

NULEAF LOW LEVEL WASTE OFFICER WORKING GROUP

DRAFT note of the meeting held on 27 November, 2008 at Local Government House, Smith Square, London

Present:

Fred Barker	NuLeAF
Sue Brett	Cumbria CC
David Davies	Copeland BC
Peter Day	Oxfordshire CC
Catherine Draper	NuLeAF
Richard Evans	Cumbria CC
Gerald Hudd	Somerset CC
Susan Tipping	Kent CC
Mark Woodger	Essex CC

1 Note of the meeting on 18 September, 2008

The note of the Meeting held on 18 September, 2008 was agreed as an accurate record and would be placed on the NuLeAF website.

Action: CD

2 Matters Arising

All actions points had been completed or were in hand. Updates not covered elsewhere on the agenda were:-

Dounreay – there is a possibility that a community fund in association with the proposed LLW disposal facility will be approved. If such, a case study will be prepared on this topic.

Action: CD

Government and Community Funds – more material has recently been published by Government on the Well-Being Power. Following the release of the Dounreay decision FB will draft a discussion paper on a proposed way forward for circulation to the group. This will then be taken to the SRG meeting on 5 January.

Action: FB

RE suggested that there is a need for special financial provisions to ensure that Community Funds can be established in a tax efficient way. This could be flagged in the new discussion paper.

Action: FB

3 Update on developments at specific sites and MWDF

Cumbria CC – RE reported on a series of developments:

- LLWR – the first payment to the Copeland Community Fund was due imminently. Local Authority and NDA members of the Project Board had been identified and the first meeting would discuss the best approach to advertising for independent members. Construction on Vault 9 has commenced.

- MWDF – the hearing ran from 11 – 21 November, of which 1.5 days dealt with radwaste issues. It was an intensive process, examining all aspects. The most substantive discussions centred around (a) higher activity wastes and (b) VLLW. On VLLW, there was discussion about why there was no proposed policy. This was because of uncertainties in quantities and needs. This would be explained in the plan. The Inspector's report is expected by the end of February.
- Cumbria CC are meeting with DCLG and Government Office of the North West to discuss the need for radwaste developments to be addressed in MWDFs and RSSs across England.
- An application to dispose of VLLW to a local landfill site was anticipated. Cumbria CC is obtaining legal advice on whether planning permission would also be required.
- There have been discussions with Sellafield Ltd about a possible waste resource park adjacent to the Sellafield site.

Copeland BC – DD will be meeting with the EA to discuss the holding and sorting of specific waste streams at the LLWR, and associated proposals for a streamlined authorisation process.

Essex CC – MW pointed out that the BE scoping reports for new build made unjustified assumptions about the future "disposal" of LLW to the LLWR. Individual authorities should point this out in their comments on the scoping reports.

On the MWDF – Essex CC and Southend BC are now taking a joint planning approach. The timetable includes consultation on a Waste Issues and Options paper in July 2009, with formal adoption of a Waste Core Strategy in 2012.

Oxfordshire CC - PD reported that a revised timetable had been agreed for preparation of the MWDF, with adoption scheduled for November 2011. It was also intended to include policy for nuclear industry and non-nuclear industry radwastes in the SE region RSS. A study report to inform policy development should be available soon.

Kent CC – ST reported that there was no movement on waste issues at Dungeness, though an application has been received for beach feeding.

On the MWDF, consultation on a WIOP is scheduled for early 2009, although this may be subject to revision.

Somerset CC – Discussions with British Energy are taking place regarding the storage of ILW in 'yellow box' containers, which would not require the construction of an ILW store to the specification that has planning permission. If 'yellow boxes' were to be used, and a store were built to the size of the existing concrete base, there would be a large overcapacity at the Hinkley site, raising questions about taking ILW from other sites.

On potential LLW disposal on site, GH has had discussions with the regulators about potential implications for de-licensing the site and whether/when the NNI's requirements could be met. FB will circulate a note to clarify the current position of the regulators and NDA.

Action: FB

Suffolk CC – FB reported that there had been 12 responses on radwaste issues during consultation on the WIOP. These would be analysed and then combined with responses from site specific consultation to produce the Draft Waste Core Strategy in July 2009. It is

intended that the Waste Core Strategy will be submitted to the Secretary of State in December 2009 with an examination in public being held late Spring 2010. The NuLeAF case study on the Suffolk WIOP was nearing completion and would be posted on the website shortly.

4 NDA Strategic Priorities in LLW Management

FB introduced the paper circulated prior to the meeting. Discussion focussed on three questions:

- To what extent are individual local authorities likely to support the development of local or 'regional' radwaste management facilities at or adjacent to existing nuclear sites in their areas, in preference to the dispersal of LLW management to existing or new non-nuclear sites (potentially including metal treatment, incineration and VLLW disposal to landfill)?
- Should NuLeAF recommend that Minerals and Waste Development Framework (MWDF) policies on radioactive waste management encourage the concentration of LLW management at existing nuclear sites, in preference to the dispersal of LLW management to existing or new non-nuclear sites?
- A specific question arises about the potential disposal of LLW or VLLW to existing landfill: would this be likely to require planning permission (eg for any additional works that are required, or for 'change of use')?

The main points made were:

- There is potential for individual authorities to support the development of local LLW management facilities at or adjacent to existing nuclear sites in their area, rather than see the dispersal of LLW management to existing or new non-nuclear sites. Authorities are more likely to support the concentration of facilities at or near existing nuclear sites, if the wastes to be managed only come from that site or neighbouring stations at multi-station sites. Most authorities are unlikely to support the use of on-site facilities for wastes imported from nuclear sites outside their area ('regional facilities'). The availability of Community Funds might encourage more authorities that it would be appropriate to develop 'regional' facilities at a nuclear site in their area.
- It would be possible for waste planning authorities to adopt local planning policy in MWDFs that encourages the concentration of LLW management at or next to existing nuclear sites, in preference to the use or development of facilities further from the site, as long as due regard is paid to Government policy and the local planning policy is justified by the findings of local sustainability appraisal.
- It is possible that disposal of LLW or VLLW to existing landfill would require planning permission. This would need to be examined on a case-by-case basis, taking into account the types and volumes of LLW/VLLW that may be involved, the details of the relevant planning application, and any conditions attached to the original permission for the landfill site.

MW noted that there were precedents for public perception and fears to be treated as a material consideration in the planning process. He will provide references.

Action: MW

It was agreed that NDA should be invited to a future meeting to discuss their proposed LLW strategy.

Action: FB

5 Update on NNI

The update circulated in advance of the meeting was noted.

6 Date of next meeting

This is on 5 March, 2009, London School of Economics.

7 British Energy/Environment Agency Presentation

David Bennett (EA) and Tony Free (BE) joined the meeting to discuss VLLW disposal to landfill.

DB gave a brief overview of the EA's approach to regulation of such disposals. This included that: the landfill operator will be required to apply for an authorisation for disposal and demonstrate safety; the waste consignor will have to apply for a transfer authorisation, demonstrate application of the waste hierarchy and undertake necessary checks on the inventory/activity. The EA will want to see "appropriate" consideration of the proximity principle. Environmental Permitting Regulations will allow a simplified approach from 2010. The EA intends to publish guidance on its website in the near future.

TF outlined British Energy's current thinking on VLLW disposal to landfill. It had sent out a request for expressions of interest to all major UK waste operators. To date there had been six responses, all from larger concerns. BE was seeking alternative disposal routes for relatively small quantities of VLLW, for which the on-site incineration route was no longer available. It wanted to avoid consignment of these wastes to the LLWR. A BPEO had been carried out, identifying the key advantage of reduced transport for the landfill option. The next step is to enter into discussion with the companies that expressed an interest.

Comments from the group included:

RE – EA needs to remember that it must consult with the waste planning authority to check the conditions attached to the planning permission of any landfill site before granting/amending permits for VLLW disposal.

FB – it might be helpful if the BPEO assessment could be shared with local stakeholders when proposals are being considered.

MW – landfill sites may already have their future capacity earmarked for household waste disposal. Any reduction in capacity because the site was used for VLLW disposal would be contentious.

It was generally felt that there would be significant difficulties in obtaining public support for disposal of VLLW to landfill.