are stated to be:

- provision for early local community input into the decision-making process
- openness and transparency at all stages
- provision of well prepared, good quality, accurate and easily understandable briefing material
- use of an interactive consultation process where appropriate.

On the role of the NDA, Government states that where appropriate and practicable the NDA will make LLW management and disposal facilities available to other nuclear and non-nuclear industry managers on the basis of suitable commercial terms. These arrangements will appropriately complement other forms of LLW disposal by other organisations eg landfill and incinerator operators.

The Government states that it expects the NDA to:

- develop, and publish, a plan for the optimal use of the LLWR near Drigg
- assess the extent to which other LLW disposal options might be used to manage the LLW from its sites
- assess if, and at what point in the future, a replacement or replacements, for the LLWR near Drigg might be required and planned for.

In considering the use of the LLWR near Drigg and other disposal options, the NDA should take into account potential need for use of these facilities by other nuclear and non-nuclear sources. The NDA is also to support Government in preparing a UK wide-strategy for waste arising from the non-nuclear industry.

On the planning regime, Government states that the NDA’s Strategy and Annual Plans will provide guidance for national, regional and local planning authorities as necessary in the preparation of planning strategies and their appraisal. It expects the NDA and its contractors to work closely with those responsible for plan-making in the planning system. It adds that the NDA’s Strategy and plans will “form the basis for the NDA’s contractors moving forward to apply for the planning and regulatory approvals required for any necessary facilities”.

On non-nuclear industry LLW, the Government puts forward the general principle that it is appropriate that communities should take greater responsibility for how they deal with LLW. It states that a UK-wide strategy will be developed, based on the following steps:

- estimation of the amount and distribution of LLW arisings (to be undertaken by Government with support from the NDA and input from Regional Technical Advisory Bodies)

- development of the strategy, ensuring integration with NDA strategy for nuclear industry LLW and stakeholder engagement
- ensuring the provision of sufficient opportunities within national, regional and local planning strategies to meet non-nuclear industry disposal needs.

Government expects planning authorities to work with the environmental regulators, the non-nuclear industry radioactive waste producers and operators of disposal facilities to shape planning strategies.

### ***Response to Points made during Consultation***

The Government has also published a document setting out a summary of consultation comments and responses. Taken together, the policy statement and the responses to comments, address most of the points made in NuLeAF's submission (see Annex 1).

Note in particular that the statement provides a clear policy framework and a set of guiding principles. It also outlines Government expectations for the role of the planning regime, emphasises the importance of early engagement with stakeholders (including local authorities) and acknowledges the need to take into account the proximity principle. It also acknowledges uncertainties about the future of the LLWR near Drigg (see below).

Government states that fast-tracking procedures for planning applications “will not be introduced specifically to implement this policy.”

The position on other points in the NuLeAF submission, can be summarised as follows:

- **Risk-Informed Approach:** Government states that this means that all wastes and disposal facilities should be subject to the same standards of safety and environmental impact. It believes that all radioactive wastes, whatever their provenance, of the same radionuclide content, have the same intrinsic hazards and should be subject to the same limits and other principles of radiological protection. The Government response does not directly address the concern of some member authorities that as a result of uncertainties involved in estimates of risk, approaches based on ‘dilute and disperse’ could lead to unacceptable additions to the burden of radiological risk carried by society.
- **Incineration:** Government believes that incineration of some types of waste is an important option and that in properly controlled situations the impacts are low. It argues that “public unease can be overcome by the rigorous and transparent application, by the environmental regulators, of the principles and risk criteria outlined in the policy statement”. The environment agencies have been asked to consider the long term impacts of further use of incineration. The Health Protection Agency has been asked to consider how it might assist in providing improved information to the public on risks from incineration.
- **Landfill:** Government believes that landfill disposal is a viable and important option for management of LLW, and is safe under appropriately regulated conditions. It refers to recent radiological impact assessments that have shown

that the human health impacts of the disposal of relatively large volumes of VLLW to landfill are very low. The Government response does not address concerns that the use of landfill for LLW disposal could increase the level of resistance of communities to new waste facilities needed to deliver the national and regional waste management targets for non-radioactive waste.

- Partnership approach and community benefits packages: Government states that for new LLW facilities, it is “carefully considering” CoRWM’s references to site selection issues.

## **NDA Strategy**

NDA strategy will need to be developed in the light of the Government policy statement. The NDA is expecting the company that wins the contract to manage the LLWR near Drigg to develop and implement a strategic plan for LLW from all its sites. It is expected that this contract will be awarded in October 07 and the contractor will have 2 years to develop the strategic plan. Meanwhile, a formal review of overall NDA strategy is expected to start in the Spring of 08.

Existing NDA strategy highlights the limitations and uncertainties associated with the future operation of the LLWR near Drigg. In that context it states that:

“In general, our preferred approach would be build on the principle established at Dounreay that, where possible, sites should host their own LLW facilities.”<sup>3</sup>

This preference should also now be read in the context of the Government statement that it “believes that disposal to an appropriately engineered facility, either below or above ground, with no intent to retrieve should be the end point for LLW ..”

Government policy and existing NDA strategy therefore both underpin the emerging preference within the nuclear industry to develop, where appropriate, LLW disposal facilities at existing sites.

## **The LLWR near Drigg**

As reported above, Government expects the NDA to develop, and publish, a plan for the “optimal use” of the LLWR near Drigg. It states that this must take into account the ongoing regulatory review of the Radioactive Substances Act 1993 authorisation of the site and, in the light of this, uncertainty about its future capacity.

In response to member authority concerns about the use of the LLWR (see NuLeAF comments in Annex 1), the Government states:

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<sup>3</sup> Note, however, that the NDA supports a flexible approach to LLW management. In its response to comments on its draft strategy raising objections to incineration and disposal landfill facilities, the NDA stated: “We feel that radioactive wastes should be managed according to the BPEO principle and that, if the regulators are satisfied that people and the environment are protected, the choice of disposal options should not be unnecessarily constrained.

“The future use of this facility, its capacity and current status are under consideration by the site operators, the NDA and the environmental regulators. This will take into account the Government’s new LLW management policy statement. The LLWR near Drigg and, potentially new equivalents to it, are central to the management of LLW in the UK. If such facilities are only used for higher-level wastes within the LLW category (which is the overall intention behind the policy statement), then this will considerably modify (beneficially) the national picture.”

Representatives from Copeland Borough Council and Cumbria County Council may wish to provide a verbal update about the views of their authorities on the current position.

## **Potential for LLW Facilities at Existing Nuclear Sites**

Members will recall that Magnox Electric has undertaken a project to determine the most appropriate means of managing and disposing of decommissioning LLW, focusing on the LLW at the lower activity end of the range.

Site-specific workshops have taken place at Bradwell, Dungeness, Hinkley Point and Sizewell, with stakeholders from Site Stakeholder Groups and representatives of local authorities. In the main, option assessments have pointed towards some form of disposal on existing Magnox sites as the preferred option from a technical perspective.

At the last meeting of the SG it was agreed to ask those Member Authorities represented at the workshops for feedback on the assessment process and the way forward for LLW management at the sites in their areas. Feedback has been obtained from officers at Essex CC and Maldon DC (Bradwell), Kent CC and Shepway DC (Dungeness) and Suffolk CC and Suffolk Coastal DC (Sizewell). Somerset CC and West Somerset DC workshop participants are no longer working at those authorities.

The main points made by participants were:

- Option assessment process: overall, feedback was positive, with participants reporting that the workshops were informative, constructive and well run. One officer commented that the assessment methodology seemed to point to a particular result, rather than allow full exploration of all the options. Another commented that officers had provided an individual input to the workshops, rather than local authority positions, and that this needed to be understood.
- Issues arising: various issues were raised, including the need to consider the potential impacts of sea level rise, consistency with site end states, long-term monitoring and relationship to new build.
- Way forward: one officer reported that his authority was likely to support an application, provided that the regulators considered it to be acceptably safe and that the facility was just used for local LLW. Others felt that it was too early to pre-judge the views of their authority, particularly as it had been expected that LLW would be sent to the LLWR near Drigg. One added that there would be concerns if it were intended to develop a local facility that would also be used for

wastes from other sites. Another commented that his authority is likely to have a preference for transporting LLW away from the local site.

Members will also recall that an options assessment has been carried out for managing LLW from the Harwell site. The preliminary recommendation is that a new engineered near surface disposal facility be developed at the site. This is considered to be the Best Practicable Environment Option, subject to a period of public consultation and the Government's policy review. According to the UKAEA, this option performs well against the attributes under a wide range of stakeholder attribute preferences and has no significant weak scores against the attributes.

At the time of writing, it has not been possible to obtain feedback from the officer contact at Oxfordshire CC.

In addition to the feedback above, it is instructive to consider the content of the Local Authority Waste Plans from these areas. Annex 2 sets out extracts from the plans for Essex, Somerset and Suffolk (copies of the plans for Kent and Oxfordshire have been requested).

Two of the plans (Essex and Somerset) state that permission for disposal facilities within the county would not be granted. The third (Suffolk) does not provide a specific policy on LLW disposal within the county.

Although local policy against the development of LLW disposal facilities within a county does not mean that that development can be completely ruled out (see discussion below), it does provide a clear indication of the views of the local Waste Planning Authority at the time the plans were drawn up.

## **Plans for a LLW Disposal Facility at Hinkley Point**

The test case for developing a LLW disposal facility at an existing nuclear site in England and Wales will be Hinkley Point in Somerset, where British Nuclear Group (BNG) intends to submit a planning application later in the year.

The main points from discussion with an officer at Somerset County Council are:

- A preliminary meeting has been held with BNG and the issue has been raised at the SSG. A scoping report promised by BNG for the end of March has not yet been submitted to the authority.
- The County Waste Plan will be the first port of call in helping determine how the authority responds, but it does not necessarily mean that the application will be rejected. The authority will consider other material considerations, such as Government policy, capacity at the LLWR near Drigg and whether a need for a facility at Hinkley Point can be demonstrated.
- The authority may take a different view of a facility solely for LLW from Hinkley Point, compared to one that would be intended to also take LLW from other sites.
- Local consultation is likely to take place between submission of the scoping report and the actual application.

- Discussion with the District Councils is likely to take place during consultation (see item 6 for a report on the initiative taken by Sedgemoor DC with support from West Somerset DC)
- Somerset CC will ensure NuLeAF is kept informed about developments.

## **Implications for New Regional or National LLW Facilities**

Nuclear decommissioning and site clean-up will give rise to very large increases in the volumes of LLW and VLLW that require long-term management. Various factors contribute to uncertainty about the extent to which these wastes can be managed at the sites where they arise. These factors include site suitability (including the impacts of climate change), local planning policies, and the views of local communities.

Ultimately, it seems likely that not all sites will be able to provide local approaches to long-term management, suggesting that there will be a need to develop a regional approach, or develop a new national LLW repository. A regional approach may involve using a LLW facility at an existing nuclear site for LLW from other sites in the region, thereby raising the possibility of inter-site transfers of LLW and questions of community acceptability and benefits (see item 6). Developing a new national LLW repository is likely to require a siting process based on the concepts of willingness to participate, partnership and community benefits.

## **Recommendations**

In the light of the discussion above, it is recommended that:

- 1 this report be submitted for information to the LGA and to the Waste Advisory Group of the Planning Officer Society;
- 2 this report be submitted to the NDA, with a request that NuLeAF be included in future discussions about the development of NDA strategy for LLW management;
- 3 a Briefing Paper on LLW management be prepared for member local authorities, including a brief guide to the literature on LLW management options, environmental and safety assessments and climate change impacts; and
- 4 a report be tabled at the next meeting of the Steering Group considering the applicability of siting processes based on concepts of willingness to participate, partnership and community benefits to the development of long-term LLW management facilities.

## ANNEX 1: NuLeAF CONSULTATION RESPONSE

John Howley  
Radioactive Substances Division  
Department for Environment Food and Rural Affairs  
3/G25 Ashdown House  
123 Victoria Street  
London,  
SW1E 6DE

31 May 2006

Dear Mr Howley

### **NuLeAF response to the Public Consultation on Policy for the Long Term Management of Solid Low Level Radioactive Waste**

#### Introduction

NuLeAF is a special interest group established under the Local Government Association for England and Wales. It represents the views of 92 local authorities, 3 national park authorities and one fire service. NuLeAF is grateful for this opportunity to comment on proposed policy for the management of solid low level radioactive waste. Our comments are based on feedback from member authorities and are set out in the order of the questions in the consultation document.

#### 1 Need for Policy Development and Guiding Principles

NuLeAF agrees that there is a need for a clear policy framework for the management of LLW. As part of this framework, we also consider it desirable that a clear set of guiding principles be adopted. In theory, the principles proposed in the consultation paper appear appropriate. However, some NuLeAF member authorities have reservations about their application in practice. In particular, the realism and deliverability of a principle of flexibility is questioned by some authorities because some of the proposed disposal options do not seem credible (see the comments below on local landfill and incineration). In addition, although recognising the value of a risk informed approach, some NuLeAF member authorities are concerned that because of the uncertainties involved in estimates of risk, approaches based on 'dilute and disperse' could lead to unacceptable additions to the burden of radiological risk carried by society.

#### 2 Key Requirements for LLW Management Plans

NuLeAF is disappointed that the consultation paper pays little regard to the important role of the planning regime that determines where waste management developments



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are able to take place, in contrast to the licensing regimes of the regulators that determine their technical operational details. Given the importance of questions of siting to implementing policy on LLW management, NuLeAF would like to stress the need to involve local authorities at an early stage in the development of LLW management plans. For example, some member authorities point to the need for the NDA to coordinate aspects of its stakeholder engagement programmes with those of planning authorities in preparing their Local Development Frameworks.

### 3 Use of the Waste Hierarchy

Some NuLeAF member authorities have commented that they support the application of the waste management hierarchy to LLW, and place emphasis on the need to minimise LLW arisings. With regard to the last step in the hierarchy, note the comments below on disposal options.

We also note that the consultation document refers to ‘increased re-use and recycling, and the opening of markets for recycled wastes’. Concern amongst some local authorities about the health and environmental impacts of recycled contaminated metals is a matter of public record<sup>4</sup>. The Health and Safety Executive has considered options for controlled smelting as a means of volume reduction, and controlled re-use (e.g. within the radioactive waste management industry) and this is likely to be more publicly acceptable.

### 4 Incineration

NuLeAF wishes to point out that incineration is a practice that is at best tolerated by host communities. It would therefore expect many local authorities to be concerned that any new or increased usage of incineration for the disposal of radioactively contaminated combustible materials could compromise existing usage for conventional wastes. For example, Copeland Borough Council state in their submission that “...incineration minimises waste volume effectively; however, it has significant concerns over its suitability in populated areas. That is concern regarding public health, social intrusion and public perception of risk.”

### 5 Proximity Principle and Minimisation of Transport

NuLeAF supports appropriate consideration of the proximity principle and the need to minimise the transport of LLW. In particular, many authorities would agree ‘that the transportation of large volumes of low level waste over long distances to the facility at Drigg is undesirable and unnecessary for the safe management of many forms of LLW.’ For this reason, many local authorities opposed recent proposals for the transfer of LLW from Dounreay to the facility at Drigg. Cumbria County Council, for example, supports appropriate consideration of the proximity principle, the presumption that waste will be managed at the nearest appropriate disposal facilities and that communities take greater responsibility for their own wastes. Some member authorities, however, point to the practical difficulties of developing local or regional facilities for LLW management and suggest that it might be premature to completely rule out the possibility that one or more national LLW disposal sites will ultimately be needed.

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<sup>4</sup> ‘Radioactive Scrap Metals’, Nuclear Free Local Authorities Report, 28pp, pub: July 2000

## 6 NDA Facilities for Non-Nuclear Industry Waste

Subject to local consultation about site end states, some local authorities may consider the development of LLW waste disposal facilities on existing licensed nuclear sites as consistent with the proximity principle and, potentially, a risk-informed approach. Their attitude to the use of such facilities for the disposal of non-industry LLW is likely to be shaped by the volume, activity and location of arisings of these wastes. For example, in their comments, the East of England Regional Assembly Planning Panel state that: “it should be recognised that the presence of nuclear sites undergoing decommissioning within a region does not necessarily provide a reasonable option for the management of LLW from non-nuclear sites. Both Bradwell and Sizewell are in sensitive locations and it is highly unlikely that it will be appropriate for either site to play any role regarding the management of LLW generated from off its own site.”

With regard to the continued use of the facility near Drigg for the disposal of non-industry LLW, Copeland Borough Council point out that the remaining capacity (see further comments below) should meet local decommissioning needs, rather than national arisings. They add that non-nuclear industry LLW should be disposed as close as practicable to its origin.

## 7 Roles of National or Regionalised Facilities

NuLeAF supports Cumbria County Council and Copeland Borough Council in their concerns that the consultation paper pays too little attention to the scale of the problem that will arise within their area.

In particular we are concerned that:

- The consultation paper is incorrect in stating that the LLW repository near Drigg has authorised capacity until around 2050; the correct figure is that the authorised facilities will be full by mid-2008. This misunderstanding has implications throughout the consultation paper. In particular, by assuming that the repository has significant additional capacity, its further use is not questioned.
- The possible use of the LLW repository near Drigg “as a UK national asset” is not raised as one of the questions, but is taken as an assumption.
- The proposal that the Nuclear Decommissioning Authority develops and publishes a plan for the optimal use of the LLW repository near Drigg “as a UK national asset” seeks to pre-empt decisions that are the responsibility of the planning regime.
- The consultation paper does not recognise concerns that the status of the site should be reviewed in the light of its forecast vulnerability to future coastal erosion. For example, in its response, Copeland Borough Council says “We request that the EA urge BNGSL to carry out a BPEO Study into the option of changing the current operational status and future capping strategy into one of safe interim storage...”.

Further to comments 5 and 6 on the potential development of regional or national LLW facilities, we are concerned that the consultation paper does not reflect discussion at the LLW policy workshops about the need for a partnership approach and community benefits packages. Such measures will be particularly important in any programme to site new regional or national LLW disposal facilities. We also draw your attention to Copeland Borough Council's response that "...this issue was strongly raised at both stakeholder events". With regard to the facility at Drigg, Copeland say "...no further increase in capacity at the LLWR should be allowed until the industry reaches agreement with the Council on a package of 'offset' measures to compensate for the presence of a radioactive waste facility in its area."

#### 8/9 Availability of Disposal Routes: Local Landfill

Although there may be an in-principle argument that local communities should take greater responsibility for the disposal of non-nuclear industry LLW, it must be pointed out that local landfill is at best tolerated by local communities. Many local authorities are therefore likely to react with concern to any proposal for new or increased usage of landfill burial for LLW. In 1995, the then Department of the Environment review of Radioactive Waste Management decided not to encourage greater use of landfill because of opposition from local authorities and the public.

The LLW consultation paper acknowledges (p41) that Council Directive 99/31/EC is likely to result in 'fewer landfills available'. In its response to the LLW consultation, the East of England Regional Assembly Planning Panel says:

A number of the disposal options identified in the consultation paper do not seem to be credible and run contrary to certain elements of existing and emerging national and European policy towards waste management. The suggestion that LLW (of sufficient radioactivity to be considered hazardous) can be buried either at the point of arising or at landfill sites taking other wastes will not only be unacceptable to local communities but also runs contrary to Landfill Directive requirement to end the practice of co-disposal of hazardous and non-hazardous waste. If a policy of dilute and disperse is not regarded as appropriate for conventional hazardous waste then it has to be questioned why it may be appropriate for radioactive waste.

Pursuing a policy of encouraging flexibility regarding the management of LLW could also increase the level of resistance of communities to new waste facilities needed to deliver the national and regional waste management targets for non-radioactive waste. There is frequently considerable resistance to new waste management facilities, even those proposed to deal with non-hazardous waste, and any suggestion that such facilities may have a role to play with regard to LLW is likely to significantly increase this.

Specifically with regard to the disposal of nuclear industry LLW to landfill, the Environment Agencies (EA and SEPA) have indicated an unwillingness to allow this practice to be extended, and would require an operator proposing the use of landfill to have considered available options in consultation with stakeholders. In May 2004, the Environment Agency told a NuLeAF meeting that:

The Agency's current policy is that this (landfill) route will be used only for those nuclear sites which are already authorised for disposal of VLLW – there is no intention to offer this as a new disposal route for other nuclear sites ... Any

nuclear site application for a new disposal route, such as VLLW to landfill, would need to be subject to public consultation.

10 Role of Planning Strategies

We believe that planning strategies should give consideration to the scope for opportunities to meet the identified needs of an area for the management of non-industry LLW. However, in doing so these strategies should pay due regard to concerns about the realism and deliverability of moving forward with the options discussed in the consultation paper (see comments 4-9 above).

12/13 Correct Options/Availability to all Waste Producers

Please see responses to questions 1-9 above.

Yours sincerely

A handwritten signature in black ink that reads "G Blackwell". The signature is written in a cursive style with a large initial 'G'.

Cllr Geoff Blackwell  
NuLeAF Chairman  
Copeland Borough Council

Please send any reply to the Manchester address.

## **ANNEX 2: EXTRACTS FROM LOCAL AUTHORITY WASTE PLANS**

### **ESSEX (Bradwell)**

*(The Essex and Southend Waste Local plan, adopted Sept 2001)*

#### **Essex Local Waste Plan**

##### **Nuclear Waste**

5.11 The geology of the Plan area *does not permit the disposal and containment of nuclear waste at any level [emphasis added]*. Nuclear waste generated by Bradwell Power Station is already disposed of outside of the County. The WPA will seek to ensure that nuclear wastes are disposed of and/or reprocessed at appropriate national facilities.

##### **W5A**

**PROPOSALS FOR FACILITIES TO REDUCE THE QUANTITY OF AND TO MANAGE DIFFICULT AND SPECIAL WASTES USING APPROPRIATE TECHNOLOGIES WILL BE JUDGED ON THEIR MERITS, AGAINST THE CRITERIA AND POLICIES STATED IN THE DEVELOPMENT PLAN, AND HAVING REGARD TO ALTERNATIVE PROVISION WITHIN THE EASTERN OR SOUTH EAST REGIONS. PERMISSION FOR NUCLEAR OR RADIOACTIVE WASTE DISPOSAL (EXCEPT LOW LEVEL CLINICAL WASTE) WILL NOT BE GRANTED**

### **SOMERSET (Hinkley Point)**

*(Somerset Waste Local Plan, 2001-2011)*

##### **Nuclear Waste**

##### **POLICY W14 - NUCLEAR WASTE DISPOSAL**

**PLANNING PERMISSION WILL NOT BE GRANTED FOR FACILITIES FOR THE DISPOSAL/PERMANENT STORAGE OF NUCLEAR WASTE IN SOMERSET.**

##### **POLICY W15 - NUCLEAR WASTE**

##### **TREATMENT & STORAGE**

**PLANNING PERMISSION FOR FACILITIES FOR THE TREATMENT OR TEMPORARY STORAGE OF NUCLEAR WASTE WILL NOT BE GRANTED UNLESS:**

- *THE WASTE ARISES SOLELY FROM THE OPERATION OR DECOMMISSIONING OF THE PLANT AT HINKLEY POINT; AND*
- *ANY TREATMENT IS CONFINED TO PROCESSES ESSENTIAL PRIOR TO TRANSPORT OR STORAGE; AND*
- *TEMPORARY STORAGE IS CONFINED TO INTERMEDIATE LEVEL WASTE WITH A SPECIFIED END DATE FOR THAT STORAGE; AND*
- *THERE IS NO NATIONAL FACILITY FOR INTERMEDIATE LEVEL WASTE STORAGE OR DISPOSAL.*

#### **4.3.2.1**

Nuclear waste is produced by medical facilities, industry and agriculture but generally the quantities involved are very small and their disposal is handled by specialist facilities outside of the County. However, the power station at Hinkley Point produces large quantities of nuclear waste.

#### **4.3.2.2**

There are national storage/treatment centres for High Level and Low Level nuclear waste and these materials are taken off site and out of the County for management. At present, there is no such facility for Intermediate Level waste which consequently has to be stored on-site and has been at Hinkley Point since operations started there. It is clearly the Government view that a repository for Intermediate Level waste should be provided nationally, to allow an optimal site to be identified and fundamental issues such as the best geological environment for such a location to be taken into account. The large scale processing of nuclear waste requires specialist infrastructure and a workforce with particular technical skills, neither of which have ever been established in Somerset. Somerset County Council is of the view that there is no justification for developing long term nuclear waste storage or treatment facilities in the County.

#### **4.3.2.3**

With decommissioning of the Hinkley A plant now imminent, the Intermediate Level waste from that process gives rise to a significant planning issue. Secure buildings will be necessary to store that material until such time as a national facility is provided and that store will require planning permission. The presence of the store and the waste material itself will prevent the full reclamation of the site to a beneficial after use.

#### **4.3.2.4**

It is the view of the County Council that whilst the use of the site at Hinkley for power generation may have been in the public interest, it's *long term use for nuclear waste management has not been justified* [emphasis added]. Certain types of operation would limit the degree to which the site could be put into beneficial afteruse following decommissioning of the generating plant. It also remains the view of Somerset County Council that a national facility should be provided for Intermediate Level nuclear waste and that point will continue to be pressed with Government. The retention of this type of material on site should only be considered as an interim measure and any planning permission which is granted for such a storage facility will reflect that fact.

## **SUFFOLK (Sizewell)**

### **SUFFOLK LOCAL WASTE PLAN**

#### **Radioactive Waste**

**4.4.11** The management of radioactive waste is regulated by the Nuclear Installations Inspectorate (NII) (a subdivision of the Health and Safety Executive (HSE)), the Food Standards Agency and the Environment Agency (EA). All radioactive waste disposals and discharges are regulated by the EA. Storage of radioactive waste on nuclear sites and other aspects of nuclear safety are regulated by the NII. The Food Standards

Agency carries out independent monitoring of food produced near nuclear sites and acts as a statutory consultee to the EA. Nevertheless, there are instances where the statutory planning powers of local authorities can impact on the management of radioactive waste.

**4.4.12** There are three categories of radioactive waste that contain sufficient levels of radioactivity to necessitate special handling and storage. These are defined as:

- Low Level Waste - waste not suitable for disposal with ordinary refuse but not exceeding a set level of radioactivity;
- Intermediate Level Waste - waste with radioactivity exceeding the level for Low Level Waste but which does not need heating to be taken into account in the design of storage or disposal facilities;
- and
- High Level Waste - waste with radioactivity exceeding the level for Low Level Waste in which the temperature may rise significantly as a result of their radioactivity, so this factor has to be taken into account in designing storage or disposal facilities.

Spent fuel from nuclear reactors is not currently categorised as waste since it can be re-processed, although this is subject to legal challenge. Facilities to manage this material may still require planning permission from the Waste Planning Authority

**4.4.13** Radioactive wastes are produced in Suffolk at the nuclear power stations at Sizewell and a variety of other facilities, such as hospitals and laboratories.

**4.4.14** Currently Low Level Waste is either incinerated or transported out of Suffolk for disposal. The incinerators at Ipswich Hospital, Sizewell A and Sizewell B can deal with Low Level Waste and are thought to have sufficient capacity to deal with the combustible element of this waste stream arising in Suffolk.

**4.4.15** Intermediate Level Waste and spent fuel is either placed in long or short term storage facilities at Sizewell or transported out of Suffolk for storage or reprocessing. There is currently no long term national strategy for managing Intermediate and High Level Waste generated by reprocessing spent fuel. The Government has stated that it is reviewing its strategy over the next few years in the light of national debate, though is unlikely to be completed before 2007.

4.4.16 Sizewell A power station is due to begin decommissioning during the Waste Local Plan period. The detailed decommissioning plan has yet to be developed but this is due in advance of the closure of the station which is scheduled for 2006 at the latest. Decommissioning will give rise to the production of all levels of radioactive waste but should have no land use implications for Suffolk, beyond Sizewell itself.

4.4.17 *No specific policy is provided in this Plan with regard to Low Level Radioactive Waste* [emphasis added]. It is considered that policy WLP7 provides an adequate framework against which any proposals for facilities to deal with such wastes can be considered. The approach for considering proposals for facilities to deal with Intermediate Level radioactive wastes and spent fuel is set out in Policy WLP22.