

Meeting:	NuLeAF Steering Group, 15 October 2015
Agenda Item:	4
Subject:	Update on the GDF siting process
Author:	Philip Matthews
Purpose:	To report on recent developments related to the Geological Disposal Facility

Introduction:

This report provides an update on recent developments related to the process for identifying a Geological Disposal Facility. It covers:

- Call for Evidence
- Community Representation Working Group
- Update on work on geology
- Update on work on land use planning
- RWM paper on boundary wastes
- Welsh policy on Geological Storage
- Scottish consultation on Higher Activity Wastes

Recommendation:

This report is for noting.

Background information

The Call for Evidence can be found on the DECC website¹, as can information on the Communities Representation Working Group².

You can read more about the national geological screening exercise on RWM's website³ and find out about the Independent Review Panel on that of the Geological Society (see page 3, footnote 3).

Information about the consultation by Welsh Government on the Geological Disposal Facility siting process is available on their website⁴.

¹ <https://www.gov.uk/government/consultations/implementing-geological-disposal-working-with-communities>

² <https://www.gov.uk/government/groups/implementing-geological-disposal-community-representation-working-group>

³ <http://www.nda.gov.uk/rwm/national-geological-screening/>

⁴ <http://gov.wales/consultations/environmentandcountryside/geological-disposal-of-higher-activity-radioactive-waste-community-engagement-and-implementation-processes/?lang=en>

1. Call for Evidence and stakeholder engagement

The Call for Evidence closed on the 4th September and NuLeAF submitted a response⁵.

A total of 52 responses were received by the closing date and DECC has also agreed to extend the deadline to the end of September based on a request from a number of interested groups. This should bring the total number of submissions to around 60.

Of the 52 submissions, 15 came from Parish/Town Councils, 8 from local authorities, 7 from representative bodies, 8 from academics and 14 from individuals. Some were detailed and concentrated on the questions asked (as had been hoped) while some others just made general comments on geological storage or nuclear power.

A full analysis of the Call will be presented to the next meeting of the Community Representation Working Group in November.

A programme of stakeholder workshops with local government, the business sector, and civil society is in development. The dates for these have not yet been confirmed, but it is planned that local government workshops will be held in November and in February 2016. There will be a northern (Manchester/Leeds) and southern (London) workshop held at each time. NuLeAF will circulate details to the membership when they are released and would encourage members to attend.

In addition, a **Societal Aspects Status** Report is being drafted to provide an overview of the current knowledge base and practice around community engagement, partnership working, risk perception and intergenerational issues.

Finally, RWM has appointed an interim Head of Stakeholder Engagement, David Toman. He will be responsible for developing a **Siting Process Implementation Plan** that will set out all the activities RWM will need to undertake

2. Community Representation Working Group

The Community Representation Working Group (CRWG) met in July and September.

The Executive Director was unable to attend the July meeting as it clashed with the NuLeAF Steering Group. However DECC held a meeting for the 13th August for the 4 CRWG members (including the Executive Director) who could not attend in July. This meeting considered the same issues discussed at the July CRWG, namely (a) how to achieve a process of constructive engagement and (b) the approach to decision making in relation to the right of withdrawal. Key questions were:

In terms of constructive engagement:

⁵ <http://www.nuleaf.org.uk/document-library/consultation-responses/consultation-responses-2015>
Steering Group, Item 4, Update on the GDF siting process, 15 October 2015

- Should the form and/or size of a representative body be prescribed?
- What are the roles of a representative body?
- Should constructive engagement be defined and if so what should be the definition

With regard to the right of withdrawal:

- What should be the process for the triggering the right of withdrawal?
- Should there be mediation of this process?
- Who participates in the decision and should this change depend on what stage the process is at?

The September CRWG meeting provided an update on the Call for Evidence and on wider stakeholder engagement (see above), but concentrated on discussion of the range of options so far identified in terms of community representation, community investment and the test of public support.

While there appears to be a degree of consensus on the broad approach to the siting process, a number of issues emerged where there is less agreement. These included:

- The point at which local government must become involved if another local body or individual has made the first expression of interest in an area being included in the siting process.
- The exact role of local government within a siting partnership. While it was agreed that all tiers of local government must be involved in the siting partnership there was less consensus about exactly how.
- The relationship of the siting partnership to the body that disburses community investment. In general the view appears to be that the two functions could be performed by the same organisation but there would have to be a clear division of function to avoid the perception of conflict of interest
- How prescriptive the framework should be with regard to issues such as the representation of different groups on the siting partnership or the method used for the final test of public support. In general the group appears to prefer a 'checklist' type approach that sets out expectations of e.g. representation but leaves a degree of flexibility

It was also noted that the group still hasn't come to a view on the crucial issue of how 'community' is defined. This will be explored at future meetings, drawing on the responses in the Call for Evidence.

3. Update on work on Geology

The consultation on the draft national geological screening guidance was launched on the 8th September. It identifies the geological attributes that contribute to the safety of a GDF, the sources of existing information and how the results should be expressed. In line with the White Paper, the draft Guidance was reviewed by an Independent Review Panel (IRP) to test whether it was geologically and technically sound.

A series of engagement events have been planned to support the consultation. There are 12 events in total, both technical and non-technical and held at different times of day to ensure wide accessibility. The events are being held in October and early November across England and Northern Ireland. Though no events are planned for Wales it is hoped that the events scheduled for Bristol and Manchester will be accessible to those in south and north Wales. More information on the events is to be found here⁶.

NuLeAF members and other local authorities will be able to discuss the geological aspects of the GDF in the afternoon session of this Steering Group meeting.

4. Update on work on Land Use Planning

The Geological Disposal Facility is characterised as a 'Nationally Significant Infrastructure Project (NSIP)' under the Planning Act 2008. Work is proceeding on the required **National Policy Statement (NPS)** and accompanying **Appraisal of Sustainability**.

The NPS will guide the Secretary of State, Planning Inspectorate and developers in the consideration of any applications for the development of a GDF. Their consideration must draw on extensive consultation with local authorities, communities and other interested parties. The NPS will in this case be non-site specific and focussed on high level assessment principles against which applications for either the GDF itself or exploratory boreholes could be assessed.

The scoping reports for the **Appraisal of Sustainability (AoS)** and the **Habitats Regulation Assessment (HRA)** were published on the 4th August⁷ with a deadline for submission of the 25th September. NuLeAF responded to this consultation⁸.

NuLeAF's Executive Director attended a workshop on the AoS and HRA for statutory and key non-statutory stakeholders, held in London on the 25th August. Also present was the lead consultant for this work, and representatives of the NDA, RWM and Natural England.

The meeting involved an overview of the plans for the GDF and an update on progress with the NPS, followed by an initial discussion on the consultation on the AoS and HRA. Key points made were:

National Policy Statement

- The NPS covers the GDF and the deep boreholes. Earlier exploratory work including more shallow boreholes is not covered by the NPS and will fall within the control of local authorities
- It covers England only – the Welsh and Northern Irish administrations will manage the process through their own planning regimes

⁶ <http://www.nda.gov.uk/rwm/national-geological-screening/consultation/>

⁷ <https://www.gov.uk/government/consultations/appraisal-of-sustainability-scoping-and-habitats-regulations-assessment-methodology-reports-for-geological-disposal-national-policy-statement>

⁸ <http://www.nuleaf.org.uk/document-library/consultation-responses/consultation-responses-2015>

- The NPS will outline the policy background; set out why a GDF is required; list the assessment principles; and detail the impacts and general siting considerations.

Appraisal of Sustainability and HRA

- The AoS and HRA are intended to appraise the National Policy Statement, not the GDF.
- The AoS incorporates all the requirements of a Strategic Environmental Assessment (SEA) but extends this to include wider socio-economic issues.
- This is a technical consultation on the scoping documents – a full public consultation on the draft NPS and the AoS and HRA will take place in 2016, along with parliamentary scrutiny.
- The AoS will assess the overarching objectives of the NPS; the development principles; generic impacts and siting considerations; and reasonable alternatives.
- Reasonable alternatives will not include alternative means of managing and/or disposing of Higher Activity Waste long term as this is not the Government policy. Reasonable alternatives that will be assessed may include:
 - What would happen if there was no NPS
 - A location specific NPS that identifies candidate sites for the GDF and required boreholes (as has been done for new nuclear stations)
 - A generic NPS but one that sets exclusionary criteria e.g. 'no GDF within a national park'.

5. RWM paper on Boundary Wastes

RWM has recently published **Geological Disposal – Upstream optioneering: summary of LLW/ILW opportunities.**⁹ The aim of the work is to identify and implement opportunities for improved management of Higher Activity Waste (HAW) through looking at alternative disposal routes including decay storage to LLW (over a period of up to 300 years), near surface disposal or contamination. This paper is a high level assessment, intended to identify which waste streams offer the greatest potential for diversion and determine what studies would be required to support any revision of current plans.

The study has indicated that 247 ILW waste streams (45,000m³) could potentially be diverted from a GDF through decay storage. Of these waste streams, 88 (24,000m³) have been shortlisted as potential candidates for further evaluation. Other factors, such as the impact of any change of approach on the capacity of the LLWR, will have to be assessed before any decision is taken.

⁹ <http://www.nda.gov.uk/publication/upstream-optioneering-summary-of-llwilw-opportunities/>
Steering Group, Item 4, Update on the GDF siting process, 15 October 2015

Some other waste streams which will remain ILW even after 300 years, may also be suitable for near surface disposal in an engineered facility at a depth of around 50m rather than the 200-1,000 metre depth of a GDF.

6. GDF siting process in Wales

The Welsh Government announced in May 2015 that it had agreed to support the geological disposal of higher activity radioactive waste.

A consultation¹⁰ ran over the summer, seeking views on the processes by which a GDF might be sited in Wales, and to provide information to possible host communities who may want to enter into discussions related to the GDF. The consultation closed on the 18th August. NuLeAF's response is available on the website¹¹.

7. Scottish consultation on Higher Activity Wastes (HAW)

NuLeAF has also responded to a Scottish Government consultation on the implementation strategy for their HAW policy. The Scottish Government is committed to near surface storage and disposal of its wastes and the implementation strategy sets out what they propose to do to meet their policy objective over coming decades.

NuLeAF's response noted that the Scottish Government had not explained how they proposed to deal with much of the waste at Dounreay, which is unsuitable for near surface disposal. NuLeAF also stressed the need for proper engagement around any Scottish wastes that were to be transported to England or Wales. The response is available here¹².

¹⁰ <http://gov.wales/consultations/environmentandcountryside/geological-disposal-of-higher-activity-radioactive-waste-community-engagement-and-implementation-processes/?lang=en>

¹¹ <http://www.nuleaf.org.uk/document-library/consultation-responses/consultation-responses-2015>

¹² <http://www.nuleaf.org.uk/document-library/consultation-responses/consultation-responses-2015>