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Richard Lochhead
Minister for Rural Affairs and the Environment
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Dear Mr Lochhead,

Proposed movement of Highly Active Radioactive Waste from Dounreay to Sellafield and other Scottish radioactive waste management issues

I am writing to you to attach a copy of the Nuclear Free Local Authorities (NFLA) Policy Briefing and submission to the Nuclear Decommissioning Authority (NDA) on its recent consultation proposing the movement of highly active radioactive waste from the Dounreay facility to Sellafield. I am also writing to you to outline a number of other NFLA concerns around radioactive waste management in Scotland.

The NFLA Radioactive Waste Briefing outlines the deep concerns it has with the proposed movements of highly radioactive materials from Dounreay to Sellafield. We believe such a transport does not conform to the Scottish Government's recently published policy on higher activity radioactive waste management. The NFLA would like you and your officials to consider the NFLA submission and we would be happy to meet with you at your convenience to discuss these and the related matters of this letter.

At its last Forum meeting, NFLA Scotland members discussed the NFLA submission to the NDA's Dounreay waste transfer consultation and concerns were raised by councillors about the safety and security that would be required to transport such waste by rail across Scotland, potentially going through possibly any local authority in the country. NFLA Scotland member authorities have been concerned for many years about the emergency planning dangers of transporting nuclear materials – whether radioactive waste or convoys containing nuclear weapons material going to Faslane or Coulport – across road, rail and sea and see this proposed movement of waste as potentially setting a dangerous precedent in Scotland. The NFLA submission to the NDA reflects these concerns.

The Forum is particularly interested to know the views of the Scottish Government to specific parts of the NFLA's submission to the NDA's consultation. It would like to raise the following points with you:

- NFLA Scotland was concerned with the poor execution of this consultation exercise. It is not clear to the NFLA whether a further consultation exercise is planned once the business case has been published in the early autumn. In any case the NFLA believes this will be of limited value as it seems apparent that a decision has already been made. The NFLA would like to know the view of the Minister and the Scottish Government over the NDA consultation process and the lack of information on the future development of this policy.
- The NFLA would like to know if the Scottish Government, with the demise of the Sellafield MoX Plant, would like to see spent fuel and "breeder material" being classified as waste.
- The NFLA believe that the NDA's proposals will breach at least two environmental principles – the proximity principle and the concentrate and contain principle. What is the view of the Scottish Government?
- It appears likely to the NFLA that the 50 or so shipments from Dounreay to Sellafield would need to be accompanied by armed police for security reasons. Is the Scottish Government happy to endorse such movements and the costs, security and emergency planning issues relating to them?
- In the NFLA's view, once the precedent has been set, further plutonium containing material requiring an armed escort will probably be transported to Sellafield. The NFLA urges the Scottish Government to therefore clarify if it will accept such a precedent and, in the NFLA's view, it should openly oppose such movements of waste.
- In the NFLA's view, there must be serious question marks over whether the "breeder material" stuck inside Dounreay Fast Reactor can be removed, cleaned and despatched to Sellafield in time to be reprocessed before 2016/17. Is this the Scottish Government's view?
- It appears to the NFLA that the NDA is putting forward these proposals as part of its campaign to maintain the pretence that plutonium is useful in order to avoid the UK plutonium stockpile being declared a waste and therefore becoming a liability on the Treasury's books. What is the Scottish Government's view on this NFLA assertion?

I would appreciate if you could respond to these questions.

I am also writing to you to consider a number of other issues the NFLA would like to discuss with the Scottish Government in reference to radioactive waste management.

The NFLA is highly concerned about the recent worrying radioactive leak at the Dounreay facility and would like to know what the Scottish Government is doing, through SEPA and its links with the Office for Nuclear Regulation, to investigate this incident. How is the Scottish Government satisfying itself that appropriate measures are being taken in reference to the site operator and understanding the extent of this incident and how it can be prevented from taking place again?

The NFLA is further concerned about the decision that SEPA has adopted a major change in its policy towards the remediation of radioactively contaminated sites in Scotland, without recourse to a full public consultation. At a recent SEPA board meeting it agreed the following policy statement (SEPA 24/11) for existing contaminated sites and other sites that may arise:

"...after compliance with the contaminated land regulations has been achieved SEPA encourages further remediation by the responsible person and will work to enable this provided that this achieves more good than harm and accepting that at *some sites it will not be practical to return the land to a pristine condition*".

This policy change was approved by the SEPA Board after a "series of reports and recommendations" were provided to it, but these have not been publicised with the statement. The NFLA is concerned what this policy change will mean for the clean-up of the Dounreay site and the future decommissioning of Scottish nuclear power stations which contain large areas of radioactively contaminated land.

This has particular reference to recent reports in the Scottish media that scientists from the Ministry of Defence (MOD) are becoming increasingly reluctant to deal with radioactive particles coming ashore at Dalgety Bay in Fife from offshore dumped aeroplanes. The reports have suggested strained relations between the MOD and SEPA and a general reluctance to take full control of the radiation clean-up of this popular and environmentally sensitive site. The NFLA is extremely concerned about these reports and seeks clarification from the Minister about what the Scottish Government is doing to take control of this incident and deal pro-actively with the MOD and SEPA to resolve this matter. In reference to the SEPA policy change, the NFLA also remains concerned that the MOD will be able to avoid the financial implications of fully cleaning up the Dalgety Bay site.

In reference to the complete remediation of the sites at Dounreay and at Dalgety Bay the NFLA would like to get the Minister's view on this SEPA policy shift. It strongly encourages you to make representations to SEPA to see that the policy is reversed. The Scottish public and Scottish local authorities will be greatly alarmed to hear that radioactive contamination at sites across the country may now not be adequately decontaminated to their original state. The NFLA is further concerned at how this important policy shift has been poorly communicated by SEPA and it is keen to know the Scottish Government's view on why a public consultation has not been organised by SEPA and the Government.

Finally, the Committee on Radioactive Waste Management (CoRWM) has recently published a detailed report of its concerns on the Scottish Government's policy on higher activity radioactive waste management. CoRWM has argued that the Scottish Government has not adequately explained why its policy of 'near site, near surface' higher activity radioactive waste management is preferable to the wider UK policy of the construction of a deep-underground repository (referred to by the UK Government as a 'Geological Disposal Facility'). The NFLA supports the Scottish Government's policy of 'near site, near surface' waste storage and is keen to see that the Scottish Government promotes this policy and explains in detail why this policy is preferable to a deep-underground repository. The NFLA asks if the Scottish Government is planning to respond to, or directly meet with, CoRWM on this matter, and when they plan to do so.

There are obviously a number of detailed points in this letter and, as I have mentioned, we would be happy to discuss these directly with you and appropriate officials at your convenience.

Yours sincerely,



Councillor Audrey Doig
Acting Convenor of Nuclear Free Local Authorities Scotland