

## Blackwater Against New Nuclear Group (BANNG)

Question	Response
<b>Letter</b>	<p>GEOLOGICAL DISPOSAL OF RADIOACTIVE WASTE IN WEST CUMBRIA?</p> <p>RESPONSE OF THE BLACKWATER AGAINST NEW NUCLEAR GROUP (BANNG)</p> <p>Introduction</p> <p>The Blackwater Against New Nuclear Group (BANNG) is a Citizens Based Organisation primarily concerned about the potential development of new nuclear reactors and associated waste stores at eight sites identified as potentially suitable in the National Policy Statement for Nuclear Energy. BANNG is interested in the long- term management of nuclear wastes and especially of the spent fuel from new nuclear reactors; hence it has a particular concern with the MRWS process under development in West Cumbria. BANNG is interested both in the proposed method of long-term management and in the process of site identification and assessment. BANNG has sought to raise public awareness and knowledge about the implications of new reactors and waste stores should there be future development of the Bradwell site in Essex. The group has held public meetings, demonstrations and gathered 10,000 signatures for a petition presented in person to the Minister for Energy.</p> <p>During its four years of existence BANNG has built up a portfolio of 14 detailed papers responding to consultations on various aspects of nuclear policy. These documents are based on knowledge, experience and research and draw on BANNG's expertise in the area of radioactive waste management policy. A number of these papers are concerned with waste management issues, particularly the problems of long-term storage of spent fuel at coastal locations vulnerable to sea level change and coastal processes in the absence of firm or credible plans for its management.</p> <p>Two of our documents have a particular bearing on the current MRWS process in West Cumbria. One is the response to the consultation on Managing Radioactive Waste Safely: Desk-based Identification and Assessment of Potential Candidate Sites for Geological Disposal (BANNG, 2011a). We have drawn extensively on this in this present response on West Cumbria. The other is our response to Essex County Council's Waste Disposal Document: preferred approach (BANNG, 2011b). We pointed out that Essex CC appeared to assume that West Cumbria had already been designated as the location of the national geological disposal facility for the long-term management of radioactive wastes (Essex County Council, 2012). We shall comment further on this below.</p> <p>BANNG commends the consultation document for its clarity, level of detail and setting out of the key issues. There is useful reference to other documents and an effort to reveal different perspectives on the issues as well as identifying uncertainties. In particular, we feel the document does not seek to lead an argument to a specific conclusion; rather the question whether to proceed is left open.</p> <p>Our response is in two parts. The first part considers some general and generic issues, especially on process, that we feel should be considered by the West Cumbria MRWS Partnership in reaching its conclusions on whether or not to recommend decision- making bodies to enter the siting process. The second part focuses on specific issues raised in the consultation related, where relevant, to the questions in the document. We hope that this approach will be acceptable.</p>

## Part 1 Some Overarching Considerations

### A premature proposition

The purpose of this consultation is to invite comments on whether West Cumbria should enter the siting process for a national repository for radioactive wastes. BANNG is concerned that the process should be measured and take adequate time to consider relevant issues before proceeding. We are concerned that the process may be too hurried and too presumptive about the outcome. This is not intended as a criticism of the work of the Partnership which, within its own terms, we consider to have been reasonably careful, comprehensive and cautious. The consultation document is clear and accessible though, understandably for an area of such uncertainty, lacking in detail at times. Nevertheless, we believe the purpose of the process might be misunderstood and lead to a perception of premature legitimisation both of deep disposal as a method and West Cumbria as a location.

In our view the kind of misunderstanding we find in the Essex CC Waste Disposal Document is all too common and reinforces a public perception that West Cumbria will inevitably host the nation's repository. This perception is lent greater credibility by the Government's repeated affirmation in its National Policy Statements that effective arrangements will exist to manage and dispose of the wastes from a notional new build programme. The Government claims in EN-6 that geological disposal is technically achievable, a suitable site can be identified and safe, secure and environmentally acceptable interim storage arrangements will be available (DECC, 2010, p.14). It is clear the Government considers the goal of a deep repository is in sight and that it will be sited in West Cumbria. This confidence has recently been underlined by the Minister stating an aspiration for the opening of the repository to be brought forward from 2040 to 2029. Yet, it must be pointed out that there is, as yet, no repository design, only a concept and no acceptable site, only a process. Both concept and process are at an early stage with no certainty that a scientifically credible design or a publicly acceptable site will be delivered in the near future. In view of this BANNG considers a decision to proceed to enter the siting process now would be premature in the absence of sufficient consideration of alternative methods of management.

### Disposal not the only alternative

This MRWS consultation is about 'whether to take part in the search for a site for a repository in West Cumbria' (p.4, our emphasis). There is nothing here about considering alternatives to a repository. It is important to recollect that, in the original policy recommendations put forward by CoRWM1, geological disposal was part of an approach, not the sole solution. Geological disposal is, as CoRWM 1 suggested, 'the best available approach' for the long-term management of wastes 'within the present state of knowledge' (CoRWM, 2006, p.12). It is important to remember that geological disposal is potentially the final stage. It cannot be available for many decades and must be preceded by a robust programme of interim storage as well as a commitment to an intensified programme of research and development. Moreover, there is no certainty that geological disposal will ever be developed. It may prove impossible to find a site that is both scientifically and socially satisfactory or there may become available other preferable approaches for the long-term management of wastes, boreholes for instance, as recognised in the consultation. Nonetheless, as this West Cumbria MRWS consultation states unequivocally, Government policy is for geological disposal. 'Therefore, the Partnership is only discussing geological disposal and not other potential approaches to managing higher activity wastes in the long term' (p.19).

Given the integral requirement for interim storage and the possibility of alternative methods of management we believe that geological disposal has been taken out of its context presenting it as an end state rather than as an integral part of a more complex set of possibilities and uncertainties for the long-term management of solid radioactive wastes. This decontextualisation may lead, intentionally or not, to a perception of geological disposal, as soon as practicable, as the only and inevitable way forward.

Alternative methods of managing wastes, notably long-term storage, can be both in competition with and complementary to deep disposal. It is conceivable that the problems of proving a concept and finding a site for deep disposal make long-term, indefinite storage a safer and more acceptable option. In any event it is quite possible that there will be long delays in the process so that storage becomes the de facto method. One of the contingent factors that might be considered in siting assessments for a repository is the viability of potential sites for long-term storage.

Geological disposal should be recognised as one component in an integrated process of long-term management of radioactive wastes. BANNG is concerned that the consultation elevates disposal to the position of a singular strategy and thereby diminishes the importance of other components in the process, notably long-term interim storage. BANNG believes the public should be presented with a more considered assessment of the alternative methods of managing wastes in the long-term before entering further into the siting process.

West Cumbria the only site

So far only West Cumbria through its local authorities has got as far as setting up a siting partnership but has yet to take the decision to participate. No other area in any other part of the country has expressed any interest and it seems unlikely any will do so. Consequently, comparative assessment will be confined to sites within the West Cumbria area. Should the process in West Cumbria fail, for whatever reason, there appears to be no alternative siting area in prospect at present.

Given that West Cumbria is the only area expressing any interest in the process, BANNG believes it is of paramount importance that public confidence and acceptability are achieved through the voluntarist principle.

A repository for legacy, not new build

BANNG is very concerned at the potential implications of any new build programme for the repository siting process. In various consultations relating to new build the Government has made it clear that it believes 'that effective arrangements will exist for the management and disposal of wastes produced by new nuclear power stations' (DECC, 2011, p.15). The West Cumbria consultation document is quite ambiguous about the role of new build wastes. It notes that the Government considers it 'technically possible and desirable' that a repository would take new build wastes but that the implications for design and operation would have to be discussed with any potential host community. This is altogether too vague and deviates considerably from the original intentions of the CoRWM1 recommendations. That committee made it perfectly clear that its recommendations applied only to legacy wastes. Moreover, new build wastes should be subject to their own public assessment process which would 'need to consider a range of issues including the social, political and ethical issues of a deliberate decision to create new nuclear wastes.' (CoRWM, 2006a, p.14). There is no evidence whatsoever that the Government intends to initiate such a process and certainly not before any decision by West Cumbria to participate further. Rather, it appears the Government's pell mell pursuit of a repository for West Cumbria is a means of removing radioactive waste as an impediment to new build. On this point CoRWM1 was also clear,

'It must be emphasised that CoRWM's recommendations are directed to existing and committed waste arisings. CoRWM believes that its recommendations should not be seen as either a red or green light for nuclear new build. The main concern in the present context is that the proposals might be seized upon as providing a green light for new build. That is far from the case. New build wastes would extend the timescales for implementation, possibly for very long but essentially unknowable, future periods. Further, the political and ethical issues raised by the creation of more wastes are quite different from those relating to committed – and therefore unavoidable – wastes. Should a new build programme be introduced, in CoRWM's view it would require a quite separate process to test and validate proposals for the management of the wastes arising' (2006a, p.15).

BANNG considers the statements in the consultation document regarding potential wastes from new build to be vague and inconclusive. We strongly support the view of CoRWM1 that the present MRWS process should apply only to legacy wastes. New build wastes raise a series of issues, not the least of which is the uncertainty over timescales and the volumes and radioactivity of the inventory. This has significant implications for the size, configuration and timescales of a repository. Accordingly, BANNG believes an entirely new scientific and siting process using the voluntarist approach would be necessary before there is any commitment to including new build wastes in the putative repository in West Cumbria or, for that matter, anywhere else.

#### Need for an ethical context to decision making

The consultation notes that ethics was a part of the work programme (p.22). At points the consultation sets out principles, for example on community benefits packages, which contain ethical considerations. The Partnership also recognises that ethics will remain an important and cross-cutting issue for the future. Although ethical concerns are inherent in much of the Partnership's work, BANNG considers the ethical choices need to be more explicitly debated (CoRWM, 2006b). In particular, questions of fairness are fundamental to a publicly acceptable siting process. Three areas in particular should be prominently considered. One is procedural equity – is the process fair, sufficiently representative, inclusive, deliberative and democratic? Should the principle of voluntarism be more widely applied to radioactive waste management? Two is intragenerational equity, fairness between places. Is it fair that West Cumbria is the sole focus of attention for the possibility of a new repository? Within West Cumbria how should principles of fairness be developed and applied to choosing between specific candidate sites? Three is intergenerational equity, the fairness of distributing burdens of cost, effort and risk between present and future. Should a repository be developed sooner rather than later? Is retrievability a fair proposition? Is long-term storage a fairer option than disposal? These, and many more, ethical questions are difficult, complex and not easy to resolve. But, they need to be exposed to ensure that decisions are based upon adequate discussion of ethical considerations. We are confident the Partnership acknowledges the relevance of ethical considerations but are concerned that they should be more explicitly identified and debated to achieve informed and acceptable decisions.

The need for ethical issues fully to be taken into account should be more explicitly recognised. The decision-making process should routinely identify the principles and criteria that are considered in reaching a decision. The decision on whether to enter the siting process is fundamentally an ethical question.

#### Part 2 Specific Issues and Questions

##### Geology and locational considerations

BANNG is concentrating its response on issues of public acceptability and the siting process though we do have comments on the geological and environmental issues raised in questions 1 and 2. Clearly the suitability of West Cumbria depends fundamentally on whether there are sites where the geology and hydrogeology provides a safe environment for long-term containment such that a robust safety case can be made. In our view the evidence does not look promising. The Cumbrian area has complex geology with much faulting. The desk based BGS geological screening has ruled out a quarter of the area surveyed. If the whole of the Lake District National Park is also excluded, as we suggest below, then only a relatively small area outside the Lake District would be available. This may not necessarily be suitable for a repository. Even if an underground site in the Lake District were considered, the surface facilities would need to be outside the National Park for environmental reasons. Displacement between surface and underground facilities could prove difficult to engineer and costly to construct. As the document points out there is a dispute as to whether

Cumbria is unsuitable on geological grounds with the Partnership concluding that there is a sufficient area worthy of further investigation if it is decided to enter the siting process. However, there are major uncertainties which can only be resolved by more detailed and sub-surface investigations. The previous attempt to demonstrate through drilling that suitable geology exists for an underground facility failed when the Sellafield RCF was ruled out partly on the grounds of a lack of sufficient scientific consensus. There is no reason to assume that another attempt to find a suitable rock within a circumscribed area of West Cumbria will be any more successful. BANNG urges the Partnership to proceed cautiously and consider whether there are any issues or uncertainties that are likely to rule out a site within the area.

As the Government's recent consultation on siting assessment points out there is a requirement under SEA legislation to develop and apply the siting process 'in a manner which identifies and assesses reasonable alternatives' (DECC, 2011b, p.15). This is interpreted as applying to 'reasonable alternative sites within the decision to participate area' (pp. 15-16). It is unclear what this requirement refers to and how it will be applied. It may presumably apply both to sites for surface facilities as well as the area of the host rock for the underground facility. While it is conceivable that alternative locations for surface facilities might be assessed it is not so readily applicable to the underground location which may be confined to a single (possibly large) rock formation. Comparative assessment is clearly possible, at least for surface facilities, in the scenario where one or more large areas have been chosen in which alternative potential sites may be identified. But, it is conceded that under another scenario a Decision-Making Body may decide 'to participate with a smaller area which could already be equivalent to a Potential Candidate Site' (p.14). In such a case there may be only one viable location for both the surface and the underground facility. In this situation it is unclear how the requirement for alternative assessment can be undertaken.

On the subject of geological safety BANNG observes that if both the area screened out by the BGS and the whole of the Lake District National Park are ruled out as potential locations (at least for surface facilities) only a relatively small area of West Cumbria remains potentially available. BANNG urges the Partnership to consider whether it is practicable or feasible to find both a site for surface facilities and a suitable rock formation within such a confined area or whether it is feasible or practicable to entertain considerable displacement of surface from underground facilities. The Partnership should also consider whether it is practicable or feasible to undertake a comparative assessment of sites within the area.

#### Scale and impact

This comment relates to question 3. One of the features of the geological disposal project is its sheer scale. CoRWM1 estimated the volume of the eventual inventory at 478,000 cubic metres with an activity of 78M. terabequerels. This volume, once conditioned and packaged, would fill the equivalent of five Albert Halls – and that is just for legacy wastes. There are factors that could affect the volume and space required including any wastes from a new build programme or space required by high burn-up fuels. The consultation document estimates a baseline inventory of 631,000 cubic metres with an upper inventory of 1,160,000 cu. metres based on a substantial new nuclear programme. The volume of the underground facilities to accommodate these wastes could be between six and eleven Albert Halls with an underground footprint that could vary from 6km<sup>2</sup> to 25km<sup>2</sup>. This would require an engineering project the size of the Channel Tunnel creating vast amounts of spoil to be accommodated at the surface. The project will also require transport infrastructure for the movement of wastes and materials. In view of the scale and impact of the project no site should be considered that lies within the Lake District National Park.

#### Inventory and the role of storage

Here we consider some issues arising from question 6. The need for a separate voluntary process is necessary both for West Cumbria and for those places which may accommodate wastes from any new build stations. For West Cumbria the implications for the future inventory of wastes and the consequent size, design and timescales need to be openly and explicitly considered. As things stand there is considerable uncertainty over the size

of the new build programme and the wastes it may produce. The possibility of the need for more than one repository is also an issue. For the new build sites there needs to be a discussion of the management of wastes, especially spent fuel. Great uncertainty surrounds the future of waste management at these sites. If a repository is developed it will not be available for new build wastes until well into the next century, if at all. The methods of storage, the need for encapsulation, the movement of wastes are all unknowns but they will have to be undertaken at sites where deteriorating coastal conditions are inevitable. At the very least new build sites will be responsible for the management of wastes in store for well over a century. Yet, there has been no debate about the principle of long-term storage let alone the option of volunteering.

BANNG is opposed to new build. However, if a policy of new build is pursued, we consider the scope of the process of identifying and assessing potential candidate sites for geological disposal should be broadened explicitly to cover the long-term storage of wastes from new build. For these wastes a separate process is needed that takes account of the uncertainties involved including the different timescales, inventory and social and ethical considerations involved. BANNG believes that the voluntarist principle should apply to those communities near new nuclear power stations where wastes, including spent fuel, will be stored for the indefinite future. These communities should be offered a willingness to participate in the process and the right of withdrawal supported by the development of siting partnerships and community benefits packages. The implications for West Cumbria of decisions on waste management at new build sites will need to be considered as part of the continuing MRWS process.

Options for storage should be an integral part of the siting process. As things stand, the greatest volume and radioactivity of wastes in store is at Sellafield, with significant stores of long-lived wastes at Dounreay and spent fuel in store at Sizewell, with wastes also scattered around the country at various sites. Proposals for new build envisage spent fuel and radioactive waste stores located at each of the eight potential sites. As we have pointed out in several submissions most of these sites are vulnerable to inundation and coastal change especially in the far future when stores may still be present on site. There have also been suggestions, but no proposals, for regional or central stores. In effect, there is no long-term strategy for the development, maintenance or siting of stores. West Cumbria has a strategic interest in policy and proposals for storage of new build wastes. If a repository is developed in West Cumbria the volume of new build wastes that might need to be accommodated would greatly increase the volume of wastes needing to be managed in the area, possibly in storage prior to disposal. The risks to health, safety and security from interim stores suggest the need to address the siting strategy for stores is rather more urgent than the need to find a suitable location for final disposal.

With the potential emergence of new build the need for a comprehensive process and strategy for safe and secure storage in the long-term is of paramount importance and should be developed alongside the process and strategy for deep disposal. Such a strategy should adopt the principle of voluntarism in the search for suitable sites for storage of new wastes.

Community benefits for whom?

Here we consider some aspects arising from question 4. The chapter on community benefits in the consultation document is thoughtful and comprehensive. The set of principles is especially helpful as guides to what benefits achieve and how they should be distributed. The principles emphasise that benefits should make a positive contribution to community well-being, both short and long-term, and should leave a community better off. They should help to transform the community and be based on fairness, equity and flexibility. We fully commend these and the other principles. In practice community benefits packages will include a whole range of resources such as research, community facilities, provision of infrastructures, investment, employment and training. But, fundamentally they must contribute to enhancing the well-being of communities that are willing to host a disposal facility. 'Well-being' is a vague but important concept embracing more than simply material benefits. In CoRWM's words, 'By well-being we mean those aspects of living which contribute to the community's sense of identity, development and positive self-image'(CoRWM, 2007a, p.12). There are interesting discussions on how this might be achieved both in CoRWM's implementation report (2007a) and in the AkEnd Report produced by the expert group considering site selection for a repository in Germany (AkEnd, 2002). We believe it would be worth revisiting these reports in

order to consider the nature and deployment of community benefits packages.

BANNG is dismayed by the Government's apparent reluctance to give wholehearted support to the principles set out in the consultation document preferring instead to regard them 'as a basis for negotiation in the next stage of the process' (p.69). This is a classic formula for procrastination. The document notes 'a perceived lack of trust in central government' on the part of the public in developing the principles. If the Government is as committed to finding a site for a repository in West Cumbria as it appears to be, it is astounding that it is not fully behind the principles set out in the document.

There is also the question of the size and distribution of benefits packages. We agree with the Partnership that the size of benefits must be additional to existing and planned investments, not replacements for them. We also agree that benefits must be fairly distributed both over space and time. The distribution between host, neighbouring, wider communities and affected areas will be a problematic issue and will have to be faced when and if a site is chosen. It will be especially important to sustain benefits over the longer term to mitigate the burdens on future generations.

BANNG supports the principles for community benefits packages set out in the document. We view such benefits as a necessary but not a sufficient condition for proceeding further with the process. Moreover, we consider that benefits packages should be considered for sites where radioactive wastes are stored for the long-term, especially West Cumbria which already hosts over two-thirds of the country's wastes. The Government should support unequivocally the principles for community benefits set out in the document. Benefits must be sustained over the long-term to mitigate burdens that will be borne by future generations.

A democratic and participative process?

BANNG believes that the Partnership has tried to sustain an open, democratic and participative process. On the face of it the Partnership appears to see voluntarism as the best means of achieving an acceptable solution rather than as a process to achieve a repository. We do not think the Government thinks this way, viewing voluntarism as the means to the desired end of a repository in West Cumbria. BANNG considers it to be imperative that the principles of participative democracy including openness, transparency, inclusiveness, representativeness, equity and deliberation continue to be at the heart of the decision-making process. But, we also believe that key decisions should be ratified through representative democracy in order to achieve legitimation. These issues are fully discussed in two CoRWM documents, one on implementation (CoRWM, 2007a), the other on partnership (CoRWM, 2007b). We commend these as a source for consideration of future decision-making arrangements. For the present we refer to issues arising in the consultation document relating to question 7 concerning the roles of the various bodies involved in the decision to enter the siting process.

Partnership. The Partnership is pivotal in that its advice will be crucial to the decision to participate. It will base its recommendations on the information it has received and discussed over the past three years and on its analysis of public and stakeholder views, as revealed through this consultation process. It is important that the Partnership makes its recommendation in as disinterested a way as possible free from predilection, prejudice or partisanship. In particular, members of local authorities composing over half the current Partnership must seek to reflect the interests of the wider partnership before those of their authority. At the Partnership level it is necessary to reach agreement on the basis of consensus rather than voting.

Decision Making Body. In the West Cumbria case with a two-tier system, the decision-making bodies comprise two district councils (Allerdale and Copeland) and one county council, Cumbria. Their primary role is to provide representative democratic ratification of key decisions. The first such decision will be whether or not to enter the siting process. Ratification should be endorsement by all three councils of the recommendation of the

Partnership, hence it is important that the Partnership is clear and conclusive in what it recommends and has evidence of community support for its recommendations. It is understood that the three councils have agreed a Memorandum of Understanding on how decisions will be coordinated including the provision that for an area to enter the siting process both the District and the County Councils will be in agreement. This could mean just two of the three councils in the Partnership. BANNG considers that, at this stage, unanimity of all three councils provides the necessary social and political support for the process to continue. We do not believe that West Cumbria should enter the siting process if there is conflict between the participating decision-making bodies. If the process continues beyond the next stage, then it is conceivable that councils will reach different conclusions. For instance, if a particular candidate site is selected the process might be carried forward by the council in whose territory the site is located. BANNG thinks it is necessary for protocols on decision-making to be agreed for each stage in the process. We also believe that, in the interests of democratic pluralism, key decisions should be taken by the full council of members and not by the Executive or Cabinet.

More consideration will need to be given to the role of the Decision-Making Bodies in respect of: which decisions must be referred to them? which authorities take key decisions? what is the role of neighbouring or affected authorities? what proportion of the membership of Partnerships should be drawn from Decision Making Bodies? And so on.

Affected communities. Referred to in the document as 'wider local interests' these are communities at a distance from the area hosting a repository which may be affected in some way. This could be negatively through increased transport movements or through association with radioactive waste. It might be positive if well-being is enhanced especially through community benefits. At this stage with no host site identified, affected communities do not exist. At later stages in the process where candidate sites emerge it will be necessary to identify affected areas and consider whether they should have some participation in decision-making or some involvement in community benefits. In the case of West Cumbria, the impact on the Lake District will be of obvious interest and the National Park Authority already has representation on the Partnership.

Candidate site communities. Clearly these do not exist at this stage. However, it is worth considering their role in any future stages. Host communities will obviously be relatively small, the size of a small town, a village or group of villages but large enough to contain the surface footprint of a repository. This is estimated to be about 1km<sup>2</sup> though, if retrievability is built in, a much wider area would be required for surface storage. It will be important that potential sites are willing hosts and effort must be made to canvass local opinion, possibly ultimately through a referendum. However, it is conceivable either that a host community is willing but areas surrounding are not, or the reverse might be true. In either case to proceed would vitiate the principle of voluntarism. Therefore, BANNG questions the Partnership's present view that if omission of a potential host would create insurmountable problems then 'it could recommend the inclusion of the community concerned if this was supported by a full justification and explanation'. In our view there are already sufficient opportunities for participation and provisions for community packages to improve well-being to encourage communities to host a site. If these provisions prove insufficient and communities are unwilling to proceed then it must be accepted that the siting process has failed to find an acceptable host community. This applies not merely to the specific host but to other nearby communities which oppose the candidate site.

Government. Provided the siting process proceeds smoothly on a consensual basis and results in a host site being found relatively swiftly in West Cumbria, the Government appears to be taking a passive and benign role. The NDA has an observing role on the Partnership but is the responsible Government body for implementing and funding the process and project. However, should the process falter or fail it seems pretty clear the Government may feel it should adopt force majeure and step in to take over. Given that only West Cumbria has come forward it seems unlikely that other areas would volunteer in the event of failure to find a site in the current process. However, we believe it would be imprudent for the Government to abandon voluntarism and intervene to impose a solution. This would contradict all the evidence and effort made so far. The Government should make it clear that if for any reason the present process fails, a full review of all the options will be undertaken. Among the issues to be considered will be: alternative methods of management, including long-term storage; restricting the process to legacy wastes as originally intended; abandoning any



new build programme on the grounds that a solution to the problem of radioactive waste has not been found. On the basis of the review the Government would be able to consider whether to opt for long-term storage for the time being, or to initiate a new process to find a safe solution and an acceptable site. Under no circumstances should a repository solution be imposed or the principles of voluntarism be abandoned.

In terms of process BANNG recommends:

The Partnership and any successor Partnership should ensure that recommendations to the Decision Making-Bodies are based on open, deliberative processes and agreement is reached through consensus.

For key decisions such as entering the siting process, the Decision-Making Bodies will be expected to ratify the recommendations of the Partnership. All Decision- Making Bodies should be in agreement at this stage. Decisions should be taken by the full council of members of each Decision-Making Body. Consideration should be given to protocols for decision-making for later stages in the process and to the role of Decision-Making Bodies in respect of key decisions.

The needs of 'affected areas' should be identified and taken into account in decision-making and in benefits packages.

In the spirit of voluntarism, it is expected that candidate host communities will agree to proceed. We consider the provisions for participation and for community packages are sufficient to encourage communities to proceed. We do not agree that communities should be included in the process against their will. In the event where agreement cannot be achieved, the process must be deemed to have failed.

In the event of failure of the current process, Government should undertake a thorough review and decide whether to continue with long-term storage for the time being or to inaugurate a new process. Under no circumstances should the voluntarist approach to participation and decision-making be abandoned.

#### Conclusions

In response to question 8, BANNG concludes that the Partnership should recommend to the councils that they do not proceed to take part in the search for a repository at the present time because such a decision would be premature for the following reasons:

- The focus is on geological disposal as the only approach to long-term management. Alternative approaches have not been adequately considered. Geological disposal is part of an integrated process, not the only way forward. Alternatives need to be explored beyond the idea of geological disposal as soon as practicable;
- The process should be explicitly restricted to legacy wastes for which there is a known inventory. New build wastes would raise a series of issues, not the least of which is the uncertainty over timescales and the volumes and radioactivity of the inventory. BANNG believes an entirely new and scientific process, based on voluntarism, would be necessary before any consideration is given to including new build wastes in any future repository;
- Ethical issues must be more explicitly considered including the ethical issues inherent in the decision on whether to enter the siting process;
- The area available for siting surface facilities may be too small (once areas of unsuitable geology and the Lake District National Park have been screened out) to enable an adequate comparative site assessment;

- The possibility of new build introduces a range of issues concerning long- term storage, with implications for West Cumbria. Before proceeding further these implications should be assessed through a thorough consideration of the siting strategy for long-term interim storage.

We also recommend that:

- The principles for community benefits packages proposed in the consultation document should be endorsed by the Government;
- Decision-Making Bodies should ratify the recommendations of the Partnership; they should all be in agreement; and the decision should be taken by the full council of members;
- Potential host communities must agree to proceed;
- In the event of failure of the current process, Government should undertake a thorough review and decide whether to continue with long-term storage for the time being or to inaugurate a new process. Under no circumstances should the voluntarist approach to participation and decision making be abandoned.

#### References

AkEnd (2002) Selection Procedure for Repository Sites, Recommendations of the AkEnd – Committee on a Selection Procedure for Repository Sites, December

BANNG (2011a) Managing Radioactive Waste Safely: Desk-Based Identification and Assessment of Potential Candidate Sites for Geological Disposal, Public Consultation, Response of the Blackwater Against New Nuclear Group, BANNG, Paper 13

BANNG (2011b) Essex County Council Waste Disposal Document: preferred approach, Response to consultation, BANNG Paper 14

CoRWM (2006a) Managing Our Radioactive Waste Safely, CoRWM's Recommendations to Government, London, November

CoRWM (2006b) Ethics and Decision Making for Radioactive Waste, Document 1692, March

CoRWM (2007a) Moving Forward: CoRWM's Proposals for Implementation, Document 1703, February

CoRWM (2007b) Implementing a Partnership Approach to Radioactive Waste Management – Report to Governments, April 2007, Document No. 2146

DECC (2010) Revised Draft National Policy Statement for Nuclear Power Generation (EN-6), TSO, October

DECC (2011a) National Policy Statement for Nuclear Power Generation (EN-6) Vol. 2, TSO, June

DECC (2011b) Managing Radioactive Waste Safely: Desk-Based Identification and Assessment of Potential Candidate Sites for Geological Disposal,

	A Public Consultation, September
	Essex County Council (2012) Waste Disposal Document: Preferred Approach