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Dear Sir/Madam,

Draft NDA Business Plan 2022-25: Consultation response from Nuleaf

1. Introduction

Nuleaf (the Nuclear Legacy Advisory Forum) is the Local Government Association (LGA) representative body on legacy wastes and decommissioning. We are directly supported by over 100 local authorities and national park authorities across England and Wales and speaks for the wider local government community. Nuleaf has a remit encompassing all aspects of the management of the UK's nuclear waste legacy. Our primary objectives are:

- to provide a mechanism to identify, where possible, a common, local government viewpoint on nuclear legacy management issues;
- to represent that viewpoint, or the range of views of its member authorities, in discussion with national bodies, including Government, the NDA and the regulators;
- to seek to influence policy and strategy for nuclear legacy management in the interests of affected communities; and
- to develop the capacity of its member authorities to engage with nuclear legacy management at a local level.

Engagement with local government is critical to the success of the NDA mission:



- Our member councils are the democratic voice of nuclear communities and significant stakeholders for NDA under the 2004 Energy Act.
- We are important partners in the delivery of the NDA's objectives. Local authorities bring a range of expertise in relation to socio-economics, climate change, planning, transportation, education and skills. Over the last year we have been active in engaging with NDA around the development and implementation of Strategy 4; Magnox optimised decommissioning; the creation of a single NDA Waste Division; plans for AGR decommissioning; and socio-economics, social value and sustainability.
- Local planning authorities fulfil a regulatory function. Through Nuleaf our members are able to provide expert advice on land use and waste planning in relation to decommissioning and the management of NDA sites including moves to next planned use.
- Local authorities have a clear and significant role in the Geological Disposal Facility (GDF) siting process. Without their support the NDA and RWM will not be able to deliver this critically important facility.
- Nuleaf is active in shaping future policy for the NDA. We sit on the UK Government's Radioactive Substances Policy Group (RSPG) and have been active in developing the proposed new UK Policy on Nuclear Decommissioning and Radioactive Substances, due for consultation in 2022.

Nuleaf is funded by NDA, RWM and our member authorities. We sit on a range of NDA Theme Overview Groups (TOGs) and other fora. Through our meetings we provide an opportunity for the NDA to engage with and discuss policy, strategy and practice with the local government community.

2. General Comments

This Business Plan has been developed at a time of change:

- Strategy 4 has been published and will guide the NDA's work over the next few years. The Strategy makes a clearer commitment to the delivery of social value, sustainability and net zero carbon than previous iterations.
- The NDA structure is undergoing a process of simplification following the ending of the PBO model, with new waste and transport divisions alongside Magnox and Sellafield.



- Magnox will take over responsibility for the decommissioning of the UK's AGR reactors after they have been defueled and will also merge with Dounreay.

In our submission to the consultation on the last Business Plan we called for a more accessible approach that focussed on the next few years, and which highlighted specific projects rather than very long-term objectives. We therefore welcome the greater explanation that is provided on the NDA's developing commitments in areas such as Net Zero Carbon. Of particular value are the sections on **Work featuring in 2022-25** and **Critical Enablers**. The chapter on **Sustainability** is also helpful, featuring a range of projects of interest to our members and covering social, economic and environmental issues.

We also offer the following comments on some cross-cutting and strategic issues:

i. The Sustainability agenda

The NDA's commitment to the workforce, communities and the environment must be sustained and supported by effective and accessible reporting.

The NDA must also be able to define clearly what terms such as Sustainability and Social Value mean in this context, and how they can be properly integrated in all areas of NDA action to maximise socio-economic and environmental gain. We request that clearer definitions of these terms be provided. We also call on the NDA to work with local authorities and other stakeholders to define a set of public-facing targets and outcomes that enable accessible reporting of progress on these issues.

We encourage engagement at the earliest opportunity with Local Government in areas hosting NDA sites to ensure that opportunities to align site level activities with local strategies are not missed. For example, in many areas local Climate Emergency strategies and associated actions plans are now in advancing and Local Nature Recovery Strategies are at early stages of development.



ii. Community Benefits

We continue to advocate the development of a comprehensive approach to Community Benefits by NDA, covering decommissioning, long term storage and waste management across the estate.

Nuclear sites have and will continue to play a key role in interim storage until Higher Activity Waste can be transferred to the final disposal site. In recognition of the burden and disturbance borne by local communities, adequate funds should be available for areas impacted by radioactive waste. We would like to see more in the final iteration of the Business Plan on this topic.

iii. Waste management

We support the NDA's strategic commitment to optimise the lifecycle of both radioactive and non-radioactive wastes and to apply the Waste Hierarchy more widely. Proper engagement with waste planning authorities will help the NDA deliver on these aspirations.

iv. Stakeholder engagement

Site licence companies (supported by the NDA) should maintain a clear narrative with the local community, in particular during this time of significant change. Stakeholders have a lot of information to consider, much of which is highly technical. Clear information, accessible literature (with project-focused webpages), and continued dialogue are needed for stakeholders to engage meaningfully and have the opportunity to influence and inform the decisions taken. We would encourage the future use of hybrid methods of engagement to allow stakeholders the option for either digital or in-person attendance according to their individual needs.

3. Funding

We are pleased to see that the Government has recognised the significance of the NDA mission in its funding award for the next three years. Government support and NDA income must provide a budget for decommissioning that, in real terms, remains stable or is further enhanced. The nuclear legacy should be dealt with in an efficient and timely manner so that safety is assured, and beneficial future uses are brought forward. Local authorities that host NDA sites will continue to act as advocates for continued Government support for the NDA Group mission.



The NDA should deliver the maximum 'added value' to communities, the local economy, and the environment. There have been some positive moves in this area, with the appointment of NDA Directors for Sustainability and Social Impact, but there is more to do. The NDA will need to embed economic, social and environmental sustainability into all its operations.

One issue we have repeatedly highlighted is that we would like to see a more detailed itemisation of expenditure, with separate figures for socio-economics, skills, R&D and knowledge management. This Business Plan is less rather than more transparent than previous Plans, with budget lines provided only for 'Critical Enablers' and 'Other Central Spend'.

There is a commitment to modest increases in both these budget lines but, given the NDA's stated ambition to make a step change in performance on Sustainability, Net Zero Carbon and Social Value, it is hard to see that this level of support will achieve the stated ends – particularly given the lack of detail provided.

It is disappointing that we consistently request that information on funding be presented in a more transparent way but that there appears to be no action taken or explanation given as to why this cannot be done. If the Business Plan is not an appropriate place for that level of detail, then we would request that NDA provides these figures to Nuleaf and other interested stakeholders.

4. Comments on NDA Group activities

NDA Corporate Centre We welcome the commitment to implement the NDA's Sustainability Strategy and embed sustainability across the NDA group by 2025. Equally important are the commitments to diversity, inclusion and making the NDA a great place to work.

It is notable how many of the Key Activities for NDA Corporate Centre require effective engagement with Nuleaf and local authorities for their delivery. These include:

- To make more use of a risk informed approach for waste management and to seek solutions that help to optimise the lifecycle of both radioactive and nonradioactive wastes. This risk-informed approach enables wider application of the Waste Hierarchy and allows us to make optimum use of our treatment, storage and disposal infrastructure 2022-2025.



- Work with group businesses to explore alternative disposal options for Higher Activity Waste
- Ensure that approaches to decommissioning and remediation reflect the changing level and nature of hazards that exist throughout the lifetime of a nuclear installation, and support businesses with developing proportionate arrangements 2022-2025.
- Review the use of Safety and Environmental Detriment scores to determine if and how they might be improved as a consistent means of expressing the level of risk to people and the environment.
- Seek to develop meaningful indicators for other factors in the Value Framework as an input to decision-making 2022-2025.
- Work with government, regulators and local communities to ensure that remediation of our sites is safe, sustainable and publicly acceptable, and enables their beneficial reuse as early as possible 2022-2025.
- Facilitate beneficial reuse of wastes generated from demolition activities and land remediation to restore sites where it represents the most sustainable solution 2022-2025.
- Engage with UK government and local government to better understand what they need from NDA land and develop our understanding of the controls required to reuse our sites safely where residual contamination is being managed.
- Continue working with regulators and government to determine institutional controls appropriate to restoration of nuclear sites will remain.
- To ensure that our mission outcomes and the journey to deliver them are sustainable 2022-2025.
- Having established our group carbon footprint, group carbon policy and a roadmap to net zero by 2050, we will develop and implement carbon reductions through carbon management plans at each operating company 2022-2025.
- We will deliver a natural capital baseline assessment of our NDA owned land and develop a plan to improve the environmental value of this land where this aligns with other strategic land use opportunities 2022-2025.
- To support the maintenance of sustainable local economies for communities living near NDA sites and, where possible, contribute to regional economic growth.
- To build a better understanding of our mission among the public and our stakeholders and maintain their support, confidence and trust.
- To ensure the effective, safe and secure transportation of materials to enable the successful delivery of the NDA mission.

Local authorities can be key enablers and partners across these work areas. Engagement with local government should therefore be integrated into all NDA workplans for these activities.

Sellafield Ltd We welcome the progress that is being made in addressing the high hazard facilities and note the planned ending of reprocessing in 2022.



The Business Plan notes that Sellafield will receive all spent fuels from the UK's Advanced Gas Cooled Reactors (AGRs) and that this will constitute a revenue stream for the NDA. The role of Sellafield in managing spent fuel and future decommissioning wastes from the AGR fleet is significant. We therefore believe that engagement on the strategy for the management of AGR wastes should involve the West Cumbrian community as well as those communities that host the AGR stations.

Magnox Ltd The business plan identifies key activities for Magnox over the three-year business plan period and confirms the NDA endorsement of a site specific-approach to Magnox reactor decommissioning as set out in Strategy 4. Whilst the previous business plan committed to the development of site-specific strategies over the next 12-18 months, this business plan has not set out a timeframe for these strategies to be published other than 'when appropriate governance and stakeholder engagement is complete'. Clarity on the decommissioning strategy and associated timelines will be essential to inform new local authority plans and strategies. There is a need for certainty about future plans and timescales so that councils are able to consider the implications of this in their own forward plans.

As the NDA has recognised, Local Planning Authorities (LPAs) are a regulator of sites and many of the Key Activities will require full engagement with planning officers and Elected Members. Nuleaf continues to advocate that a Masterplanning or 'planning framework' approach be developed to enable a joined up and integrated approach. At the appropriate time we would like to see NDA/Magnox take forward this agenda across its sites, working with LPAs and other regulators.

Finally, the agreement reached on the decommissioning of the AGR stations has significant implications for Magnox and the wider NDA Group. Important issues for our members include the need to develop integrated working where an A and B site are being decommissioned in the same location; co-ordination with planned new nuclear development; and the development of effective engagement with the local authority and community around sites such as Heysham and Hartlepool that are not currently part of the NDA estate.

LLWR Ltd We note the move of LLWR into Nuclear Waste Services (NWS). It is important to recognise the impact on communities of the management and disposal of all materials arising from the NDA mission. The move to NWS must



build on and further enhances the positive engagement work that LLWR has undertaken with the local community, Planning Authorities and Nuleaf.

Radioactive Waste Management (RWM) Ltd As the section on RWM notes, engagement with local communities and local authorities is a Critical Enabler for the delivery of a GDF.

Nuleaf has been working closely with RWM to build awareness of the GDF siting process and advise them on the best means of working with local authorities. We are pleased to see the formation of Community Partnerships in Copeland and Allerdale and the establishment of a Working Group in Lincolnshire. We will continue to work closely with our local authority members across these three areas, and others if they join.

We believe Nuleaf has an important role to play in supporting the GDF siting process as it moves forward, as an independent body working to advise all local authorities on an equal basis. Our strong international links offer us the potential to help facilitate engagement between local authorities involved in the siting process here and elsewhere in Europe.

I hope these comments are helpful.

Yours faithfully,

Philip Matthews
Executive Director