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| <b>Report To:</b>             | County Council   |
| <b>Date of Meeting:</b>       | 26 <sup>th</sup> March 2019  |
| <b>Lead Member / Officer:</b> | Cllr Tony Thomas, Lead Member for Housing Regulation and the Environment |
| <b>Report Author:</b>         | Gary Williams, Head of legal, HR and Democratic Services                 |
| <b>Title:<br/>Paper</b>       | <b>Geological Disposal Facility – Site Evaluation Consultation</b>       |

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### **1. What is the report about?**

The report is about the public consultation paper “Site Evaluation – How we will evaluate sites in Wales” issued by Radioactive Waste Management Ltd., in respect of the process by which they will evaluate potential sites for the development of a geological disposal facility.

### **2. What is the reason for making this report?**

To seek Members’ views on the issues raised by this public consultation paper in order that a response to it may be drafted on behalf of the Council.

### **3. What are the Recommendations?**

That Council considers and comments upon the contents of the consultation paper entitled “Site Evaluation – How we will evaluate sites in Wales” and authorises the Lead Member to approve in consultation with Group Leaders a response on behalf of the Council.

### **4. Report details**

4.1 In May 2015, following a policy review and public consultation, the Welsh Government adopted a policy supporting geological disposal for the long-term management of higher activity radioactive waste (HAW). Geological disposal involves placing radioactive waste deep underground to ensure that the hazardous materials are kept away from people and the environment by isolating and containing the waste in a suitable geological environment for the time required for the radioactivity associated with them to reduce naturally.

4.2 Following the adoption of geological disposal the Welsh Government joined a programme, funded by the UK Government, to seek a single geological disposal facility (GDF) for the HAW from Wales, England and Northern Ireland. The programme will be delivered by Radioactive Waste Management Ltd (RWM), a subsidiary of the Nuclear Decommissioning Authority.

4.3 Although the Welsh Government supports geological disposal, this does not necessarily

mean a GDF will be built in Wales or that the Welsh Government will seek to have a GDF built in Wales. The Welsh Government has not considered or identified any potential sites or communities for a GDF in Wales. The Welsh Government's policy is that a GDF can only be pursued if a community is willing to host it.

4.4 In January 2019, following a further public consultation, the Welsh Government issued a policy statement setting out the broad outline of arrangements for working with potential host communities in Wales should any wish to seek discussions about potentially hosting a GDF. A copy of this policy is attached as Appendix 1. This policy provides for Community Investment Funding. Once a Community Partnership is formed (see paras 4.9 and 4.10 below), it will be able to apply for Community Investment Funding which will be up to £1million per annum during the initial part of the siting process, rising to £2.5million per annum in areas that move to more detailed investigations such as deep boreholes to assess geological suitability of a site. It is suggested that the evaluation process could take up to 20 years, with the initial phase taking 5 years and the more detailed investigations up to 15 years.

4.5 A public consultation paper has now been produced by RWM entitled "Site Evaluation. How we will evaluate sites in Wales". This paper seeks views on the process by which sites will be evaluated. A copy of this consultation paper is attached as Appendix 2.

4.6 The paper sets out the process for considering potential sites. Any person or group of people may initiate discussions on a proposed location for a GDF. These discussions are called Initial Discussions.

4.7 Once there has been an exchange of information between interested parties and RWM, and an agreement between them that a proposal merits further consideration, all relevant local authorities must be informed before the proposal is made public. Relevant local authorities will be any unitary authority whose area forms part of the proposal.

4.8 A Working Group will then be formed consisting of the interested parties, RWM, an independent chair and facilitator. Local authorities do not have to be represented on the group but the paper suggests that this is to be preferred.

4.9 The Working Group will identify the geographical area within which RWM will be permitted to seek to identify potentially suitable sites and start to gather information about the people and organisations in the area likely to be affected by the proposals in order to identify members for a future Community Partnership. A Community Partnership can only be formed and continue to operate if the local authority or authorities in an area agree to participate. If a local authority decides not to be a member then the area within its boundaries will not form part of the search area.

4.10 A Community Partnership will include community members, organisations, RWM and the relevant local authorities. It will be a vehicle for sharing information with the community and answering questions from the community.

4.11 Before any decision can be made to seek planning permission or any regulatory approvals for a GDF there must be a Test of Public Support. The relevant local authority will decide if or when to take a Test of Public Support. A community can withdraw from the process at any time up until it has taken a Test of Public Support. This right of withdrawal can be exercised by the relevant local authority.

4.12 If the Test of Public Support results in a community expressing a desire to host a GDF, the right of withdrawal ceases. A Test of Public Support may take the form of a referendum, a consultation , or statistically representative polling.

4.13 RWM also has the right to withdraw from the process at any time if it determines that the process is unlikely to be successful in any community.

4.14 The paper refers to the steps described above as the Siting Process Requirements.

4.15 In addition, the paper sets out what it considers to be the Legal requirements for the siting of a GDF. These include Planning Consent, Environmental Impact assessment, Habitats Regulations Assessment, a Nuclear Site Licence, Nuclear Industry Regulations and Environmental Permits.

4.16 RWM has developed six Siting Factors which they consider to be the key issues for discussion with communities. These are:

Safety,

Community,

Environment,

Engineering Feasibility,

Transport, and

Cost.

A brief description of these factors is contained in Table 1 on page 12 of Appendix 2.

4.17 For each of these siting factors a number of evaluation considerations are set out for more detailed evaluation as the proposal moves through the process. These are set out in Tables 2-7 on pages 13-18 of Appendix 2.

4.18 The paper poses four consultation questions:

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?
2. Do you agree with the Siting Factors identified? Are there any other Siting Factors that should be included and why?

3. Do you agree with the Evaluation Considerations identified? Are there any other Evaluation Considerations that should be included and why?
4. Is there anything else that you think should be considered in site evaluations and why?

4.19 It is suggested that from the views expressed by members, a consultation response will be drafted to be approved by the Leader in consultation with Group Leaders.

**5. How does the decision contribute to the Corporate Priorities?**

The consultation exercise does not itself contribute to Corporate Priorities.

**6. What will it cost and how will it affect other services?**

The response to the consultation paper will not of itself have any direct costs.

**7. What are the main conclusions of the Well-being Impact Assessment?**

A Well-Being Impact Assessment is not required for this report.

**8. What consultations have been carried out with Scrutiny and others?**

This is a consultation exercise being conducted by Radioactive Waste Management Ltd. There has been no direct consultation with Scrutiny.

**9. Chief Finance Officer Statement**

There are no additional costs associated with responding to the consultation, which sets out the process for considering potential sites. Clearly, any progression toward the identification of a site would be a major decision at a national level with significant financial and risk implications.

**10. What risks are there and is there anything we can do to reduce them?**

There are no particular risks associated with this report.

**11. Power to make the Decision**

s111 Local Government Act 1972