

NDA Consultation on Low Level Waste (LLW) Strategy review.

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Summary and Recommendation:

Members will note that the NDA launched a consultation on the 27th January on an update of the UK Strategy for the Management of Solid Low Level Waste from the Nuclear Industry. This report contains a proposed draft response to this consultation.

Recommendation: Members agree to respond to the consultation as drafted.

1. Background

- 1.1** Following the 2014 NDA review, DECC (on behalf of UK and Devolved Governments) are consulting on proposed changes to the UK Strategy for the Management of Solid Low Level Radioactive Waste from the Nuclear Industry.
- 1.2** The Consultation was launched on the 27th January 2015 and will close on the 21st April 2015.
- 1.3** Copeland Borough Council hosts the only national facility for disposal of LLW at Drigg. Therefore any strategy that impacts on the way in which LLW is managed will have a direct and lasting impact on the local community.

2. What is the LLW Strategy

- 2.1** The policy for the management of Low Level Waste (LLW) in the UK published in 2007 required the NDA to develop a UK Strategy for the management of solid LLW from the nuclear industry which was published in 2010. The Current consultation is a review of the original strategy.
- 2.2** Since the publication of the original strategy, the LLW management environment has changed considerably, reflecting that many of the transformational activities identified in the strategy document have been delivered. The changes include:
 - The diversion of significant volumes of LLW from the Low Level Waste Repository.
 - The development and use of alternate treatment and disposal routes.

- The application of the waste hierarchy by waste producers when making waste management decisions.
- The identification of opportunities for improvement and the sharing of good practices for LLW management.
- The engagement of a broad group of stakeholders within the process.

3. Implications for Copeland

3.1 The proposed strategy is largely aligned with the previous strategy in that it will continue to enforce the use of the waste hierarchy to push LLW up the waste change and avoid, reduce and reuse where possible only considering disposal as a final option.

3.2 The Council needs to take into consideration that the effectiveness of the implementation of this strategy will mean that a large volume of Very LLW will continue to be diverted from the Low Level Waste Repository (LLWR) and therefore may increase the demand for additional municipal waste sites to accept VLLW.

3.3 The strategy also suggests integrating all 3 LLW strategies. As part of the LLW policy the following 3 strategies where required:

- Naturally Occurring Radioactive Material (NORM) wastes. This type of waste is generally generated by the drilling and in the oil and gas industry.
- LLW from the non-nuclear industry
- LLW from the nuclear industry.

3.4 The current strategy review asks if it would be better to integrate all 3 strategies into one overarching strategy. The Council agrees that one strategy would give a clearer view of the future waste arising's and would avoid the 'salami slicing' effect of current strategies.

3.5 The strategy review also asks what we consider to be the barriers to reuse and recycling in the nuclear industry.

4. Recommendations

4.1 The Council's proposed draft response to the consultation is attached as appendix 1. Members are asked to review and suggest any amendments where necessary.

4.2 The consultation closes on the 21st April. As a proposed way forward Members are requested to respond with any amendments to the draft response in writing to dgallen@copeland.gov.uk by 12 O' Clock on Friday the 03rd April. The final response will then be signed off by the leader.

Dear Sir / Madam

Date: 18th March 2015

UK STRATEGY FOR THE MANAGEMENT OF SOLID LOW LEVEL WASTE FROM THE NUCLEAR INDUSTRY CONSULTATION RESPONSE.

Thank you for the opportunity to comment in respect of the above.

Copeland Borough Council is host to the only UK facility for the management of Low Level Waste and as such has a keen interest in the strategy for the future management of solid Low Level Waste (LLW). Our priority in reviewing the proposed strategy is to assess its implications on the Low Level Waste Repository (LLWR), located within our community and any direct or indirect implications this will then have on the wider community as the host authority to the only national facility of its kind.

Q1. Advantages and disadvantages of integrating the three LLW strategies into a single strategy?

The Council advocates a holistic approach to nuclear waste management. We believe that the integration of the three waste streams would give the necessary overview of the LLW waste arising's to allow communities and local authorities to appropriately respond and plan for future capacity needs.

A joint policy will enable future forecasting to be understood more clearly and has the potential to create linkage between the different LLW generators and avoid the possibility of creating orphan wastes.

Furthermore, one strategy would reduce consultation fatigue and it would aid local authorities rather than having a consultation on individual waste streams.

Q2. Advantages and disadvantages of using radiological classification as opposed to disposability assessment as the basis for waste management decisions?

The diversion of waste from the LLWR through successful implementation of the waste hierarchy, ensuring that as much waste as possible, is pushed up the hierarchy has been incredibly successful over the past few years. However, the Council is concerned that changing the process from classification to disposability assessment may cause confusion and mistrust within the community.

Communities that host waste disposal sites must be satisfied that the waste streams being received are safe and will not have a negative impact on the local environment.

The NDA needs to carefully consider how it would communicate the implications of changing the assessment criteria, what this would mean and offer some kind of reassurance that it will not result in higher levels of radioactive waste being disposed of at the existing sites.

Further information on the impacts of disposability assessments on waste streams is required before any judgement as to the suitability its implementation can be made.

Q3. Barriers to reuse within the nuclear industry?

Uncertainty in the industry around when waste arising's will occur and the quantity of volumes leaves it impossible for the market to come forward with solutions. If there was greater accuracy around forecasting and assurances given, it would enable linkages to be made between the potential opportunities for reuse.

Industries should be further incentivised to explore reuse options. Reuse may not always be the most financially feasible option, therefore it is important that other criteria are included in the assessment criteria and are given equal weighting, alongside insuring that disposal is the most expensive option.

Q4. Barriers to recycling waste in the nuclear industry?

There needs to be a greater variety of waste treatment opportunities for different waste streams within the UK for example a smelter. There are a number of limited recycling options within the UK currently and the market has expressed an interest in investing further but would need some certainty over the waste arising's before making any investment decisions.

A mechanism whereby holistic forecasting over all the different nuclear waste streams is needed to give a coherent overarching view of the needs and opportunities that exist within the nuclear waste industry.

Q5. Should opportunities be explored to manage wastes at the boundary of LLW/ ILW more flexibility according to risk assessment?

The Council would reiterate the opinions expressed in answer to question 2, that in order for the general public to have any confidence and a greater understanding of what this means guidance would need to be issued explaining what are the opportunities at the boundary.

Reassurance needs to be given that this flexibility at the boundary of wastes does not result in a higher category of waste being disposed of at lower level facilities, which could increase the risk to the local environment. Similarly consideration needs to be given to the potential proliferation of sites hosting lower levels of waste – creating the expectation that demand for additional facilities may be met by the limited number of communities which currently host VLLW facilities. The protection and safety of the local community and the environment should always be the most important criteria when determining waste management options. Furthermore, the perception of risk by the wider community is a key factor and must be given due consideration when exploring wastes on the boundary.

Q6. Do you consider that the current extent of stakeholder's engagement for the LLW Strategy is proportionate and appropriate?

Copeland Borough Council is not a party to the LLW Strategy Delivery Overview Group, in part this may be considered to reflect the anathema and historic position of a strategic waste planning authority overseeing development proposals which are strategic matters nationally, not necessarily on at a county level and where impacts are commonly localised and affect very specific communities which host the development. Although this Council is not the planning authority for the LLWR, the facility is situated within the Copeland community and as such our Members and the communities they represent have the greatest vested interest in the policies and strategies which will influence the future use of the facility. The Council would urge the NDA to include the local authority in this group to insure that the local community are adequately represented and have an opportunity to meaningful contribute to the strategy at design and concept stage as the opportunity to review and meaningfully influence the strategy at consultation stage is somewhat reduced.

Q7. Any other Comments?

Paragraph 2.43 states that the LLWR is a key asset to the UK and the continued availability of this facility is central to this strategy. However, the current planning application has been withdrawn. The level of transparency and lack of communication around the progress of the planning application is in danger of undermining trust within the community. In order to build confidence in the future management of nuclear waste streams and the successful implementation of the LLW strategy there must be a more open and transparent dialogue between the operators the Local Authority and the NDA.

The Council hopes that the above comments will be taken into consideration when reviewing the LLW strategy and look forward to receiving a revised process that will enable Local Authorities to fully participate in the process and instil confidence in stakeholders and the local community.

Yours Sincerely

Cllr Elaine Woodburn
Leader of the Council