

## POSITION PAPER ON PUBLIC AND STAKEHOLDER ENGAGEMENT

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*This document does not present the views of the Committee on Radioactive Waste Management nor can it be taken to present the views of its author. It is a draft paper to inform Committee deliberations and both the author and the whole Committee may adopt different views and draw entirely different conclusions after further consideration and debate*

### EXECUTIVE SUMMARY

1. The CoRWM Work Programme 2010-13 set out the intention to produce a position paper on the state of public and stakeholder engagement (PSE) in the management of higher activity waste. This paper scrutinises the PSE of governments and the Nuclear Decommissioning Authority, however, in order to give a fuller picture, it also refers to the PSE of other organisations.
2. The paper concludes that there has been considerable effort and resource devoted to PSE over the past few years with a focus on new nuclear build, the development of the Scottish Government policy on higher activity waste and local PSE in West Cumbria.
3. CoRWM recognises that organisations have made efforts to improve their PSE and that there are new PSE strategies and PSE coordination initiatives being developed. CoRWM will need to monitor the effectiveness of these developments; however CoRWM has concerns that in the current economic climate, PSE may be reduced in priority when the majority of PSE required has yet to come.
4. The majority of PSE has been for stakeholders and further work will be needed in future for regional and national PSE, for example, in relation to the movement of wastes. Ensuring that websites are up to date will be important.
5. CoRWM considers that the UK Government is providing good support to the work of the West Cumbria MRWS Partnership which is considering whether to participate in potentially hosting national geological facilities.
6. CoRWM is of the view that Government should lead the national consultation on the Managing Radioactive Waste Safely stage 4 methodology for identifying sites for surface based investigations.

### INTRODUCTION

7. Public and stakeholder engagement (PSE) is recognised as an integral element to organisation's strategies and plans in radioactive waste management. European Directives (2003/4/EC and 2003/35/EC) following the Aarhus Convention<sup>1</sup> sets out requirements for Member States to ensure access to information, public participation in decision making and access to justice in environmental matters. CoRWM, in its 2006 Report to Government (CoRWM doc 700), recommended continuing PSE as essential to

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<sup>1</sup> <http://e.c.europa.eu/environment/aarhus>

- build trust and confidence in proposed long-term management methods for higher activity waste (HAW).
8. CoRWM has made further recommendations on PSE in reports to Government. The 2009 report on interim storage (CoRWM doc.2500) made recommendations on the need for more information to be made available on HAW and the security arrangements for its storage and transport, and for there to be more co-ordination of PSE. The Government response (DECC 2009b) broadly accepted these recommendations.
  9. There are a number of models of PSE ranging from simply making information available and accessible, consultations, to full engagement with workshops and direct interaction with stakeholders. PSE need to be timed to maximise the opportunity for the public and stakeholders to best influence developments or proposals. There is a government Code of Practice on consultation<sup>2</sup>, which sets out useful guidance on consultations. Government and government agencies adhere to this Code of Practice.
  10. There have been major developments in the field of radioactive waste management that have raised its national profile with the public. The establishment of the Nuclear Decommissioning Authority (NDA) and its progress with decommissioning and clean up of old sites, the potential building of new nuclear power stations and progress towards the practical possibility of geological disposal with the establishment of the West Cumbria Managing Waste Safely Partnership have led to a high level of PSE activities. PSE needs to be of the highest quality it is to be effective. The current financial constraints place an added impetus on the delivery of PSE programmes that avoid duplication but deliver the full range of objectives. Well thought through PSE programmes also help avoid the risk of stakeholder fatigue. It is also important that PSE is not neglected due to the financial position as this is likely to have an impact upon public confidence.
  11. The Terms of Reference for CoRWM are to scrutinise the Government and NDA's plans and programmes and the scrutiny of their PSE is covered in the main text of this paper. However, due to the need to be aware of the full picture of PSE and particularly in view of the recommendation for more co-ordination, this paper also covers the PSE of other key organisations. CoRWM's own PSE will be dealt with in its Annual Report for 2010-11. This paper reflects the relevant responsibilities of the key agencies: government is responsible for policy and legislation, the NDA is responsible for implementation and the regulators are responsible for regulatory guidance and regulation.

## **COLLECTION OF EVIDENCE**

12. A letter and questionnaire on PSE (CoRWM doc 2750) were sent to DECC, the Ministry of Defence (MoD), the devolved administrations, NDA, and nuclear regulators. The same questionnaire was also sent to nuclear site operators, Site Stakeholder Groups and Local Liaison Committees in case they wished to comment or reply to any of the questions. Replies were received from DECC, NDA, Dounreay Site Restoration Ltd and Magnox South Ltd (CoRWM doc 2880). Some organisations preferred to respond during meetings. Responses are summarised in the relevant sections below.

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<sup>2</sup> <http://www.bis.gov.uk/policies/better-regulation/consultation-guidance>

13. Other evidence was gathered during routine meetings with stakeholders, from reviews of others' consultations, and by reviewing web sites. A meeting was held with Non Governmental Organisations (NGOs) (CoRWM doc.2836) where PSE was discussed.

## **REVIEW OF PSE OF GOVERNMENT**

### ***UK Government***

14. The DECC PSE strategy for the management of HAW is summed up in the Managing Radioactive Waste Safely process (MRWS) although it is understood that a broader strategy for DECC activities is being developed. PSE activities are focussed on the main specific topic areas and mainly undertaken through the use of the DECC and MRWS web pages for consultations and information delivery.

### *Geological Disposal*

15. The White Paper "Managing Radioactive Waste Safely, A Framework for Implementing Geological Disposal" was issued by Defra in June 2008 (Defra 2008a). A communications strategy for its publication was developed with input from a working group which included representatives from Government departments, devolved administrations, NDA, and regulators. CoRWM and the Nuclear Legacy Advisory Forum (NuLeAF) also had the opportunity to input into the document.
16. The Geological Disposal Implementation Board (GDIB) as originally constructed had a communications strategy for 2010-11 and communications was a standing item on agendas to identify opportunities to promote the MRWS. This has included mail-outs, development, and use of fact sheets and attendance at national stakeholder events. CoRWM attended this original GDIB as observers.
17. Arrangements have now changed with a new Geological Disposal Steering Group (GDSD) carrying on the business of the old GDIB and a revised GDIB at higher strategic level, chaired by Ministers. Papers for the new GDIB are available on the DECC website<sup>3</sup> and part of its purpose is to engage with stakeholders and allow key stakeholders access to the programme and the Minister. CoRWM attends the new GDIB and GDSD as observers. Regular meetings are held between DECC officials and CoRWM to discuss promotion of the siting process.
18. Engagement with the wider public has largely been focussed on those areas that have made expressions of interest where extensive PSE programmes exist (see West Cumbria MRWS Partnership section in Appendix C). These programmes are the responsibility of the relevant local bodies; however the PSE programmes are funded and supported by DECC.
19. In the White Paper (Defra 2008a), the UK Government is given the responsibility for the siting process for geological disposal facilities and this will include the national consultation on the framework for identifying sites in stage 4 of the MRWS.

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[http://www.decc.gov.uk/en/content/cms/what we do/uk supply/energy mix/nuclear/forums/geo disposal/geo disposal.aspx](http://www.decc.gov.uk/en/content/cms/what_we_do/uk_supply/energy_mix/nuclear/forums/geo_disposal/geo_disposal.aspx)

20. DECC monitors the effectiveness of its PSE through general awareness of the MRWS process by local authorities, requests for information and collaboration with other organisations. The nuclear team within DECC take part in a DECC stakeholder mentoring project where they work with an independent mentor to review work undertaken to promote the MRWS process and identify scope for further work. The Office of Government Commerce has this year reviewed the Government management of the MRWS geological disposal programme; this report has not yet been published.
21. DECC, as part of its response to the CoRWM questionnaire, provided a list of stakeholders which covers other government departments, local and regional government, statutory consultees, learned societies, scientific and academic bodies, NGOs, industry, trades unions and waste operators. DECC would like to engage more with young people and is investigating the potential of the Youth Parliament and DECC's own Youth Panel (a report is available on the DECC web site).
22. DECC regularly meets with NGOs to discuss general nuclear matters, including new build and waste management issues. Information on this group is available on the DECC website<sup>4</sup>.

#### *DECC MRWS Website*

23. This site contains over 30 pages of information on MRWS and general radioactive waste management issues. It is aimed at a range of interests and has links to other sites in order to assist further research. DECC plans to improve and update this site but it is unclear when this will be done, given other commitments and resource challenges. Meanwhile, updates are made as necessary, for example to reflect progress in implementing MRWS.

#### *Plutonium*

24. DECC held a small stakeholder meeting in May 2009 to gather stakeholder views to inform its planned consultation on the long-term management of plutonium. Two discussion documents were then published in 2009, asking for views on key factors in comparing plutonium management options and on decision methodology and timing. The DECC's formal consultation on the long-term management of plutonium is now due early 2011. A fuller description of these activities can be found in CoRWM doc.2723.

#### *New Build Wastes – National Policy Statements for Energy Infrastructure*

25. The UK Government consulted on the draft National Policy Statements for Energy from November 2009 to February 2010. To assist the public in responding, a separate consultation web site was set up along with a dedicated telephone line and email address to contact the consultation team. Responses could be submitted online, by post or at the events. Six national events were held on the draft Energy NPSs. Local events on the draft nuclear NPS were held close to locations of the ten sites which had been assessed as potentially suitable sites for new nuclear power stations and these events included information on nuclear waste management. 21,000 hits on the web site were

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[http://www.decc.gov.uk/en/content/cms/what we do/uk supply/energy mix/nuclear/forums/non\\_gov org/non\\_gov org.aspx](http://www.decc.gov.uk/en/content/cms/what_we_do/uk_supply/energy_mix/nuclear/forums/non_gov_org/non_gov_org.aspx)

recorded and over 3,000 responses to the consultation received. Advice was sought from Planning Aid on the format of events and the language used in documents in order to assist the general public to participate.

26. Having considered responses, changes have been made to the NPSs and accompanying Appraisals of Sustainability and a further consultation is being undertaken. The Government has also published its response to the original consultation.
27. The Government undertook a national consultation in 2007 on the “in principle question” of whether it was in the public interest to allow private companies the option to invest in new nuclear power stations. This included specific consideration of both the technical and ethical issues associated with the management of new nuclear waste. A detailed evaluation of this consultation was carried out with lessons learned for future consultations (DECC 2009a).

#### *New Build Wastes – Funding of Decommissioning and Radioactive Waste Management*

28. Two consultations were carried out in 2010 relating to funding of decommissioning and radioactive waste management. One dealt with the methodology for determining a fixed price unit for waste disposal and the other the financing of nuclear decommissioning and waste handling Regulations (CoRWM doc.2817). Two further consultations were commenced in December 2010 on Funded Decommissioning Programme Guidance and Waste Transfer Pricing Methodology. The documents for these further consultations contain summaries of views expressed in previous consultations and the DECC responses to them.
29. The Nuclear Liabilities Financing Assurance Board (NLFAB) has one page on the DECC website, where its membership, remit and minutes of its meetings are published. It has discussed having a separate web presence and meeting NGOs but the current status of this work is not clear.

#### *New Build Wastes – Regulatory Justification*

30. A consultation on the proposed decisions on the Regulatory Justification of two new nuclear power station designs (Westinghouse’s AP-1000 and Areva’s EPR) ran in parallel with the NPS consultation (November 2009 to February 2010) and included a “public engagement event” in January 2010. A transcript of the event is on the DECC website<sup>5</sup>. The results of the consultation were published with the decisions on justification.

#### *DECC Main Website*

31. The main DECC website contains a small amount of information on HAW and there are links to the CoRWM, MRWS and West Cumbria MRWS Partnership websites. DECC is currently updating and restructuring the site but while work has started it is unclear when this will be completed<sup>6</sup>.

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<sup>5</sup> [http://www.decc.gov.uk/en/content/cms/consultations/reg\\_just\\_cons/reg\\_just\\_cons.aspx](http://www.decc.gov.uk/en/content/cms/consultations/reg_just_cons/reg_just_cons.aspx)

<sup>6</sup> [http://www.decc.gov.uk/en/content/cms/what\\_we\\_do/uk\\_supply/energy\\_mix/nuclear/nuclear.aspx](http://www.decc.gov.uk/en/content/cms/what_we_do/uk_supply/energy_mix/nuclear/nuclear.aspx)

**Scottish Government**

32. The Committee agreed with sponsor Governments in its 2009-12 work programme to scrutinise and advise on Scottish Government development of its policy on the management of higher activity waste and of proposals for its implementation. That included both the content of the proposals and the way in which they were developed
33. The Scottish Government published consultation documents relating to the Detailed Statement of Policy for Scotland's Higher Activity Radioactive Waste on 15<sup>th</sup> January 2010. It invited public comments by the 9<sup>th</sup> April on the Draft Policy and supporting documents which comprised a Supplementary Information report and an Environmental report<sup>7</sup>.
34. Scottish Government put a great deal of effort and work into producing the consultation documents and the evidence that underpins the development of the policy. In addition, there was an intensive process of consulting and engaging with stakeholders for which CoRWM commended the Scottish Government.
35. The Scottish Government (SG) website provides information on Scotland's Higher Activity Radioactive Waste Policy and its development. The development of the Policy was advised through a Project Board and Technical Advisory Group as well as two stakeholder workshops. The first workshop informed the development of the consultation document on the draft Detailed Statement of Policy and the Strategic Environmental Assessment. The minutes and papers of the Groups and papers relating to the workshops are on the SG website. In addition to the final Policy and associated documents which were published on 20 January 2011, the website also has links to a number of documents which contain additional information on higher activity waste. The intention is that these documents will be individual documents which can be revised and updated more easily to reflect any changes in facts or technological advances. It is understood that this approach will continue in the development of the Strategy to implement the Policy which will also be subject to a Strategic Environmental Assessment.
36. SG received 62 responses during the consultation period which had to extend until May 2010 to allow adequate time for local authorities to consider their responses'. CoRWM responded to this consultation (CoRWM doc.2795)
37. Subsequent to the closure of the consultation period SG undertook a series of 'feedback meetings' at various locations around the country. The purpose of these was to present to stakeholders the conclusions of the consultation process and to discuss the next steps of the process of publishing a HAW Policy.
38. On the basis of the responses to the consultation SG decided to undertake further environmental assessment work and produced an Annex to the Environmental Report, entitled "Environmental Report: Supplementary Assessment of Policy Alternatives". SG issued the Supplementary Assessment (SA) for consultation on 10<sup>th</sup> September 2010 and requested responses by 21<sup>st</sup> October 2010. CoRWM TG2 responded to this consultation (CoRWM doc 2865).
39. We note that the Scottish Government and UK Governments are consulting jointly on a draft policy to allow the substitution of radioactive waste from Dounreay. The draft policy proposes that vitrified high level waste from Sellafield can be returned overseas in place

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<sup>7</sup> <http://www.scotland.gov.uk/Publications/2010/01/14151255/0>

of cemented intermediate waste level raffinate wastes from Dounreay. It also proposes allowing the cemented MTR raffinate waste to be returned in place of PFR raffinate waste.

### ***Welsh Assembly Government***

40. The Welsh Assembly Government (WAG) has taken an active part in the MRWS programme from its inception and in wider radioactive waste management issues. It has taken part in the UK level consultation processes on, for example, low level waste with other UK administrations and the 2008 White Paper on geological disposal with the UK Government and Northern Ireland. However, the Assembly Government has reserved its position on geological disposal and therefore is not actively seeking for communities in Wales to make expressions of interest in hosting geological disposal facilities. Policy on new nuclear power stations is not devolved to the Assembly Government; however, the Assembly Government has responded to DECC consultations on this issue and has supported calls for a public enquiry specifically on the management of new build radioactive wastes and spent fuel as part of the justification process. The Assembly Government has also pressed for very full public involvement particularly over the current proposals for the onsite storage of spent fuel for up to 160 years at new nuclear power stations. In March 2009, the Welsh Minister for Environment, Sustainability, and Housing chaired a meeting of a Policy Board on the management and disposal of radioactive waste from existing and potential new nuclear power stations. The meeting was attended by DECC, NDA, regulators, the Nuclear Industries Association, academics, NGO's, and CoRWM. A note of the meeting and copies of the presentations are on the WAG website. The site also has pages on radioactive waste management and includes a section on answers to questions submitted to the Welsh Assembly Government on radioactive waste management.

## **SUMMARY OF GOVERNMENT PSE**

### ***General Higher Activity Waste PSE***

41. The focus of PSE on general HAW management carried out by DECC over the last two years has been through a number of DECC's public consultations, most notably those on the National Policy Statements for Energy Infrastructure and on funding of decommissioning and radioactive waste management at new nuclear power stations. There has also been some PSE on the long-term management of plutonium.
42. Neither the main DECC website nor the MRWS website have been kept up to date, although new material has been added. Minutes and papers for the Geological Disposal Implementation Board are now placed on the site and it is understood that other similar papers of meetings will be placed there in time. CoRWM has concerns that the out of date information on the website may continue throughout 2011, hindering the ability of the public to access up to date information on HAW management policy and progress in its implementation.
43. The Scottish Government has carried out extensive PSE activities in relation to the development of its HAW policy and makes relevant documents available on its website.

### ***Geological Disposal PSE***

44. In the MRWS White Paper (Defra et al., 2008)], the UK Government is given the responsibility for the siting process for GDF(s) and making the appropriate decisions. The NDA is given the role of implementing the facility (or facilities). To maintain public and stakeholder confidence in the process, particularly in West Cumbria, which experienced the former Nirex process, it is important that Government is seen to retain the responsibility for siting.
45. In CoRWM's view, DECC is providing good support to the West Cumbria MRWS Partnership, including assisting with PSE when requested by the Partnership.
46. CoRWM has met regularly with DECC to discuss raising the profile of the MRWS process with Local Authorities (CoRWM docs. 2661, 2866, 2762). DECC has been exploring opportunities to seek further expressions of interest in entering discussions with Government about hosting a GDF. This will require ongoing work.

## **REVIEW OF NDA PSE**

### ***General NDA PSE***

47. NDA is required to engage with stakeholders and the wider public under the Energy Act 2004. This requirement flows down into NDA's Strategy, updated every five years, into its annual Business Plans, and into its Mission Statement (NDA 2010a). NDA uses the following definitions (NDA 2010b):
  - Stakeholder – a generic way of referring to anyone who has an interest or “stake” in the subject or the engagement process under discussion – from interested agencies and organisations, to local communities and individuals. It is often used to distinguish interested parties from the (general) public.
  - Public – used to describe those people and communities who are not (or not yet) directly interested or impacted by the issues being discussed, nor are they satisfactorily represented by any existing stakeholders.
48. NDA meets this PSE requirement using processes which are consistent with relevant Government guidance and research (Cabinet Office (2004), Communities Scotland (2005), Scottish Executive (2002)). It undertakes a range of both statutory consultations (e.g. on its Strategy and Annual Plans) and non-statutory consultations (e.g. on plutonium management options (NDA, 2008a)) consultations.
49. The current NDA Draft Strategy 2010 (NDA 2010a) views “public and stakeholder engagement and communications” as a critical enabler and sets out the overall strategic approach. The Public and Stakeholder Engagement and Communications Statement of Principles (NDA 2010b) sets out four objectives:
  - To provide opportunities for the public and stakeholders to better understand, comment on and influence NDA planning and decision-making.
  - To provide opportunities for the NDA to draw on the knowledge and experience of stakeholders to improve its planning and decision-making.
  - To build relationships with the public and stakeholders that lead to mutual support and confidence.
  - To enable the NDA to meet its legal and regulatory responsibilities to consult.



50. NDA fulfils its responsibilities in relation to PSE through a number of routes.

### ***Support for Site Stakeholder Groups (SSGs)***

51. NDA's sites are operated by Site Licence Companies (SLCs) and each site has an associated SSG. The purpose of each SSG is: to provide an opportunity for questioning the operators, NDA and regulators on behalf of the community; to receive and comment on progress reports and forward plans for the sites; and to represent the views of the local community through the provision of timely advice to NDA, operators and regulators.
52. Each SSG holds regular meetings which are open to the public. NDA has a Stakeholder Relations Team to support SSGs and has issued guidance on SSG operation to SLCs (NDA 2009a). It is understood that the NDA propose to carry out reviews of the SSGs at least every five years or at a change of chair. There is an SSG website, which has links to the various websites where further details of the work of each SSG can be found.<sup>8</sup>
53. CoRWM has met with representatives of the Sellafield, Hinkley Point, Hunterston, and Dounreay SSGs. Further information about them is in Annex B.

### ***National Stakeholder Group (NSG)***

54. The NDA National Stakeholder Group met twice a year and its papers were available on the NDA website<sup>9</sup>. The NSG has been disbanded and the NDA will now use the annual business planning cycle to identify issues for stakeholder engagement. This is following the NDA response to the Review of National Stakeholder Engagement Arrangements and Processes (NDA 2010c). The response states that it will identify the engagement necessary to support its Three Year Business Plan, ensure that this is agreed by Government as part of the required approval process for the plan, and then share the proposals with other nuclear related organisations. A forward calendar will be placed on the NDA web site. The NDA are due to publish a draft engagement plan for comment in early 2011 and this will inform a more extensive plan which will be published in April 2011 and include more detailed timelines of stakeholder engagement activities.

### ***Specific Consultations***

55. Recent consultations conducted by the NDA include:
- Plutonium management options. In assessing strategic options for the management of the UK plutonium stockpile, NDA carried out a consultation in 2008 (NDA 2008a), supported by two workshops (NDA 2008b), and published its responses to the resulting comment (NDA (2009b)). The outcome of the consultation was used in drafting NDA reports to assist Government policy development.
  - NDA Strategy. NDA is required to publish a revised Strategy every five years. In September 2010 it published a draft of its Strategy for 2011 onwards and an SEA (NDA 2010a), which were open for comment until November 2010. There had been engagement with various stakeholders during development of the draft, including via the NSG and other meetings.

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<sup>8</sup> [www.sitestakeholdergroups.org.uk](http://www.sitestakeholdergroups.org.uk)

<sup>9</sup> <http://www.nda.gov.uk/stakeholders/nsg/>

**NDA Website**

56. The NDA web site<sup>10</sup> is focused on the work of NDA and its sites. It has a web alert facility and also runs the NDA News Feed which provides information updates. The site has a dedicated stakeholder's area. A stakeholder newsletter, INSIGHT, is issued via the website. Online surveys are also used.

**Provision of Information on Management of HAW, Spent Fuels, and Nuclear Materials**

57. CoRWM recommended in its 2009 report on interim storage (CoRWM doc. 2500) that appropriate information be made publicly available on management of HAW, spent fuels and nuclear materials, including progress to date, management options under consideration for the future and the issues involved in choosing between alternative options. NDA is responding in a number of ways to this recommendation. Government and NDA are working on an 'Estimate of Radioactive Waste for Geological Disposal' report for those with an interest in geological disposal, in particular any local community or communities who may be involved in, or considering involvement in, a geological disposal facility siting process. The report will provide an estimate of the wastes and materials currently identified as potentially for disposal in a geological facility as based on the latest inventory information. NDA also plans to produce a "roadmap report" summarising which types of HAW are on which sites and what the plans are for dealing with these wastes. The Draft Strategy contains information about options for managing HAW, spent fuels and nuclear materials and the factors to be considered in choosing between them.

**LOW LEVEL WASTE STRATEGY**

58. NDA was given the task by Government of producing a strategy for the management of LLW from the UK nuclear industry. The strategy and accompanying SEA was consulted on in 2009 and finalised in 2010 (NDA, 2010d). The strategy was developed with considerable stakeholder involvement. There was a LLW Strategy Group that oversaw its development and several stakeholder workshops were held. Papers produced for the Group included one on pointers to good practice in stakeholder communications and engagement in the implementation of the LLW Strategy (NDA, 2009e). Further details of NDA PSE on LLW can be found on the LLW Repository Ltd website.<sup>11</sup>

**REVIEWS OF NDA PSE**

59. There is both internal and external review of NDA's PSE. NDA carried out an appraisal of its PSE in 2008 (Lowry et al., 2008) and commissioned a major review of the National Stakeholder Group by the Environment Council (Environment Council, 2010). Subsequently, NDA held an open consultation on its arrangements for national PSE and it has published a response to the report and consultation (NDA 2010c), which sets out its broad approach to meeting the five recommendations which arose from this review.

**RWMD**

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<sup>10</sup> [www.nda.gov.uk](http://www.nda.gov.uk)

<sup>11</sup> [www.llwrsite.com](http://www.llwrsite.com)

60. The NDA's Radioactive Waste Management Directorate (RWMD) is responsible for the implementation of geological disposal. It is a distinct entity within NDA and is intended to develop into a wholly-owned subsidiary and eventually an SLC.
61. RWMD has developed a specific PSE and communications strategy for geological disposal, following a process of initial consultation (NDA 2008c). The consultation responses received (NDA 2009c) were published at the same time as the strategy (NDA 2009d). RWMD is now implementing this strategy by developing a series of stakeholder engagement plans, each for a different group of stakeholders (CoRWM doc. 2848). It has stated (NDA, 2010e) that its PSE on geological disposal is likely to include:
- engaging appropriate stakeholders in previewing the work to be carried out
  - undertaking specific joint fact finding projects
  - discussing preliminary results and their implications with stakeholders
  - engaging stakeholders in reviewing the results of work.
62. RWMD also recognises the need to review the effectiveness of its PSE and is developing a process to do this (NDA 2009d). As part of their review of the development of RWMD into an SLC, the regulators have started to assess RWMD's PSE (EA, HSE, DfT, 2009).
63. In order to communicate its work on geological disposal more widely, RWMD's activities have a dedicated 'Geological Disposal' section on the NDA website. Its launch of its "Steps Towards Implementation" document (NDA, 2010e) included a DVD, as well as substantial press coverage. Feedback on the documents' content and clarity of presentation was sought in order to improve future documents. It is understood that there will be a high profile launch of the Disposal System Safety Case suite of documents early in 2011.
64. PSE is included in the RWMD Geological Disposal Research and Development Programme Overview document which is due to be published in late 2010.

## **SUMMARY OF NDA PSE**

### ***General Higher Activity Waste PSE***

65. To date, NDA's PSE related to HAW management (other than geological disposal) has consisted largely of presentations and discussions at the National Stakeholder Group (now disbanded). Much of the PSE that NDA needs to do on HAW management has yet to come and will flow from the NDA Strategy.
66. CoRWM has concerns that reducing NDA's "support costs" (NDA Draft Business Plan 2011-14) may include reducing effort on PSE. In the Committee's view this would be a retrograde step, although it accepts that NDA needs to achieve better value for money in its PSE activities.
67. There is a general question of whether NDA should separate communications from PSE. CoRWM has commented to NDA that, for strategic purposes, it would be better to do so (CoRWM doc 2859).

68. Most of NDA's PSE is directed at stakeholders. It is unclear to CoRWM how NDA will engage with the public when it needs to do so, that is when NDA carries out consultations on issues that may affect communities who are not yet stakeholders as far as its activities are concerned. Examples of such issues are movement of HAW and spent fuels along transport routes that are not used at present for these purposes.

### ***Geological Disposal***

69. RWMD has developed a PSE strategy for geological disposal and is in the process of implementing it.
70. RWMD is supporting the PSE aspects of the MRWS process in West Cumbria.

### **PSE OF OTHER ORGANISATIONS**

71. There is a wide range of PSE activities relevant to HAW carried out by other organisations listed in the annexes to this paper. These are generally targeted at stakeholders on specific topics. There has been national public engagement by the regulators through the Generic Design Assessment (GDA) for new build nuclear power stations and the West Cumbria Managing Radioactive Waste Partnership is undertaking an extensive PSE programme as part of the process to reach a decision on whether to participate in the siting of geological disposal facilities. Public engagement in these two areas is expected to increase.
72. The regulators have web sites which contain varying levels of information on radioactive waste management issues for stakeholders and the public. Some sites have been improved (OCNS) and others are being improved (HSE nuclear safety research site). There is a joint regulators website for the GDA which contains the GDA PSE Strategy and Action Plan and extensive information. The HSE Nuclear Directorate considers its website to be a means of improving its openness and transparency and publishes summaries of its assessments of licensee's safety submissions, as well draft guidance for comment. Newsletters are produced by a number of regulators. As well as their own PSE, regulators take part in other PSE activities such as SSGs and Local Liaison Committees (LLCs). HSE carries out audits of the public involvement after each step of the GDA and the results have been fed back in to improve future processes.
73. The civil and defence nuclear industry generally undertakes its PSE through SSGs and LLCs, with meetings and newsletters. There are also public consultations on specific proposals such as low level waste disposal and proposed new nuclear power stations. National consultations have been carried out on the dismantling of redundant nuclear powered submarines and further consultations are planned in this area.
74. Local Authorities carry out PSE as part of their duties under planning legislation. NuLeAF and other local authority organisations produce bulletins and information on nuclear issues.
75. The West Cumbria Managing Radioactive Waste Safely Partnership (WCMRWSP) has extensive PSE arrangements in place which are designed to educate, inform, and engage the population in order to seek their views. A wide range of activities are used including newsletters, a website, newsletters, the media, citizen's panels, discussion packs and opinion polls. The first round of PSE was evaluated and the results fed into the proposals for the next round; a similar process will be followed following the second round. The PSE programme is approved and funded by DECC as part of the MRWS

process contained in the White Paper (DECC 2008a). CoRWM is an observer at the partnership meetings. There is a significant amount of nuclear-related PSE in the West Cumbria area in addition to the Partnership's work, for example on proposals for new build nuclear power stations and proposals for disposal of very low level radioactive waste.

## **SUMMARY OF OTHER ORGANISATIONS PSE**

### ***Regulators***

76. All the nuclear regulators devote considerable effort to PSE at national and local levels. Their PSE in relation to the Generic Design Assessment (GDA) for new nuclear power stations has been particularly extensive.
77. To date, there has been little sign that funding constraints will affect the quantity or quality of regulators' PSE. For example, HSE's Nuclear Directorate (ND) has been increasing its openness and transparency, particularly by improving the design of its website and increasing the amount of information that the site contains about how ND operates. It is unclear to CoRWM whether this situation will continue in the current economic climate. However, the Committee notes that most of the regulators' costs are recovered from the nuclear industry.

### ***Nuclear Industry***

78. All the existing nuclear sites carry out PSE, including running SSGs (or LLCs). It is beyond CoRWM's remit to evaluate all this PSE but the Committee has a number of observations to make, based on its visits to nuclear sites and discussions with stakeholders. These are:
  - at Sellafield, members of the SSG felt that they needed more information on Sellafield Ltd's forward planning, so that they could provide feedback before decisions are taken. It is understood that the SLC has since made efforts to improve engagement with the SSG.
  - at Hinkley Point and at Hunterston some stakeholders thought that there should be a more joined-up approach between the A and B sites
  - at Dounreay there has been an extensive PSE programme on LLW management and this is planned to continue throughout the construction operation and closure of the new LLW disposal facilities.

### ***West Cumbria MRWS Partnership***

79. CoRWM agrees with the views of the independent evaluator of the PSE 1 programme about that the high quality and thoroughness of the work. The Committee considers, from its observations of the PSE 2 programme, that it is "fit for purpose" in meeting the requirements set out in the MRWS White Paper (Defra et al, 2008).

## **COORDINATION OF PSE ARRANGEMENTS**

80. The CoRWM report to Government on interim storage (CoRWM doc 2500) recommended that there be more co-ordination of PSE between the NDA and other UK nuclear industry organisations. The objective envisaged was to ensure sufficient stakeholder participation in decision making without incurring stakeholder fatigue. The Government in its response accepted the recommendation (DECC 2009a).
81. CoRWM asked for views on co-ordination of PSE in its questionnaire. DECC and the NDA stated in their response to the questionnaire (CoRWM doc.2880) that it would be inappropriate for one organisation to co-ordinate PSE and in particular expressed concern over potential compromise of the independence of regulators. CoRWM agrees with this point of view. What the Committee had in mind was that there could be a formal mechanism for co-ordinating PSE arrangements so that, for example, consultations did not happen at the same time or follow closely on one another. It was not being suggested that one organisation should in some way co-ordinate the content of all PSE. CoRWM accept that coordination of PSE is a major challenge due to the different governments, different policies and required timescales.
82. A Nuclear Engagement Group (NEG) has existed which was focussed on new nuclear build. It brought together Governments, NDA, Regulators, and the Health Protection Agency. The aim of the group was to co-ordinate nuclear PSE at national level and provide a mechanism for learning from experience. The group produced a nuclear consultations map which was placed on the DECC website<sup>12</sup>. Although this map was primarily to set out the opportunities for people to have their say in the new nuclear programme, it also included the main public consultations led by DECC, other Government departments, NDA and the nuclear regulators.
83. The NEG has not met since March 2010 and the consultations map on the website is out of date<sup>13</sup>. It is understood that replacement mechanisms are being considered by DECC. A Geological Disposal Communications Plan is being developed to enable organisations to plan their PSE more effectively especially taking account of the PSE programmes in West Cumbria. CoRWM is given to understand that the Radioactive Waste Policy Group (which is attended by governments and the regulators) will be identifying future consultations and opportunities where they can be coordinated. The NDA are intending to publish the timelines of future consultations on their website and there is the opportunity for the NDA Strategy Group to coordinate engagement during development and implementation of the NDA Strategy.
84. It must be recognised that some co-ordination of PSE is included in the routine communications and overall coordination of activities between organisations; however this is not within any national framework or process.

## CONCLUSIONS

85. It is evident that, over the past few years, considerable effort and resource have been devoted to nuclear-related PSE activities in the UK. In England and Wales much of the recent national PSE has been about proposed new nuclear power stations, including management of the spent fuel and other HAW that they would produce. Local PSE has

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[http://www.decc.gov.uk/en/content/cms/what\\_we\\_do/uk\\_supply/energy\\_mix/nuclear/consultations/consultations.aspx](http://www.decc.gov.uk/en/content/cms/what_we_do/uk_supply/energy_mix/nuclear/consultations/consultations.aspx)

<sup>13</sup> Future consultations for new nuclear are, however, given elsewhere on the website.

covered various HAW management issues at existing nuclear sites and at proposed sites for new nuclear power stations. In Scotland there has been national PSE during development of the Scottish Government's HAW management policy. In West Cumbria the MRWS Partnership has conducted a great deal of PSE in relation to the possibility of hosting a geological disposal facility.

86. The Committee has concerns about the future. Experience shows that PSE is essential in achieving acceptable solutions for the long-term management of HAW. It will therefore be important in the current economic climate to ensure that PSE is not reduced in priority or concentrated on too few topics.
87. Taking into account the recognised risk of consultation fatigue and the need to obtain best value from PSE, it is important that organisations are able to best plan the nature and timing of their PSE in as highly effective manner as possible. One means to achieve this would be to make plans for consultations generally available well in advance. It would also be beneficial if lessons of good practice learnt from past PSE were shared. There is evidence that organisations have made efforts to improve their PSE and CoRWM acknowledges that government, NDA and others have done a lot of work towards better coordination of PSE and that they recognise the importance of doing more. The work of the Radioactive Waste Policy Group in coordination and the NDA proposal to publish a timeline for future consultations will be important.
88. The majority of current PSE for HAW management is for stakeholders; that is for those who already have an interest. In future, more thought will need to be given to national and regional public engagement, for example in relation to proposals to move wastes between nuclear sites for treatment and storage. Ensuring that web sites are maintained with up to date information will be important. The need to involve young people has been raised by DECC and the West Cumbria MRWS Partnership.
89. NDA is implementing revised national PSE arrangements and RWMD is implementing its PSE strategy for geological disposal. CoRWM will monitor these developments and their effectiveness.
90. In CoRWM's view, DECC is providing good support to the PSE work of the West Cumbria MRWS Partnership.
91. In CoRWM's view, Government should lead the national consultation on the MRWS Stage 4 methodology for identifying sites for surface-based investigations.
92. During the gathering of evidence for this position paper, government sponsors strongly made the point that, in their experience, PSE was most effective when representatives of different organisations were in the same room and could interact. They also stated that CoRWM attendance at PSE events was very helpful. CoRWM will need to consider this last point and the resources required, when determining the CoRWM work programme.

**ANNEX A: REGULATORS' PSE*****Health and Safety Executive (HSE)****Existing and Committed Wastes*

- A1. HSE Nuclear Directorate (ND) PSE on existing and committed HAW consists mainly of reporting to and taking part in Site Stakeholder Group (SSG) and Local Liaison Committee (LLC) meetings, and of using the HSE website<sup>14</sup>. The website is used to provide information about HSE work on radioactive waste management and its interactions with other regulators, and to conduct consultations. There is a specific web page on the HSE role in geological disposal<sup>15</sup>. Modules of the joint regulators' guidance on management of HAW on nuclear licensed sites have been issued via the HSE website as trial versions for comment. The nuclear safety research part of the HSE website is being rebuilt.
- A2. ND used to issue a comprehensive bulletin about its work on all nuclear licensed sites about 3 times per year. This has been replaced by a more accessible stakeholder newsletter, containing less detailed information. However, some details of site specific work can be found in the HSE reports to SSGs/LLCs. NII is now also publishing summaries of its assessments of licensees' safety submissions (e.g. for the new Urenco facilities for hex deconversion). This is part of a wider initiative in ND to improve its openness and transparency.
- A3. OCNS has replaced its website with one that provides much more information about how OCNS works<sup>16</sup>. (CoRWM was offered the opportunity to comment on the new site but unfortunately, for technical reasons, was unable to do so before the site went live.) The new site is a great improvement and contains much more information about how OCNS works. CoRWM intends to discuss the site with OCNS early in 2011.
- A4. As far as CoRWM is aware, OCNS undertakes much less PSE than its US counterpart (e.g. USNRC holds public meetings and consultations on various aspects of security regulation). A major reason for this is that OCNS is a much smaller organisation, with fewer resources.
- A5. The UKSO website is a good source of information on safeguards.

*New Build Wastes*

- A6. HSE leads the Generic Design Assessment (GDA) for new nuclear power stations. It hosts the joint regulators' website, where the GDA PSE strategy, plans and activities are described.<sup>17</sup>
- A7. There is a joint regulator GDA Strategy and Action Plan. Large amounts of information are made available via the website, leaflets have been sent to all public libraries and there have been events for key stakeholder groups (e.g. NGOs, local authorities). The

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<sup>14</sup> [www.hse.gov.uk/nuclear](http://www.hse.gov.uk/nuclear)

<sup>15</sup> [www.hse.gov.uk/nuclear/geodisposal](http://www.hse.gov.uk/nuclear/geodisposal)

<sup>16</sup> [www.hse.gov.uk/nuclear/ocns/index.htm](http://www.hse.gov.uk/nuclear/ocns/index.htm)

<sup>17</sup> [www.hse.gov.uk/newreactors/stakeholderengagement.htm](http://www.hse.gov.uk/newreactors/stakeholderengagement.htm) and  
[www.hse.gov.uk/newreactors/publicinvolvement.htm](http://www.hse.gov.uk/newreactors/publicinvolvement.htm).



regulators give presentations about GDA at various meetings (see quarterly GDA progress reports (e.g. HSE, 2010a) for details). All this PSE includes information about management of new build spent fuel and ILW. Local engagement will increase as new build operators announce site specific plans.

#### *Reviews of HSE New Build PSE*

- A8. Internal audits of the GDA Public Involvement Process have been held after the completion of each GDA step. These have resulted in recommendations, for example to improve the regulators' website, which have been acted upon.
- A9. The independent GDA Process Review Board, which was set up by the Chief Nuclear Inspector in HSE, covers the Public Involvement Process, as well as other aspects of GDA. The Board has produced three reports so far (GDA PRB, 2008a, 2008b, 2010).
- A10. The latest Process Review Board report (GDA PRB, 2010) makes a number of comments about PSE. These include the following.
- The joint HSE-EA stakeholder engagement strategy and action plan should be regarded as live documents that are still under development.
  - Learning from GDA PSE is a great opportunity for HSE's Nuclear Directorate (ND) as a whole; it is therefore important to track progress routinely.
  - The market research found much higher public interest in the management of nuclear waste than in reactor design issues.
  - EA has longer experience and commitment to PSE than HSE.
  - There is a need for a decisive lead by DECC on the management of new build wastes (including spent fuel), and also on legacy wastes and spent fuels.
  - To date, there have been few public comments on GDA. This is expected to change when new build plans become more site specific. The regulators should have comprehensive action plans in place to deal with the greater public interest. The idea of "local site" web pages is a good one and regulators could learn from prospective new build operators in this respect.
  - There is a danger of regulators' effort on PSE being reduced because of pressures of other work and financial constraints.
  - ND should be determined about PSE. The GDA has started a cultural change throughout ND that should not be allowed to falter.
- A11. In its response to the Process Review Board's report, ND accepted the Board's findings on PSE and stated that it had actions in hand to address them (HSE, 2010b). However, it noted that there were increasing pressures on the resources (time and money) that could be devoted to PSE. ND also stated that PSE on new build was part of wider strategy across ND to enhance openness and transparency to seek to earn greater trust and confidence of stakeholders.

#### *Environment Agency (EA)*

- A12. EA uses its 'building trust with communities' approach which involves working with communities early on to understand their concerns, interests and priorities

#### *Existing and Committed Wastes*

- A13. EA holds public consultations on all its new nuclear site authorisations, environmental permits and on significant variations for permits to existing nuclear sites, attends SSG

and LLC meetings, holds stakeholder workshops on specific topics, and consults on draft guidance documents.

- A14. The EA website provides information on its work on all types of radioactive waste. It contains the joint regulators' web pages on geological disposal (EA, HSE, DfT)<sup>18</sup>, as well as sections on LLW (the LLWR and landfill disposal).
- A15. The EA, with SEPA and NIEA, maintains the NetRegs website<sup>19</sup>, which provides comprehensive information about all environmental legislation in England, Scotland, Wales and Northern Ireland and related Government and regulatory guidance. Work is underway to transfer NetRegs guidance into the Government's Businesslink website<sup>20</sup>

#### *New Build Wastes*

- A16. EA and HSE co-ordinate an engagement approach and plan for the Generic Design Assessment of new nuclear power station designs, and operate a public involvement process. From July to October 2010 the EA conducted a public consultation on its GDA findings and as part of this held a seminar in July 2010. Presentations made at the seminar are available on the HSE website<sup>21</sup>. The EA is developing local engagement plans for potential new build sites. The EA participates in stakeholder meetings held by others, for example DECC, so that it can respond to any issues raised that are relevant to its work.

#### ***Scottish Environment Protection Agency (SEPA)***

- A17. SEPA's PSE is similar in scope to that of EA but on a smaller scale (and since there is no new build in Scotland, SEPA does not conduct PSE on new build wastes). The SEPA website has pages on each of the nuclear sites it regulates, a page on NDA and how SEPA interacts with it, and a page on CoRWM and SEPA's past and present interactions with the Committee.

#### ***Department for Transport (DfT)***

- A18. DfT issues a regular newsletter on the transport of radioactive materials<sup>22</sup>. This provides named contacts for more information on particular topics and gives contacts for stakeholder engagement. It holds stakeholder meetings from time to time; the most recent was in February 2010.

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<sup>18</sup> [www.environment-agency.gov.uk/business/sectors/111766](http://www.environment-agency.gov.uk/business/sectors/111766)

<sup>19</sup> [www.netregs.gov.uk](http://www.netregs.gov.uk)

<sup>20</sup> <http://www.businesslink.gov.uk/bdotg/action/home>

<sup>21</sup> [www.hse.gov.uk/newreactors/events.htm](http://www.hse.gov.uk/newreactors/events.htm)

<sup>22</sup> [www.dft.gov.uk/pwww.dft.gov.uk/pgr/freight/dgt1gr/freight/dgt1](http://www.dft.gov.uk/pwww.dft.gov.uk/pgr/freight/dgt1gr/freight/dgt1)

**ANNEX B: CIVIL AND DEFENCE NUCLEAR INDUSTRY PSE*****British Energy***

- B1 Regular site specific PSE is via LLCs and SSGs (where there are adjacent NDA sites). In 2009, there were two rounds of public consultation for the proposed dry storage facility for spent fuel at Sizewell B. These included exhibitions and meetings, as well as the publication of documents describing the proposal and asking for comments. Information on the Hinkley Point and Hunterston SSGs is given below (para B10 et seq.)

***EDF Energy***

- B2 EDF Energy is undertaking PSE at the two sites where it proposes to construct new reactors, namely Hinkley Point and Sizewell<sup>23</sup>. This includes public meetings, as well as publication of documents. The Stage 2 consultation required under infrastructure planning procedures at Hinkley Point ended on 4 October 2010 and comments are currently (December 2010) being reviewed<sup>24</sup>.

***Ministry of Defence (MoD)***

- B3 With reference to nuclear powered submarines MoD has established PSE mechanisms through existing Local Liaison Committees at the naval bases although meetings are not all held regularly at all sites. The project, formerly known as (ISOLUS) has undertaken earlier public and stakeholder engagement through the Front End Consultation (FEC) and the Consultation on Initial Outline Proposals (CIOP) in 2001 and 2003 respectively. The SDP Advisory Group includes a wide range of participants including industry and NGOs. A web site exists with a facility to subscribe to a news update service<sup>25</sup>. The project is currently planning for a national and local public consultation in the near future on technical options for dismantling and potential dismantling sites. This will be supported by a SEA.
- B4 MoD is developing a new Nuclear Liabilities Strategy; however plans for PSE are not known.

***AWE***

- B5 AWE distributes a community newsletter to over 20,000 local homes and has a schools liaison scheme ([www.awe.co.uk/aboutus/Community\\_Relations.html](http://www.awe.co.uk/aboutus/Community_Relations.html)). It has an LLC and has conducted public consultations on a few waste management issues.

***Devonport Royal Dockyard***

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<sup>23</sup> <http://edfenergyconsultation.info>

<sup>24</sup> <http://hinkleypoint.edfenergyconsultation.info>

<sup>25</sup> <http://www.submarinedismantling.com/>

- B6 Devonport has an LLC that is chaired alternately by MoD and Babcock. Its website provides details of environmental monitoring by Babcock, regulators and local authorities<sup>26</sup>.

### ***NDA Sites***

#### *Sellafield*

- B7 In November 2008 ownership of Sellafield Ltd vested in Nuclear Management Partners (NMP, a consortium comprising URS of the United States, the British Company AMEC and the French company AREVA). This change of ownership has led to the single biggest culture change in the history of Sellafield.
- B8 The main vehicle for stakeholder engagement is the West Cumbria Sites Stakeholder Group (WCSSG) which has approximately 50 members with sub-committees covering commercial activities, decommissioning, emergency planning, environmental health and socio-economic issues and the low level waste repository at Drigg. The SSG meets quarterly and receives reports from Sellafield management, the NDA and the regulators.
- B9 CoRWM visited Sellafield in July 2010 and held a meeting with representatives from the WCSSG. It was noted that whilst overall the relationship between the SSG and Sellafield Ltd was good, the SSG was concerned over a declining emphasis on public engagement. It was noted that the SSG and the wider community had enjoyed a good flow of information from Sellafield management over the years under previous management regimes but felt that this had not been maintained. There were also concerns over the type of information provided to the SSG. CoRWM was told that increasingly this consisted of reports on past events and there was insufficient proactive engagement on forward issues. The SSG representatives said that there was a lack of 'real engagement' with them in terms of providing them in advance with plans and key decisions dates that would allow them to gain the knowledge they require to contribute effectively in decision-making processes. It is understood that Sellafield Ltd has since made efforts to improve engagement with the SSG.

#### *Hinkley Point*

- B10 There are two plants at Hinkley. Hinkley Point A is a Magnox decommissioning site owned by the NDA and operated by Magnox Ltd. Hinkley Point B is an operational AGR station owned and operated by British Energy, which is a subsidiary of EDF Group. Both sites are committed to conducting business in an open and transparent way.
- B11 The main route for PSE is through the Hinkley Point SSG, which covers both stations as well as EDF's proposals for a new nuclear power station at Hinkley Point C. The SSG is facilitated by the NDA.
- B12 The SSG met three times in 2010. Participants receive Site Director's Reports from both stations; a fuller report from Hinkley A is also available on the SSG website. Hinkley B produces monthly reports, in accordance with British Energy policy, which are designed to share news with local community stakeholder groups and local councils. These reports are available on the British Energy website.

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<sup>26</sup> [www.babcock.co.uk/devonport](http://www.babcock.co.uk/devonport)

- B13 Hinkley Point B offers a 'talks service' whereby employees give presentations to local groups on the work on the power station or nuclear energy more generally.
- B14 CoRWM visited the two Hinkley sites in March 2010 and also held a meeting with local stakeholders (CoRWM doc. 2809). It was noted that while the SSG covered both sites, there was a considerable difference in between the two in terms of their remit and, therefore, issues of relevance to stakeholders. The relationship between Hinkley Point A and the SSG and other local stakeholders is excellent and there is clearly close involvement with the public; for example, the public were involved in BPEO exercises carried out as part of the decision-making process for determining radioactive waste management methods. Feedback from members of the public was supportive and well received. They have a real sense of the stewardship of the site.
- B15 Although the public do not see sites A, B and C as separate when it comes to building public confidence, and the joint SSG processes facilitates a joined up approach, the reality is that the sites have very different remits and dialogue between A and B sites probably occurs less frequently than might be expected.

#### *Hunterston*

- B16 Hunterston A is a Magnox decommissioning site owned by the NDA and operated by Magnox North. Hunterston B is an operational AGR power station owned and operated by British Energy (which is owned by EDF and Centrica). The NDA facilitates the SSG which covers both sites. There is a focus on Hunterston A at the SSG although there is a standing item for Hunterston B on the agenda. Both sites operate "open door" policies for visits.
- B17 Members of CoRWM visited Hunterston A and B sites in March 2010. On the evening of 9 March 2010 an open meeting was held with members of the SSG, members of the public and representatives of Hunterston A management. Full details of this meeting are in CoRWM doc. 2802. Particular points of interest are as follows.
- B18 There appeared to be some misunderstanding amongst local stakeholders about the ownership, management and funding of Hunterston A. In CoRWM's view a simple chart of how NDA, Magnox North, Hunterston A SLC and EnergySolutions are legally and managerially linked could be used at an SSG meeting to explain the relationships between the organisations.
- B19 Concerns that local stakeholders expressed to CoRWM were mainly about transport of waste and the use of the Hunterston A store for Hunterston B waste and for waste from other organisations outwith the area.
- B20 CoRWM was told that there were not a large number of contacts between the A and B sites, even though they are so close to each other. This is perhaps not surprising, given that the missions of the two sites are so different and so, necessarily, are the company arrangements to carry them out. There are synergies in some areas of both sites and future developments are expected to require co-ordinated approaches and greater liaison, including in PSE.

#### *Dounreay*

- B21 Dounreay has extensive experience of PSE related to radioactive waste management and decommissioning. A major recent example is the PSE on LLW management. This PSE programme began in 2001 with contact with the then LLC, following contacts with regulators (NII and SEPA) in 2000. In 2003 there was stakeholder involvement in a “best practicable environmental option” (BPEO) assessment and PSE continued throughout decision making on the construction of new LLW disposal facilities on the Dounreay site (NDA, 2010e). The SSG (previously the LLC) were involved, as well as other stakeholders. The LLW PSE programme is planned to continue during the construction, operation, and closure of the new LLW disposal facilities. Dounreay’s experience has been recognised by the IAEA which asked DSRL to take part in the production of expert guidance on stakeholder engagement in decommissioning.

**ANNEX C: LOCAL AUTHORITIES AND COMMUNITIES*****Cumbria County Council***

- C1 The County Council as minerals and waste planning authority has prepared a Minerals and Waste Development Framework (MWDF) for the period 2009-2020 under the Town & Country Planning Act. Whilst it covered all minerals and all waste, there was a specific chapter on Radioactive Wastes- both HAW and LLW. Core Policy 2 specifically related to economic benefit that proposals should bring and Core Policy 3 is entitled Community Benefits whereby facilities proposed, particularly for the nuclear industry, should provide packages of community benefits to help offset the impacts of hosting such facilities.
- C2 Prior to preparing the documents the County Council issued a Statement of Community Involvement (SCI) in accordance with Section 20 of the Planning and Compulsory Purchase Act which related to how all sections of the community could become involved in the preparation of the MWDF and subsequently in the consideration of planning applications.
- C3 The Core Strategy and Generic Development Control Policies were subject to public consultation and objection leading to a Hearing in Public in November 2008 in Whitehaven which a CoRWM member observed. After receiving the Inspectors' report on the Hearing which resulted in modest changes and the conclusion that the SCI was sound, the Strategy and Policies were formally adopted by the County Council on 23 April 2009.
- C4 The Site Allocation Policies and Proposals Map have now been prepared, publicised and Hearing in Public sessions before a Planning Inspector held over a four week period starting on 28 September 2010. Most of the discussion was about mineral and domestic waste sites but the location of LLW and VLLW sites for Sellafield decommissioning wastes seems to have raised a number of issues.
- C5 The important issue for CoRWM has been the extent of public awareness and involvement during the preparation of these documents. The Inspectors endorsement of the SCI indicates that procedures have been followed and that the public's right to be involved has been respected.

***West Cumbria Managing Radioactive Waste Safely Partnership (WCMRWSP)***

- C6 The WCMRWSP is an advisory body established to 'make recommendations to Allerdale Borough Council, Copeland Borough Council and Cumbria County Council on whether they should participate in the geological disposal facility siting process, without commitment to eventually host a facility'. CoRWM is not explicitly scrutinising the WCMRWSP process but in this position paper it is addressing whether the PSE requirements outlined in the Government White Paper 'Managing Radioactive Waste

Safely, A Framework for Implementing Geological Disposal' (Defra 2008a) are being met.

#### *Objectives of PSE1 and Methods Utilised*

- C7 The first round of PSE carried out by the WCMRWSP (PSE 1) had four major objectives: 1) to build an understanding of stakeholders and the public; 2) to seek inputs on the Partnership's terms of reference, work programme, criteria and PSE plan; 3) to understand the issues raised; and 4) to provide a response and adapt activity accordingly.
- C8 To achieve these objectives the Partnership adopted a wide range of methods including a dedicated website, a free phone number, neighbourhood forums, a citizen's panel, an awareness tracking survey, a residents panel and a stakeholder organisations workshop.

#### *PSE results*

- C9 A comprehensive report of PSE1, and how the Partnership plans to act on the issues raised, has been published (WCMRWS 2010a). The following key messages emerged:
- overcoming cynicism and gaining trust (the difference between the Nirex process and the Government's current approach of voluntarism, that the process is a foregone conclusion and that decision makers will not listen to people's views)
  - clarifying decision making (who makes decisions and what constitutes credible support)
  - the process must be rigorous
  - striving to engage (engage more widely and intensively as the process proceeds)
  - securing community benefits (distasteful bribe or potential for major financial benefits despite some cynicism that Government has failed to honour past promises)
  - overall there is a need to increase awareness of the process being pursued not only with the public but also in the Partnership's own constituencies.

#### *Evaluation of PSE1*

- C10 The WCMRWSP appointed an independent evaluator for PSE1 and the evaluation report noted that the work done during PSE1 had been 'incredibly thorough' (WCMRWSP 2010b). The delivery, project planning, reporting, and auditing were found to be of high quality and followed the CoRWM model for engagement and reporting. The level of work was a sound investment given the sensitivity of the issues

#### *Proposals for PSE2*

- C11 The objectives of PSE2 include: 1) demonstrating that public input from PSE1 has led to real changes; 2) building understanding of the MRWS programme and the Partnership's activities, including the implications of the BGS study; 3) seeking input from stakeholder organisations and the public on key topics in order to inform the Partnership's judgements against criteria for recommending whether to participate; 4) understanding



stakeholder and public issues and information needs; 5) providing a response to issues and adapt activity accordingly.

- C12 Key engagement topics in PSE2 will include: 1) how should public views inform conclusions? 2) Potential positive and negative impacts of a disposal facility and possible community benefits and 3) how communities should be further involved in the process?

*PSE2 Methods*

- C13 At the time of drafting this position paper, PSE2 was in progress so it is only possible to comment on the methods being utilised rather than their outcomes and efficacy. An independent evaluation of PSE2 will be published. Given their effectiveness many of the methods used in PSE1 have been retained. Approaches being utilised can be broadly defined as communication methods, mainly designed to increase awareness and two-way engagement to solicit views and opinions on the wide range of issues listed above. Communication methods include publications, newsletters, leaflets to all households in West Cumbria, media liaison, advertorial space, advertising, conferences, exhibitions, stands, website with 'comment' function and neighbourhood forums. The main engagement methods are community events, discussion pack, resident's panel, youth panel, bilateral meetings, and stakeholder organisations workshop. There is clear evidence that the Partnership has made a real effort to learn lessons from PSE1, is adopting innovative and imaginative methods not only to increase awareness but also to solicit as wide a range of views as possible and making a real effort to engage with 'hard to reach' and underrepresented groups.

**REFERENCES****CoRWM Documents**

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