



Penrith Library
St Andrew's Churchyard
Penrith
Cumbria
CA11 7YA

01768 812141
office@calc.org.uk

Cllr [Name]
Leader, [Borough/County] Council

20 August 2012

Dear [Name]

“Managing Radioactive Waste Safely”

As you are aware, CALC has been an active participant in the work of the West Cumbria MRWS Partnership over the past three years representing the interests of town and parish councils. We have now considered the Partnership's Final Report and whether or not it would be appropriate to make a decision about proceeding into the next stage of the Government's MRWS programme.

Our formal views, presented on behalf of the parish tier of local government in Cumbria, are attached to this letter and I request that they be taken fully into account by the [County/Borough] Council when considering its decision about future participation in the MRWS programme.

You will see that our view is that a decision about participation in the MRWS programme should not be taken at the present time. We see three major gaps in the information available to your council, most notably with respect to geology.

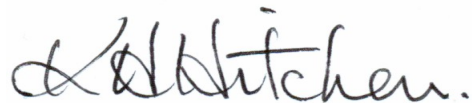
A decision to proceed into the next stage of the MRWS programme would be a very significant decision and would be viewed nationally as Cumbria accepting the principle of a repository in the county. Such a decision would set in train a substantial programme of investigations covering a wide range of topics – repository design, safety and security; social, economic and environmental impacts; surface and underground site options; community benefits requirements – as well as a large programme of local community engagement. In CALC's view it does not make sense to commit resources to such a large programme until an independent, peer reviewed geological appraisal of West Cumbria has been completed that shows there is a sufficiently good prospect of finding a suitable site for a repository to justify

proceeding. The absence of such an appraisal is a major gap in the information available to the [County/Borough] Council.

If you would like any further information about CALC's position please do not hesitate to ask.

I am copying this letter to all [County/ Borough] Councillors for their information.

Yours sincerely,

A handwritten signature in black ink that reads "K Hitchen." The signature is written in a cursive style with a large initial 'K' and a period at the end.

Cllr Keith Hitchen
Chairman

“MANAGING RADIOACTIVE WASTE SAFELY”

VIEWS OF THE CUMBRIA ASSOCIATION OF LOCAL COUNCILS

1. The Cumbria Association of Local Councils (CALC) has represented the interests of town and parish councils on the West Cumbria Managing Radioactive Waste Safely (MRWS) Partnership over the past three years. CALC has carefully considered whether or not it would be appropriate for the Decision Making Bodies (Cumbria County Council, Allerdale Borough Council and Copeland Borough Council) to make a decision to proceed into the next stage of the Government’s MRWS programme – Stage 4.
2. CALC’s formal views are set out in italics below, together with explanatory text.
3. ***CALC does not consider there is evidence of clear public support for proceeding into the next stage of the MRWS process. The results of the Partnership’s consultation, the views of parish councils and the results of the Ipsos Mori poll when looked at together show opinion to be fairly evenly divided.***
4. Government policy is that the MRWS programme is based on ‘voluntarism’ and in CALC’s view this should mean that there is clear public support for participation in the programme.
5. A telephone survey conducted by Ipsos Mori on behalf of the West Cumbria MRWS Partnership shows that overall in the county 53% of the population support proceeding in the programme and 33% do not.
6. The final consultation conducted by the Partnership sought the public’s views on the information and evidence it had assembled and on its ‘initial opinions’. A reading of all the hundreds of responses gives a picture of a range of well-informed views, but with the greater weight of opinion not supporting the Partnership’s conclusions or a decision to proceed with the MRWS programme.
7. Specifically with respect to the responses from town and parish councils in Allerdale and Copeland districts, most of them raised issues of one kind or another with 70% not supporting and 25% supporting proceeding to the next stage of the MRWS programme.
8. Overall, the evidence is that opinion is fairly evenly divided. CALC’s view is that ‘voluntarism’ requires clear support and that level of support has not been attained.
9. ***CALC views the decision about whether or not to participate in the next stages of the MRWS programme to be of great***

significance because a positive decision will be widely viewed as signalling Cumbria's willingness, in principle, to host a Geological Disposal Facility (GDF). Such a major decision needs to be well founded.

10. The Government considers the formal decision to participate in the next stage of the MRWS programme (the 'Decision to Participate') to be a fairly low level decision to get the search for a site for a GDF underway. This might have been a reasonable expectation in another part of the UK, but not in West Cumbria with its knowledge of the nuclear industry and its particular experience of the Nirex investigations in the 1990s.
11. Based on Cumbria's experience, all aspects of the MRWS programme have been studied over a period of three years by local authorities and other key organisations in Cumbria. This is leading to a big decision that, if it were a decision to go forward, would be interpreted nationally as Cumbria saying it supports, in principle, the development of a GDF in West Cumbria, subject to obtaining the necessary regulatory approvals. The view that this is 'just' a decision about looking to see if a suitable site exists seriously understates the significance of the decision.
12. Such a big decision requires solid foundations and in CALC's view there are *three critical gaps* that must be filled before a credible decision, either way, can safely be taken.
13. ***Firstly, that credible evidence has been provided which shows that there is sufficient prospect of finding suitable geology for a GDF to justify proceeding.***
14. Implementing the MRWS programme would be a complex, expensive operation that would require a large national and local commitment over many years. Before deciding whether or not to make such a commitment it is essential that evidence is available to show that there is a sufficiently good prospect of finding suitable geology to justify proceeding. This evidence is not currently available.
15. The West Cumbria MRWS Partnership received a substantial amount of information from geologists and others supporting arguments that the geology of West Cumbria can be ruled out now as unsuitable or, at best, that the prospects of finding a suitable site are poor. It has also received statements from the Geological Society and others who say that it is not possible to say whether there is a suitable site until further investigations are carried out. What is missing is any substantial evidence showing that there is a sufficiently good prospect of finding a site in West Cumbria that justifies the time, effort, costs and risk of failure involved in going ahead.

16. In CALC's view the Decision Making Bodies should defer any decision about future participation in the MRWS programme until an independent, peer reviewed appraisal of West Cumbria's geology has been presented (using currently available information) which describes and evaluates the prospects of finding a suitable site for a GDF.
- 17. Secondly, a Strategic Environmental Assessment has been prepared which fulfils all legal requirements (including the consideration of alternatives) and provides a convincing underpinning of the MRWS programme and its application in West Cumbria.**
18. A further requirement for a sound decision about whether to participate in MRWS is evidence that a West Cumbria focussed MRWS programme represents the best way forward, both nationally and locally, in relation to other alternatives that may be available. Such alternatives are: alternatives to geological disposal of radioactive waste; alternatives to voluntarism; the alternative of making geology rather than voluntarism the leading criterion when searching for a site and alternative locations for a GDF other than West Cumbria. At present a clear description, evaluation and comparison of these alternatives is not available.
19. European and UK legislation requires the preparation of a Strategic Environmental Assessment (SEA) for major developments like a GDF in which the likely effects on the environment and 'reasonable alternatives' are described and evaluated. An SEA has not yet been prepared for consideration by the Decision Making Bodies prior to their decision about whether to participate in the MRWS programme.
20. CALC raised concerns about this omission with the Government and the NDA two years ago and there has recently been a belated acceptance by them that the scope and timing of an SEA needs to be reassessed. It is now proposed that an SEA, with a broad interpretation of 'alternatives', will be prepared in Stage 4 *after* a Decision to Participate. CALC considers that the Decision Making Bodies need to see an SEA, including the consideration of alternatives, *before* they decide whether or not to proceed into the next stage of MRWS.
21. Based on the advice CALC has received, there is the possibility that a formal decision to proceed into Stage 4 of the MRWS programme without the consideration of a legally required SEA may make the Decision Making Bodies vulnerable to legal challenge. CALC respectfully suggests that the County and Borough Councils obtain specialist legal advice on this matter.
- 22. Thirdly, further development of the prospective Stages 4 and 5 Siting Process has been undertaken and evidence of a willingness to participate obtained from potential host communities.**

23. Within the framework of the Government's policy of voluntarism it is generally accepted that it would not be credible to chose a site for a GDF and impose it on an unwilling 'host community'. From this it follows that it would not be sensible to proceed into the next stage of the MRWS programme unless there is good evidence that the willing engagement of potential host communities in the search for a site is likely to be achieved.
24. At present the proposed arrangements for engaging potential host communities in the search for a site do not have the support of the majority of parish councils in West Cumbria. They do not have confidence in the independence and fairness of the process and organisational arrangements suggested in the Partnership's report. More work and confidence building needs to be done and in order to show goodwill and build trust this should be done *before* any decision about further participation in the MRWS programme.
25. Further information about CALC's views on MRWS can be obtained by contacting the CALC office on 01768 812141 or office@calc.org.uk