

## Case Study 14

# Planning application for the importation of ILW to Hinkley Point A for treatment and storage

July 2020

## **1: Outcome**

At the meeting of the Somerset County Council Regulation Committee held on 5<sup>th</sup> September 2019, planning permission was refused for the importation of pond skips (classified as intermediate level radioactive waste<sup>1</sup>) to Hinkley Point A from Dungeness A, Sizewell A and Oldbury sites for treatment and storage prior to disposal in a Geological Disposal Facility when it becomes available. The decision was given as:

“The Regulation Committee resolved that planning permissions SCC/3627/2019 and SCC/3628/2019 be REFUSED as the applicant has not successfully demonstrated that there is a requirement to amend the existing conditions (applications 3/32/16/018 and 3/32/17/005) that no radioactive waste shall be imported to the site from outside the Hinkley Point ‘A’ site to minimise detriment to the surrounding area.”

## **2: Background**

### **Treatment and storage site**

Hinkley Point A is one of 12 former Magnox nuclear power stations currently being decommissioned by the Nuclear Decommissioning Authority (NDA). It is one of 5 nuclear licensed sites in England and Wales which has a purpose-built facility for the interim storage of Intermediate Level Waste arising from decommissioning. An Encapsulation Plant is also under construction.

### **UK Strategy**

NDA Radioactive Waste Strategy (published 2019) states:

“As well as the long-term storage of wastes on the site of origin, consolidation of wastes from several sites to a single location may also achieve wider strategic benefits. Several examples are being implemented within the NDA estate, for example: Magnox storage consolidation options and the transfer of certain wastes from Harwell to Sellafield for treatment and/or storage. Where wastes may be consolidated between sites, appropriate stakeholder engagement will be required.”

It also states:

---

<sup>1</sup> ILW /Intermediate Level Waste – classified in CM2919 as wastes with radioactivity levels exceeding the upper boundaries for LLW but which do not require heating to be taken into account in the design of storage or disposal facilities.

“The NDA also recognises that transportation of waste is an issue of great importance to communities, and that effective stakeholder engagement is required relating to major waste transport decisions.”

The strategy for consolidation of ILW is set out in NDA Strategies 2011-16 and 2016-2021. Stakeholder engagement and consultation on credible and preferred options was carried out in 2013.

## **Regulation**

The Office for Nuclear Regulation is responsible for regulating the transportation of radioactive waste and was a statutory consultee for this application (other statutory consultees include the Environment Agency and Highways England).

## **3: Process**

In May 2019, two Section 73 planning applications were submitted by Avison Young, as agent for Magnox Ltd, to Somerset County Council to vary a condition on each of the extant planning permissions for (1) the Intermediate Level Waste Store and (2) the Encapsulation Plant at Hinkley Point A site.

The applications pertained to Condition 3 on each permission which prohibited the import of radioactive waste from outside the Hinkley Point A site. The applicant sought the conditions to be varied so that importation of waste would be permitted in order to facilitate the treatment and storage of 110 size-reduced pond skips currently situated at Oldbury, Sizewell A and Dungeness A sites. Treatment and storage at Hinkley Point A would avoid development of facilities and associated environmental detriments at those sites at considerable cost to the taxpayer. Waste is already imported to Berkeley and Bradwell sites from other decommissioning sites, following permission by the relevant waste planning authorities without conditions of community benefit, but neither has the capacity or associated infrastructure to treat and provide interim storage for the pond skips.

Magnox carried out a series of 8 drop in public engagement events, 3 before submitting the application and 5 after. Magnox also engaged with the local Site Stakeholder Group, initially in October 2017 and then holding a special meeting to discuss the proposals in May 2019. They were held in a variety of locations and were carried out voluntarily by Magnox. The County Councils Statement of Community Involvement encourages engagement by prospective applicants at the pre-application stage. Notice of the application was placed in the Bridgwater Mercury by Somerset County Council.

The Report to the Regulation Committee identified the key issues for members to consider as:

- The principle of the development;
- Traffic generation and the highway network; and
- Consideration of community benefits.

The Report recommended approval of the application, subject to further amendments to the existing conditions to address potential impacts arising from implementing the application.

Eight objections were submitted from local parish and town councils and from Somerset West & Taunton Council, and from councillors representing neighbouring electoral areas. No objections were received from the regulators – the Office for Nuclear Regulation (ONR) and the Environment Agency (EA). Representatives from The Stop Hinkley Campaign, The Bridgwater Civic Society and Bridgwater Town Council spoke against the application and the Nuclear Decommissioning Authority and Magnox’s principal consultant spoke in support. In debate, a number of issues were raised by members of the committee including:

- Waste should be dealt with at the point of origin
- The potential to set a precedent for future importation of waste, and the possibility that accepting this waste may mean there was insufficient space for waste generated on site at a future date
- More importance should be placed on the transport of the waste and risks to the public in the movement of the waste.
- Condition 3 was designed to minimise the detriment on the local environment, and the case had not been made to vary the condition.

## **4: Next steps**

It is understood that Magnox are currently considering their options which may include submitting a revised application at a future date addressing the concerns raised by the Planning Committee. A final decision has yet to be made.

## **5: Comment**

If Magnox is unsuccessful in its revised application, as waste will have to be stored for many decades prior to a Geological Disposal Facility becoming available this will pose a challenge to Magnox and ultimately the NDA’s plans for site decommissioning. A revised application will need to address community concerns and to meet expectations around transport and community benefits. The decision by the committee members to refuse the application, contrary to the officer’s recommendation, also highlights the sensitivity of proposals for the management of this form of waste.

## Information sources:

The Report to Somerset County Council Regulation Committee for the meeting held on 5<sup>th</sup> September 2019.

<https://democracy.somerset.gov.uk/documents/s12646/190823%20Committee%20Report%20HPA%204th%20draft.pdf>

Minutes of the meeting of the Somerset County Council Regulation Committee held on 5<sup>th</sup> September 2019

<https://democracy.somerset.gov.uk/documents/b3216/Minutes%20-%205th%20September%202019%2003rd-Oct-2019%2010.00%20Regulation%20Committee%20virtual%20meetings%20from%20May%20202.pdf?T=9>

Planning Statement submitted as part of the application.

<https://planning.somerset.gov.uk/Planning/Display?applicationNumber=SCC%2F3627%2F2019>