



Department
of Energy &
Climate Change

Committee on Radioactive Waste Management (CoRWM) Triennial Review 2015

Stakeholder questions

15D/034 January 2015

This document can be found on DECC's website:

<https://www.gov.uk/decc>

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General information

Purpose of this document:

On 27 January 2015, the UK Government announced the second Triennial Review of the Committee on Radioactive Waste Management (CoRWM) and is seeking the views of stakeholders who wish to contribute to the review. Triennial Reviews of non-departmental public bodies (NDPBs) are part of the UK Government's commitment to ensuring that NDPBs continue to have regular independent challenge.

Issued: 27 January 2015

Respond by: 10 March 2015

Enquiries to:

Geological Disposal Team
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Room M06
55 Whitehall,
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Territorial extent:

United Kingdom

How to respond:

Please send your comments or if you have any queries to: ond@decc.gsi.gov.uk

Or by post to:

Geological Disposal Team
Office for Nuclear Development
Department of Energy and Climate Change
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Additional copies:

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Confidentiality and data protection:

Responses, including names, maybe shared with CoRWM and maybe made public unless respondents specifically request confidentiality. Respondents who wish for their responses to remain confidential should clearly mark their response to that effect and explain the reasons for confidentiality. Respondents should be aware that confidentiality cannot always be guaranteed. For example, responses, including personal information, may be subject to publication or release in accordance with the access to information regimes (primarily the Freedom of Information Act 2000, the Data Protection Act 1998 and the Environmental Information Regulations 2004).

Quality assurance:

This consultation has been carried out in accordance with the [Government's Consultation Principles](#).

If you have any complaints about the consultation process (as opposed to comments about the issues which are the subject of the consultation) please address them to:

DECC Consultation Co-ordinator
3 Whitehall Place
London SW1A 2AW
Email: consultation.coordinator@decc.gsi.gov.uk

What is CoRWM?

1. CoRWM is an advisory NDPB. It comprises 12 members and its remit is to provide independent scrutiny and advice to UK Government and Devolved Administration Ministers on the long-term management of higher activity radioactive wastes. Its primary task is to provide independent scrutiny on the Government's and the Nuclear Decommissioning Authority's proposals, plans and programmes to deliver geological disposal, together with robust interim storage, as the long-term management solution for most of the UK's higher-activity wastes.

The review

2. The review will examine whether there is a continuing need for CoRWM's function and its form and whether it should continue to exist at arm's length from Government. If there is evidence of a continued need for the body, the review will also examine whether CoRWM's control and governance arrangements continue to meet the recognised principles of good corporate governance.
3. In support of these aims we would welcome input and evidence from stakeholders.
4. **Stakeholders are invited to respond to the following questions:**

Questions	
1.	Do the key functions performed by CoRWM continue to be necessary and appropriate for the successful management of higher activity radioactive wastes?
2.	<p>Do the key functions performed by CoRWM continue to be necessary for the successful implementation of the Geological Disposal Facility Programme in particular?</p> <p><i>In respect of questions 1 and 2 you might wish to consider issues such as: is independent scrutiny and advice, over and above that already provided by the independent safety, security and environmental regulators, necessary for the successful long- term management of higher activity radioactive wastes and the delivery of geological disposal? Is stakeholder engagement and transparency of information important?</i></p>
3.	<p>If you consider that CoRWM's functions remain valid, are these functions best delivered by a Non-Departmental Public Body (NDPB)? Please consider the following alternative options in giving your answer:</p> <ul style="list-style-type: none"> • Abolish the function • Move out of Central Government (e.g. to voluntary or private sector) • Bring in house (e.g. into the Department of Energy and Climate Change) • Merge with another body • Delivery by a new Executive Agency • Continued delivery by an NDPB

4.	What do you see as the benefits and risks of delivering the functions of CoRWM in these alternative ways? In particular, do you view any of these methods of delivery as beneficial, and why?
5.	<p>If you consider that an advisory NDPB is the right delivery mechanism for the functions of CoRWM, what improvements could be made to support the effective and efficient delivery of CoRWM's remit?</p> <p><i>You might wish to consider issues such as: does CoRWM do a good job – does it offer value for money? Is CoRWM politically impartial? Do you trust CoRWM as a source of independent advice and authoritative information? Has CoRWM the necessary skills and experience to fulfil its remit?</i></p>

Radioactive Waste Management and Geological Disposal – organisational landscape

5. CoRWM is one of a number of organisations either directly involved or taking an interest in radioactive waste management and geological disposal in the UK. Others include:
6. **Government** is responsible for radioactive waste management policy. Radioactive waste management is a devolved issue meaning that the UK Government has responsibility for the policy in respect of England, the Welsh Government in respect of Wales, the Scottish Government in respect of Scotland and the Northern Ireland Executive in respect of Northern Ireland.
7. The **Nuclear Decommissioning Authority (NDA)** is a non-departmental public body responsible for decommissioning and cleaning up existing, publicly owned civil nuclear sites across the whole of the UK. It is responsible for implementing Government policy on the long term management of radioactive waste.
8. **Radioactive Waste Management Limited (RWM)** is a wholly owned subsidiary of the NDA and is responsible for implementing Government policy on the geological disposal of higher activity radioactive waste. As the developer of a geological disposal facility, RWM is responsible for safety, security and environmental protection throughout the lifetime of the geological disposal programme. RWM is responsible for complying with all the regulatory requirements on geological disposal.
9. **Nuclear operators** provide interim storage of radioactive waste on their licensed sites across the UK, and will continue to do so for as long as necessary. These nuclear operators include the NDA's site licence companies (eg Sellafield Ltd) and licensed nuclear sites owned by private sector companies such as EDF Energy.
10. The independent **Office for Nuclear Regulation (ONR)** was established as a statutory Public Corporation on 1 April 2014 under the Energy Act 2013. The ONR independently regulates nuclear safety and security at 37 nuclear licensed sites in the UK. It also regulates transport and ensures that safeguards obligations for the UK are met. Its duty is to ensure that the nuclear industry controls its hazards effectively, has a culture of

continuous improvement and maintains high standards. Its work is underpinned by several areas of legislation relating to nuclear and industrial safety and security. The ONR's stated mission is to provide efficient and effective regulation of the nuclear industry, holding it to account on behalf of the public.

11. A number of environmental regulators are responsible for environmental regulation of the nuclear sector within their respective geographical jurisdictions. The **Environment Agency** is responsible for the enforcement of environmental protection legislation in England, regulating radioactive and non-radioactive discharges and disposals to air, water (both surface and groundwater) and land, including disposal by transfer to another site. This responsibility sits with **Natural Resources Wales** in respect of Wales, and the **Northern Ireland Environment Agency** in respect of Northern Ireland. The **Scottish Environment Protection Agency (SEPA)** is responsible for regulating the keeping and use of radioactive substances and the accumulation and disposal of radioactive wastes in Scotland. It is the environmental regulators who will have to assess the post-closure safety case for any proposed disposal facility and decide whether to issue permits for disposal of waste. They also publish "Guidance on Requirements for Authorisation" of disposal facilities. The environmental regulators and ONR work jointly to ensure that any future radioactive waste disposal facility meets the required high standards for environmental protection, safety, security, waste management and radioactive waste transportation.
12. A number of **Learned Societies** and academic institutions have provided advice and views to Government and Parliament on radioactive waste issues in the past. As stated in the 2014 White Paper "Implementing Geological Disposal" the UK Government will establish a mechanism by which communities, the developer (RWM) and Government itself can access independent, third party views on issues contested during the GDF siting process. To achieve this, the UK Government will work with relevant **Learned Societies** (principally the Geological Society of London, Royal Society and Royal Academy of Engineering) to develop the details of a mechanism that could enable their members to engage with these issues. Depending on the topic, members of the Learned Societies may be called upon individually or as part of a panel in order to offer a collective view. This mechanism will be available sometime in 2016.
13. There are a number of **Non-Governmental Organisations (NGOs)**, of varying size and geographical coverage, across the UK who retain a strong interest in radioactive waste management and are generally keen to engage and share their views wherever possible.

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