

Gosforth Parish Council

Question	Agree	Response
Overall summary		<p>OVERALL SUMMARY</p> <p>We have no confidence in the MRWS Partnership report for the following reasons:</p> <ol style="list-style-type: none"> 1. Geology. With its steep hydraulic gradients, its faulted and complex geology, and its associated difficulties of rock characterisation West Cumbria is certainly not an obvious first choice for a Repository. The relevance of the suitability or otherwise of the geology rests in providing the general public with the confidence and reassurance that a Repository can be safely sited in West Cumbria and remain safe over tens of thousands of years. This confidence and reassurance is absent in the consultation document and the representation of a more positive picture than is implied by the underpinning documentation serves only to emphasise this absence. 2. Impacts. We have serious concerns about the impacts of a Repository on West Cumbria. We do not believe that these would be uniform, and it is our opinion that the impacts of siting a Repository would be felt more severely on the less nuclear dependent Allerdale than on Copeland. More seriously we find it difficult to understand how your opinions on the criteria can be expressed with such certainty when the brand protection work which you commissioned has not been completed, and we remain gravely concerned about the implications of this situation. Direct impacts on any Host Community during construction, which would be enormous in scale and for many years, appear to be totally ignored. 3. The engagement and siting processes. The June 2008 White Paper clearly sets out that Government policy expected a Repository to be delivered by Voluntarism and Partnership Working, through the key mechanism of a Community Siting Partnership. The consultation document represents a radical departure from Government policy and institutes in its place the primacy of the Principal Authorities. This is completely unacceptable. Moreover as a result of this departure from Government policy, we are now faced with the illogical and absurd situation of spending several years attempting to decide whether to make a Decision to Participate in locating a Repository in West Cumbria, without having actually located a suitable site beforehand, and with less than helpful geological indicators. 4. Benefits Packages. We have concerns that early discussions about benefits packages could give the impression of a 'done deal', and the emphasis on benefit packages at this time is misplaced. 5. Retrievability. Retrievability should not be a core part of disposal and we have serious concerns that discussions relating to the retrievability of emplaced waste are illogical and misleading. <p>OUR OVERALL VIEW IS THAT GOVERNMENT SHOULD NOW INTERVENE TO TERMINATE THE MRWS PARTNERSHIP AND ASSOCIATED PROCESS, AND IN ITS PLACE INSTITUTE A PROCESS ALONG THE LINES OF THOSE ALREADY USED IN SWEDEN AND FINLAND.</p>

<p>1 – Geology</p>	<p>No</p>	<p>We do not agree with the Partnership’s initial opinions on geology.</p> <p>Summary Response:</p> <ol style="list-style-type: none"> 1. The work on the integrity of the BGS study was unnecessary. 2. Having reviewed the underpinning documentation relating to geology, it is clear that the consultation document has presented a more favourable balance of the facts than is evidenced in the underpinning reviews and independent comments. Thus while it is arithmetically correct that 1890Km2 were not ruled out as unsuitable by the BGS study, the criteria used in arriving at this figure were severely restricted, and it is misleading to claim that this entire area is available for investigation, especially as a substantial proportion is within the National Park. 3. ‘Not unsuitable’ does not necessarily mean ‘suitable’ and the results from the 1990’s NIREX investigations indicate that the area of land suitable for investigation is, at best, severely curtailed, and at worst non-existent. <p>Detailed Response:</p> <ol style="list-style-type: none"> a) Given the history of the evolution of the criteria used by the BGS – suggestions from learned societies, the involvement of leading Professors of Geology, endorsement by HM Government, plus the reputation of the BGS itself – about all of which the Partnership should have been aware, endorsement by independent reviewers seems to have been totally unnecessary. b) The MRWS consultation document has produced a more favourable presentation of the facts than the underpinning documentation and independent opinion support. For instance Dr Tim McEwen, an independent and expert geologist who worked with the BGS and NIREX throughout the 1980’s states: <p>“I understand CORWM’s statement (See Ref. d) below) to mean that it is not possible, based on the current level of geological knowledge of the area of West Cumbria, to state that the area is definitely unsuitable for geological disposal. This is a perfectly reasonable statement to make as there is insufficient evidence to state anything more at present, although if it were possible to select anywhere in the UK for repository development, based on geological factors alone, one’s first choice would not be western Cumbria.”</p> c) Furthermore the extensive NIREX investigations of the late 1980’s – 90’s support this contention. Those investigations were based on work by Chapman et al (1986). This latter work described the generic geological settings required for potentially safe siting of a geological disposal facility and was specifically developed for the UK, though subsequently it has become something of an international benchmark. Using these generic settings NIREX concluded that there existed only one area of West Cumbria with the appropriate geology, though there was even some dispute and confusion about this. Despite (at a cost thought to be in the region of £M400) the drilling of 29 deep boreholes, extensive seismic surveying and sub-surface testing, NIREX later abandoned two potential sites (Sellafield A&B) and had its planning application for a Rock Characterisation Facility at Longlands Farm turned down and therefore we conclude that there remains very significant uncertainty over the suitability of the geology. d) Your opinion that “there is enough possibly suitable land to make further progress worthwhile” appears to be based on
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		<p>appraisal of the NDA report 'Geological Disposal: Steps Towards Implementation', which also appears to provide the basis for CORWM's position. We note a selection of independent comments on this report:</p> <p>Dr J Dearlove and Dr R Smith, FWS Consultants labelled the document a "politically expedient response".</p> <p>Professor David Smythe writes – "One might have expected geology to comprise a large portion of this document given the subject matter but this is not so. Chapter 4 deals with the geology in 21/2 pages out of a total of 65 pages of text".</p> <p>Dr Tim McEwen is even more scathing – "Nevertheless I have some sympathy with his (Smythe's) comments, as this report is very poor. I have been involved with radioactive waste disposal since the late 1970's and in fact it is probably the worst report, geologically speaking, that I have ever read on the subject. It is replete with geological errors and inaccuracies and should never have been published".</p> <p>These comments lead us to conclude that there is a lack of confidence among experts in the underpinning documents used to reach the Partnership's opinions.</p> <p>e) In conclusion we reaffirm our fundamental disagreement with your opinions. The so-called Partnership area is an area of complex folding and faulting characterised by strong hydraulic gradients. It is perfectly obvious that any such area is inherently less safe than an area of low or zero groundwater flow. Such areas do exist within the UK. A safety case for a site within the Partnership area would have to be built on theoretical modelling and for a period over tens of thousands of years. Such modelling is beyond validation, or as Dr Tim McEwen writes, also in relation to the Partnership area and a potential Repository, "There is a greater probability that it will be shown that a convincing safety case cannot be made and, thus, that a Repository cannot be developed".</p>
<p>2 – Safety, security, environment and planning</p>	<p>No</p>	<p>We do not agree with your opinions.</p> <p>Summary Response:</p> <ol style="list-style-type: none"> 1. Safety, Security and Environmental matters are site specific and in any case for the majority part are the province of the Regulators. Without a potential site the relevance of this section is somewhat elusive. 2. Planning is almost certainly to be dealt with centrally by a body such as the Independent Planning Commission (IPC) or its proposed successor the Major Infrastructure Planning Unit (MIPU). 3. We have concerns at the low level of visibility throughout the process to date of the Office of Nuclear Regulation (ONR). <p>Detailed Response.</p> <p>a) Safety, Security, and Environmental matters are all very much the province of the various Regulatory Bodies. It is the responsibility of the Regulators to convince and reassure the general public, and in particular the residents within a Host Community, that appropriate protective measures are in place to deal with any uncertainties or misgivings they may have. All</p>

		<p>these matters are site specific and without a potential site chosen for a Repository, the relevance of this section is difficult to understand and it hardly provides much in the way of assistance with the Decision to Participate.</p> <p>b) On the question of Planning we understand that a project of this size would not be dealt with at District or even at County level but by the IPC/MIPU. That is not to say that either of the aforementioned councils should not be able to provide an appropriate input to the planning process – likewise the Lake District National Park Authority (LDNPA) if the National Park is in any way affected. It should go without saying, that those who may have to live with the reality of a site being developed, constructed, and operated within their community, should have appropriate input to the planning process at the earliest possible time.</p> <p>c) Currently the ONR is the lead Regulator for the Sellafield and LLWR sites. Regulation of nuclear sites by an established nuclear regulator provides confidence and reassurance that nuclear safety is being adequately monitored and regulated, and due care and consideration is given to any potential impacts on the public from nuclear operations. Having read the Regulatory section of the consultation document we are concerned at the low visibility afforded to the ONR's role. It is noted that at the Gosforth drop-in session the Environment Agency (EA) supported the event and not the ONR, giving rise to some concern that nuclear safety impacts on the public are not receiving the degree of priority that they ought to have.</p>
<p>3 – Impacts</p>	<p>No</p>	<p>We do not agree with your opinions.</p> <p>Summary Response.</p> <ol style="list-style-type: none"> 1. The research and strategy to protect the brand and reputation of the area seems to be fundamental to this section of the consultation document. Publication of the latter before completion of the brand protection work undermines confidence in the consultation document and this section in particular. The reasons for the publication of the consultation document before completion of the brand protection exercise are obscure and not readily comprehensible. 2. We have concerns that an error is being made in regarding West Cumbria as a single homogeneous economic unit. 3. We are seriously concerned about the NDA's assumption that spoil from any Repository excavation/construction "would be kept on site by building embankments 12 metres high". <p>Detailed Response.</p> <p>a) The absence of the brand protection work in the consultation document is not only a weakness in itself, but a major contributory factor to undermining the confidence in both the consultation document and the MRWS Partnership, and makes any detailed assessment of the impacts very difficult. Conversely it seems to us that to make any claim, as occurs with some degree of certainty in this section, about 'direct impacts', 'long term direction', and 'economic stability', without having the results of the brand protection work to hand is unacceptable. What is the point of the brand protection work when the Partnership's opinions are so firmly stated? There is a sense here that whatever the results of the brand protection work the Partnership's opinions have already been reached, and that any adverse repercussions on conclusions have already been determined. That too is unacceptable and we wonder who is pushing the time-line?</p>

		<p>b) We have concerns at your treatment of West Cumbria as a single economic unit. It is not. It is evident that Copeland is far more nuclear dependent than Allerdale which, with relatively good transport links to Mainline Rail and Motorway and to Carlisle, has met with a greater degree of success in attracting a more diverse economic base than has Copeland.</p> <p>c) Similarly with tourism; Allerdale, encompassing as it does Cockermouth and Keswick, has a far more developed and successful tourist sector than does Copeland. The inability of Copeland to attract industrial diversification as well as a greater tourism sector is as much to do with the presence of the nuclear operations at Sellafield as it is with its relative geographical isolation and attendant infrastructure problems.</p> <p>d) The locating of a nuclear installation in Allerdale, especially one with connotations of a 'dump' in popular imagination, could have serious adverse repercussions for Allerdale's existing economic base, any potential inward investment, and also for its tourist industry. To assess potential adverse effects one only has to note the reactions of the local (rural) populations to the recent proposals to site two new nuclear reactors (two miles north and fifteen miles south of Sellafield), and this in 'nuclear supporting' Copeland, and to view the absence of economic diversification in Allerdale's southern neighbour. Locating a Repository in Copeland will simply reinforce its already existing nuclear image and its continuing dependency on the nuclear industry, and ensure very little, if any, future economic diversification.</p> <p>e) There are also serious concerns about the assumption contained in this section that Repository construction spoil would be kept on site in 12 metre high embankments, and that some spoil could be used as backfill in the Repository closure process. To ensure the stability of 12 metre high embankments it would appear necessary to have a base size of a minimum of twenty metres. For the smallest proposed Repository (Ref. Fig 5, Page 16) any such embankment would extend for tens of Kilometres; for the largest proposal the area of land to accommodate the spoil would be enormous. Moreover the time span involved in maintaining such embankments would cover a period from the start of construction to its final closure - some hundred years or so at today's estimate. These embankments would not only be wasted as a valuable resource but would also be an enormous blot on the local landscape for generations, and this would be in a community already blighted by hosting the Repository, adding insult to injury. A serious and radical rethink needs to take place about what to do with the spoil.</p>
<p>4 – Community benefits</p>	<p>No</p>	<p>We do not agree with the Partnership's initial opinions.</p> <p>Summary Response.</p> <ol style="list-style-type: none"> 1. We believe it right, as expressed in the White Paper, that a Community that hosts a deep geological disposal facility for nuclear waste for the benefit of the nation, should be 'rewarded' by means of benefits packages. However there are concerns that early discussions about benefits packages could be exploited to gain acceptance of a Repository by the general public while at the same time portraying the engagement process as a 'done deal'. The cart must not come before the horse! 2. Any agreement with Government relating to the benefits packages, especially given the likely inter-generational aspects of such packages, must be 'legally binding'. 3. We believe also that it is essential that any Host Community has to be actively and formally involved in all discussions and

	<p>decisions regarding a benefits package which would include measures specifically benefiting (ie ring-fenced for) that Host Community, separately from and in addition to measures benefiting the area as a whole.</p> <p>Detailed Response.</p> <p>a) Principles – not only can we not be certain about the specific Government package that might/might not be agreed so far in advance but we cannot even be sure that a set of principles agreed with Government this far in advance will be honoured by subsequent Governments, over what is to be a very long period of time. Furthermore among the twelve principles listed, terms such as flexibility, equity, and fairness are used. These terms are all subjective and judgemental. It is not clear who is going to be the judge.</p> <p>b) It seems to us that to ensure and retain Governmental agreement, especially as any agreement will have to cater for inter-generational time-spans, legally binding agreements are a necessity.</p> <p>c) We are extremely concerned that at this time a benefits package could be exploited to gain acceptance of a repository by the general public. A benefits package must not be a ‘carrot’ and it must not be used to divert attention away from far more serious issues such as the long-term safety of a Repository, and its effects on the welfare and well-being of the local population and the immediate environment.</p> <p>d) While we advocate a very low profile for a benefits package for now and the short-term future, nevertheless we wish to emphasise that any benefits package would need to be agreed and protected by a legally binding agreement, before any work commences on construction/excavation of a Repository.</p> <p>e) We believe that consideration should be given to ‘disruption benefits packages’ designed to compensate smaller local communities subject to any site investigative work. These packages would necessarily be of a much more limited scope than a benefits package and should be targeted solely and exclusively at and for the benefit of affected communities.</p> <p>f) We believe that at the right time in the process, any Host Community must be actively and formally involved in any discussions and decisions regarding a benefits package, which would include measures specifically benefiting (ie ring-fenced for) that Host Community, separately from and in addition to measures benefiting the area as a whole. The prime reason for any such package has to be to benefit the Host Community, and must not support any attempt by Government or the Principal Authorities to tie any benefit to the need for a business plan to demonstrate economic viability.</p>
<p>5 – Design and engineering</p>	<p>YES. We agree with your opinions on general design concepts.</p> <p>No. We do not agree with your overall opinions nor do we agree with your opinions on retrievability.</p> <p>Summary Response.</p> <p>1. As far as design concepts are concerned your opinion is a statement of the obvious. As for your overall opinions given that you say correctly that design issues are largely site specific the actual absence of a specific site makes it difficult to understand</p>

		<p>your opinion that design concepts being developed are appropriate.</p> <p>2. Your opinion on retrievability is wrong and very misleading. Retrievability is not a feature of disposal and nor can it ever be. Retrievability is a feature of storage. (Ref. definition by CORWM in E-bulletin 49).</p> <p>Detailed Response.</p> <p>a) As far as general design concepts are concerned we accept your opinion. As for your overall opinions we do not understand how you can be satisfied that “design concepts being developed are appropriate and flexible enough at this stage” when you have clearly stated that “design issues are largely site-specific” and there is no certainty as to the exact location of a Repository.</p> <p>b) Your opinion on retrievability is wrong and misleading. Logically, as well as historically, retrievability is associated with, and can be accommodated only by storage, not by disposal. Claiming that a disposal option can support retrievability, or can be decided upon in the future, undermines the very attributes upon which disposal putatively benefits society – ie the removal of the burden of the duty of care from future generations (if indeed that really is feasible), and the achieving of a greater degree of security than hitherto, principally from terrorist attack.</p> <p>c) The CORWM process and conclusions (and the ‘scoring’, as those of us who took part in the CORWM workshops will recognise) were compromised by the inclusion of a disposal variant which claimed that it could offer “removal of burden to future generations” while at the same time offering flexibility, in that the Repository could remain open for up to 300 years to facilitate waste retrieval – an option known as the Phased Geological Repository Concept (PGRC) – and somewhat naively developed by NIREX in the wake of the RCF fiasco. It should be noted here that ‘Phased’ should not be confused with ‘Staged’, which would allow retrievability during waste emplacement up to the point of a Repository’s final closure.</p> <p>d) The disposal variant even found its way into the June 2008 White Paper. However at the end of Section 4.20, Government policy quite clearly states that: “closure at the earliest opportunity once the facility operations cease, provides greater safety, greater security from terrorist attack and minimises the burdens of cost, effort and worker radiation dose transferred to future generations”.</p> <p>e) Your opinion that “we have confirmed that retrievability is an option to be decided on in the future” is not sustainable and puts you very much at odds, indeed considerably outside, Government policy. It is also we believe high time that the general public is made aware, clearly and concisely, of the real facts in relation to retrievability. Attempts to mislead the public are unlikely to succeed and the backlash from the public, on discovering any attempted deception is likely to be severe and sustained. The case for a Repository should stand on its own merits and attempts to soften the case by the inclusion of the retrievability option should cease.</p>
6 – Inventory	No	<p>We do not agree with your opinions on the inventory.</p> <p>Summary Response.</p> <p>1. It is recognised that any inventory predicted over a significant timescale is bound to change as knowledge of details become</p>

		<p>available. That knowledge is likely to have an impact on principles agreed at an earlier date.</p> <p>2. Agreement about the inventory with the Host Community is essential and the Host Community must have a right to veto disposal of waste types.</p> <p>3. Generally we believe that at the present time there exist too many uncertainties to be able to record that you have a “good understanding” of what could go into a Repository.</p> <p>Detailed Response.</p> <p>a) We note what you say about the UK’s baseline inventory and the upper inventory and that Government has given a “realistic estimation” of the latter. However an estimate, even a realistic one, hardly provides a sound basis for a “good understanding”. As acknowledged, nuclear new-build provides an unknown factor. Since CORWM in June 2007 made its estimate of new-build waste to be added to the legacy waste based on “10 new reactors”, the number of possible new-build reactors has fallen. What will the situation be in a further 5-10 years time?</p> <p>b) In addition to these uncertainties there remain questions regarding the future for the present inventory of Spent Fuel, Plutonium and Uranium. Any attempted assessment today of what might be placed in a Repository would surely have to take account of the possible reprocessing (Spent Fuel), further MOX production (Plutonium and Uranium) and for the further development of Plutonium-based fuel reactors. As we understand it, as of today, no decision has been taken, making it all but impossible to gain anything other than an extremely generalised ‘understanding’ of what could go into a Repository. We too have a realistic estimation, and that is, that it is very unlikely that Spent Fuel, Plutonium and Uranium will be emplaced in the quantities outlined in either baseline or upper inventories.</p> <p>c) We have concerns about the principles outlined in this section and we note that there is still uncertainty. Agreement with Government now is capable of repudiation by a future Government. A legal framework is required for such principles to be effective. We also note that there is no mention in the principles of a Host Community veto in the event of changes to the inventory, nor for the availability of additional community benefits in the event of such changes being required.</p> <p>d) We note that the principles do contain mention of a Community Siting Partnership (CSP). Having read the following section of the Report (Chapter 10 – Siting Process) we note there is no mention in this latter section of a CSP. It would appear that a CSP does not translate from Section 9 (Inventory) to Section 10 (Siting Process). This is surprising and of deep concern. The CSP is of course the mechanism for delivering a Repository through Voluntarism and Partnership Working, and very much a key plank of Government policy in the White Paper. We are somewhat taken aback at the disconnect between Sections 9 and 10 of the consultation document and left wondering about the applicability of the principles, as it seems that the CSP is being written out of the process for siting a Repository, even though it is very much central to Government policy, and also why the authors of these two sections seem to have such widely divergent views about a CSP.</p>
7 – Siting process	No	<p>We do not agree with your opinions on the process for siting a Repository.</p> <p>Summary Response.</p>

1. We have no confidence whatsoever in the siting process as set out in this section - the intent, and at times the content of the June 2008 White Paper, has been undermined and basically ignored.

2. The Community Siting Partnership (CSP), the mechanism by which Government expects a Repository to be delivered, has disappeared from the language of the MRWS Partnership (Section 9 excepted).

Voluntarism appears only to apply to Principal Authorities and statements on Host Communities are incoherent and contradictory. Smaller communities which decide not to volunteer can be selected anyway by the DMB – the complete antithesis of the principle of voluntarism.

MRWS Partnership policy is put forward as Government policy. There is no mechanism in the White Paper for a Principal Authority to act on its own after stage 3, but this is being ignored.

3. We question the legitimacy of the MRWS Partnership itself, bearing as it does, no relationship at all to Government policy as set out in the White Paper.

4. The Government should immediately intervene to ensure that the principles and guide lines of the White Paper are adhered to, and in the changes it will have to make, the Right of Withdrawal (RoW) should be vested in a Host Community, and not exclusively in a Decision Making Body.

The siting process as described is completely without basis and impossible to support.

Detailed Response.

a) We note that your treatment of Host Communities and their membership of “the new Partnership” is contradictory and incoherent. Consider the following three statements:

1. P96, Box32 – “Representatives of potential Host Communities and Wider Local Interests should be members of the new partnership from the outset and should be involved in all aspects of Stage 4 work including discussions on Community Benefits”.

2. P93 a&b – “... The Partnership would lead on engagement with potential Host Communities and others” and... “The new Partnership should engage closely with potential Host Communities keeping them up to date with technical work....”.

3. P90, 3rd Bullet Point – “Although potential Host Communities would become clearer by the start of Stage 5....”

These sections appear to have been written by three different authors, each unaware of the others’ views on Host Communities, traversing a sweep from Partnership membership “... from the outset...” to becoming “...clearer by the start of Stage 5....”.

b) There appears to be similar confusion with Voluntarism:

1. End of P91 – “We believe the emphasis on strong commitment to voluntarism and community willingness to participate is one that parties should keep at the forefront of their minds if this process continues. At each stage any future Partnership should seek to maximise consensus among the Decision Making Bodies, Local Authorities, potential Host Communities and Wider Local Interests”.

2. P93 e), repeated at P94 i) – “ In the event of the Partnership concluding that the omission of a potential Host Community would create insurmountable problems for the siting process then it would recommend the inclusion of the community concerned if this was supported by a full justification and explanation.”

So much for the Partnership keeping “community willingness to participate.... at the forefront of their minds”. We are not certain if the latter of the two statements has created a new concept of involuntary voluntarism or voluntary involuntarism – both oxymoronic concepts – but we do know that it totally contradicts the first statement, is far removed from the co-operation sought by the White Paper, and returns us all back twenty years to the NIREX era.

c) You head Section 10.3 “The Government’s proposals for the siting process” and set out “a brief summary” of these proposals in Box 29, P89. Based on what is in the White Paper, and on the fact that we are not aware of any other Government publication since June 2008 detailing the views on Stage 4, it is quite obvious that Box 29 is not a summary of Government’s proposals for Stage 4 but rather the MRWS Partnership’s proposals. The White Paper makes no mention of Potential Site Areas (PSA’s), a concept which seems to have made its appearance in the consultation document. With regard to Box 29, none of the 4 bullet points in Stage 4a appears in the White Paper, and as far as we can ascertain nor do any of the 7 bullet points in Stage 4b, nor the 3 in Stage 5.

It seems here that that there is a complete confusion between Government proposals and the MRWS Partnership proposals, with the latter apparently confusing itself with the former as far as the MRWS process is concerned. While this affords an interesting psychological insight into the workings of the MRWS Partnership, it is nevertheless untrue that Box 29 represents a summary of the Government’s proposals for Stage 4, and we remain extremely concerned about a so utterly and completely misleading message.

d) Perhaps the most perplexing aspect of the repository siting process relates to the divergence - more of a radical departure - from the siting process set out in the White Paper, and how this has come about at the instigation of the MRWS Partnership. A White Paper sets out Government policy on a subject, in this case the safe management of radioactive waste. Given that the White Paper does not mention or foresee a role for a Partnership (such as the MRWS Partnership), and neither does it envisage any Principal Authority, after making a Decision to Participate, acting in any way other than through a CSP, which Government is very careful to define, then surely questions as to the legitimacy of the MRWS Partnership have to be asked. By what right/means has it taken over the process, and more importantly from where does it derive its authority to ignore Government policy? DECC, the Government Dept. which wrote the White Paper sits in on MRWS Partnership meetings and must be aware of how far the process has moved away from that originally envisaged. One can only assume a reluctance on the part of DECC to intervene is occasioned by their fear of losing West Cumbria as a possible area for a Repository – assuming that is a realistic possibility. If that is the case, then one can conclude only that wittingly or unwittingly the MRWS Partnership/DECC axis, has created numerous opportunities for judicial challenges at some future date. In the meantime our view is that the MRWS Partnership has no legitimacy and there exists no mechanism for a Principal Authority to act on its own, other than through a

CSP as defined in the White Paper, once a Decision to Participate is declared.

e) The extent to which the MRWS Partnership has ignored and moved away from the siting process requirements of the White Paper can be shown only by a somewhat laborious process. Nevertheless we feel that it is essential to point out the chasm which has opened up, and we have done this by summarising the key points of the siting process - Ch 6 of the White Paper – and key points at the beginning of Ch. 7 – the site assessment process. It is worth pointing out here that the correct title to Ch. 6 is “Site Selection Process using a Voluntarism and Partnership approach”.

The key points are:

1. “Government believes that nothing has emerged from the MRWS consultation (CORWM version) that alters its view that an approach based on Voluntarism and Partnership Working is the best means of siting a geological disposal facility”.
2. Voluntarism is defined thus – “ For the purpose of this White Paper ‘an approach based on Voluntarism’ means one in which communities voluntarily express an interest in taking part in the process which will ultimately provide a site for a geological disposal facility.
3. Communities are defined clearly in the White Paper. These definitions cover 3 different types of community. These are, in the order in which they appear in the White Paper – Host Community, Decision Making Body and Wider Local Interests.
4. Partnership Working is described – “By a partnership approach Government means the setting up of a formal Community Siting Partnership such that the Host Community, Decision Making Bodies and Wider Local Interests will work with the NDA’s delivery organisation and with other relevant interested parties to achieve a successful outcome”.
5. At the end of Stage 3 of the ‘Site Assessment Process’ Government states: “Following this Decision to Participate, Government expects that a formal Community Siting Partnership will be set up such that the Host Community, Decision Making Bodies and Wider Local Interests work with the NDA and other interested parties for the remaining stages”.
6. The importance attached by Government to the CSP as the mechanism for the successful delivery of a Repository can be seen in Appendix C of the White Paper – “Community Siting Partnership: Guidance. It is one of 3 appendices and over 5 pages it details how Government expects a Community Siting Partnership to work. It reinforces its message in Ch6 of the White Paper. Section 6.37 states – “Government does not wish to be prescriptive about the form of a Community Siting Partnership although guidance providing example objectives, rules and responsibilities should be taken into account by interested parties. This guidance is at Appendix C”.
7. In Stage 4 of ‘The Site Assessment Process’ Government policy makes it clear that “The NDA’s delivery organisation will work with the CSP to ensure that local issues are addressed in the assessments”, while discussing “the package of measures that they would like to see implemented alongside a disposal facility to develop the community’s social and economic well-being”.

	<p>Here is a straightforward, well designed process for the delivery of a Repository. Why its requirements have been ignored is not accountable, though it seems by not adhering to its requirements grave difficulties are being placed in the way of a successful outcome.</p>
<p>8 – Overall views on participation</p>	<p>Our view is that the above mentioned areas should not take part in the search to site a Repository.</p> <p>The reasons for this are:</p> <ol style="list-style-type: none"> 1. The geology of the area, complex and characterised by folding and faulting and with strong hydraulic gradients, seems most unlikely to provide the geological setting required to give assurances about the safety of a Repository over an intergenerational time span of many tens of thousands of years. Your inability to represent the geological facts in a balanced manner, implying a more positive picture than represented by the underpinning documents and independent comments, only serves to increase concerns about long term and very long term safety. 2. We have serious concerns about the impacts of a Repository in West Cumbria and on the National Park. These concerns are heightened by your decision making ability, which saw fit to proceed with the publication of the consultation document before the availability of the brand protection work. Such decisions do not engender confidence. 3. Your almost total departure from Government policy as set out in the White Paper in relation to the engagement and siting processes, in particular your treatment of smaller communities (Host and Wider Local), and particularly your subverting and abandoning of Community Siting Partnerships, invites no trust at all from other would-be partners in these processes, thereby achieving quite comprehensively that which the Government sought to avoid in the first place via the White Paper. This somehow seems to be a commentary on the workings of the MRWS Partnership and only serves to underline why the search for a Repository in the Allerdale and Copeland districts should not proceed.
<p>9 – Additional comments</p>	<p>ADDITIONAL COMMENTS</p> <ol style="list-style-type: none"> 1. It has always been the intention of Gosforth Parish Council to act on behalf of its parishioners in the MRWS engagement process following the publication of the June 2008 White Paper. It has never been the intention of the Parish Council to make any decision on behalf of the community to host, or not as the case may be, a deep geological disposal facility. The Parish Council feels that its parishioners, given access to all relevant information and expertise, are more than capable of taking such an important decision themselves. In the event that a potential site was sought within the parish, the Parish Council would seek to give effect to its view, that parishioners must take any decision relating to a Repository, by means of a Parish referendum held under normal electoral rules. To that end the terms of a referendum would need to be drawn up in advance and would require a representative proportion of the parish population of a voting age to participate, in order to be valid. <p>Any future processes therefore must:</p> <ol style="list-style-type: none"> a) Allow adequate time and funds so that parishioners might have access to all relevant information and expertise relating to the siting of a Repository.

b) Allow adequate time and funds for the holding of a referendum.

c) Be prepared to accept the outcome as the community's final decision on whether or not to host a Repository.

2. We note that in European countries where it was claimed that the principle of voluntarism was exercised, an extensive desktop elimination process was first carried out, and only a handful of areas were recognised as inherently safe enough to be open to further consideration. Only at this point were negotiations opened and volunteers sought from within the pool of potential sites. We understand that this process was used in Sweden and Finland. The result of this is that Host Communities could be genuinely included in negotiations because the sites were known, while the whole population could take confidence in the knowledge that any of the sites chosen would be among the safest possible within that country. In the UK to the best of our knowledge, no attempt was made to rank different regions for comparative suitability, and the principle of voluntarism appears to have been used intentionally to exclude from consideration all but one region (which has very doubtful geology). Attempts to compare solely within the so-called Partnership area two or more sites for safety can be no substitute for a proper scientific search nationally for suitable sites.

The continuation of this process, without one or more geologically suitable sites being identified, has the potential to commit large sums of money wastefully to a fruitless search. We believe it is a well-founded fear that when such sums have been committed, the strong temptation will be to continue the selection in the face of doubtful or adverse evidence. The fact that all previous initial generic criteria of the safety of the natural barrier have been abandoned gives us no confidence that this will not be the case.

3. It seems to us that the difficulties in finding a suitable site in the UK as set out in the White Paper, have been greatly increased by a) concentrating the search solely in West Cumbria, which has severe geological shortcomings for the safe siting of a Repository and b) by having what appears to be a perfectly reasonable Government process taken over by the MRWS Partnership, especially by the three Principal Authorities 'participating' in that partnership.

The White Paper suggests implicitly – probably expressed explicitly at the end of Stage 3 of the Site Assessment Process – that potential sites for a Repository had to be identified before the making of a Decision to Participate by Principal Authorities. Certainly that must have been Government thinking which led to Host Communities and Wider Local Interests making an appearance at the end of Stage 3. {Perhaps the Government had in mind a process similar to those in Sweden and Finland described above}. It would also have been a far more rational situation than we have at present, it quite obviously being a more realistic scenario to have a potential repository site identified, before a Decision to Participate, rather than after. There does appear to be little logic in spending several years trying to decide whether or not to make a Decision to Participate if in the event a suitable repository site cannot be found, unless of course the whole process is something of a 'done deal' and a site has already been /will be chosen come what may.

Thus this part of the process pre-supposed a lead role for both types of community (Host and Wider Local) something which without doubt was unacceptable to the Principal Authorities, particularly Copeland BC whose 'dash for cash' may not have been the only reason why it acted so precipitately and without any consultation on the White Paper. Allerdale Borough Council (also we believe without White Paper consultation) and Cumbria County Council (with a bare minimum of consultation, the results of which do not appear to have been made public) swiftly followed suit. It was this rush on the part of the Principal Authorities to

		'Express an Interest' which upset the dynamics of the process envisaged in the White Paper and threw the whole thing out of kilter, leading also to the necessity to form the MRWS Partnership, in effect merely a cover for the aims and ambitions of the Principal Authorities.