

**Response to RWM consultation on GDF Site Evaluation Criteria**

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<b>The Reason for the Decision</b>	To consider responding to the Radioactive Waste Management (RWM) consultation relating to the criteria they propose to use to evaluate potential sites for a Geological Disposal Facility (GDF).
<b>Summary of options considered</b>	There are only two options – respond or not. Whatever the outcome of the Government’s GDF siting process, Allerdale will be affected, so it makes sense to respond.
<b>Recommendations</b>	It is recommended that Members consider the draft response (attached) and agree that it may be submitted to RWM, amended as necessary.
<b>Financial / Resource Implications</b>	There are no financial or resource implications from responding to this consultation.
<b>Legal / Governance Implications</b>	Under the Local Government Act 2000 and associated legislation, together with the Authority’s constitution, responding to this consultation is an Executive decision.
<b>Community Safety Implications</b>	There are no community safety implications from responding to this consultation.
<b>Health and Safety and Risk Management Implications</b>	There are no health and safety and risk management implications from responding to this consultation.
<b>Equality Duty considered / Impact Assessment completed</b>	There are no equality issues arising from responding to this consultation.
<b>Wards Affected</b>	The consultation relates to a process that will only be used once potential sites for a GDF have been identified, so no wards are affected at this time.

<b>The contribution this decision would make to the Council's priorities</b>	Responding to this consultation has no direct impact on the Council priorities.
<b>Is this a Key Decision</b>	No
<b>Portfolio Holder</b>	Councillor Alan Smith
<b>Lead Officer</b>	Richard Griffin Policy Manager – Nuclear richard.griffin@allerdale.gov.uk

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## Report Implications

Community Safety	N	Financial	N
Legal	N	Partnership	N
Social Inclusion	N	Asset Management	N
Equality Duty	N	Health and Safety	N
Employment (internal)	N	Employment (external to the Council)	N

**Background Papers** – RWM consultation document on the proposed GDF site evaluation criteria ([www.gov.uk/government/consultations/site-evaluation-how-we-will-evaluate-sites-in-england](http://www.gov.uk/government/consultations/site-evaluation-how-we-will-evaluate-sites-in-england))

### 1.0 Introduction

1.1 On 19 December 2018, Radioactive Waste Management Ltd (RWM) launched a consultation relating to the process they intend to use to evaluate potential sites for a Geological Disposal Facility (GDF) in England. The consultation closes on 31 March 2019. The proposed evaluation process brings together in one place the key relevant existing policy, legislative and regulatory requirements that will apply at various points in the GDF Siting Process.

1.2 RWM break the evaluation process down as follows:

- First of all a site will be looked at in the context of what are described as high level requirements. These are things like legal and planning requirements, as well as any nuclear safety related obligations that need to be met.
- Then a site will be considered against six siting factors – safety, community, environment, engineering, transport and cost. Each factor is underpinned by a number of “evaluation considerations”. For example, “Cost” is considered both in terms of construction costs and lifetime costs.

In the early stages of discussions with potential host communities, there will be limited information available and so the Site Evaluation (SE) process will be iterative and repeated a number of times as more information becomes available. The output from the SE process will allow RWM to decide whether or not a site is worth further investigation and eventually support any application for Development Consent Orders and environmental permits for borehole investigations and ultimately construction of the facility itself. The SE process will also be used to compare the relative merits of different sites should that situation ever arise.

## **2.0 Content (to include alternative options considered)**

2.1 There are only two options, we either respond or we do not. There is no impact on the Authority from either option, but given our extensive experience of these issues from our involvement in the last GDF siting process and from our close proximity to the Sellafield site, it would seem to be a wasted opportunity if we were not to respond.

2.2 As usual with such exercises, there are some specific questions we are asked to consider and these are tackled in the attached draft response. However, there are a number of key points that need highlighting and are explained here:

- The proposed process does not explain things like how the proximity of a proposed GDF site to an existing nuclear facility would be factored in, nor does it explain how the inventory for the GDF will be finalised and applied to this process. Both of these issues are key to us as they immediately favour a location as near to Sellafield as possible.
- The proposed process is also unclear as to how it would manage a situation where RWM spend years in discussions with a potential host community and then, say ten years down the line, a part of West Cumbria expresses interest in possibly hosting the GDF. Would the West Cumbrian community immediately become the front runner? Would the process be paused until they had caught up? How much money are RWM/Government prepared to waste before they stop pretending all communities are equal?

## **3.0 Recommendations**

3.1 It is recommended that Members consider the attached draft response and agree that it may be submitted to RWM amended as necessary.

**Richard Griffin**  
**Policy Manager Nuclear**

By email to: [siteevaluation@nda.gov.uk](mailto:siteevaluation@nda.gov.uk)

Dear Sir or Madam,

## **Site Evaluation Consultation: Response from Allerdale Borough Council**

### **1. Introduction**

Allerdale Borough Council is grateful for the opportunity to comment on this consultation. We were a key partner in the former Managing Radioactive Waste Safely (MRWS) process and have been working with other local authorities under the umbrella of NuLeAF since that last process came to an end. As part of the current host community for the Sellafield site (where a significant proportion of the inventory for any GDF is currently stored) Allerdale Borough Council wants the GDF siting process to succeed, but we remain concerned that our role and experience as the current host community is continuing to be ignored.

The MRWS process ran for more than five years and in that time, only Copeland and Allerdale stepped forward. There were enquiries from other parts of the UK and Shepway almost put their toe in the water, but the reality was only West Cumbria joined the process and everyone assumed the issue was sorted. On the basis of our MRWS experience alone, the argument that all communities are equal falls down and yet, six years later, you have launched a new process that pretends the UK is starting with a blank piece of paper. We believe that what is needed is a more strategic discussion around all the nuclear related challenges the UK is facing, how those challenges might impact on Sellafield and the LLWR and how we might secure the maximum benefit for this community going forward. We remain disappointed, not to mention confused, that such a discussion is not supported by those responsible within Government and the nuclear industry.

### **2. General Comments**

The search for a suitable site for a Geological Disposal Facility is a complex process which will run over many years and you are expecting that a number of potential host communities will enter. Each of these will have different characteristics and it is vital that a clear, understandable and objective approach to evaluating the merits of different sites is adopted.

As the SE Consultation recognises, an assessment of sites must draw on a wide range of regulatory, policy and legislative requirements. It should be guided by the generic Disposal System Safety Case (gDSSC), and in particular by the recently published Working with Communities policy, the National Policy Statement for Geological Disposal Infrastructure (NPS) and legal requirements including those related to land use planning, Environmental Impact Assessment (EIA), Habitats Regulation Assessment (HRA), licencing and permitting.

The scale of a GDF, coupled with the many questions and concerns that potential host communities will have, make the process of managing site evaluation challenging. This is compounded by the fact that site specific information, for example on geology or the characteristics of potential surface sites, will be limited in

the early years of the process. It is thus of great importance that RWM, and local Community Partnerships, operate in the most open and transparent way possible, and engage constructively with all sections of community opinion.

Local authorities have a central role in the GDF siting process through their participation (if they wish) in Working Groups and Community Partnerships, their defined role within the NPS and their wider responsibilities for land use planning, infrastructure, transport and economic development. Effective engagement with local government at all stages of the process is therefore crucial.

In terms of the Site Evaluation document itself, we have provided a response to the consultation questions below. However, in general terms we believe it would benefit from the following:

- Additional information on the context, explaining the scale and current location of the UK's legacy nuclear and radioactive wastes and the need for a GDF as a critical part of national infrastructure.
- More explanation of how a GDF is viewed internationally as the best solution at present to the problems of legacy waste management, and how geology and other barriers will be used to keep waste safe.
- A brief explanation of the key elements of the Working with Communities policy and how it and the NPS (when published) will underpin and interact with the Site Evaluation process.
- More use of easily understandable maps and graphics throughout and the use, wherever possible, of non-technical language.

### **3. Response to consultation questions**

**Question 1: Are there any other sources of high-level requirements, other than the Siting Process Requirements and the Legal Requirements identified, that you think should be reflected in the Site Evaluation and why?**

No. We believe that the consultation sets out all the Siting Process and Legal Requirements that need to underpin Site Evaluation.

**Question 2: Do you agree with the Siting Factors we have identified? Are there any other Siting Factors that should be included and why?**

We agree with the 6 Siting Factors identified. Other critical issues for consideration are Security and Geology. While we would not propose they should be added as separate siting factors, they clearly underpin a number of factors and this should be explained more clearly in the document.

We note in 3.13 that the site evaluation approach will not involve ranking or scoring but will be qualitative. While we understand this approach, there is a risk that qualitative assessments will be open to dispute and to potential challenge from the various communities within the process. In particular, the comparative assessments undertaken to determine the selection of sites for boreholes and for the GDF itself

(5.2) will have to be carefully managed, both in those communities selected to remain in the process and in those that would be prevented from continuing.

**Question 3: Do you agree with the Evaluation Considerations we have identified? Are there any other Evaluation Considerations that should be included and why?**

In terms of the Evaluation Considerations we believe that more information should be provided to allow communities to understand what issues will be considered under each Siting Factor. Additional issues that should be included are:

**Community** – This is a process based on community consent. We would therefore propose that the local political environment should be considered as a factor.

We feel that the Community evaluation should also consider how proposals for a site will support sustainable development and public health.

**Environment** - It is important that assessments of environmental impact do not simply seek to mitigate negative impacts, but to actively promote positive environmental outcomes and 'added value'. Examples of this might include the development of low carbon power generation on site which could reduce the carbon footprint of the GDF and contribute to low cost energy generation for the host community.

**Engineering** – Plans for a GDF should be guided throughout the siting process by regular reviews to determine whether geological disposal remains the optimal solution to the long-term management of the waste inventory.

**Question 4: Is there anything else that you think we should consider in our site evaluations and why?**

Yes:

- a. Section 4 commits to the preparation of increasingly detailed evaluations (4.2) as the process advances but early in the process there will be higher levels of uncertainty (4.4). We believe RWM will face challenges in the early years of any local siting process in explaining the limits to knowledge, uncertainties and the inability to properly address some questions or concerns that communities might have. The management of this issue will be of critical importance in maintaining community support, particularly as limitations on the information provided by the developer may be used by opponents to challenge the validity of the process.
- b. We note that this consultation has been published before the final National Policy Statement (NPS) for the GDF and has been prepared with only the draft NPS available. A commitment must therefore be given to review the final NPS when available and ensure that the Site Evaluation document fully reflects all relevant aspects of the Policy Statement. If changes have to be

made a new consultation should be undertaken on the Site Evaluation proposals.

- c. We believe that more information should be provided as to whether any weighting will be given to each of the evaluation considerations in assessing the relative merits of different local sites. For example, it is not clear how much importance will be given to cost implications relative to environmental impacts. It is also not clear what weighting will be given to assessing various issues within an appraisal of a single evaluation consideration – for example within Environment what significance will be given to climate considerations relative to noise or transport?
- d. It may be the case that potential host communities will enter the siting process at different times or proceed at different rates. We would welcome more information on how RWM will manage its engagement with communities progressing at different rates and whether the process will be paused in other locations as soon as one location moves on to the borehole phase. Similarly, you need to explain how you would manage a scenario where a Community Partnership that has been working for a number of years, is compared with one that has just entered the process. Will the former's progress through the process count or will it simply be based on an evaluation of the two sites?
- e. It is not clear to us how, if at all, proximity to current nuclear sites will be factored into the evaluation. It could be argued a community that currently hosts a nuclear facility would be more attractive to the developer, but it is not clear how the evaluation will take this into account. Are you suggesting that it would not count, in which case you need to say so, or are you assuming that when you take into account things like cost and transportation, then the proximity issue is covered?
- f. The issue of inventory could have a massive impact on the evaluation of sites, but currently the process only mentions it in the context of engineering feasibility. While that makes sense, we believe that the inventory is a much more important issue than that. If, for example, plutonium and spent fuel are included in the inventory, then when you compare sites, the one nearest to Sellafield would immediately be much more attractive (at least from a transportation, security and therefore overall cost perspective), regardless of the other factors. If the inventory did not include plutonium or spent fuel, then perhaps it would not have such an impact. You therefore need to be clearer about how the inventory will be finalised and how and when it will be factored into this SE process.