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Radioactivity and Pollution Prevention  
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24 June 2014

Dear Sir/Madam,

**WELSH GOVERNMENT CONSULTATION: CALL FOR EVIDENCE FOR THE REVIEW OF CURRENT POLICY ON THE DISPOSAL OF HIGHER ACTIVITY RADIOACTIVE WASTE**

Thank you for consulting Natural Resources Wales on the call for evidence for the review of the current policy on the disposal of higher activity radioactive waste.

Natural Resources Wales supports the review process and we provide our responses to the Call for Evidence questions overleaf.

We look forward to continuing to work with Welsh Government and other stakeholders during the review of the policy on higher activity wastes.

Please contact Ceri Davies if you wish to discuss any aspect of our response in more detail.

Yours sincerely,

**Emyr Roberts**

**Prif Weithredwr**

**Chief Executive**

## Response to Consultation Questions

Natural Resources Wales (NRW) was created in 2013 with a mission to ensure that the environment and natural resources of Wales are sustainably maintained, enhanced, and used, now and in the future. Regulation of business and industry are amongst its statutory responsibilities. This includes the regulation of the disposals of radioactive wastes from nuclear sites, as well as other premises in Wales. All permits relating to sites generating or disposing of radioactive waste in Wales are issued by NRW. Compliance with these permits at nuclear sites is carried out by the Environment Agency specialists on behalf of NRW, however, enforcement is undertaken by NRW.

### ***Q1: Should the Welsh Government review its current policy on HAW disposal?***

Natural Resources Wales supports the review, as it is prudent to reconsider policy positions in the event of new developments or evidence. The Welsh Government has expressed support for the development of new nuclear power facilities in Wales, including the proposed Wylfa Newydd site, which is proposed to be sited adjacent to the existing Wylfa nuclear power station on Anglesey.

Natural Resources Wales considers that Welsh Government needs to ensure that suitable and effective arrangements exist for the management of higher activity radioactive wastes generated in Wales by existing, and future nuclear facilities and also that from Welsh industry and the medical sector. Wales has benefited socially and economically from the use of these radioactive substances, and we agree that Welsh Government has an obligation to participate in the development of a strategy for the management of these wastes.

Natural Resources Wales is aware of the work carried out by CoRWM and the position adopted by Scottish Government, and we will look, following discussion with the Environment Agency, Office for Nuclear Regulation and the Nuclear Decommissioning Authority, to highlight to Welsh Government the most recent relevant information, which may inform subsequent calls for evidence.

### ***Q2: CoRWM carried out extensive work before recommending geological disposal in its report in 2006, and confirmed that recommendation in 2013. In the light of this, if the Welsh Government reviews its current policy, should it limit its considerations to disposal options for HAW geological disposal?***

Natural Resources Wales has a service level agreement with the Environment Agency which provides us with a service and we work other bodies. Natural Resources Wales has reviewed the CoRWM recommendations from 2006 and its statement of 2013, and suggests Welsh Government consider including in its review the need for interim and long-term storage prior to geological disposal. This is particularly relevant given the forecast time to create a geological disposal facility, and that possibly even the next generation of nuclear power stations may have been decommissioned before the facility is available, including Wylfa Newydd.

**Q3: If the Welsh Government should consider disposal options other than geological disposal, what should these be?**

As mention above, Natural Resources Wales suggests that Welsh Government review the CoRWM recommendations as part of its evidence gathering, and reviews the options for interim and long-term storage prior to geological disposal. For example CoRWM recommends that these are not disposal options, but mechanisms for managing wastes over periods that may extend to a further 40 or 50 years. As disposal is “the placing waste in a facility with no intention of retrieving it”, other options such as placement in near surface repositories are clearly not disposal, but long-term storage options, as they are based on the premise of retrievability.

**Q4: Do you have any other comments on the Welsh Government policy for disposal of higher activity radioactive waste?**

It is not clear to Natural Resources Wales how the Spent Fuel and Radioactive Waste Directive (Council Directive 2011/70/Euratom) will bear on Welsh Government, as the obligations are on Member States; nevertheless, it is likely that Welsh Government will have to contribute positively to the UK programme. Additionally, as a geological disposal facility would be a novel and unique facility in the UK, Natural Resources Wales considers that the Welsh Government should review its position on management of higher activity radioactive waste as required by the Directive. Furthermore, it is essential that Welsh Government is in a position to engage with the relevant UK Government departments, regulators and operators to play an effective role in UK radioactive substances policy and strategy development.

If a geological disposal facility were to proceed, the design and management of such a facility and any related interim storage facilities, would need to inspire confidence amongst all affected communities from the earliest stages. Welsh Government would need to consider as part of its review the need for clear Government policy and effective regulation in providing community confidence.

If a community in Wales were to volunteer and be selected for hosting a geological disposal facility, this would require partnership working throughout the UK to enlist the widest knowledge, expertise and skills base as possible in relation to such a facility. Should a site in Wales be selected, Natural Resources Wales would work with other regulators in the UK, including the Office of Nuclear Regulation and the Environment Agency, as well as nuclear operators and relevant bodies such as the Nuclear Decommissioning Authority and Radioactive Waste Management Ltd. Natural Resources Wales would welcome Welsh Government support with regard to this, in the event of any community in Wales volunteering to host a geological disposal facility.

It is equally important that Welsh Government recognises that the resources of England and Wales would need to be deployed in the event of selection of a site in Wales for such a UK national facility. This may require formal agreements in order to allow respective bodies to forward plan resources, and support skill retention and resilience. It will continue to remain for Natural Resources Wales to make the final decisions with respect to the

permitting of such a facility in Wales under the Environmental Permitting (England and Wales) Regulations 2010.

**Cyfoeth Naturiol Cymru / Natural Resources Wales**

**June 2014**