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Dear Sir or Madam,

Draft NDA Business Plan 2021-24 consultation response

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 speak 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, NDA Group and 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.

Local government is critical to the success of the NDA mission:

- Local planning authorities perform a regulatory function. The decommissioning and remediation of NDA sites will only succeed if it is based



on proper engagement with local government on land use and waste planning.

- 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.
- Councils are the democratic voice of communities and important stakeholders for NDA as required under the 2004 Energy Act.
- Local authorities bring a range of other expertise in relation to economic development, planning, sustainability/carbon management, transportation, education and skills.

Nuleaf has been active over the last year in helping shape NDA Strategy through our membership the NDA's Strategy 4 Development Group (S4DG) and three of the Theme Overview Groups (TOGs). Our Steering Group and Radioactive Waste Planners Group (RWPG) offer a forum for NDA, RWM, Magnox and LLWR to engage with local government. Our response to this draft consultation has been informed by our members.

2. General Comments

We recognise that the Business Plan is a high-level document rather than a detailed delivery plan. Therefore, we have limited our comments to the strategic level operation of the NDA and the implications this may have for legacy sites and communities.

We note that NDA Strategy 2021-26 (Strategy 4) has yet to be approved and that BEIS has not yet consulted on its review of Nuclear Decommissioning and Radioactive Substances Policy. Given this, it would be helpful if an explanation was given on how any substantive changes to Strategy 4/UK Policy could be addressed in this Business Plan given the intention to publish in March. For example, would a further consultation be required.

As the Plan recognises, 2020/21 has been dominated by the Covid-19 pandemic, presenting huge challenges for the NDA and nuclear communities. This Business Plan has also been developed at a time of significant change within NDA, with further movement towards a more integrated organisation through alterations to the operating model for LLWR and Dounreay, the promotion of Integrated Waste Management and the coming together of the organisation's transport businesses.



This change of structure presents an opportunity to enhance the way in which NDA engages with local authorities and communities both nationally and at a site level. We therefore expect further moves to build engagement, consultation and partnership working across all parts of the NDA Group. Our members would also like to see better collaborative working at a site level between Magnox, EDF and new nuclear developers. More comment on this issue would be appreciated. We would also like to see some reflections on how the move online, driven by the restrictions of COVID-19, has helped or hindered engagement processes, and whether it has signposted ways in which engagement could be improved in future.

As reprocessing comes to an end, the NDA is now primarily a waste management and environmental remediation organisation. This should lead to a greater emphasis being placed on the Group's economic, social and environmental impacts and to the delivery of greater 'added value' from NDA operations. The commitment to action around socio-economics, social value, climate change and mental health is therefore welcome.

Finally, we are surprised that the Business Plan makes only limited mention of the NDA's ongoing work on alternative options for HAW management. This is an area of interest to local authorities and communities and some more explanation on how this will be taken forward would be appreciated.

3. Funding

The financial and funding information provided in the draft Business Plan is less than in previous years and very limited in scope. Only a total for 'non-site expenditure' is given with no information on the sums allocated to socio-economics, skills, R&D and knowledge management.

It is difficult to evaluate the NDA's stated commitment to enhanced socio-economic support without being able to understand the funding provision and how this compares with previous years. This should be addressed in the final Plan. 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.

At a broader level, we would also like to see a clear statement regarding the anticipated impact (if any) of COVID-19 on the NDA's financial settlement. The pandemic has impacted greatly on public finances and the health of the economy. We very much hope that despite this the NDA is awarded funding that enables the maintenance of its mission at the desired scale and pace.



4. Strategic Themes and Highlights

We offer the following comments:

Wider context for NDA operations

Local authorities and communities are very interested in the expected decision by Government on what role, if any, the NDA will take in the decommissioning of the EDF fleet. The approach adopted must lead to joined up and integrated working across all decommissioning sites. The funding made available must be adequate for the purpose.

The recent Energy White Paper has provided support for the potential development of new nuclear reactors, including Small Modular Reactors (SMRs) and a fusion generation facility. These developments have implications for NDA sites and for host local authorities. More information on these and other new energy technologies would be welcome.

Nuclear Materials, Spent Fuel and Waste Management

With the GDF siting process now formally underway, communities are likely to seek more information on the inventory for disposal, and in particular will want to understand when decisions are likely to be made regarding the possible classification of Plutonium, Uranics and Spent Fuel as waste. Further information on the timeframe for such decisions would be helpful.

Many Nuleaf members are supportive of moves by the NDA towards Integrated Waste Management (IWM), although some have expressed concerns that it could increase the dilution and dispersal of radioactive waste. We believe that changes in management and disposal routes must be informed by local government and community engagement.

Care must also be taken to maintain the distinct identity of the GDF siting process, and to ensure that the positive approach to engagement that has been adopted by LLWR is not lost as its relationship with the rest of NDA changes.

Site Decommissioning and Remediation

We support the commitment to work with regulators and local communities on the remediation of sites and to engage with local government on institutional controls.



We believe that more should be done to develop a proper framework for local action on site remediation. This should include the development of a Master-planning approach, as is being successfully taken forward at Winfrith. It also requires more active national engagement between NDA/Magnox and local planning authorities. Nuleaf is in discussion with NDA on the potential for this.

Socio-economics and People

Publication in 2020 of the NDA's first socio-economic strategy was welcome, as are commitments in the Business Plan on social value.

More work is required in 2021, first to support communities in recovering from the impacts of Covid-19 and then to develop a longer-term economic vision. To deliver this, we propose that a working group is established involving Nuleaf members and the NDA to take forward plans for socio-economics, sustainability, social value and the people and skills agenda.

5. NDA Group Key Activities

Sellafield Ltd The ending of reprocessing in 2021 gives Sellafield a clearer focus on decommissioning. Making progress in dealing with the High Hazard Facilities is the greatest priority on site, and so the commitment to begin retrievals from the Pile Fuel Cladding Silo and the Magnox Silos is to be supported.

Under Critical Enablers, a number of commitments have been made to take forward the Sellafield Transformation and to support SMEs and the Industrial Strategy. Delivering the Transformation effectively will promote some of the technological and social developments required to ensure extraction of economic value from Sellafield for the taxpayer will occur. It is incumbent upon the NDA to work with local authorities and other stakeholders to ensure that Sellafield, through the Transformation, can develop technology, techniques and approaches that could achieve the site's mission quicker and cheaper, while creating a resilient local economy.

There is also ample scope for taking forward the Nuclear Sector Deal in West Cumbria, building on the decommissioning expertise in the area. Local government can play an important role in supporting this.

Magnox Ltd The development of a site-specific approach to the decommissioning of the Magnox reactors will have significant implications for local authorities and host communities. There should be full engagement with them over the next 12-18



months as the site-specific strategies are developed, before decisions have been taken and plans are finalised. To be effective, the NDA/Magnox will have to ensure their plans are informed by local authority aspirations for their area and are aligned with Councils' own forward plans for land use/waste planning, economic development and skills. Further information on how NDA/Magnox proposes to develop individual site plans would be appreciated.

Under the Critical Enablers theme, the commitment to work with Government to prepare for the decommissioning of the AGR fleet is to be supported. If, as anticipated, the NDA takes responsibility for the decommissioning of the EDF stations, we wish to see early and effective engagement with local authorities and communities hosting these stations to develop site specific strategies. Regardless of what arrangement is made for the clean-up of the EDF sites, there must be a co-ordinated approach to the work underway at A and B sites where these are co-located, to minimise disruption and support local economies. This should include consideration of whether 'accelerated decommissioning' of some EDF stations is appropriate and helps meet wider objectives.

We back the commitment to develop workforce capability and skills for decommissioning. In line with the Public Account Committee's recent recommendation we would welcome a detailed plan for how the NDA/Magnox plans to meet the demand for skills across the UK nuclear industry over the next 5–10 years. Local authorities, FE Colleges and other education and skills providers have an important role to play in supporting delivery, and effective engagement with them will benefit NDA/Magnox as well as communities.

We note that reference is made to further consolidation of ILW in interim stores. As has been shown at Hinkley Point A, this can be a contentious issue. The delivery of the NDA/Magnox approach requires that the concerns of communities are listened to and addressed. We believe that one element of this should be the provision of community benefits payments for consolidated waste stores. Such a system already operates in Spain.

We have consistently highlighted the need for clear and up to date Lifetime Plans for the Magnox sites. While summaries have now been produced, more detailed information, suitable for use by land use planning officers, is required beyond 2022. We suggest that the Business Plan should set a deadline for the production of Lifetime Plans.

We further suggest that the Business Plan should include a more explicit requirement to examine the potential for beneficial interim uses on parts of NDA sites during a Care and Maintenance phase. These could not only provide income during this phase to the NDA, but also potentially provide job and business opportunities for



local people and businesses, bringing benefits to the local community while protecting the long term needs for land for reactor decommissioning.

Finally, we note that the Key Activities for the Winfrith site include 'Preparatory works for the removal of the discharge pipelines'. The host local authority was not aware that a final decision has been made that the pipelines were to be removed as opposed to being left in-situ and is not clear as to whether this refers to the removal of the marine and intertidal sections. If this is the case this should be clarified to avoid confusion. Additionally, the section on Winfrith makes no reference to any intention to dispose of radioactive waste on site. We suggest that the Plan should make a clear statement in relation to this.

LLWR Ltd In line with the Radioactive Waste Strategy, there are likely to be further changes to the material managed at the LLWR site and disposed of via other routes. Some of these potential changes may cause concern to the communities around the LLWR site and other facilities. All such decisions must be based on proper discussion as to what is acceptable and driven by a clear community and environmental benefit.

Radioactive Waste Management (RWM) Ltd The recent establishment of the first GDF Working Groups marks a significant step forward in the siting process. Nuleaf will continue to work closely with RWM and BEIS to represent the interests of local government, given their central importance to the delivery of a repository.

The Business Plan does not provide any information on the anticipated timeline for the progress of the Siting Process beyond 2024. In particular, there is no indication of the assumed date at which a GDF will begin to accept waste. Information on this would be welcome, providing some clarity to the communities that currently host HAW stores.

NDA Properties Ltd We support the commitments to dispose/release surplus assets and to promote the principles of environmental stewardship and net zero carbon across the estate. We would like to see enhanced partnership working with local authorities on the interim release of land for socio-economic and environmental projects where that is possible. The NDA should also engage with councils to align its planned action on carbon and sustainability with local authorities plans.

Yours faithfully,

Philip Matthews
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