

## Department for Environment, Food and Rural Affairs

### Consultation on managing radioactive waste safely: a framework for implementing geological disposal

Please use this proforma to answer the questions in the above document. Responses should be received no later than **Friday 2 November 2007**.

If sent electronically responses should be clearly marked in the subject field as **consultation on managing radioactive waste safely** and should be sent:

- by email to: [radioactivewaste@defra.gsi.gov.uk](mailto:radioactivewaste@defra.gsi.gov.uk)
- or by post to: Sophie Shepherd, Defra, 3/G24 Ashdown House, 123 Victoria Street, London, SW1E 6DE.

The email address above may also be used for general queries relating to this consultation. Please mark the subject field **consultation on managing radioactive waste safely**.

To help us analyse responses, please provide details of yourself or your organisation below (\*if appropriate)

In line with Defra's policy of openness, at the end of the consultation period copies of the responses we receive may be made publicly available through the Defra Information Resource Centre, Lower Ground Floor, Ergon House, 17 Smith Square, London SW1P 3JR. The information they contain may also be published in a summary of responses. If you do not consent to this, you must clearly request that your response be treated confidentially. Any confidentiality disclaimer generated by your IT system in email responses will not be treated as such a request.

You should also be aware that there may be circumstances in which Defra will be required to communicate information to third parties on request, in order to comply with its obligations under the Freedom of Information Act 2000 and the Environmental Information Regulations.

Defra's confidentiality statement in full can be found at

<http://www.defra.gov.uk/corporate/consult/radwaste-framework/letter.htm>

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Date of response	30 October 2007

NB: on the form below, please leave the response box blank for any questions that you do not wish to answer. Responses including any general comments you might wish to make are welcome on any number of the questions. For question's with a tick box it would be helpful if you could please indicate whether you agree, disagree or are uncertain (as appropriate) and offer comment on your answer.

<b>Chapter 2: The Waste</b>					
Question 1 [page 14]: Do you agree with this approach to compiling and updating the radioactive waste inventory and using it as a basis for discussion with potential host communities? If not, what would you propose?					
Yes	<input checked="" type="checkbox"/>	No	<input type="checkbox"/>	Uncertain / Other	<input type="checkbox"/>
<p>We feel that the summary of radioactive waste inventory is realistic, clearly laid out and forms a suitable basis for further discussion.</p>					
<b>Chapter 3: Outline implementation programme for geological disposal</b>					
Question 2 [page 22]: Do you have any comments on the proposed technical approach for developing a geological disposal facility, as set out in Chapter 3?					
<p>We feel that the technical approach is broadly appropriate, however we had a comment that co-location of intermediate (ILW) and highr level (HLW) may be problematic in terms of possible chemical interaction - cement-based and vitrified waste may need separation.</p> <p>We welcome the Government view not to preclude retrievability (3.18, 3.19) with the matter of the extended storage period left open, para 3.20.</p> <p>Any decision to close off the store should be made in close consultation with the local community. With the widespread current public mistrust of the science of deep geological disposal, although perhaps not the principle of the process, it would be sensible not to close off the option. The main issue is the public perception of the safety of radioactive waste storage.</p>					

Question 3 [page 24]: Do you agree with the approach to public and stakeholder engagement set out here? If not, how do you believe your input could be better managed or your concerns addressed?

Yes	<input type="checkbox"/>	No	<input type="checkbox"/>	Uncertain / Other	<input checked="" type="checkbox"/>
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We are uneasy about the model illustrated in Figure 4. We can see pragmatically why this sequence is suggested, but we think that the most fundamental criterion in the whole process of selecting the location of a deep repository is not host community willingness, but geological and technical suitability. The most rigorous technical and objective criteria should be applied in Stage 2, Figure 4.

With regard to the screening-out of areas listed in para 8, pages 57 and 58, the criteria should not be 'loaded' to make the choices easier. We were not clear why, on page 58, earthquakes and faults were listed as not being recommended as exclusion criteria. Surely, people would require reassurance on this fairly early on in the selection process, and the evidence of large-scale geological (fault) stability should be available and easy to present.

**Chapter 4: Protecting people and the environment: regulation, planning and independent scrutiny and advice.**

Question 4 [page 28]: Government believes the system of regulation outlined in paragraphs 4.2 to 4.14 is strong and robust in relation to a geological disposal facility. Do you agree? If not, what other regulation do you feel is necessary?

Yes	<input checked="" type="checkbox"/>	No	<input type="checkbox"/>	Uncertain / Other	<input type="checkbox"/>
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We generally agree. Regulation generally assumes a certain point in time. So we feel there should be primary legislation to facilitate staged regulation for periodic updating of this long-term process. Regulators need to be open with local partnerships and communities to cater for new understanding, changed requirements and technical developments  
 We agree with the idea of hold-points for 'catching up' and that hold points should be linked with right to withdraw and further local dialogue.

Question 5 [page30]: Do you think the proposed planning reforms in England outlined in Chapter 4 should apply to the development of a geological disposal facility, and if so how could this be integrated with the voluntarism and partnership approach outlined in Chapter 5?

Yes	<input type="checkbox"/>	No	<input type="checkbox"/>	Uncertain / Other	<input checked="" type="checkbox"/>
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We fear that there may be a temptation to by-pass locally elected bodies in the partnership planning approach perspective. We welcome the Government statement that proposed reforms will need to fit with the voluntarism and partnership approach.  
 Clarity is needed on the staging in the planning process.

**Chapter 5 Site selection using a voluntarism and partnership approach**

Question 6 [page 36]: Do you agree with this approach to defining 'community' for the purposes of the site selection process? If not, what alternative approach would you propose and why?

Yes	<input type="checkbox"/>	No	<input type="checkbox"/>	Uncertain / Other	<input checked="" type="checkbox"/>
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- 1 We understand the Government preference for an approach based on a willingness to participate, but re-emphasise our comment in the response to Question 3, above, about the fundamental criterion.
- 2 We welcome the Government recognition for the role of local existing democratic decision-making structures.
- 3 We recognise the three categories of community listed in the document, but think that the 'community' should be larger than individual local landowners.
- 4 Communities should only volunteer if they have established that there is a high level of support from their communities.
- 5 We welcome the proposed financial support for carrying out locally this part of the process, Question 11.

Question 7 [page 37]: Do you agree with the proposals for providing information to communities and the way Government proposes to issue invitations?

Yes	<input checked="" type="checkbox"/>	No	<input type="checkbox"/>	Uncertain / Other	<input type="checkbox"/>
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We generally agree, but feel the local decision making bodies should be given longer to respond to the initial invitation.

Question 8 [page 39]: Do you believe that the initial sub-surface screening criteria proposed by the expert panel are correct? Do you believe that the way in which Government proposes to apply these criteria in the process is correct? If not, how could this be done differently?

We agree with the criteria, as long as they are not used as a premature attempt to exclude sites or not to inform local decision makers about whether to participate.  
See our earlier main point about geological//technical suitability being the primary criterion, Question 3.

Question 9 [page 42]: Has Government identified the relevant assessment criteria? If not, what other criteria should be used? Do you have any comments on how the criteria should be applied at different stages?

Yes	<input checked="" type="checkbox"/>	No	<input type="checkbox"/>	Uncertain / Other	<input type="checkbox"/>
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We welcome the right of withdrawal after the desk-based and surface-based studies, they are integral to the right to participate.

With regard to Annex C

- 1 We agree that the list identifies the headline issues to assess.
- 2 It provides a good basis for discussion with siting partnerships
- 3 There might be local points/circumstance so it should not be taken as definitive. Local criteria should have appropriate weightings.
- 4 The Government should provide guidance, not adopt a heavy-handed, prescriptive approach, we therefore welcome the statement to this effect in para 5.44

Question 10 [page 43]: Do you have any comments on whether and how a partnership arrangement could be used to support a voluntarism approach?

No further comments except to welcome the idea of partnerships in dialogue between the NDA and local communities.

Question 11 [page 45]: Do you agree that the work of communities and/or partnerships should be funded by Government through an engagement package? If so, what activities do you think it would be reasonable to expect Government to fund?

Yes	<input checked="" type="checkbox"/>	No	<input type="checkbox"/>	Uncertain / Other	<input type="checkbox"/>
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Welcome this as essential. The early stage costs involved in financing the key steps should be negotiated locally with the Government.

Question 12 [page 46]: How best can Government and the NDA ensure that the development of a geological disposal facility delivers lasting benefits to the host community? Should this involve the use of benefits packages and if so how might this best be achieved, taking into account the need to make the best use of public funds?

From our experience of the tendency of Central Government to concentrate its resources on urban and more populous areas rather than the ones likely to be involved in a site selection process, we were concerned about the final phrase 'best use of public funds'. It suggests that the 'best interests of the local community', which we feel is very important, will be relegated to a secondary consideration. There should be a negotiated package, with a long-term fund for future generations. Also relevant to the long-term fund is the Government's requirement for private energy companies to provide financially for future decommissioning and waste management, if new reactor build goes ahead.

Question 13: Do you have any other comments?

Preamble

In preparing this response a broadly representative group associated with 'Christians Together in Cumbria', each with some expertise in energy and waste issues covering the nuclear industry, local government and environmental perspectives, met to discuss the consultation. The primary Christian ethical approach determining the wide ranging perspectives within the group are those that relate to the "justice, peace and the integrity of creation" perspective of the World Council of Churches. This is taken to imply justice between and across affected / interested 'communities' (broadly defined), the implication that peace is served by managing the nuclear legacy fairly between present and future generations, and the need to ensure containment of the waste into the extended future, minimising as far as possible harm to both humans and other species and the environment generally. These high level principles are capable of leading to a range of defensible viewpoints. What is said below needs to be read in that context.

Important Rider to the Above Responses

Although in agreement with the general principle of deep geological disposal and that adequate safety should be the primary criterion for siting a repository, an influential minority within the Group wishes to make some points which conflict with the generally supportive approach to voluntarism and dialogue between potential host communities and the NDA/Government adopted above.

- 1 The result of the Government's waste deliberations may mean a long disadvantaged insular community like Copeland in West Cumbria being the decisive factor in determining where to bury the country's nuclear waste for hundreds and thousands of years.
- 2 The legacy of waste is one that needs a secure safe home for the lives of future generations. That safe repository should be a decision made by central government alone and purely on safety grounds.
- 3 The concept of voluntarism in this case contrasts with the way in which the the local communities' needs are ridden roughshod on projects that have a life of relatively few years – the Olympics, an airport extension, whereas for a project with an unimaginable lifespan the government and professional advisers pretend it is an act of involvement to effectively engineer a local community to 'volunteer'.
- 4 The voluntarism process, combined with the promise of much largesse for the local area, is utterly without integrity.
- 5 The consent of a local population should actually play no part, no local community should have a veto. They should not be in a position to speak for future generations.
- 6 A safe repository should be identified. The cost of moving the material from where it is now is also irrelevant as the cost of transport while we have a functioning government and economy to fund the movement is nothing compared to the future cost to the whole population if it is put in the wrong place.

