

Note of the meeting held online on 30th March 2023 with the Department of Energy Security and Net Zero (DESNZ) on the review of UK radioactive waste management and decommissioning policy.

The attendance list is published as Annex A.

The consultation documents can be found at <https://www.gov.uk/government/consultations/managing-radioactive-substances-and-nuclear-decommissioning>

1. Welcome and introductions

1.1 PM welcomed everyone to the meeting. He thanked DESNZ for agreeing to speak and also welcomed NDA colleagues. The meeting was then handed to Thomas Rookes (DESNZ).

2. Presentation by the Department of Energy Security and Net Zero on the review of UK radioactive waste management and decommissioning policy.

Key points from the presentation were:

2.1 The reasons for updating the policy include:

- Command Paper 2919 is now 28 years old
- Devolution has taken place in Wales, Scotland and Northern Ireland
- The NDA was formed in 2005
- ONR was formed in 2011
- The upcoming decommissioning of the AGR stations
- The current fragmented policy landscape

2.1.1 The review will update and consolidate policy, giving a single point of reference and set out government expectations. It will provide clear guidance to operators and decommissioners. Safety, environmental and security standards will remain unchanged.

2.2 The policy under consultation is in draft form only. It was developed in consultation with NDA, the regulators and the devolved administrations. Policy proposals include:

- **Adopting a risk informed approach** to the management of solid radioactive waste, moving away from the current approach of management on radioactive waste classification alone. A risk informed approach will be more proportionate and encourage more appropriate management. High standards of protection for people and environment will be maintained.
- **Near Surface Disposal (NSD):** not all intermediate level waste needs to go to a Geological Disposal Facility (GDF). Where safe to do so less hazardous ILW can go to an NSD facility (NSDF). NSD is not appropriate for all categories of waste and a GDF remains requirement. However, it could provide a cost-effective solution for a proportion of the inventory for GDF and could speed up decommissioning of sites and release land for beneficial reuse. Storage requirements would also be reduced. An NSDF could either take the form of near surface vaults (like at LLWR or Dounreay) or be based on silos located 10s metres below ground. The location of the facility depends on the nature of the waste disposed. Both a GDF and an NSDF are engineered to provide protection to the environment and population. Because an NSDF is a significantly smaller project than a GDF and there is no need to identify the geology of the site, the application will be handled under the Town and Country Planning Act (TCPA), as was the current Low Level Waste Repository (LLWR). It will be built on land owned by NDA in England and Wales. The proposed siting policy requires an open and transparent approach and will need to meet local planning requirements. Before selecting the site, NDA would engage with the local community. The disposal area will be in the order of 100m².
- **On-site disposal:** the policy encourages planners to take on-site disposal as material consideration when considering planning applications. A Bill is currently in the House of Lords which will allow ONR to release a site from its nuclear site license earlier than currently is the case. Once a site is delicensed it will be regulated by the appropriate environment agency and HSE. The benefits of leaving the lightly contaminated waste on site include reducing the transportation of waste, avoiding the creation of radioactive dust (hazard), and the emissions created by transporting the waste from site. It also reduces the need to import material to fill voids or carry out landscaping on the site. Some waste could be left in-situ, or it could be used for a purpose e.g. void filling or the construction of road foundations. Those examples would likely require planning permission and all will require an environmental permit. Any material used for this purpose must be chemically and physically suitable for the proposed use. The permit would only apply to part of site where the disposal is made and would remain until the site met the requirement for release from the permitting conditions. The rest of site would be released from regulations.
- To make explicit in policy that the **waste hierarchy** should be applied to all solid radioactive waste. The application of the waste hierarchy to Low Level

Waste (LLW) has provided significant benefits and the aim is to replicate that across full inventory of solid waste.

- **Decommissioning policy** will be updated to re-enforce that any new nuclear site needs to be designed with decommissioning in mind. Greater emphasis will be placed on R&D and drawing on non-nuclear and international experience.
- **Updated Spent Fuel policy:** Spent Fuel policies will be consolidated and updated to reflect recent developments. This will provide greater clarity to the owners of spent nuclear fuel on appropriate management.
- **Uranium policy:** flexibility will be maintained due to diverse range of materials held in UK.

2.3 Benefits derived from updating the policy include:

- Greater innovation and earlier decommissioning of existing sites.
- It is calculated that the changes to policy will lead to savings of £1Bn over the next twenty years.
- Consolidation of the various existing policies will assist regulators, delivery body and the nuclear industry by providing policies in a single document.
- The change to a risk-based approach to the management of solid radioactive waste will provide efficiencies and savings.
- The policy was developed with the devolved administrations and will reflect where there is alignment, and where there is divergence.

3. Q&A

3.1 *Q: You referred to between 4,000 – 10,000m² of demolition waste, was that per site or for the whole of the NDA estate?*

A: The figures relate to a typical Magnox site and may be higher for Sellafield or Dounreay.

3.2 *Q: What was the reasoning behind the decision to take the application for a Near Surface Disposal (NSD) facility through the Town and County Planning Act (T&CPA), rather than treat it as a Nationally Significant Infrastructure Project (NSIP)?*

A: The complexity of an NSD facility is significantly less than that of a GDF. It also reflects that existing NSD facilities, i.e. LLWR and the facility at Dounreay, were dealt with under the T&CPA.

3.3 *Q: The consultation document contains a reference to seeking a replacement for the Low-Level Waste Repository at some point, could you please provide further information on this?*

A: NDA strategy is to effectively apply the waste hierarchy and to minimise waste volume. The reference in the consultation documents could relate to future nuclear programmes. NDA works hard to divert material away from LLWR to preserve

capacity, which coupled with on-site and in-situ disposal, aim to preserve thus preserving the capacity of LLWR, the closure date for which is 2125.

3.4 Q: Are there any proposed changes around the incineration of waste?

A: No, incineration is a matter of NDA strategy rather than government policy.

3.5 Q: The siting process for a GDF is based around finding a site with suitable geology and a community willing to host the site. With the decision to use the T&CPA for an NSD facility, control mostly resides with the developer. How will community concerns be addressed?

A: The proposals within the consultation document set out the framework for providing an NSD facility. No site is proposed, and regulation of the site would be subsequent to establishment of the policy. NDA would need to engage with the local community as part of its delivery process, which would be done through existing local engagement routes such as Site Stakeholder Groups (SSGs).

3.6 Q: Could you please clarify that an NSD facility will only be constructed on NDA owned land?

A: That is correct.

3.7 Q: Following on from the above question, is it possible that NDA may seek to construct the NSD facility on NDA owned land which is currently not designated a nuclear licensed site? If this is not likely, then that should be explained in the policy document to provide assurance to local communities.

A: Thank you for raising this point, we will take it away and consider it further.

3.8 Q: Although the figure of £0.3Bn - £0.45Bn savings from the creation of an NSD facility are significant in their own right, they are not in terms of the construction of a GDF. Are they sufficiently significant to justify construction of the NSD?

A: Costs are part of the discussion, but there are also operational benefits from the construction of an NSD facility, which will permit, in some instances, earlier decommissioning of sites and the release of land for alternative uses. A business case will be prepared and submitted to government before approval for construction is given, which will include justifying the costs and savings involved.

3.9 Q: There is a disconnect within government between radioactive and non-radioactive waste management, and there is very little reference to non-radioactive waste within the draft policy. Are you able to use this opportunity to link these two aspects?

A: NDA are doing a lot of work on non-radioactive waste strategies. We will consider further whether there is more we can do to align radioactive and non-radioactive policies.

3.10 *Q: With regard to on-site disposal, does this refer to only underground structures or does it also encompass surface buildings?*

A: It refers to sub-structures being left in place, but waste from the decommissioning of standing buildings may be used on the site e.g. void infill. At present NDA strategy is not to leave buildings in place.

Comment: The discussion with communities on site end states happened some years ago. Given the proposed change in policy these should be refreshed.

3.11 *Q: Could you please clarify how the development of an NSD facility would benefit the clean-up process for high hazard sites, such as Sellafield?*

A: Disposal of a proportion of the ILW inventory to an NSD facility will reduce the requirement for interim stores pending disposal of that waste to the GDF.

3.12 PM thanked the Department of Energy Security and Net Zero, and the NDA, for engaging with Nuleaf. Members are encouraged to submit their own responses to the consultation.

Annex A: Attendance list

Cllr David Godfrey	Folkestone & Hythe District Council
Jonathan Cook	Copeland Borough Council
Steve Smith	Copeland Borough Council
Rachel Whaley	Cumbria County Council
Bethany Rance	East Suffolk Council
Terry Burns	Essex County Council
Linda Townsend	Gloucestershire County Council
Richard Outram	Manchester City Council
Louise Martin	Somerset County Council
Philip Matthews	Nuleaf (Chair)
Catherine Draper	Nuleaf

Speakers

Tom Rooke	Department of Energy Security & Net Zero
Penny Dunbabin	Department of Energy Security & Net Zero
Adam Draude	Department of Energy Security & Net Zero
Adam Sharman	Department of Energy Security & Net Zero
James McKinney	Nuclear Decommissioning Authority
Laura Hogg	Nuclear Decommissioning Authority
Juliet Long	Nuclear Decommissioning Authority
John McNamara	Nuclear Decommissioning Authority
Ellie Simpson	Nuclear Waste Services
James Gibbs	Welsh Government