

**POINTERS TO GOOD PRACTICE IN
COMMUNICATION AND STAKEHOLDER
ENGAGEMENT IN THE IMPLEMENTATION OF
LOW LEVEL WASTE STRATEGY**

**Prepared for the UK LLW Strategy Group communications
sub-group**

17 November 2009

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LLW Strategy Group, 17 November 2009

1 Introduction

The proposed UK Low Level Waste (LLW) Strategy is based on three key themes:

- Application of the waste management hierarchy
- Making best use of existing assets (including optimised use of the LLW Repository near Drigg in West Cumbria)
- Opening and exploiting new disposal routes

The proposed strategy highlights the importance of public acceptability issues:

- "... public acceptability is vital to the development of appropriate waste management plans and their implementation." (p21)
- "Development and use of ... new [waste management] routes should consider issues of public acceptability and the community vision for the area in which they are taking place." (p38)
- "The use of alternative disposal routes needs to meet the relevant safety requirements ... and be demonstrated to be the Best Practicable Environmental Option by the consignor site, this should include consideration of community issues both at the consigning and receiving sites." (p39)
- "... it will be essential to undertake careful and considered engagement with local communities where the implementation of this strategy leads to proposals for new waste management facilities or changes in approach to LLW management." (p45).

Against this background, this document sets out 'pointers to good practice' in communication and stakeholder engagement. It addresses the following topic headings:

- Objectives
- Planning and managing the process
- Engaging stakeholders
- Communicating risks

When considering 'pointers to good practice', it should be noted that implementation of the strategy could result in the use or development of LLW management facilities at a number of different types of location:

- a) On existing nuclear licensed sites
- b) Adjacent to existing nuclear licensed site
- c) At existing off-site facilities
- d) At new off-site locations

The challenges of effective communication and stakeholder engagement with respect to radioactive waste management may well increase from location category 'a' to 'd'. For 'a', the Site Licensee Company is likely to have well established processes for

communicating with local stakeholders, and to have developed effective stakeholder relations over a period of years. For 'c' and 'd', the wider supply chain is likely to be seeking to establish communication and engagement processes with local stakeholders who are unfamiliar with the management of radioactive wastes¹. It is also possible that the 'developer' in question will have limited experience of the challenges associated with communication and engagement on radioactive waste management issues.

This document is therefore aimed primarily at the wider supply chain, but may also provide a useful checklist for SLCs.

The 'pointers to good practice' have been identified from the key messages on effective communication and engagement in the following sources:

- 'Communicating about Risks to Public Health: Pointers to Good Practice', Department of Health (**DoH**), January 1997.
- 'Risk Communication – A Guide to Regulatory Practice', Interdepartmental Liaison Group on Risk Assessment (**ILGRA**), HSE, 1998
- 'Societal Risk Communication and Nuclear Waste Disposal', **Vaganov** and Man-Sung, International Journal of Risk Assessment and Management, Vol 1, 2000
- 'Guidelines for Environmental Risk Assessment and Management', Chapter 3, 'The Social Aspects of Risk', **DEFRA**, 2000
- 'Risk Perception and Communication', **WHO** Expert Group Meeting, 2006

Each section of the document includes a box with quotes that illustrate the key messages from the sources above.

Two case studies are also provided:

Annex 1: Stakeholder Engagement on LLW Management at Dounreay (from Dounreay Site Restoration Ltd)

Annex 2: Stakeholder Engagement supporting the Licensing of the Lillyhall Landfill Site for the Disposal of High Volume Very Low Level Radioactive Waste (from WRG and Energy *Solutions*)

Each case study concludes with learning points on stakeholder engagement.

¹ In such circumstances, concerns about the risks arising from a facility are likely to be exacerbated. For example, research shows that "... conditions associated with the increase in public concern are: (1) the technology is unfamiliar; (2) risk-involving mechanisms and processes are not understood; (3) the process is uncontrollable in the public mind; (4) the exposure is involuntary; (5) manifestation of the effects are delayed; (6) risks to future generations are involved; (7) effects are dreaded; (8) there is a lack of trust in the responsible institutions; and (9) the effects are irreversible." ('Societal Risk Communication and Nuclear Waste Disposal', Vaganov and Man-Sung, International Journal of Risk Assessment and Management, Vol 1, 2000).

2 Objectives

The objectives of any programme of stakeholder engagement and risk communication associated with a LLW management project should be stated explicitly so they are clear to all. Objectives can be stated at different 'levels'. In particular, over-arching objectives are likely to be:

- “to build public confidence and trust” and
- “to make robust decisions”.

A range of objectives might sit under the over-arching objectives, including:

- “to promote public understanding of the nature of the LLW management issue and the need for a solution”
- “to avoid development of a risk information vacuum” (see box 1 below).

Objectives are also likely to vary over time, particularly with the stage that a project has reached. In particular, objectives could include:

- To inform the assessment of options for managing LLW
- To inform development of project proposals
- To inform ways of implementing a specific project
- To inform decisions about proceeding with a project

It is important to adopt objectives that are appropriate to the stage of a project, to help clarify to stakeholders what is 'up for grabs'. Generally, the more that is 'up for grabs' the greater the potential for stakeholder influence and for building confidence and trust. This is why it is often better to start stakeholder engagement as early as possible.

Box 1: Objectives

“The decision-makers should make explicit the extent to which they are prepared to respond to stakeholder involvement. The aims of stakeholder participation must be clearly stated and stakeholders should be involved as early as possible. If a decision is non-negotiable, stakeholder involvement should not be considered.” (DEFRA)

“The aims of risk communication should be:

- To enable the effective participation and/or representation of all interested and affected parties in making decisions about how to manage risks; and
- To support the most effective possible implementation of risk management decisions.” (ILGRA)

“(A) ... risk information vacuum arises when the results of risk assessment are not regularly and effectively communicated ... Once a risk information vacuum has developed, this vacuum is filled from other sources ... (and) people's suspicions and fears may be developed and amplified to such a level that when credible and adequate information is provided, the information makes no significant impact ... “ (Vaganov)

3 Planning and Managing the Process

In order to achieve the objectives of an engagement and communication programme, it is necessary to ensure that the programme is effectively planned and managed.

'Pointers to good practice' from the literature are:

- Allocate clear responsibilities
- Select the right people for engagement and communication processes
- Coordinate and ensure consistent messages
- Address organisational barriers to utilising stakeholder views at different stages in the project
- Monitor and review to identify and share learning points

The 'pointers to good practice' on stakeholder engagement and risk communication set out in subsequent sections below should also inform effective planning.

Box 2: Planning and Managing the Process

"Risk communication is always important for policy success. Thus clear, well-defined risk communication management processes and procedures are needed. These should cover setting goals, allocating responsibilities, planning, implementing, monitoring and evaluation." (ILGRA)

"Select people to deliver the message based on their empathy with the target audience, as well as their competence in communication and the issue in hand." (ILGRA)

"Manage timing and coordination carefully, so that people will receive a consistent message from your organisation ..." (ILGRA)

"... key barriers to effective risk communication were located in organisational structures and cultures rather than the methodological problems of accessing citizens' views. Significant barriers in organisational capacity to utilise community views at appropriate stages of the policy-making process were identified ... More work is needed on institutional mechanisms for integrating citizens' views effectively and on how organisations use user views .." (WHO)

"Each communication episode – successful or otherwise – represents an opportunity for organisation learning ... The ideal is for review to be written into normal procedure ... there should be a record of the reasons for decisions – noted at the time – what was actually done, and what the outcomes were ... The aim should be to identify and share learning points." (DoH)

4 Engaging Stakeholders

The 'pointers to good practice' on stakeholder engagement are:

- Take care to identify which stakeholders should be involved
- Use an appropriate mix of engagement methods
- Identify objectives for specific engagement events or initiatives
- Utilise independent facilitators where appropriate to help design and run engagement events or initiatives
- Listen to stakeholders to understand their attitudes to risk and its management, and to draw on their local knowledge
- Focus on building trust through demonstrating competence, openness, listening and respect for stakeholder views
- Develop processes to take account of stakeholder views in assessment and decision-making
- Provide feedback to show how stakeholder views and ideas have been taken into account.

Account should also be taken of the NDA's Stakeholder Charter and its Guidance for Site Stakeholder Groups. Both documents are available on the NDA website at <http://www.nda.gov.uk/stakeholders/>.

A considerable amount of further guidance is available on public and stakeholder engagement. See, for example, the 'Spectrum of Participation' and 'Public Participation Toolbox' on the website of the International Association for Public Participation at <http://www.iap2.org/>.

Box 3: Engaging Stakeholders

"... it is important to identify at an early point which stakeholders should be involved. To aid this process the following questions may be asked: who will potentially be affected by the risk and the consequences of any management decision? Which parties or individuals have knowledge and expertise which may be useful to inform any discussion or decision? Which parties or individuals have expressed an interest in this particular, or a similar type of, risk management problem?" (DEFRA)

"Use an appropriate mix of methods to get timely, anecdotal input ... and more reliable, quantitative representative input .." (ILGRA)

"The selection of a particular participatory approach requires creative and constructive thinking about the various aims of the process and the decision options available." (DEFRA)

"... sometimes non-specialists have their own information and knowledge to contribute to the risk decision process. Scientists have to incorporate this contribution in a valid scientific framework." (Vaganov)

"Feedback to people what has happened to their ideas and inputs to you." (ILGRA)

"... research has ... shown trust to be multi-faceted, with relevant factors including perceived competence, objectivity, fairness, consistency and goodwill." (DoH)

"The best way to gain trust is through dialogue. People will respond far better to what you say and do if they see you as a good listener, so it is well worth working hard to be so regarded. Don't think that the information job is done when you've briefed the stakeholders." (ILGRA)

"Always show respect for people and their concerns, no matter how illogical they may seem to you. If you do not show that you care about their concerns, people will never trust you." (ILGRA)

"Be open about disbenefits of your solution, as well as benefits." (ILGRA)

"Trust and credibility are frequently identified as important determinants of risk perception. It is important to be open and accountable, and to take differing views into account rather than disregarding them as 'emotive' or 'irrational'." (DEFRA)

5 Communicating Risks

The 'pointers to good practice' on communicating risks are:

- Adopt a two-way or interactive approach to risk communication to encourage understanding and learning on all sides
- Base the approach to risk communication on an understanding of public perceptions of risk, which can be influenced by a wide range of factors including familiarity, controllability, whether exposure is voluntary, trust and perceived benefit
- Tailor risk communication messages to the audience and purpose, taking into account the multi-dimensional nature of risk, identified stakeholder concerns and the need to present information in understandable ways
- Use risk comparisons with great caution, as stakeholders distinguish between risks along a range of dimensions
- Acknowledge and explain uncertainties to ensure openness and honesty and help build trust
- Clarify the basis for disputes between experts
- Be pro-active with the media and respond promptly to inaccurate reporting.

An introduction to the risks of exposure to low doses of radiation is available from the Health Protection Agency (HPA) on its website at <http://www.hpa.org.uk/>². The HPA introduction provides an overview of:

- The nature of health effects from exposure to radiation
- The relationship between dose of radiation and health effects
- How risk factors are calculated
- Risk estimates in context
- Uncertainties and reasons for confidence in current risk factors.

² S Mobbs et al, HPA-RPD-055, June 2009.

Box 4: Communicating Risks

“... risk communication is about much more than choice of words and numbers ... We ... argue for an ideal of *two-way* communication, *throughout* the process of risk assessment and management, both as a way of enhancing trust and as a guard against taking too narrow a view of the issues” (DoH)

“Understanding the public is critical to effective communication. It is usually difficult to change pre-existing beliefs unless those beliefs are explicitly addressed. And it is nearly impossible to design successful messages that bridge the gap between the expert and the public without knowing what the public thinks.” (WHO)

“While risk perceptions sometimes differ considerably from scientific probability estimates, individual and social responses to risk often represent *rational and defensible judgements*. While decisions about environmental risks should have a sound scientific basis it is also important to given explicit consideration to social dimensions.” (DEFRA)

“The ‘public’ is not a homogenous group – there are both alarmists and risk deniers, and the latter are much more numerous. ‘Interfering with nature’ is a very important additional factor. Reactions to new technology are not driven by novelty per se but by other factors, such as perceived benefit ...” (WHO)

“Inequity in the distribution of risks and benefits is an important factor influencing attitudes to risk.” (DEFRA) “Attitudes to risk depend critically on perceived benefits – or lack of them.” (DoH)

“Risk is multi-dimensional and context-driven and it is over-simplistic to represent risk as a single-scale concept such as probability estimates.” (DEFRA)

“Efforts simply aimed at the provision of quantitative risk estimates are likely to be of limited value because of the complex nature of risk judgements. Communication should be sensitive to a broad concept of risk, encompassing not only quantitative information, but also other dimensions such as individual attitudes and issues of trust and credibility.” (DEFRA)

“... scientists usually define risk in terms of effects on populations, while the lay audience is concerned with individuals ... The lay perspective is more likely to start from the presumption that ‘the average person does not exist’. If the statistics can be broken down to show how a risk depends on age, sex, place of work, lifestyle and so on, the gap narrows.” (DoH)

“Risk communication efforts have frequently used a wide range of hazards to place a particular risk in perspective. While this approach may help individuals to envisage very small or very large probabilities, their use as a more sophisticated communication tool requires caution. Individuals distinguish between hazards along a range of qualitative dimensions, and risk comparisons must take into account wherever possible. For example, making a comparison between two activities that have similar statistical probabilities and similar outcomes but are not comparable with regard to whether they are taken voluntarily or not, is likely to be viewed with scepticism.” (DEFRA)

“While not denying that there can be massive pressure for premature closure of debate, there is some evidence that the public is more tolerant of uncertainty honestly admitted than is often supposed.” (DoH)

“Many policy-makers still believe that the public wants simple answers, zero risk and complete certainty. Studies found no support for these views, as the public recognise the dimension of the uncertainty.” (WHO)

ANNEX 1 – STAKEHOLDER ENGAGEMENT ON LOW LEVEL WASTE MANAGEMENT AT DOUNREAY

This case study traces the process of stakeholder engagement through from the initial best practical environmental option (BPEO) assessment to the planning decision for a LLW disposal facility adjacent to the Dounreay site.

BACKGROUND

In 2002, UKAEA³ pioneered a programme of public participation in decision making at Dounreay to ensure that stakeholders and the general public were fully engaged in identifying the BPEO for managing different waste streams within the overall site clean-up programme. The process, developed in discussion with regulators and planning authorities, involved two stages:

- Detailed discussion and assessment of options by panels of stakeholders, mainly drawn from the local community around the site
- Publication of consultation documents, reflecting the panel discussions, with an invitation to the wider public to submit their views.

IDENTIFYING STAKEHOLDERS

Before the process of consultation was fully developed, efforts were made to identify those who had an interest in the activities of the site. This was done by encouraging people to register their interest through advertisements in the Scottish press, on websites, posters in public areas (dentist, doctors, libraries, etc), through email registration, and mail drops of a newsletter outlining the site's commitment to consult where there were genuine reasons to do so. Numbers of registered stakeholders rose from 250 to over 1200. It was also recognised that internal communications to site staff and contractors was equally important as the majority of those working on the site were also members of the community.

DOUNREAY'S APPROACH

While extensively following guidance on Best Practicable Environmental Option (BPEO) assessments it was recognised that each project would adopt a 'horses for courses' approach. Therefore the process was made flexible to allow for additional steps to be taken if considered appropriate. Fundamental to the process was the information made available. It was recognised that different stakeholders would require different levels of information and therefore a tiered approach to the information flow was adopted ranging from a four page summary document to the full technical documents being made available.

DEVELOPING THE LONG TERM STRATEGY FOR MANAGING DOUNREAY'S SOLID LOW LEVEL RADIOACTIVE WASTE

In 2003 steps were taken to identify the BPEO for Dounreay's low level waste⁴.

³ In April 2005, the Nuclear Decommissioning Authority was established. It now owns the site, its assets and liabilities. UKAEA's role changed at that time to one of a site licence company under contract to the NDA. In April 2008, Dounreay Site Restoration Ltd (DSRL) succeeded UKAEA as the site licence company. DSRL is a wholly-owned subsidiary of UKAEA.

⁴ It is estimated that around 100,000 cubic metres of new LLW could arise from decommissioning activities adding to the 33,000 cubic metres currently disposed of in an authorised facility on the site consisting of six shallow trenches. An increasing amount of decommissioning LLW would also be generated from demolition

Stakeholder workshops

For this particular project, three stakeholder panels were organised:

- Internal stakeholder panel: This was made up of a cross section of people who work on the Dounreay site, including contractors, not directly associated with the project. They were chosen from a range of skills, home locations and occupations.
- Youth stakeholder panel: This was made up of a small group of sixth year students from the local high schools. (This panel was an addition to the process adopted but it was felt appropriate since the options could potentially be left for future generations.)
- External stakeholder panel: This was made up of external stakeholders from the Highland Region, Shetland and Cumbria and included members of the Dounreay Local Liaison Committee.⁵

The purpose of the workshops was to explore the views and opinions towards:-

- the BPEO process adopted and undertaken to identify possible management options;
- the importance of the potential impacts generated by the management options; and
- the relative importance of the attributes selected to compare the options.

Presentations covered: a general introduction to the issues; the options (with a brief explanation of the potential benefits and drawbacks associated with each management option and an explanation of how and why some options had been screened out from further consideration); and the assessment criteria and how these had been established along with an explanation of the scoring system. Each presentation included facilitated discussion sessions with panel members.

The afternoon was spent exploring the values and judgements on the importance of the assessment criteria with the aid of a computer-based options assessment software tool. An interactive discussion on the importance placed on the assessment criteria and different aspects of the options and the capture of these using the computer software was undertaken for two separate situations:

- the options for managing the LLW that was already disposed in the existing authorised disposal facility, and
- the options for managing future arisings from implementation of the decommissioning programme.

A final discussion session reviewed the key issues and panel members were asked to complete a feedback questionnaire.

A comprehensive note for the record on the workshop was recorded and the attendees were invited to provide comments before these were published on the website. Once

of redundant buildings and plant with large quantities of rubble, concrete, scrap pipework and steelwork containing low levels of radioactivity also produced. In April 2002, the site applied for permission to use the national facility at Drigg pending completion of a Best Practicable Environmental Option study for Dounreay's waste. The BPEO, published in March 2005 following public consultation, concluded that a new disposal facility should be built at or close to the site. In May 2005, the Scottish Executive ruled out sending Dounreay's waste to Drigg as an interim measure.

⁵ The Dounreay Local Liaison Committee has now been replaced with the Dounreay Stakeholder Group following the creation of the NDA.

approved the output from the panel workshops was incorporated into the summary document to allow the wider public to participate.

Public consultation

The second stage of the process was to ensure that the wider public were given a chance to submit their views or raise any issues or concerns they may have. This was done by widely distributing, in hard copy, a summary document which covered the option assessment, including the input from the stakeholder panels and an invitation to complete a questionnaire or send comments. The document, along with all other information, was also made available on the website.

Following a 12 week consultation process responses were submitted and where individuals or organisations were identified these were acknowledged. Each submission also received a more detailed response once the project team had reviewed and considered each submission and these were made available on the website.

Announcement of the preferred decision

Following consideration of all feedback, the BPEO document was finalised and a summary of the overall strategy was published. This Overall Strategy is *the* key overarching document and is supported by a Best Practicable Environmental Option (BPEO) Study.

The preferred decision was the disposal in a facility built at ground level but below the surface at Dounreay. All stakeholders were notified of the site's intention to move forward with the preferred option.

IMPLEMENTATION

In 2005, the project moved onto the stage of delivering a series of planning, safety and environmental authorisation submission documents. The contentious nature of the project demanded, and continues to demand, effective stakeholder dialogue to:

- Inform stakeholders, in particular local residents and others with a specific interest in the intended development
- Obtain supplementary information about existing environmental conditions in and around the proposed development area
- Monitor key issues identified as requiring consideration as part of the Environmental Impact Assessment

Stakeholders during this stage can be split into two groups: statutory and non-statutory consultees.

Statutory consultees

Statutory consultees included Scottish Government, NDA, SEPA, HSE, Historic Scotland, Orkney and Shetland Council, Scottish Water, Highland Council Planning Department, UKAEA legal representatives and Highland Council Independent Environmentalist. All were issued with copies of the Environmental Statement (May 2006) and an Environmental Statement Addendum (April 2007). Regular meetings continue to be held with Scottish Government, NDA, DSRL, NII, SEPA and Highland Council.

Non-statutory consultees

Non-statutory consultees consist of Dounreay staff, local community councils, MPs/MSPs, Scottish Wildlife Trust, SEERAD, Friends of the Earth, Caithness Against

Nuclear Dumping, Scotland Against Nuclear Dumping, local and Scottish Environmental Groups, local residents⁶ and residents in the wider community who have expressed an interest either during the BPEO or site selection stage.

Initial stakeholder engagement

In December 2005, on separate evenings, UKAEA invited neighbours to the site and the wider local community to drop in meetings⁷ to allow them to view the proposed plans developed for the new LLW disposal facilities. This allowed UKAEA to listen to their views. There was limited interest shown from the wider community however the neighbours strongly expressed their views on the proposals:

- Did not want the facility built
- Location was unacceptable (close proximity to private properties)
- Visual impact
- De-valuation of private properties
- Dounreay and Vulcan's waste only the beginning

Following the feedback from these meetings the project reviewed the proposed location of the facilities, taking on board comments as far as possible.

In February 2006 further meetings were held providing details on a slightly revised location, which was closer to the site and further away from local residents and with the topography of the ground minimising visual impact. Most attending these meetings recognised UKAEA had tried to take on board their views however residents living in the Buldoo area and closest to the site continued to raise concerns.

Residents living in Buldoo formed a Resident's Group and became members of the Dounreay Stakeholder Group.

Continued dialogue

During the next 2 years UKAEA/DSRL embarked on a series of engagement meetings with local residents, in particular the Buldoo Residents Group, and other stakeholder to alleviate concerns. These meetings varied from:

- One to one meetings at residents' homes
- Visits to sites to see how the waste is handled
- Group meetings with local residents (including NDA and SEPA)
- Presentations to MSPs and MPs
- Presentations to local Community Council
- Presentations to Dounreay Stakeholder Group
- Presentations to Dounreay staff

⁶ Local residents can be defined as tenants to the site and those residents within a very close proximity of the proposed facility.

⁷ Drop-in meetings were organised, as opposed to formal meetings/presentations, to allow flexibility for attendees and to allow them to feel more comfortable in asking questions which might not be forthcoming in a public arena. The local community was invited by personal letter with the wider community being advised by adverts in the local paper and posters. Display boards were designed which summarised the BPEO, the design and location of the facilities, environmental issues and future time plan. Information leaflets were also available for residents to take away. Every attendee was given a feedback form with contact details should they require further information.

Notes from these meetings were recorded and actions were completed in a timely manner to allow prompt follow-up correspondence to the stakeholders concerned.

Planning Application and Environmental Statement

The Environmental Statement was issued to non-statutory consultees in May 2006 and the Environmental Statement Addendum in May 2008. With the exception of local residents and the community council feedback was supportive with positive observations. The original planning application was submitted in June 2006. Objections were received from local residents and Caithness West Community Council.

In January 2007 UKAEA requested an extension of 18 months to the planning application determination period to allow SEPA sufficient time to undertake an appropriate review of the Environmental Safety Case before responding to the Highland Council.

During this period UKAEA continued with site investigation work which resulted with the layout of the vaults being moved further north by approx 50m, taking the facilities further away from residential properties and further reducing visual impact. Dialogue with local residents continued throughout this time.

DSRL re-opened the planning application in July 2008. Following this a further series of stakeholder engagement took place: meeting with local residents, drop-in meetings for the wider community, private meeting with Buldoo residents, meetings with community council and presentation to the Dounreay Stakeholder Group. In total 15 letters of representation against the proposal were received by the Highland Council.

Up to this period the project's objective was to keep all interested parties up to date on the progress of the project. Much work was done on the relationship with local residents, Buldoo in particular, to try to alleviate their concerns and to inform them on the waste involved. It would be fair to say that Buldoo residents still have concerns and still do not want the facility constructed outwith the existing site.

DSRL believe that the small number of objections submitted was due, in part, to the continued engagement with local stakeholders from the BPEO stage through the planning stages.

DOUNREAY STAKEHOLDER GROUP

The Dounreay Local Liaison Committee (DLLC) and subsequently DSG have had an active involvement in this project since the launch of the BPEO in 2003. At various DSG meetings, the Buldoo Residents Group raised concerns on the impact of their daily lives before, during and after construction. DSG, after discussion with site management and the NDA, agreed to fund an independent study to consider what these impacts would be. Buldoo Residents Group selected a consultant after scoping out their requirements and agreeing this with DSG.

A working group of the DSG was also set up to prepare a draft business case for a community benefit package – referred to as the Community fund. Following discussions with NDA, DSRL and local MP John Thurso a proposal for a community fund was submitted to Highland Council from DSRL before the planning hearing was held.

HIGHLAND COUNCIL PLANNING MEETING

The planning meeting was held on January 2009 and commenced with a visit to the proposed siting for the facility. The planning committee were provided with a short presentation by DSRL and those who had objected were invited to speak. The application was approved and the Scottish Government subsequently decided there was no need to call in the application.

COMMUNITY FUND

The provision of the Community Fund has also been agreed. This is for community based organisations and charities which benefit the local people in the Caithness and North Sutherland travel to work area. The Fund will consist of an initial payment of £1M plus an additional payment of £300,000 per year of the operational life of the disposal facility (approx 10 years).

CONTINUED DIALOGUE

DSRL continues to work in an open and transparent manner. Dialogue will continue with stakeholders throughout the duration of the project and beyond. A liaison group will be set up to allow local residents to meet with site management and raise any issues which may impact on their daily lives throughout the construction and operational phases. In addition, regular updates will continue to be provided to DSG and information, when appropriate, will be circulated to all registered stakeholders, published on the website, through media coverage and information in the public information office based in Thurso (Dounreay.com).

SUMMARY OF KEY LESSONS LEARNT

- Consultation should start as early in the process as possible.
- Those involved in the project are most likely the right people to take part in the stakeholder panels, assuming they have good communication skills.
- The process should be flexible enough to allow for additional stages to be incorporated if the subject matter warrants it.
- Various levels of communication are required to ensure all stakeholders feel informed enough to make their views known.
- Stakeholder panel meetings should be independently facilitated.
- Always look for innovative ways to ensure an interest and to ensure invitations to take part are inclusive.
- Each submission received should be personally acknowledged as soon as possible following receipt.
- Build a relationship with the most affected neighbours to the site and take account of their views as far as is practicable while keeping them updated on progress on a regular basis.
- Be honest throughout.
- Make time to listen to stakeholders and demonstrate where possible that you have listened. If provision of views can't be implemented then tell them why.
- Be prepared for difficult meetings and vociferous feedback.
- Have one point of contact for local residents.
- Continue dialogue with anyone interested after the decision is made providing updates and building trust between the site operators and local stakeholders.

Dounreay Site Restoration Ltd
Thurso, Caithness, KW14 7TZ
Website: www.dounreay.com

Case Study – Stakeholder Engagement supporting the Licensing of the Lillyhall Landfill Site for the Disposal of High Volume Very Low Level Radioactive Waste

Introduction

In May 2009, Waste Recycling Ltd. (WRL) submitted an Application under the Radioactive Substances Act 1993 (RSA93) to the Environment Agency (EA) for an Authorisation for the disposal of High Volume Very Low Level Radioactive Waste (HV-VLLW) to the Lillyhall Landfill Site, the first Application of its type under the UK's new Government policy regime for the long term management of LLW (Ref. 1).

This case study focuses on the stakeholder engagement process that was followed in support of the Application.

Objectives

The aims of the programme of stakeholder engagement were to provide information to a range of stakeholders on:

- the proposal to dispose HV-VLLW at the Lillyhall Landfill Site;
- the current operations at the Lillyhall Landfill Site;
- the partners Waste Recycling Group and EnergySolutions and their values;
- the type of waste material proposed to be disposed of, and the Authorisation process;
- the safety and environmental implications of the proposal.

The overall purpose was and continues to be to promote understanding and build confidence and trust amongst stakeholders, with a particular emphasis on engaging local stakeholders within the immediate vicinity of the Lillyhall Landfill Site.

Planning and managing the process

The basis of the proposal is a partnership between Waste Recycling Group (WRG) and EnergySolutions (EU) Limited (EnergySolutions). The intention from the outset was to form a team with complimentary and directly relevant skills and experience, the combination of a leading UK waste management services group with an international nuclear services company with a track record in managing radioactive wastes⁸. The

⁸ WRG (the parent of WRL) is one of the leading waste management services and energy recovery companies in the UK (see <http://www.wrg.co.uk>). It is part of Fomento de Construcciones y Contratas (FCC), the international construction and services group (see www.fcc.es). Focused on delivering integrated waste management and energy recovery solutions to meet national, regional and local needs, WRG operates facilities for the reception, recycling and disposal of waste, including a network of waste transfer and recycling centres and a regional network of landfill sites. WRG is committed to working with its local authority partners, regulators and industry customers to respond to often complex and far-reaching waste management strategies, to react to changes to regulation from the UK and Europe and to meet demanding waste management targets. EnergySolutions is an international nuclear services company, a world leader in the safe recycling, processing and disposal of radioactive waste. It has an established track record of managing similar wastes in the US having safely consigned in excess of 100,000 tonnes of low activity wastes to conventional landfill over the past 10 to 15 years without any significant impacts on the environment. EnergySolutions is responsible for the management of 10 UK Magnox reactor sites on behalf of the Nuclear Decommissioning Authority (NDA), as the parent body organisation (PBO) for the Magnox North and South licensee companies. The headquarters of its international services group - EnergySolutions (EU) Ltd - is located in the UK and it maintains an office in West Cumbria. EnergySolutions is committed to working with local companies and supporting the well-being of the communities in which it operates.

engagement programme builds upon WRG's existing relationship with stakeholders local to the Lillyhall Landfill Site and the relationships that EnergySolutions and its predecessor companies have with stakeholders for the nuclear sector across the UK. Furthermore, it was considered that, in line with Government policy and emerging NDA Strategy (Ref. 2), the Lillyhall Landfill Site was an *appropriate* site to seek to develop for the disposal of HV-VLLW and that the relative merits of the site and its location would prove to be an important consideration for stakeholders⁹.

In developing the engagement process, a team of specialists drawn from both companies was formed with experience in planning and facilitating stakeholder engagement, along with the support of technical specialists in landfill operations and radioactive waste disposal. Early discussions were held with the NDA, the EA, the Local Planning Authority and the Executive Director of NuLeAF to inform them of the plans to engage with stakeholders and to seek their advice on the process.

A plan was developed for engaging stakeholders, which was subject to review by an independent specialist in stakeholder engagement. A variety of stakeholder engagement media were prepared including briefing notes, presentations, exhibition boards and statements for the local media. Means of engaging stakeholders included a combination of one to one briefings; formal presentations; written correspondence and telephone calls. In each case, a briefing note was provided for information and where possible representatives of the EA attended any formal presentations. An open invitation was also provided to stakeholders to visit the Lillyhall Landfill Site to discuss the proposal and a number have done so.

This iterative programme of stakeholder engagement, with a particular focus on engaging local stakeholders within the immediate vicinity of the Lillyhall Landfill Site, was designed to provide sufficient opportunity for representatives of the local community to satisfy themselves of the merits of the proposal and whether or not it was right for the community.

Engaging stakeholders

WRG and EnergySolutions are committed to open and effective stakeholder engagement. Stakeholders in relation to the Lillyhall Landfill Site include:

⁹ Government policy encourages the use of a wide range of waste routes, in order to ensure the most effective use of the limited disposal capacity at the Low Level Waste Repository (LLWR). The NDA has identified the need for flexible disposal solutions for VLLW, which could substantially reduce usage of disposal capacity at the LLWR while also securing cost savings. The proposed development of the Lillyhall Landfill Site to accept HV-VLLW from nearby nuclear sites is consistent with this identified need for flexible disposal solutions. Given the location of the site approximately 15 miles from Sellafield and Calder Hall, 20 miles from the LLWR near Drigg and 50 miles from the decommissioning Magnox power station at Chapelcross in southern Scotland, it is well placed to receive consignments from these sites. Adequate capacity is available to accommodate a significant proportion of the forecast arisings of HV-VLLW from Sellafield decommissioning. The site is underlain by Quaternary clays and other sediments, which provide an effective natural barrier to the migration of radionuclides. The site is at sufficient elevation that it will not be affected adversely by the processes of coastal erosion and sea-level rise. A small number of disposals of radioactive waste have been made to the site previously under Exemption Orders relating to the RSA93, including Naturally Occurring Radioactive Material (NORM) produced by the oil and gas industry. The site therefore has procedures for and experience in dealing with radioactive wastes.

- local residents;
- councils at the parish, district and county level;
- employees;
- local businesses on Joseph Noble and Pitwood Roads;
- regulators such as the EA and the Health and Safety Executive (HSE);
- site stakeholder and nuclear issues groups within West Cumbria;
- waste consignors;
- the Nuclear Decommissioning Authority (NDA);
- national government; and
- politicians.

A pro-active approach to stakeholder engagement commenced at the end of November 2008. The stakeholder engagement programme was led by a spokesperson who is a local resident, raising a young family in the area and with a long term history in the community. It was felt that this would help to build trust and would promote open communication. The team also included locally based representatives of EnergySolutions to help communicate the risks associated with the disposal of radioactive waste and to support in answering stakeholders' questions.

Briefings and discussions were held with employees, neighbours and members of the local community, the local parish council in which the site is located¹⁰ and councillors (at the parish, district and county levels), the West Cumbria Site Stakeholder Group (WCSSG) LLWR subcommittee, the Allerdale Nuclear Issues Task Group, the Copeland Nuclear Working Group, the regulators and local MPs. A one-to-one briefing was also provided to the local newspaper and articles subsequently appeared in the West Cumbria Times and Star in December 2008.

WRG consulted with the Local Planning Authority concerning the proposal and to seek their advice on the possible need for a variation to the existing planning permission for the Lillyhall Landfill Site in relation to the disposal of HV-VLLW. WRG hosted a visit to the site by representatives of the Local Planning Authority to discuss the proposal and to help inform their considerations. As a result of such consultation, WRG understands that the deposit of HV-VLLW would not give rise to a material change of use from the site's current use as a landfill accepting stabilized non-reactive hazardous (asbestos) and non-hazardous wastes. The current planning permission does not preclude the deposit of radioactive materials and this has been confirmed by the Local Planning Authority who sought specialist, independent legal advice. It was therefore concluded that, assuming that an RSA93 Authorisation was granted, a further planning permission would not be required. Given the nature of the site and the range of wastes already accepted, it was concluded that the deposit of these materials would not give rise to any discernible physical change in the way the site operates.

A public information day concerning the proposal is planned at Distington on 18th September, with display advertisements publicising the event due to appear in the Whitehaven News and the Times and Star.

Responding to feedback from stakeholders and communicating risk

¹⁰ Briefings on the Lillyhall proposals have been made to meetings of St Johns District and Distington Parish Council on a number of occasions and to Workington Town Council's Environment Committee and have been offered to the other local councils.

A variety of responses were received and considered during the development of the proposal. The principal feedback from stakeholders has been around:

- the safety of HV-VLLW disposal at the Lillyhall Landfill Site;
- socio-economic impacts, including the provision of a community benefits package.

The first point is addressed as part of the Environmental Safety Case (Ref. 3) submitted to the EA in support of the RSA93 Application, which demonstrates that safety and environmental impacts will be very low and well within regulatory requirements. Comparisons with radiation doses that might be received from common sources of radioactivity encountered in every day life were used to illustrate. It was explained to stakeholders that the Environmental Safety Case had been subject to independent peer review by the Health Protection Agency (Ref. 4), which provides advice to Government on radiological protection. It was pointed out that no disposals are permitted until the EA is satisfied that potential radiological impacts are acceptable, and has issued an Authorisation under RSA93. Both companies' commitment to the safe and responsible management of HV-VLLW was emphasised.

In relation to the second point, WRG and *EnergySolutions* are committed to investing in the people, communities and facilities where they operate. In response to discussions with the local parish council, they have indicated that they will play an active part in the socio-economic well being of the local community within the immediate vicinity of the Lillyhall Landfill Site. The form that this might take is being discussed with the local parish council. Information on the existing landfill tax credit distribution system has also been provided to stakeholders¹¹. It has also been explained that a further general benefit of the proposal is that it will help to secure employment in the medium- to long-term at the Lillyhall Landfill Site.

The wider benefits in terms of extending the operational life of the vault currently being constructed at the LLWR and potentially the lifetime of this scarce national resource have been emphasised. In accordance with national policy objectives, the availability of such a route would help to ensure that disposal capacity at the LLWR is only used for wastes requiring a more highly engineered disposal solution. Nuclear sites that might potentially consign wastes to the Lillyhall Landfill Site have expressed strong interest in the availability of such a disposal route.

Representatives of Cumbria County Council have expressed a preference for radioactive waste management facilities to be located at or near to existing nuclear sites, rather than at off-site commercial facilities, at least partially as it is perceived that the management of radioactive wastes at the latter might not command public confidence¹². Articles have recently appeared in local newspapers articulating this view. Whilst WRG and *EnergySolutions* recognise that such views are held by some members of Cumbria

¹¹ WRG has a separate body called Waste Recycling Environmental Limited (WREN) which is independent of the main company. WREN is an environmental body distributing money from the landfill tax credits that are recovered by WRG through the Landfill Communities Fund. Now in its 12th year, it distributes £14 million annually to qualifying community and environmental projects within 10 miles of a WRG landfill site. More than £207,000 has been committed to community projects within 10 miles of Lillyhall since WRG acquired the landfill in 2005.

¹² Similar views have been expressed in a general sense by some other local authorities at meetings of the Nuclear Legacy Advisory Forum (NuLeAF) – see www.nuleaf.org.uk for further information.

County Council, our engagement to date with stakeholders suggests that the local community is supportive of the proposal at the Lillyhall Landfill Site (see for example the Whitehaven News Article of 10th June 2009 entitled “Radioactive Waste Plans Win Support”).

WRG and EnergySolutions continue to respond to requests for further information from stakeholders and the local media as they arise.

Conclusion

WRG and EnergySolutions consider that the following are key learning points from the programme of stakeholder engagement thus far:

- the nature of their unique commercial partnership, a combination of an established UK landfill operator and an experienced nuclear services provider, provides assurance to stakeholders that the highest standards of safety and environmental compliance will be achieved and sustained in the management of HV-VLLW;
- the choice of a local spokesperson who is raising a family in the area to lead the stakeholder engagement programme helped to build trust and led to more effective, open communication with members of the local community;
- focusing on engaging in open and meaningful dialogue with local stakeholders in the immediate vicinity of the Lillyhall Landfill Site enabled those who would be most affected by the proposal to understand its implications and to have their say;
- it is helpful to maintain an ongoing dialogue with representatives of the local community to provide sufficient opportunity for them to satisfy themselves of the merits of the proposal and that it is right for the community.

Stakeholder engagement to date suggests that there is a level of support within the local community for the proposal.

It is understood that the Environment Agency is planning to commence formal consultation on the RSA93 Application imminently and, subject to Authorisation being granted, WRG and EnergySolutions are working towards being in a position to receive the first consignments of HV-VLLW to the Lillyhall Landfill Site before the end of 2009.

17 September 2009

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