

Dounreay Stakeholder Group

**Stockholm Spring Talk on Better Global Waste Management and OECD/NEA
Forum on Stakeholder Confidence workshop**
May 2-6 2011

Answers to Work Package questions:

1. Waste/fuels

- Study if there has been a benefit or not to an area if spent fuel goes offsite or is stored on the site where it was produced.
Only three other countries (Spain, Netherlands and USA) at present are storing spent fuel onsite for indefinite time though even 2 of those are aiming for deep repository eventually. In USA the SF is stored on the sites and there is no benefit as yet to local community. In Spain there are negotiations going on now about a centralized Interim SF Storage facility and even though there is a consultation process they have hit problems with acceptance, particularly in the regional vs national arena. Negotiations on benefits packages are ongoing in Spain, especially involving AMAC (the Association of Municipalities of Areas with Nuclear Facilities). More study will be done on this by liaising with the Spanish representative Meritxell Martell. There is no benefit to an area if fuel goes offsite with the exception of the agreement between Oskarshamn and Osthhammer to split the Community Benefit 70/30 (70% to the place that wasn't getting the repository) no matter who won the deep repository siting. This was formally agreed by the two communities through their legally elected representatives before the government announced the decision. The situation in the Netherlands needs more research.
- Impact on the local economy, jobs vs money saving
In every case the problem seems to be that jobs and the local economy is more important at the local level but at the regional and national level, money saving is more important. Therefore countries like Sweden, France, Belgium, Finland with strong local governments and that don't have regional governments (or cannot be overruled by them in these matters), are able to influence or control the outcome. Countries like UK, USA, Czech Republic and Spain with strongly centralized or 3 tier governments with very little power at local level, have a poor record of local communities being able to influence or control the outcome of these issues.
- If negative impact on local area of fuel going – have any countries got compensation/benefit for this?
No, Dounreay is unique in its circumstances.
- Has there been benefit in kind instead? (eg rail or road upgrades)
In the cases of a siting of a repository:

Road upgrades required in cases of deep repository siting in Sweden and Finland anyway. In Osthimmer benefits in kind include building an old peoples care home and other local facilities, in Oskarshamn it was developing the port including a new ferry terminal, establishing a centre for Technology/Energy R and D that included a college, reopening the closed down train service to Stockholm and many other infrastructure projects. In Slovenia for their ILW/LLW repository there have been benefits in kind to local community as well as direct payments. In Czech Republic it is something the government is considering but still thinking about process of how to sort out the competing priorities of local and regional communities with the consultation process and negotiation of benefits. In Belgium, the local partnership STOLA has negotiated many benefits in kind for the community. No comparable cases like Dounreay with being a site end state but retaining waste.

- If waste stream type changes in a situation where benefit is already being paid, what happens in other countries?

Situation not arisen yet but may do soon in Sweden where they are about to now embark on the process of consulting for their ILW (long lived) repository which they will need when they start decommissioning facilities, particularly their old research reactor facilities. SKB and the government are considering whether to implement a whole new consultation process or whether the waste will be co-disposed in Forsmark and what questions that will bring up for the Osthimmer community (i.e. if they do not consult, are they changing the conditions under which the original agreement was made for the deep repository). In Belgium, STORA has addressed this in their report and requires a new consultation process.

2. Stakeholder participation

- Some sort of comparative analysis between levels of stakeholder participation in other areas compared to us.

Sweden- Strong local government, very long running local partnership with commercial implementer, in depth research as to what local community wants and expects from agreement, benefits agreement tailored to these needs, local committees received any training they felt necessary to improve knowledge, ability to handle workload, whole process backed by all parties involved- though with reservations on many issues from NGOs, stakeholders have direct access to funds from 'Nuclear Fund' through which everything is run.

Finland- similar though local government structure slightly different

Belgium- Very strong local partnership through STORA/STOLA which is made up of 30 member General Assembly which elects 10 member Management Committee and four 15 member Working Groups covering various topics. Made up of local politicians and representatives of local organisations (very similar to DSG). See STOLA Report for full details. Real impact on local outcomes and government policy. Even participating in architectural design/look of main facility building. Like Dounreay, waste in Dessel went from temporary long term storage to permanent disposal on same site. Again, local community has access to funds from 'Nuclear Fund'.

Slovenia- Process similar to CORWM partnership process except direct cash offered to local community, businesses and individuals in various forms.

France- Strong local community and local government but government administration of waste still very centralised in decision making. Less conflict though than many countries as France depends on nuclear. Going through local consultation process required by law, through CLIS (Local Commission for Information) an independent body made up of local politicians and representatives of local organizations (appointed by the regional government's executive assembly). More of an information and discussion forum and less effect on government policy and decisions than local bodies in Sweden, Finland and Belgium.

USA- Like the UK, a highly centralized government and 3 tiers of government makes real decision making and influencing government policy from a local level very difficult. Constant conflict between what local communities want, state level politicians want and federal policy. This has resulted in a completely aborted consultation and siting process so far at Yukcca Mountain and therefore default very long term storage of SF and long lived ILW on sites. Local benefit not yet an issue and not paid yet by operators or govt to local communities caught up in this default position. Like the UK, USA has a highly privatised nuclear sector for both energy production **and** waste but unlike Sweden and Finland does not have the funding and consultation infrastructure in place to allow local decision making.

- Some sort of comparative analysis with other areas on the success of local participation or the success of the different models of local participation.
More successful models:
 - Access to funds throughout entire process
 - Funds and consultation process formalised in law so budget cannot be withdrawn or process changed/ended/cut back because of government policy change
 - Fewer tiers of government
 - More real local decision making power
 - Real Partnerships right from the start**Less successful models:**
 - Funds for local participation and the process restricted
 - Funds not guaranteed or only short term, not formalized in law, government policy change can remove funds or whole organization at any time
 - Very centralized government decision making
 - Many competing tiers of government
 - No real decision making power or influence at local level
 - Partnerships not equal and in name only- more like information dissemination bodies
- A list of methods other stakeholder groups used to ensure their participation wasn't sidelined when economic times got hard.
The main feature that the more successful models used to ensure that they could not be sidelined was to get all the community agreements and budgetary policies set in law so that there was a legal basis for all decisions and there could be no 'ducking out' of agreements by the relevant bodies (either commercial companies such as SKB or Posiva or government implementers such as ARAO in Slovenia).

The other feature was that these agreements all contained clauses in the consultation processes whereby the local community had access to earmarked funds from the 'Nuclear fund' or equivalent that all the nuclear site license holders paid into. These funds are what enabled the local communities to competence build , commission independent reports and studies and participate fully in the partnership. The funds were not dependent on government budgetary allocations (such as the NDA in the UK).

3. Contractual issues

- Study of other countries contractorisation experiences

No, in Europe this Contractorisation process is almost completely absent. Even Spain has only privatized nuclear energy, not waste management. Although SKB and Posiva are private companies, the organizational set up in Sweden and Finland is very different from the UK/USA model and was set up many years ago before privatization of state assets became an issue.

I raised the topic several times in both the conference and workshop; of privatisation, contractorisation and tiered contractorisation and the impact of this on stakeholders, stakeholder consultation and the decision making processes. It was an issue not considered by anyone else and has in fact been flagged up now for possible investigation by at least one of the team from the SKB Scientific Advisory Group. I will be contacting this team further to see if there is some way that DSG or the local Dounreay area could participate in a research project. This would give us a scientific basis on which to underpin any arguments to the government.

- Do the site license companies tend to keep up their socio economic support?

There are too few examples of facilities up and running long term to answer this, particularly as most of the facilities being planned with the new methods of public and local consultation are not very advanced.

However, those that have been built recently, have all been contracted under law to maintain the agreed economic support.

I was unable to find a case where a commercial company running a facility has gone bust and was unable to fulfill the required terms of the contract. In Europe, with the exception of Sweden and Finland, waste management has not been privatized.

The levels of continuing socio-economic support from privatized site operators, is an area that needs some serious research. Particularly into long term trends and the consequences of a company failure.

- Is it markedly less than state supported or non-contractorised sites?

Needs research which would include requesting company financial information under FOI.

- How have the areas with contractorised sites coped with any disbenefits of the process and ensured continued support?

Again needs in depth research, particularly into the private companies running similar sites to Dounreay in the USA. Perhaps also we need to look at the socio-economic support levels at Sellafield and how they compare now to before

privatisation. This would also no doubt require resorting to FOI to obtain financial data as the issue could be potentially very sensitive.

Additional points

The Dounreay Site is unique in many respects and it will be the first decommissioning site that has been completed on a site end state basis.

The Site End State agreed by the local community at the Site End State Conference in 2006 and endorsed by the NDA and agreed to by the SLC is now invalid.

The new Scottish Government in 2005 changed the policy so that ILW must stay on the site it was produced and be stored indefinitely above ground. This meant that the site end state envisioned by the local community where the only remaining facility after the interim site end state was the semi-underground LLW repository was now overturned.

This very very long term ILW storage at Dounreay was not agreed to by the local community and there has been no local democratic consultation process of any kind regarding this decision. There has been no replacement for the CORWM process and the Scottish Government Consultation on 'Scotland's Higher Activity Radioactive Waste Policy' has no mention of stakeholder participation in the consultation process regarding siting, socioeconomic and community benefit issues. This contravenes the Aarhus Convention on Access to Information, Public Participation in Decision Making and Access to Justice in Environmental Matters to which the UK is a signatory

The local community has already negotiated, through a democratic, consultative process, a community benefit structure in relation to the LLW repository.

The DSG would like to explore the discrepancy that occurred between these two examples and try and rectify this and negotiate a beneficial outcome for the local community.

Recommendations

- DSG conduct SWOT analysis of community relating to the site end state and long term ILW disposal on site. Local partnership group in Slovenia did this for their LLW/ILW repository and it helped to create more focus.
- DSG perform a 'visioning' exercise on three levels, within DSG, local area and National Stakeholder levels with each level feeding into the one above so that it presents a full overall vision of where the local communities hosting very long term ILW stores would like to go from here. In the local context it could look at what the local community is wanting the site end state to be now that the Scottish government does not allow for the Site End State the NDA agreed on at the Site End State conference in 2006. What do the local people want the local community and DSG to do about hosting a defacto ILW repository? Do they want to go through the CORWM style consultation process? If so who would run it-the Scottish Govt? Do the local community want added value from it? Does the local community want an input into the look of the ILW storage building itself since the building may be there for very long time after the Site licensed company has gone and the site is at the end state? Both Osthhammer and Oskarshamn municipalities produced a vision for local community which they presented to the government and regulators, thus providing a comprehensive and united front, forcing them to be taken very seriously in all policy decisions that affected them locally.
- DSG initiate and participate in small research projects to provide a scientific and professional platform on which to base our requests to government bodies and regulators.
For example:
 1. Collating and producing epidemiological data from the local community area (most of which already exists) so that the DSG has a baseline study of the local community before the permanent LLW facility is built and the ILW storage becomes permanent. This is needed so that in future years there is comparison data to judge any disbenefit to the local community from the facilities. STOLA Belgium did this type of project.
 2. Initiating research on the implications of Scottish Independence on the nuclear waste management at Dounreay. Who will then guarantee safety, monitoring, staffing, knowledge retention at local and national level, socio-economic issues such as the Caithness and North Sutherland Fund? Who will then fund the Dounreay Stakeholders Group and the other Scottish SSG?
 3. The effect of privatisation and contractorisation on socio-economic benefits to the local community.
- Request that Highland Council also give answers to questions about their policy on: Having a defacto above ground ILW repository in their constituency and how

does this gel with their 'no nuclear dumping' policy stance? What would they like to see the site end state as? What is their detailed vision for the nuclear waste in the area?

- Push for a higher profile for the Scottish Sites Stakeholder Groups- start asking hard questions of the Scottish Government to make them spell out their policy on waste management in detailed form-not the broad consultative strokes of the 2010 policy documents. Otherwise the local area cannot address the issues if it has no detailed information on policy. This is particularly true of the policy as regards local consultation processes and socio-economic benefit to areas now forced to host an ILW store indefinitely.
This aspect of the policy is completely absent from the 2010 Consultation Documents.
- Start requesting more involvement and consultation for the Scottish Site Stakeholder Groups in Scottish Government working groups that inform policy on Scottish sites nuclear matters (that affect local communities) such as waste management. The Scottish SSGs should request separate funding support also to assist involvement. **The Scottish Government needs to comply with their obligations under the UN/ECE Aarhus Treaty (see Article 6,7,8).**
- DSG issue invite to NEA Forum For Stakeholder Confidence to host future FSC workshop. This would be a good opportunity to showcase all the industry leading work DSG has done on the Site End State consultation, socio economic regeneration, LLW Community Benefit Fund. More of a spotlight on the area may raise the media profile enough also so that Scottish politicians pay more attention to the Caithness and North Sutherland environmental and socio-economic situation. This would really put us on the map internationally as a Site Stakeholder Group with completely unique site conditions – i.e. privatised,