

E-BULLETIN

May 2009,
Issue 14



Welcome to Issue 14 of the e-bulletin. This reports on the outcome of the meeting of the NuLeAF Steering Group (SG) on 28 April and contains news about:

- developing strategies for managing Low Level Wastes (LLW)
- a new NuLeAF Policy Statement on taking account of public and stakeholder views in decisions about managing radioactive wastes
- a briefing paper on community funds associated with facilities for managing radioactive wastes
- the NDA's 'value framework' for informing its key decisions
- the siting process for a geological disposal facility (GDF)
- radioactive waste management and new nuclear build
- payments for 09/10 and updating contacts and
- dates for the diary, including the next meeting of the SG on 15 July.

Developing Strategies for Managing LLW

Consultation on the NDA's proposed strategy for managing LLW is anticipated to start by the end of May. As a result of representations from NuLeAF and Cumbria County Council, there is likely to be less emphasis than first thought on encouraging private companies to offer the use of facilities away from existing nuclear sites, particularly disposal to landfill. The emphasis now is likely to be on the need for local assessments to identify preferred options, which could include the use or development of facilities on or away from existing nuclear sites. NuLeAF's preferred approach is that NDA should encourage Site Licensee Companies to examine the potential for facilities on or adjacent to their sites, before considering other sites (including landfill).

The draft strategy was the subject of further discussion at the NuLeAF seminars on 7, 12 and 14 May. Following preparation of a report summarising the outputs of the seminars, the NuLeAF SG will consider a draft consultation response at its meeting in Oxford on 15 July. NuLeAF is also preparing a report for the LGA Environment Board meeting on 29 June.

It is understood that Government led consultation on a draft strategy for managing LLW from the non-nuclear industries will start in the autumn.

Taking Account of Public and Stakeholder Views in Decisions about Managing Radioactive Wastes

Over the coming year potentially contentious siting issues are likely to come to the fore, particularly for Low Level Waste (LLW) treatment and disposal facilities. The SG has therefore agreed a Policy Statement about how public and stakeholder views should be

taken into account in decision-making processes that will impact on the siting or use of such facilities. This Statement is available at [Policy Statement 6](#).

The Policy Statement considers:

- the different levels and types of decision processes
- the nature of the decision processes and the role of public and stakeholder confidence or acceptability
- how to address public and stakeholder confidence or acceptability in decision making.

The Steering Group also agreed to:

1. encourage the NDA to take account of the Statement in developing its strategy for public and stakeholder engagement;
2. encourage the NDA to follow the steps outlined in the Statement when reaching decisions about its LLW strategy, and to make explicit judgements about public acceptability in reaching those decisions;
3. encourage the NDA to require nuclear site operators to undertake community engagement to inform their decisions about the development or use of on-site or off-site facilities for managing or disposing of LLW;
4. ask the Environment Agency to clarify how it will reach judgements about whether a disposal to a near-surface disposal facility will be made in a way that inspires public confidence, and what role such judgements will play in decisions about authorisations; and
5. ask the Government to encourage the use of the steps in the Statement across all nuclear-related consultations and stakeholder engagement programmes to ensure effectiveness and consistency.

Approach to Community Funds

NuLeAF has taken a number of initiatives to promote the provision of Community Funds in association with the siting of radioactive waste management facilities. These include publication of Briefing Paper 14 (March 08) to inform discussion about the potential development of a national framework, meetings with NDA and Government to explore the possibility of establishing such a framework, and preparation of a paper for further discussion with Government.

The latter paper¹ proposed a way forward based on two parallel approaches to the provision of Community Funds:

- The first using the existing practice of Community Fund provision through the use of Section 106 agreements ('planning obligations'). Such agreements should be applicable to any development where there is a need to mitigate local impacts or meet local needs arising from the development.
- The second involving a proposed 'strategic' approach to provision of Community Funds, applicable only where a new radioactive waste management facility is developed specifically to provide a multi-site and/or multi-customer service on a regional or

¹ The paper did not cover community packages linked to the development of a geological disposal facility for higher activity wastes. These are being addressed as part of the Government's Managing Radioactive Wastes Safely programme.

national basis. In this case, it was proposed that provision of a fund would not be dependent on, or constrained by, an S106 agreement. Instead, it would rely on a combination of the NDA's power to make socio-economic grants and a local authority's Well-Being Power (WBP), which would allow it to manage and utilise any Fund that is set up.

As a result of further discussion with officials, it is clear that Government will not adopt a strategic approach to Community Funds to encourage provision of facilities offering a multi-site and/or multi-customer service on a regional or national basis². Its view is that the question of fund provision should be considered on a case by case basis as a normal part of the planning process. Such an approach would be consistent with well documented national and local policy approaches to the use of planning obligations for non-radioactive waste developments, and the approaches taken to the Copeland and Dounreay Community Funds.

In the light of this, the SG endorsed the publication of a Briefing Paper on the use of planning obligations in association with the siting of radioactive waste management facilities. The Paper is available at [Briefing Paper 16](#) and covers:

- the basic principles of planning obligations
- the extent of use of planning obligations
- local authority policies and approaches to planning obligations
- use of S106 with regard to developments for radioactive waste management
- potential impact of the Community Infrastructure Levy

The NDA's 'Value Framework'

The NDA views the 'value framework' (VF) as a 'toolkit' for assessing the value and impact of different strategies, funding scenarios and options. The outputs from using the VF are then used to inform wider decision making processes within the NDA.

The framework consists of a set of attributes that represent key aspects of the NDA's mission, which have been sub-divided into individual measures with national valuations. The attributes in the VF are: hazard reduction, environment, safety, security, socio-economics, cost and income.

Valuation is carried out at a level appropriate to the maturity of the option being considered and its stage in the decision process. For initial high level option development, and decisions on whether to fund further development, the VF is used in a qualitative manner. As options are matured the VF is used in a more quantitative manner, based on values for individual measures.

The VF is also used in 'bottom up' and 'top down' ways. The former approach is used in option assessments and development of business cases, and the latter to show the impact of particular decisions eg around affordability and funding. The VF is currently being used in assessment of: ILW mini-stores, on site disposal of LLW and national LLW strategy.

The NDA's aspiration is to develop a consistent approach to "measuring value" that is broadly acceptable to stakeholders and allows decisions to be made on a national basis. At the current time, however, insufficient information has been made publicly available to

² With the possible exception of the Geological Disposal Facility.

allow stakeholders to judge whether the VF approach is acceptable and provides a robust input to decision-making.

The SG therefore agreed to write to the NDA to request that it consider ways of increasing stakeholder understanding of, and confidence in, the Value Framework, for example, through commissioning and publishing an independent review of its development and use.

Developments in the Siting Process for the Geological Disposal Facility (GDF)

The following developments have taken place since the February issue of the e-bulletin:

- West Cumbria MRWS Partnership: Allerdale BC has recently joined the group, which was initially established by Copeland Borough Council. Cumbria County Council is interested to explore how it could be developed to support the work of all three local authorities. The partnership's primary role is to advise the relevant local authorities about whether to take formal decisions to participate in the siting process for a GDF. To do this, it will work with the British Geological Survey (BGS), who will carry out an initial desk-based study to identify any areas within West Cumbria that are obviously unsuitable. It will also develop a programme of community engagement about possible participation in the siting process. A meeting on 17 March heard presentations from BGS on the initial screening process and from the NuLeAF Executive Director on public and stakeholder engagement (PSE). It also discussed local experiences of PSE (eg what works well). The reports from partnership meetings can be found at [Partnership Reports](#). The next meeting is on 14 May and will be attended by the SG's Vice Chair.
- Decision-Making Structures: parallel discussions have been taking place between Allerdale BC, Copeland BC and Cumbria CC to seek to identify decision-making structures and processes acceptable to all three authorities.
- A liaison meeting between NuLeAF, Government and NDA took place on 23 February to review developments, including the Government's communication plan, progress with the West Cumbria MRWS Partnership, and decision-making in two tier areas. The Government's communication plan includes writing to local authority CEOs with an update following the elections in June, and organising a stall at the LGA conference in late June. The next liaison meeting is on 27 May.
- 'Radioactive Waste, What Next?' was published in *Firstonline* on 18 March ([Radioactive waste – what next?](#)). This provides an update on developments.
- Guidance on Requirements for Authorisation – Geological Disposal Facilities: the guidance was published by the environment agencies in February. It explains the requirements that the developer or operator will have to fulfil and the regulatory process that will lead to a decision on whether to authorise disposal. The guidance also describes the environmental safety case that the agencies would expect from the developer/operator.

Members of CoRWM attended the afternoon session of the SG meeting on 28 April to discuss their draft report to Government on geological disposal. Following the meeting, key points have been summarised in a formal response to CoRWM. This can be found on the NuLeAF website at [Response to CoRWM](#).

Radioactive Waste Management and New Nuclear Build

One of NuLeAF's strategic objectives is to seek to ensure that proposals for radioactive waste management and decommissioning of new nuclear power stations do not prejudice effective management of the nuclear legacy. To this end, the Secretariat is liaising with the new officer group on new build convened by the LGA.

Payments for 2009/10 and Member Authority Contacts

Financial contributions for 2009/10 are now due from member authorities. Invoices will be sent to current contributing authorities, and a letter requesting contributions will be sent to new unitary authorities, and corresponding member county councils after the June elections.

All member authorities are also asked to ensure that NuLeAF is kept informed of any changes to officer or councillor contacts. It is important that these are kept up-to-date, so that the right people receive e-bulletins, invitations to NuLeAF meetings and other information.

NuLeAF Meetings

Member authorities are encouraged to send representatives to the next meeting of the SG, which is on 15 July in Oxfordshire County Hall. In addition to the business meeting between 11.00 and 1.00, the SG will receive a presentation from Energy Solutions on potential regional approaches to nuclear legacy management, including the scope for consolidation of ILW storage at a smaller number of sites. This issue is particularly relevant to local authorities at Southern Magnox sites and former UKAEA sites.

The next meeting of the LLW Officer Working Group is on 9 June at the London School of Economics. In addition to updates from different areas, the main items on the agenda will be the output from the NuLeAF seminars and the key points to make in response to consultation on the NDA's proposed LLW strategy.

Member authorities that wish to be represented at any of these meetings should contact the secretariat.

Contacting NuLeAF

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