

NuLeAF LOW LEVEL WASTE OFFICER WORKING GROUP

Note of the meeting held on 9 June 2009 at New Academic Building,
London School of Economics

1. Attendance:

Fred Barker	NuLeAF
Peter Day	Oxfordshire County Council
Catherine Draper	NuLeAF
Richard Evans	Cumbria County Council
David Palk	Suffolk County Council
Lesley Stenhouse	Essex County Council
Susan Tipping	Kent County Council
Phil Watson	Northamptonshire County Council
Mark Woodger	Maldon District Council

2. Note of the meeting on 5 March 2009.

With minor amendments the note was approved for posting on the website.

3. Matters arising

3.1 Dounreay

The case study has not yet been produced pending receipt of further information about the terms of the Community Fund.

3.2 Government and Community Funds

Since the last LLW OWG meeting, Government officials have made it clear that there is no interest in a strategic approach, and that S106 should be used on a case by case basis. The NuLeAF Steering Group has endorsed this approach and approved publication of a Briefing Paper that is available on the NuLeAF website ([Use of Planning Obligations](#)).

3.3 NDA Strategic Priorities in LLW Management

FB met with LGA Waste Portfolio holders to update them on the development of LLW management strategies. At their request, FB is drafting a paper to go to the LGA Environment Board on 29 June, which will recommend that LGA respond formally to consultation on the NDA LLW strategy. The paper will be based on discussion at this group.

4. Update on developments at specific sites and MWDF

Suffolk

- No change to MWDF schedule. The waste panel is supportive of the proposed policy favouring on-site disposal. Aiming for formal adoption in December 2010, British Energy have been consulting on options for managing spent fuel at Sizewell B - they still propose using the Electricity Act.
- Will re-activate discussions with Magnox South on decommissioning at Sizewell A.
- The region is reviewing the RSS, but it is not clear how to address radioactive waste management at the regional level.

Essex

- Bradwell already has planning permission for facilities that will be used in site clearance
- ECC is producing a joint MWDF with Southend. Consultants will be commissioned to produce an Issues and Options paper, drawing on Suffolk and Cumbria approaches, with a view to consultation in November/December 09 and identification of a Preferred Approach in 2010.

Cumbria

- The core strategy was formally adopted on 23 April. The six week period for comment has now passed.
- Work recommenced on Site Allocations in February with another round of consultation sent out recently.
- Draft principles and issues paper for new Regional Strategy does not include reference to radioactive wastes.
- Sellafield Ltd is no longer looking to develop a site for waste management bordering their facility. However, CCC has included it in the Site Allocations review and is awaiting their response.
- Consideration is being given to applications for boreholes associated with development of an open cast coal mine for LLW disposal
- Construction on Vault 9 is well underway and more planning applications are expected from LLWR Ltd. LLWR Ltd held a LLW forum in April 2009. The presentations are on their [website](#) and that given by [Dick Raaz](#) is recommended.
- The application for authorisation for disposal of LLW at the Lillyhall Landfill site is anticipated. The local community has not been as concerned as initially anticipated.
- LLWR Ltd intends to use the LLWR site as a transfer station to assist in the reduction of waste which is consigned to the vault. This will be a 2 year temporary measure until direct routes can be established by the waste consignors.

Oxfordshire

- Consultation on the Waste Core Strategy will be in 2010

Kent

- Consideration is currently being given to the number and type of local planning policies required to address relevant radioactive waste management issues. The Issues and Options paper should be consulted upon in late autumn. ST will circulate when available.

Action: ST

Northamptonshire

- Nuclear waste is not currently addressed in the MWDF, which is at the core strategy examination stage. The examination was adjourned for six months at the end of March to allow more information to be gathered for the evidence base.

- MWDF does cover hazardous waste as the county has a hazardous waste landfill site which has a permission until 2013.
- PW was approached late last year by the site operators as they were considering taking LLW. A legal opinion about planning permission was sought by the operator. PW will see if this document can be circulated. The gist was that as the current permission for the site did not include LLW disposal, then a further planning permission is required.

Action: PW

- The operator intends to submit an application for disposal of an increased range of wastes and has been providing community information, including meetings with the Parish Council and Local Liaison Committee, a public exhibition and local surgeries. The reaction of the public has been one of “why here?/why not elsewhere?”, with a lack of trust in what experts say about the health implications. A substantial number of objections are anticipated.
- Harwell is likely to be a likely source for the LLW for disposal.

In response to PW’s update, FB agreed to circulate information on how public perceptions of risk have been taken into account in planning decisions, including Cumbria CC’s consideration of the Studsvik application, and the annex to the recent NuLeAF policy statement on decision making in radioactive waste management. When available, FB will also circulate the response of the Environment Agency to an enquiry about how they intend to take public confidence issues into account in their decision making on authorisations for disposal.

Action FB

DP also queried whether the HPA was geared up to deal with public discussion during planning processes. RE pointed out that the HPA and EA had taken different approaches in recent draft Guidance. FB agreed to circulate a note to explain the differences.

Action: FB

5. Outcome of NuLeAF LLW Seminars, May 2009

The NDA LLW management strategies consultation was launched on 5 June and closes on 11 September. Several of the concerns about the pre-consultation draft raised by NuLeAF have been addressed in the revised document, particularly the need to make reference to the importance of public acceptability, and not to be prescriptive in favouring off-site facilities.

Points to make in response to the consultation on NDA LLW strategy

FB circulated a paper prior to the meeting. Comments on the paper included:

Point 1. Amend text to “new management and disposal routes”.

Point 2. RE commented that the NDA would have been better able to consider public acceptability issues had they undertaken a full Sustainability Appraisal, rather than Strategic Environment Assessment (SEA).

Point 3. FB pointed out that NDA's proposal to rely on the supply chain in preference to centralised investment is likely to militate against the development of on-site facilities. For a genuinely level playing field between on-site and off-site options, NDA should be prepared to make investment in on-site facilities. RE suggested that the argument for a sequential approach be highlighted (consideration of on-site, adjacent site, then off-site options). FB queried whether this could be realistically done at a national level, given the policy emphasis on reviewing all practicable options. It may be better to argue for meaningful local stakeholder involvement in such reviews. The NuLeAF Steering Group would need to take a view.

Point 4. RE highlighted that uncertainty over volumes of LLW is also a concern.

Point 5. There is inconsistency in terminology, where Government LLW policy and proposed NDA strategy refer to the proximity principle, but planning policy refers to use of "nearest appropriate" facilities.

Point 7. RE queried the lead time and cost estimates for a new national LLW repository. DP pointed out that these made reference to a report by Nuvia. FB agreed to obtain a copy for review.

Action: FB

Point 8. Promoters of new build should not assume that LLW arisings will go to the LLWR. Opportunities for on or near site disposal should be considered.

Points 9 - 12. NDA document is silent on the planning system, except for a commitment to provide guidance in the final version. It was noted that point 11 should be linked to point 9.

FB asked for any additional points to be submitted to him by end of June.

Action: all

Issues for discussion from the NuLeAF seminars

FB circulated a paper prior to the meeting. Comments included:

Requirements of NDA Strategy

- The NDA LLW strategy does not contain a sufficient evidence base for WPA planning purposes.
- Need regional data on the volume and timing of waste arisings, existing facilities and practicable options.

- NDA needs to provide further clarification of what will happen if there are insufficient supply chain initiatives in particular regions.
- Optioneering at local level should not just be based on existing facilities, but on potentially practicable options.
- The best way of identifying the requirements for further guidance for planners may be to convene a meeting between NDA, the RTABs, DCLG and the group. FB will raise possibility of a meeting in discussion with NDA.

Action: FB

Planning agreements/conditions

- There are various ways in which the source and types of waste managed at a facility can be controlled through planning agreements or conditions. The concept of county self sufficiency has driven many of these agreements and conditions. FB requested that members send examples so that these can be reviewed for their potential applicability to LLW.

Action: All

Regional Facilities

- In principle, the regional role should be pro-active, but tends to fall-back on county self-sufficiency.
- Regional approaches should be pursued where possible. Further discussion is needed.

It was agreed that FB should write a note to clarify the planning issues to address in NDA LLW strategy.

6. Delicensing/licensing of LLW Disposal Facilities

A note had been circulated prior to the meeting for information. FB added that the NII intended to consult on its proposals not to license LLW disposal facilities, but it was not clear when.

7. Any other business

RE highlighted the latest consultation on [Environmental Permitting Regulations](#). FB is taking a report to SG in July.

8. Date of next meeting

The next meeting will be held on 10 September at LG House, Smith Square, London, 12.30 for 1.00 to 3.30. Papers will be sent out a week prior to the meeting.