

Site Allocations Policy for Low Level Waste Management

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LEAD OFFICER: Fergus McMorrow
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Summary and Recommendation:

This report concerns the County Council's proposed allocation of sites for managing Low Level and Very Low Level Radioactive Waste as part of its Minerals and Waste Local Development Framework.

The Nuclear Working Group is asked to make recommendations to the Council's Executive which will be discussing the overall Site Allocations consultation document in due course and responding to the County Council. Officer recommendation is that:

- a) All Very Low Level Waste arising on the Sellafield site should be disposed of within that site
- b) The site identified adjacent to the Sellafield eastern boundary should only be consented for the management of Low and Very Low Level Waste following a comprehensive investigation of all environmental, economic and social concerns and
- c) No other sites in Copeland should be considered for managing Low and Very Low Level Waste until there is a rigorous examination of alternative sites close to Sellafield

1. INTRODUCTION

- 1.1 The County Council is the Planning Authority responsible for decisions on all minerals and waste development in Cumbria outside the National Park. For this purpose it is required to produce a Minerals and Waste Local Development Framework (MWLDF). Last year it adopted two of three documents which make up the MWLDF: the Core Strategy containing strategic policies and a Generic Development Control Policies document which sets out the approach to managing development in more detail. The third item involves the identification of specific sites for development in the "Site Allocations Policies and Proposals Map" and a consultation draft of this is currently on public deposit – the deadline for comment is 8th

February. A full report on the document as a whole is being made through the Executive. Its members' deliberation on a recommendation to the County Council will, however, be assisted if the Nuclear Working Party was to discuss the issues relating to Low Level Radioactive Waste covered by the document.

2. ARGUMENT

2.1 In its Core Strategy (Policy 12) the County Council envisaged that the Low Level Waste Repository near Drigg would continue to operate as the principal site for this form of waste. It now states that "it has (since) become clearer that initiatives are needed within Cumbria and throughout the UK to divert the sub-category of Very Low Activity High Volume Wastes (or Very Low Level Waste – VLLW) away from the Repository." This will maximise the lifespan of the remaining vault space near Drigg. The draft Site Allocations document the County Council proposes 3 sites to deal with the two streams of low level waste:

2 "first preference sites":

- CO 35 the Repository near Drigg and
- CO 36 Land within the Sellafield site

and a reserve site

- CO 32 Land adjacent to Sellafield

Such reserve sites would only come forward if the preference sites are taken by other development, do not come forward for development, or prove to be unsuitable e.g. following a more detailed assessment as part of a planning application.

2.2 It is interesting that the former coal extraction site at Keekle Head, Pica is not identified by the County Council at this stage. In a previous, less formal consultation last year it discussed the merits of Keekle Head in the knowledge that a waste company was actively considering the site for the management Of VLLW from Sellafield and other arisings in the North West. Copeland officers at that time indicated a preference for dealing with Sellafield waste streams as close to the Sellafield plants as possible to reduce unnecessary transport hazards and to ensure that other Minerals and Waste Planning Authorities make provision for their own VLLW arisings within their own areas which is supposed to be a principle of national waste policy. In the event the County Council stated in the previous draft document that it did not support the idea of using the Keekle Head site for this purpose and has therefore omitted it from the Site Allocations document. A planning application is, however, expected shortly on this site which the County Council will have to deal with irrespective of the timetable for its MWLDF completion.

- 2.3 Plans identifying the three sites together with extracts from the Site Allocations document are appended.

3. OPTIONS TO BE CONSIDERED

- 3.1 The Working Party is asked to consider the County Council's comments in the appendix to this report (the full consultation document is available for reference in the Members' Room) and to make recommendation to the Council's Executive accordingly.
- 3.2 Officer recommendation is to support the County Council position on the sites identified including the status of "first preference" and "reserve" but to clarify the point that:
- a) VLLW arising on the Sellafield site should be disposed of within that site unless there are overriding reasons not to and only then as an alternative within a consented site close by
 - b) site CO 32 adjacent to Sellafield should only be consented for managing LLW and VLLW following comprehensive investigation of all the environmental, economic and social issues raised by consultees e.g. as regards the presence of a major aquifer and
 - c) no other sites in the Copeland area should be considered for managing LLW and VLLW until there is a rigorous examination of alternative sites close to Sellafield.
- These recommendations are in line with Minute ref. NWG 07/09 when Members discussed some of these issues last year in relation to a site at Lillyhall as well as the Keekle Head site. At that stage it was also agreed that the two Councils' policy on such matters should be resolved directly as part of joint discussions before further strategies/plans were formalised and members must decide if the County Council has taken on board the matters they discussed with the County's MWLDF officer, Mr R Evans, at the last Group meeting in December.

5. FINANCIAL AND HUMAN RESOURCES IMPLICATIONS (INCLUDING SOURCES OF FINANCE)

- 5.1 None other than Member and Officer time

List of Appendices

Appendix A – Site Plans and extracts from "Site Allocations" Document

CHECKLIST FOR DEALING WITH KEY ISSUES

Please confirm against the issue if the key issues below have been addressed . This can be by either a short narrative or quoting the paragraph number in the report in which it has been covered.

Impact on Crime and Disorder	None directly
Impact on Sustainability	Yes significantly
Impact on Rural Proofing	None directly
Health and Safety Implications	None
Project and Risk Management	None
Impact on Equality and Diversity Issues	None
Children and Young Persons Implications	None
Human Rights Act Implications	None
Monitoring Officer Comments	
Section 151 Officer Comments	

Please say if this report will require the making of a Key Decision NO

APPENDIX A:
Site Plans and extracts from CCC's Draft Allocations Document

4 Site Assessments and Maps**CO 35 Low Level Waste Repository, near Drigg**

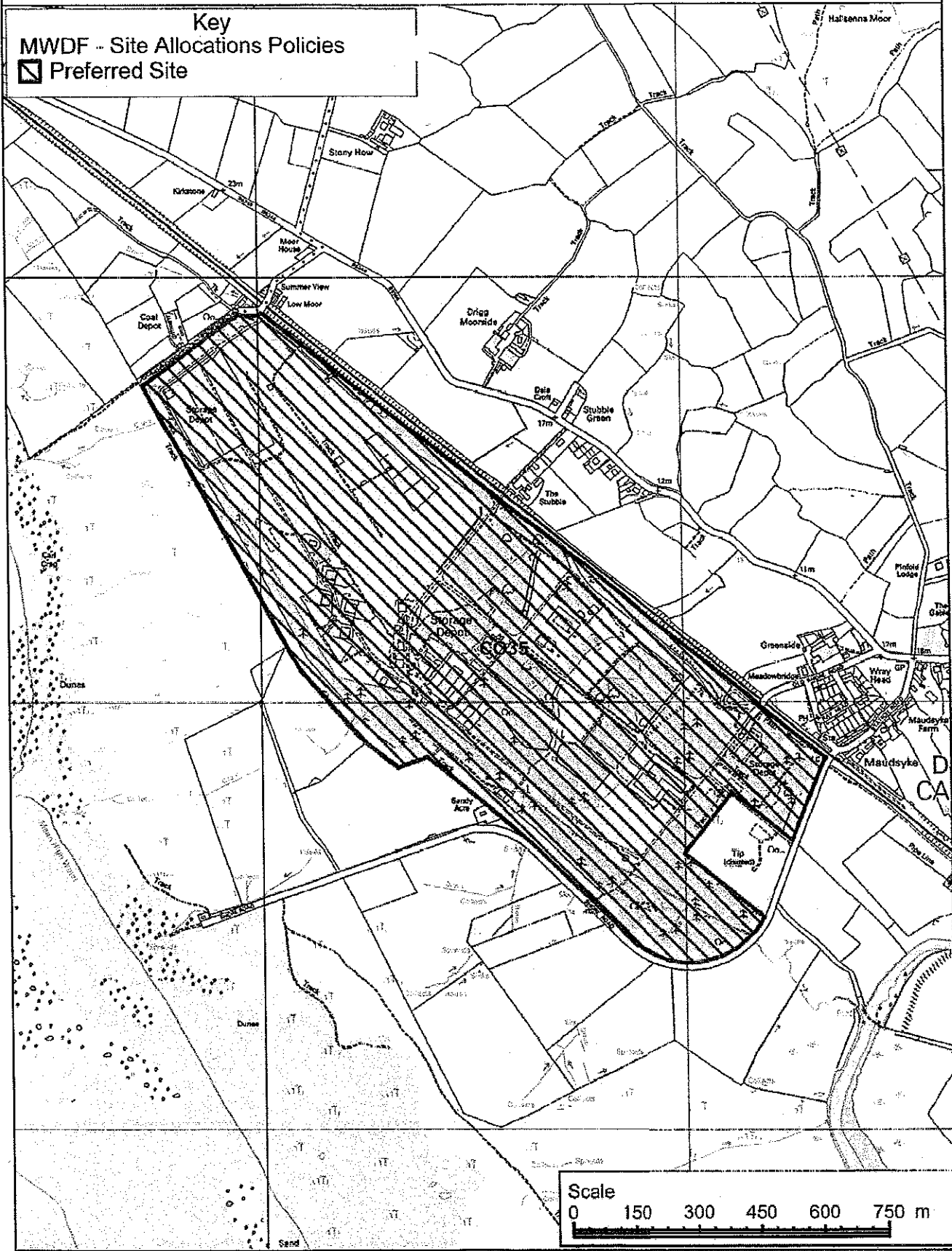
- 4.630** This is a first preference site for fulfilling a continuing role as a component of the UK's national Low Level Radioactive Waste (LLW) management capabilities. Vault 9 is nearing completion and has capacity for storing around 100,000 cubic metres of LLW. It is important that this highly engineered facility is reserved for wastes that require that standard of containment.
- 4.631** The Habitats Regulations Assessment concludes that similar mitigation measures to those already adopted for developments at the Repository would be needed, to avoid impacts on the Drigg Coast SAC.

Summary of comments received during the September/October 2009 consultation stage

- 4.632** Comments received during the recent consultation were that all the necessary research has not been done or is not conclusive as to safety, best practice, etc ; there is disagreement with the lack of clarification as to the elements of the waste stream which would be considered appropriate to be managed at this site; the UK strategy seeks to identify alternative options and to preserve the LLWR's capacity; constituent parts of the bottom end of LLW can be adequately diverted to an alternative facility; it is questioned whether other parts of the north west have made provision for their own LLW and VLLW; the definition of "near sites" and the proximity principle should not be so prescriptive that it overrules the synergy and economic benefits of shared storage or disposal facilities where there is a strong economic justification; it would be useful if the site appraisal selection criteria could be outlined; it would be useful if the key tenets and assumptions of UK radioactive waste management policy were developed and summarised; it would be helpful if a timeline for development and implementation of the preferred sites for LLW and VLLW was produced, noting all the key strategic assumptions.

4 Site Assessments and Maps

CO35 - Low Level Waste Repository, near Drigg, Holmrook



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CO 36 Sellafield Site

- 4.639** This is an existing civil nuclear site, which is mostly operational and partly being decommissioned. There is an approved landfill within the site which has remaining capacity for lower activity Low Level Waste. More than half of all of the LLW that is consigned to the Low Level Waste Repository near Drigg is from Sellafield. In this Development Framework, it has always been intended that VLLW decommissioning wastes should be managed within the site if possible. In order to make this clearer, Sellafield has now been included as the first preference for both LLW and VLLW arising there. Land adjacent to it is the reserve, in case it is not possible to manage these wastes within the existing complex.
- 4.640** Although this site is downstream of the River Ehen SAC, the Habitats Regulations Assessment concludes that without drainage mitigation measures it could have impacts on salmon migration.

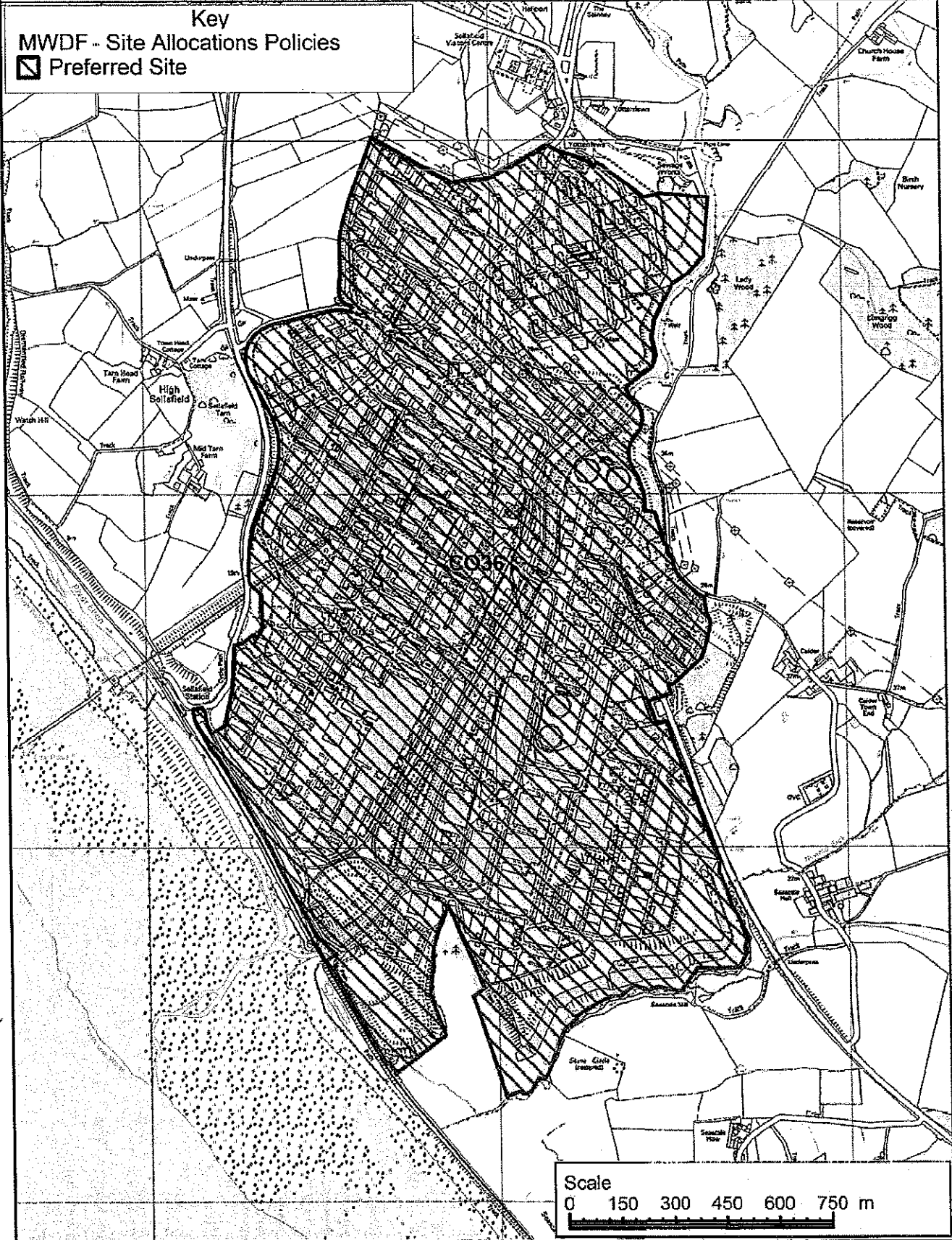
Summary of comments from previous consultation stages

- 4.641** Land at Sellafield was put forward in the Issues & Options Discussion Paper in 2006 for managing other waste streams, but was not included in subsequent consultations following comments made at that stage.

Summary of comments from the September/October 2009 consultation stage

- 4.642** Not included in this consultation.

CO36 - Sellafield Site, Seascale



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4 Site Assessments and Maps

CO 32 Land adjacent to Sellafield Site

- 4.598** This is a reserve list site for managing Very Low Level and Low Level Wastes arising from nuclear decommissioning. Since the Core Strategy was prepared, it has become increasingly obvious that measures are needed to divert wastes away from the Low Level Waste Repository that do not need such a highly engineered facility. As such a high proportion of LLW and VLLW will continue to arise at Sellafield, it is the obvious choice for a new facility. It would release considerable capacity at the approved facilities at the LLWR.
- 4.599** The preference has always been for these wastes to be managed within the existing Sellafield complex, but there is uncertainty about whether land can be made available there. In order to make this position clearer, Sellafield is now identified as the first preference site and land next to it as the reserve or contingency if the wastes cannot be managed within Sellafield
- 4.600** At this stage, only an indicative area of a large area of land, that is owned by the Nuclear Decommissioning Authority, has been able to be defined. It is not yet clear how large an area within this would be needed for the decommissioning wastes.
- 4.601** The number of comments about this site were matched only by those about Lillyhall landfill and it is obviously controversial. Its identification reflects the County Council's and Copeland Borough Council's position that the potential for managing decommissioning wastes at, or next to, the sites where they arise should be rigorously examined before a more dispersed pattern of sites further away is considered. There has not been that rigorous examination.
- 4.602** The councils' concerns are that the perceptions of any type of radioactive wastes lead to adverse social and economic impacts. As stated in the Core Strategy, Cumbria has been the slowest growing sub-region in the UK since the mid-1990's and needs to grow its economy faster than anywhere else just to catch up. The county's economy cannot afford risks that would deter investment.
- 4.603** There are significant environmental issues that have been highlighted in the consultation responses. These will need to be addressed in a holistic manner for the Sellafield complex and the adjoining land.
- 4.604** Although this site is downstream of the River Ehen SAC, the Habitats Regulations Assessment concludes that without drainage mitigation measures it could have impacts on salmon migration.

Summary of comments from previous consultation stages

- 4.605** The possibility of using land at Sellafield for managing other waste streams, not just radioactive wastes, was put forward in the 2005 Issues and Options Discussion Paper consultations. Comments at that time were that there were practical difficulties on siting general waste management facilities within a licenced nuclear site. It was not thought practicable to consider the Sellafield or Windscale sites as potential hosts for waste other than that associated with on-site decommissioning
- 4.606** The site raises protected species issues as there are records for badgers, bats and reptiles.
- 4.607** Seascale and other Parish Councils have recently objected to this site.

Summary of comments from the September/October 2009 consultation stage

4.608 Comments received during the recent consultation were:-

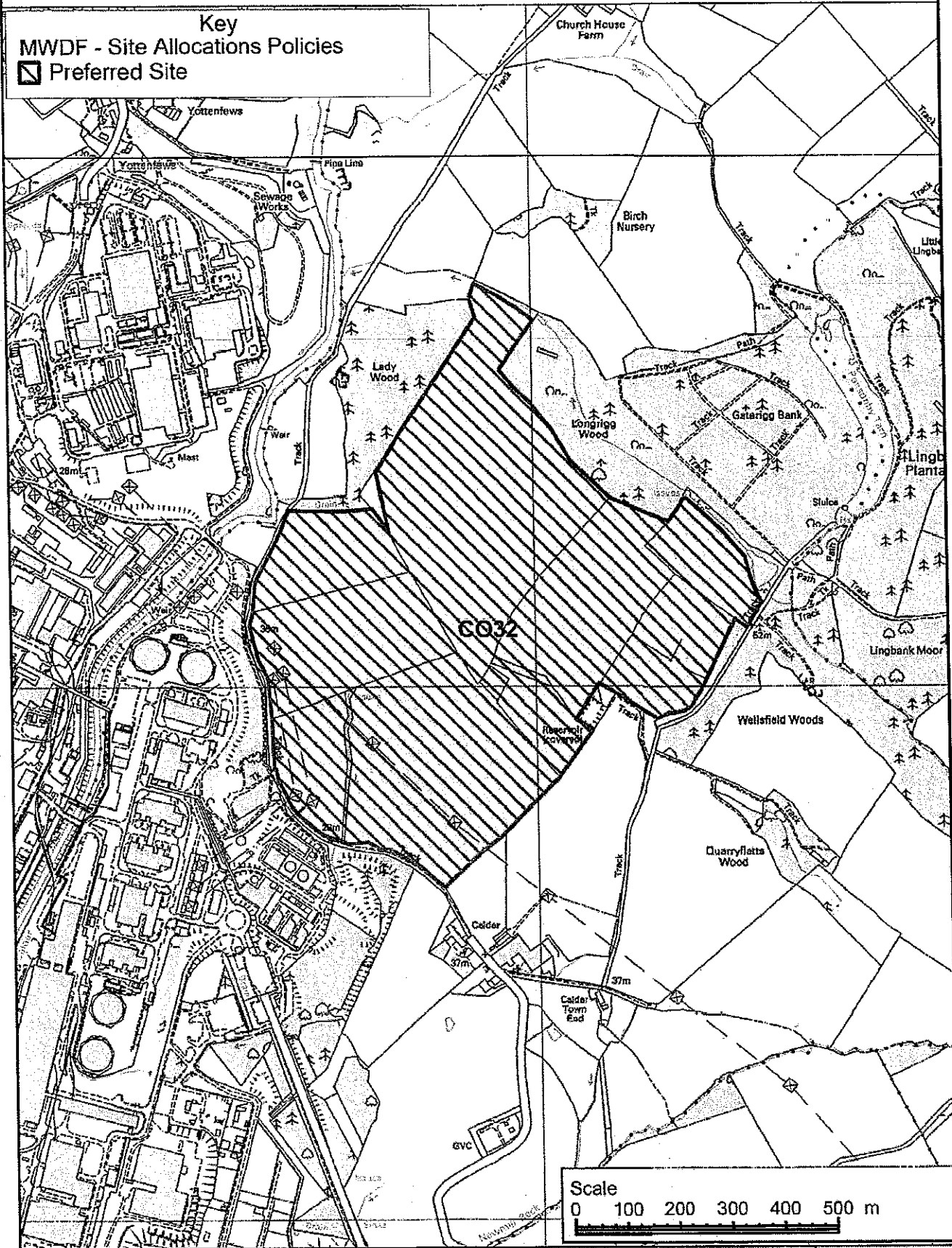
- the site is within 95 metres of a listed building;
- its development would appear to give rise to no ecological benefits and would result in ecological harm;
- a public right of way runs along the western boundary;
- the site is close to the boundary of the Lake District National Park;
- it is within the Sellafield safeguarding protection zone, which brings uncertainty about its deliverability;
- it is on a major aquifer;
- the policies are unsound because the evidence base does not make clear how alternatives were ruled out and whether the site is deliverable or environmentally acceptable, that a Sustainability Appraisal of alternative sites has not been undertaken;
- that it is not suitable because of access and it is greenfield;
- that it would bring development very much closer to the listed Calder Farmhouse, the setting of which should be safeguarded and harmful effects mitigated, advice should be sought on archaeological mitigation for prehistoric remains;
- the definition of "near sites" and the proximity principle should not be so prescriptive that it overrules the synergy and economic benefits of shared storage or disposal facilities where there is a strong economic justification;
- it would be useful if the site appraisal selection criteria could be outlined;
- it would be useful if the key tenets and assumptions of UK radioactive waste management policy were developed and summarised;
- it would be helpful if a timeline for development and implementation of the preferred sites for LLW and VLLW was produced, noting all the key strategic assumptions;
- the Environment Agency comments that solid radioactive waste disposal must be in line with its guidance published in February 2009, the site is on a major aquifer and an Outer Groundwater Source Protection Zone where a risk assessment would be needed and the Agency would normally object if this shows that active long term site management is essential to prevent long term groundwater pollution, the Agency would take account of the long term plans for Sellafield site management and the environmental implications of those plans and highlights the importance of infrastructure in the county for high volume low activity waste disposal to support Sellafield decommissioning;
- extreme caution is needed when considering landfill of radioactive wastes to ensure it does not compromise the safety of Cumbrian residents;
- the Nuclear Decommissioning Authority supports the opening of new routes for managing LLW and welcomed the inclusion of a number of prospective sites in earlier consultations and considers the removal of these is counter to the MWDF's aim of maintaining an element of commercial competition, it does not consider that this site should be identified but could wait until the UK Strategy for LLW is finalised, previous view offered was that a more generalised designation of the whole Sellafield site and a wider area may be more appropriate, the current area identified may not be the optimal location for facilities at or adjacent to Sellafield;
- it is surprising that a specific site for VLLW has been identified, it appears contrary to the approach that policies would be amended once greater certainty had been provided through national and regional policies;
- there other nearby sites which are better placed to accept decommissioning wastes, such as Lillyhall landfill;

Site Assessments and Maps

- the site appears to be constrained for access;
- it is a greenfield site and development would have significant landscape/visual, ecology and environmental control issues;
- there are protected species issues including badgers, bats and reptiles along with a diversity of invertebrates;
- a new landfill would be contrary to regional policy, unless it has been demonstrated that existing ones cannot take these wastes;
- other sites, such as Lillyhall, are considered to score better in the site assessment matrices;
- deliverability is uncertain;
- the potential for sea level rise needs to be considered;
- the site appraisal fails to recognise the River Ehen and River Calder SAC;
- the Sellafield area is underlain by a major aquifer of regional importance with hydraulic conductivity between the solid and drift deposits;
- significant quantities of engineering materials would need to be imported for robust geological barriers.

Site Assessments and Maps

CO32 - Land adjacent to Sellafield, Sellafield, Seascale



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