



Department for
Business, Energy
& Industrial Strategy

Prof Campbell Gemmell
Acting Chair of CoRWM
By email

Richard Harrington MP

Department for Business, Energy &
Industrial Strategy
1 Victoria Street
London
SW1H 0ET

T +44 (0) 20 7215 5000
E enquiries@beis.gov.uk
W www.gov.uk

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Dear Professor Gemmell,

On behalf of BEIS and the Devolved Administrations, I would like to thank you, and Professor Laurence Williams as outgoing Chair, for the Committee on Radioactive Waste Management (CoRWM's) Annual Report 2016/17.

CoRWM provides important independent assurance as well as constructive feedback to the UK Government and Devolved Administrations' work on radioactive waste management issues. I note the six recommendations included in the report and a response is set out below. Officials would be pleased to discuss further, and work with CoRWM on these and other issues as the Implementing Geological Disposal programme for England, Wales and Northern Ireland progresses.

Recommendation 1: National Geological Screening Outputs:

Part 1 of RWM's National Geological Screening output should comprise the British Geological Survey's Technical Information Reports; Part 2 should show the relationship of this information to the safety of a GDF and Part 3 should contain information on areas that have been screened out from further consideration.

The National Geological Screening outputs will not definitively rule all areas as either 'suitable' or 'unsuitable' (White Paper, 2014). However, they will be divided into several elements to help people access the parts of most interest to them.

At the simplest level there will be plain English summaries of the geological information for each region, illustrated with maps showing areas that may include volumes of appropriate lower strength sedimentary rocks (e.g. clay), higher strength rock (e.g. granite) or evaporite rocks (e.g. salt) at the appropriate depths for a Geological Disposal Facility (GDF). These will be accompanied by more detailed regional and sub-regional reports that explain the relationship of the basic geological information to the safety of a GDF in each area. These will also be supported by short, explanatory video clips intended to explain technical terms for non-geologists.

The RWM website will also include a link to the British Geological Survey website to signpost their underpinning Technical Information Reports.

RWM has discussed the development of these outputs with CoRWM throughout the process to help ensure clarity.

Recommendation 2: Communication Roles and Responsibilities

BEIS should ensure that the respective roles and responsibilities of BEIS and RWM relating to GDF communication activities are clearly defined and implemented.

BEIS agree with CoRWM that communication roles and responsibilities relating to GDF communications should be clearly defined. To this end, RWM, NDA and BEIS have already established a GDF Communications and Engagement Coordination Group that includes a cross-section of senior communication representatives from each organisation. This group is developing integrated plans for the delivery of communications activity relation to geological disposal to better reflect the work of the group.

Recommendation 3: Access to Independent Third Party Expert Views

The UK Government, the Welsh Government and the Northern Ireland Executive should ensure that any proposed mechanism to provide independent third party expert views to communities that are engaged in the GDF siting process is independent of RWM.

BEIS have worked with a number of Learned Societies, RWM, Welsh Government and the Committee on Radioactive Waste Management (CoRWM) in developing the proposed Third Party Expert View Mechanism. This mechanism is intended to enable communities, RWM and Government to seek third party expert views from the Learned Societies on contested and unresolved issues of a technical and scientific nature during the siting process for a Geological Disposal Facility. The views provided by Learned Societies will be independent of RWM and provided directly to the community/ies concerned.

This mechanism is one aspect of the community engagement process, and will not be the primary mechanism through which communities receive information on a GDF. It is expected that the mechanism will be triggered only after other opportunities have been exhausted. Communities will receive and will be able to request information on a GDF from multiple different sources including RWM, regulators, expert consultants, universities, local experts, and CoRWM.

Recommendation 4: Regulators – Role of the Regulators on the GDF Siting Process

The UK Government, the Welsh Government and the NI Executive should request the nuclear safety, security and environmental regulators be available during the GDF siting process to explain that the regulatory framework will control the design, construction, commissioning, operation and closure of a GDF, and their roles in the permissioning process.

All the relevant independent regulators, that is to say the Office for Nuclear Regulation, the Environment Agency and Natural Resources Wales, are responsible for ensuring that any future GDF meets the mandatory high standards in place to protect people and the environment during construction and operation of the facility and after it has been closed. In Northern Ireland, the Northern Ireland Environment Agency, which is an Agency within the Department for Agriculture, Environment and Rural Affairs, will have similar responsibilities for ensuring that, should there be any proposals in future for a GDF to be sited in Northern Ireland, all standards and legislation in place to protect the environment and human health will be stringently adhered to at all stages of the process. In response to a request from BEIS, the

regulators have developed an 'overview of the regulatory process', which will be used to support engagement with communities during GDF siting. The overview describes environmental and nuclear regulation and outlines the regulators' role in supporting the land-use planning process as currently envisaged to be applied to the implementation of geological disposal. The overview also emphasises that unless the safety cases submitted by RWM demonstrate that a GDF will meet the required standards for safety, security and environmental protection, it will not receive regulatory approval and will not be built.

All regulators have confirmed that in addition to the overview, which will be published in advance of the launch of the siting process, they are always available to explain their roles and responsibilities.

Recommendation 5: LOC process

RWM should ensure that the Letter of Compliance process is applicable to GDFs in all three rock types.

BEIS welcome the comments from CoRWM and the continued commitment from RWM to work constructively with CoRWM as the GDF programme continues to develop.

RWM continues to work with waste producers across the industry to assess the disposability of waste packaging proposals to inform decision making on the packaging of radioactive wastes. This disposability assessment process is referred to as the Letter of Compliance process. RWM uses a pragmatic assessment basis that is intended to cover the three rock types and is underpinned by its generic design and safety case and the technical developments and experience gained within the UK and internationally. This gives confidence that wastes packaged in the UK will meet the acceptance criteria, which would be implemented in any of the geological environments in which a UK GDF could credibly be implemented. We note that this disposability assessment process is also subject to scrutiny by the nuclear regulators.

RWM has updated its generic design and safety case to more explicitly consider the three rock types and this will be used to provide further confidence that the process remains applicable to GDFs in all three rock types.

Recommendation 6: Independent External Review of RWM Business Model

BEIS should initiate an independent external review of RWM's Business Model to assess its fitness for purpose in relation to the need for the UK to have an effective GDF delivery organisation.

The GDF programme is a major infrastructure programme and forms part of the Government Major Projects Portfolio (GMPP). As part of the Business Case approval process, independent assurance activity is commissioned to ensure the arrangements for delivery of the GDF programme are fit for purpose. This includes reviews of the initial actions led by BEIS, communications and stakeholder plans as well as RWM's Business Model and preparations for leading the GDF siting process.

To conclude, I would like to take this opportunity to record my appreciation for all the hard work the Committee undertakes on behalf of the UK and Devolved Administrations. I have already written to Professor Williams to express my thanks for his five years' service as Chair of the committee, and I'd like to thank Professor Gemmill for agreeing to act as interim Chair until a new Chair is appointed.

Yours faithfully,

Richard Harrington

RICHARD HARRINGTON MP
Minister for Business and Industry