



**STATEMENT ON NORTHAMPTONSHIRE  
MWDF Partial Review**

**Representations of Augean PLC in respect of  
Matter 6**

## Introduction

1. To explain Augean's objections in particular with reference to Policy 21 it is necessary to set out the national radioactive waste management context which the policy is seeking to address. At the root of Augean's concern regarding the soundness of the proposed MWLP radioactive policy is the fact that unlike municipal solid waste (MSW) planning policy, radioactive waste national policy and for that matter hazardous wastes national policy is based on a market led approach. Furthermore due to the inherent and imperative safety considerations for handling radioactive wastes the outcomes of the application of the waste hierarchy to radioactive wastes are different to those of non-radioactive wastes. Policy 21 does not appear to recognise these distinctions and seeks to apply a series of criteria that are impractical, duplicate regulatory control and are inconsistent with national policy.
2. Low level radioactive waste producers are required under the Government's 2007 policy statement (Reference 1) to produce waste management plans for the wastes generated at their sites.

Paragraph 7. *"Plans for the management of all radioactive waste, including LLW, must be developed by waste managers. These plans must be prepared in a form, and to a level of detail, suitable for consideration by the relevant regulatory bodies."*

And

Paragraph 12. *"In addition, the preparation of LLW management plans shall be based on:*

- *use of a risk-informed approach to ensure safety and protection of the environment;*
  - *minimisation of waste arisings (both activity and mass);*
  - *forecasting of future waste arisings, based upon fit for purpose characterisation of wastes and materials that may become wastes;*
  - *consideration of all practicable options for the management of LLW;*
  - *a presumption towards early solutions to waste management;*
  - *appropriate consideration of the proximity principle and waste transport issues;*  
*and*
  - *in the case of long term storage or disposal facilities, consideration of the potential effects of future climate change."*
3. In respect of nuclear radioactive waste the Nuclear Decommissioning Authority in its 2010 Strategy document (Reference 2) states:

*"LLW producers and managers should develop plans for the management of LLW that are informed by the waste hierarchy, the proximity principle and the need for early solutions. Affordability will be a key consideration in the implementation of the strategy. It will be crucial that lifecycle environmental and social benefits of managing waste at higher levels of the waste hierarchy are compared with direct disposal. Decision making should be supported by sound business cases to identify the most advantageous option and should be completed in an open and transparent manner."*

Further discussion of the requirements for waste management plans is given at page 12 in the NDA Strategy.

4. Complimentary to the preparation of waste management plans, before the transfer of LLW from the point of arising to a waste management facility can take place, the waste producer/consignor must undertake a Best Available Technique (BAT) review of the options for management of each LLW stream as a requirement under their Environmental Permit (Reference 3). BAT assessment is the means by which the producer optimises the operation of a practice in order to reduce and keep exposures from the disposal of radioactive waste into the environment as low as reasonably achievable, economic and social factors being taken into consideration (ALARA). That is, where an operator uses those techniques which represent BAT then they will be taken to have met the requirements of optimisation and ALARA. Radiation safety is a key element of this process and can mean that what might be BAT for a non-radioactive waste may not be BAT for the same material when radioactive. The same point applies in respect of the application of the waste hierarchy. The form in which the waste arises and how the waste is generated can influence BAT decisions and in practice means BAT is considered often on a consignment by consignment basis.
5. The BAT review includes consideration of the disposal options for LLW that cannot be managed by means higher up the waste hierarchy including identification of the nearest appropriate installation. The options include disposal on site. While for some of the decommissioning sites such as Dounreay the development of an on-site disposal facility will be the BAT, for others due to resource issues, hydrogeological and other environmental constraints the BAT will be to dispose of the LLW off site. While proximity will be an important consideration the selection of the appropriate facility must also take into account the nature of the waste and the suitability of the potential receptor sites to dispose of the waste. The Government 2007 policy for the long term management of LLW (Reference 1, Paragraphs 12 and 23) states that as part of the review by the waste producer of the options for the management of LLW it will be necessary to consider the proximity of the waste management solution to the location of the waste arising and that the use of centralised facilities such as the disposal facility at Drigg in Cumbria or any future facility may be the appropriate point of disposal.
6. In the Government 2007 policy it is acknowledged that transportation of LLW will generate risks and environmental burdens no greater than those associated with the transportation of conventional waste. The environmental impacts of the transportation of LLW will be taken into account in the options assessment which will be carried out by waste producers. In the Government 2007 policy it is stated: 23.

*“Use of centralised facilities, such as the Low Level Waste Repository (LLWR) near Drigg in Cumbria, or any similar future facility, may be the appropriate point of disposal for much LLW. However, depending on the intrinsic hazard of some forms of LLW, other solutions are possible. Options’ assessments carried out to support the development of LLW management plans must consider these other possible solutions, employing the proximity principle as a point of reference. However, although the desire to avoid excessive transportation of materials is an important consideration, it must be balanced with all the other relevant factors on a case by case basis.”*

7. The preparation of waste local plans, BAT assessment, consideration of the waste hierarchy and the proximity principle as should be applied to radioactive waste have been addressed in detail on two occasions in the last 4 years by a planning inspector and by the Secretary of State in respect of the East Northamptonshire Resource Management Facility. In 2011 the Secretary of State in determining the application for

acceptance of LLW at ENRMF agrees with the inspector that BAT assessment will be undertaken by the waste producer/consignor and that transport distance must be balanced with other factors (Reference 4, Paragraph 28).

8. The issue was further considered in 2012 by the Examiner for the NSIP application for a Development Consent Order to extend the ENRMF operations including LLW disposal (Reference 5):

*“5.87 Decisions on how and where to dispose of hazardous waste and LLW are ones that have to be taken by the consignors of that waste. They are required either as a condition of an environmental permit by the EA in the case of LLW or, for hazardous waste, in accordance with the Waste (England and Wales) Regulations 2011, to show that the chosen option represents best available techniques (BAT).<sup>97</sup> In doing so they have to take into account the waste hierarchy, e.g. could waste be treated and recycled rather than going to landfill, and the proximity principle in considering transport modes and distances.*

*5.94 The ENRMF is already accepted as a site of national importance for disposal of hazardous waste but consignors are still required to take the proximity principle into account in demonstrating that the choice of the site is BAT.*

*5.95 Originators of LLW are required to consider alternative means of disposal and a number have concluded that development of on site facilities for disposal of LLW is not the best practicable environmental option (BPEO) option and are looking for alternatives that will, inevitably, involve some transport of the LLW.<sup>101</sup> Although the ENRMF is not located close to any of the main nuclear decommissioning sites it is well located to service a number across the southern half of the country. If the ENRMF did not continue to accept LLW then waste from these sites would have longer journeys to the other existing sites in the North West.*

*5.97 Even if other sites are not developed, originators of LLW will have to continue to assess alternatives and take account of the proximity principle but this must be balanced with all the other relevant factors on a case by case basis. Allowing a balance between the proximity principle and other factors is established policy in the field of waste management, including LLW. It is the EA’s responsibility to monitor and approve those assessments and **I am satisfied that this is a well established part of the permitting system which governs the movement and disposal of LLW.**”(my emphasis)*

In the Secretary of State’s decision letter of 11 July 2013 (Reference 6) he agreed with the Inspector’s interpretation and noted that individual consignments are undertaken in practice.

9. It is concluded that there is an established and regulated system of preparation of plans for waste management for radioactive wastes and assessment of BAT for waste consignments which is undertaken on a case by case basis. It is considered that local plan policy should be formulated in the context of this established national policy and practice.

## Representations

10. Augean has submitted a number of representations to the MWDF review process and had a constructive dialogue with Northamptonshire County Council throughout. The outstanding area of concern regarding the soundness of the plan relates to the proposed policy 21 for radioactive waste the subject of Matter 6 of the examination in public.
11. For ease of reference the relevant text and policy have been reproduced here, Augean's representation and the County Council's response. These are followed by further comment by Augean explaining our remaining concerns for the purpose of the examination.

## MWLP Paragraph 5.98

Preference is for LLW to be managed and / or disposed of in a manner that satisfies the waste hierarchy and enables waste to be disposed of in one of the nearest appropriate installations; to this end a sequential approach has been identified in Policy 21. Proposals for the disposal of LLW, in addition to the priorities set out above, must demonstrate that the proposal satisfies national requirements (including relevant guidance, strategies and policies) **delivers local social and economic benefits** and supports sustainable development (including sustainable transport movements)<sup>15</sup>. Where the proposal involves co-location at a committed site, the disposal of LLW should not prejudice the existing waste use unless it can be clearly demonstrated that it is no longer required at that location.

### Augean representation

12. In terms of the second sentence of paragraph 5.98, we do not consider that this correctly reflects the Government Policy and the NDA Strategy on LLW disposal. The Government 2007 Policy (Reference 1) does not include any national policy requirement for proposals for LLW to 'deliver local, social and economic benefits'. Nor does the NDA Strategy (Reference 2) include such a requirement. Section 3.1 of the NDA Strategy recognises the need for community involvement and stakeholder engagement and states that "*the strategy has been developed to deliver benefits across the UK. It is however recognised that this strategy has an impact at every level, including regional, local and within communities. Perceptions associated with the radioactive nature of these operations, not the actual hazard or risk presented by them, has the potential to create negative feeling and possibly also economic impacts, amongst the communities involved.*" As a consequence the Strategy requires appropriate engagement with local communities. Decision making will need to be informed by community interests and may take account of social and economic factors but there is no policy requirement to 'deliver local, social or economic benefits'.

### Proposed amendment

13. We suggest the deletion of the words "deliver local, social and economic benefits" from paragraph 5.98

### NCC response

14. The MWLP sets out the local planning requirements and considerations – those stated in paragraph 5.98 are not in conflict with national policy / strategy.

## Augean further comment

15. *It has not been suggested by Augean that the requirement to deliver local, social and economic benefits is in direct conflict with national policy and strategy but then conflict is not the test. Augean's case is that the requirement is not consistent with national policy and strategy in that the requirements are significantly greater than those in the policy and strategies. The requirement comprises a three part test:*
- *Local benefit*
  - *Social benefit and*
  - *Economic benefit*
16. *Benefits in each of these areas need to be satisfied. The tests are vague and what is necessary to satisfy each test is unclear.*
17. *The NPPF at paragraph 6 identifies “the purpose of the planning system is to contribute to the achievement of sustainable development. It is recognised that the NPPF at paragraph 152 requires “local planning authorities should seek to achieve each of the economic and environmental dimension of sustainable development and net gains across all three.” It should be noted that this is in the context of the plan and plan area as a whole and not necessarily in respect of individual development.*
18. *Development for the management of radioactive wastes in most cases will be of national significance and will provide benefits on a national basis. It is accepted that it is incumbent on applicants to ensure local impacts are minimised and if appropriate mitigation is provided which could include local, social or economic benefits. Decisions on the acceptability of the development should be taken as a whole and not depend on a singular issue.*
19. *The requirement to deliver as part of specific radioactive waste development local social and economic benefits is onerous and potentially undeliverable. Through these requirements the plan could deter development hence is not consistent with the requirement for the positive preparation of the plan. The need for the requirements is not justified as it is not clear what the purpose is or on what evidence its need is based.*

## Further proposed amendment

20. We maintain the position that the requirement “**delivers local social and economic benefits**” should be deleted but would accept revision as follows:

Proposals for the disposal of LLW, in addition to the priorities set out above, must demonstrate that the proposal satisfies national requirements (including relevant guidance, strategies and policies) should deliver as appropriate and proportionate social and economic benefits and must support sustainable development (including sustainable transport movements)

## Policy 21

### Augean representation

21. We do not consider that the drafting of Policy 21 has had proper regard to national policy and believe that it is in fact inconsistent with national policy.

### NCC response

22. The MWLP sets out the local planning requirements and considerations - those stated in Policy 21 are not in conflict / inconsistent with national policy / strategy (and no evidence has been put forward to demonstrate such apparent inconsistencies). The wording of Policy 21 sets out factors to be taken account of in assessing applications for radioactive waste disposal and has been drafted to ensure clarity on such matters.

## Policy 21, Part 1, Bullet 1

Proposals for the disposal of radioactive waste must demonstrate that:

- Disposal forms the last available management option.

### Augean representation

23. First, it is not appropriate to refer to disposal as forming the “last available management option.” The issue is whether the proposal represents the most appropriate management option and represents the Best Overall Environmental Outcome (BOEO). This is dealt by virtue of the third bullet point in the policy which requires compliance with the waste hierarchy. As such, there is no need for the first bullet point in the Policy.

### NCC response

24. First bullet point ‘Disposal forms the last available management option’. This is in line with the UK Policy for the Long Term Management of Solid Low Level Radioactive Waste in the United Kingdom (March 2007) minimisation of waste arisings (para 17-18) and consideration of all practicable options for the management of LLW (para 19), as well as UK Nuclear Industry LLW Strategy (August 2010)

25. S 2.5.6 (pg. 24). Market drivers and opportunism may not necessarily always see fit to ensure other treatment options are utilised prior to disposal and so it is necessary to clearly state that local preference is for disposal to form the last available option.

### Augean further comment

26. ***It is clear from the introduction to this statement that the primary thrust of policy and strategy in respect of the management of radioactive wastes is BAT. BAT takes into account the waste hierarchy.***

27. ***Augean’s concern is that the phrase “last available option” is significantly different to the meaning of BAT. It is not a phrase used in the Waste Framework Directive, PPS10, the 2007 LLW Policy or the 2010 NDA Strategy. It does not take into account safety, environment or economics which are fundamental elements***

***underpinning BAT. In practice this could mean that options that are not BAT would be favoured by the Council. In this respect Policy 21 is clearly not consistent with national policy or regulation nor is it consistent with sustainable development and thereby fails the test of positive preparation of the plan. The Council have offered no justification as to why this is an appropriate strategy.***

28. ***The suggestion in the County's response to Augean's representation that the policy is justified by a "local preference" that is clearly not consistent with national policy is clearly not valid.***
29. ***Finally the policy effectively asks the applicant to demonstrate that disposal is the last available option. This is premature in terms of a merchant facility application proposal. As discussed in the introduction to this statement BAT is determined on a case by case basis. Unless the application is for a single waste stream or limited range of wastes the applicant will not know what the waste is hence cannot practically "demonstrate". As drafted the policy could prevent applications for radioactive waste disposal.***
30. ***This policy fails the test of soundness in several respects.***
31. ***We maintain the position that the policy is unsound and unnecessary as the issue is appropriately addressed under the third bullet of the policy.***

## **Policy 21, Part 1, Bullet 2**

***It is in line with the principle that communities take more responsibility for their own waste and therefore enables waste to be disposed of in one of the nearest appropriate installations. Options for disposal should be rigorously assessed with clear justification provided as to why the (rejected) option is impracticable.***

### **Augean representation**

32. The previous draft of Policy 21 recognised that reference to 'wider communities need' was in the national context for LLW. This should also be recognised in the second bullet point of the latest draft of Policy 21.
33. The second sentence of the second bullet point is not needed as this is a duplication of the requirement for compliance with the waste hierarchy.

### **NCC response**

34. Reference to the 'wider communities need' was amended to reflect consultation comments made in relation to the Draft Plan also the current wording in second bullet point first para better reflects the plan intent and national policy.
35. The waste hierarchy sets out the priority order for waste management processes; it does not specify that options for disposal should be rigorously assessed and justification given as to why the rejected options are not practical hence the second sentence of the second bullet point is required in Policy 21.

## Augean further comment

36. *The principle that communities take responsibility for their own wastes relates to those that benefited from the generation of the waste. In terms of MSW this would be at a local level but for more specialist wastes this must relate to the wider community. It should be recognised that nuclear decommissioning waste is a nationwide legacy the benefits of which (power generation) have been shared nationwide. It should not necessarily be the responsibility of the communities that have hosted the generation of radioactive waste to be responsible for its disposal. The policy as drafted is a parochial approach to a national planning issue which does not satisfy the positively prepared test or is justified. There is a need to recognise in the policy the national context of the responsibility for the waste.*
37. *In the context of the waste management plan preparation and BAT process, as explained in the introduction to this statement, the concern of the County regarding the rigorous assessment of options is unfounded. The options for waste disposal are assessed by the producer through Waste Management Plans and furthermore on a case by case basis through the process of BAT. Further assessment of options would be duplication of the established process and which is controlled by regulation. Duplication of regulatory control is inconsistent with national policy and in this context the plan is unsound.*
38. *In any event, we consider that the application of the priority order in the waste hierarchy does in fact require the rigorous assessment that NCC are concerned about to justify a disposal option. As such, the third bullet point of the draft policy deals with this requirement.*

## Policy 21, Part 1, Bullet 3

The proposal complies with national guidance and the principles of sustainable waste management including the waste hierarchy. In doing so it should identify the intended catchment area and detail how it supports sustainable transport movements.

39. *Augean in general accepts this aspect of the policy as sound but notes that the issue of sustainable transport is addressed by the BAT process which is undertaken by consignors.*

## Policy 22, Part 1, Bullet 4

Any adverse impacts can be mitigated to an acceptable level.

40. *Augean accepts this aspect of the policy as sound*

## Policy 21, Part 1, Bullet 5

The proposal will not prejudice the existing use where the proposal is for co-location on an operational or committed waste site.

41. *Augean accepts this aspect of the policy as sound*

## Policy 21, Part 2, Bullet 1

Where proposals come forward as a consequence of operations at and / or decommissioning of a nuclear licensed site(s) the following will have first had to apply and be clearly demonstrated:

- The proposed site would have been assessed as complying with a sequential approach specifically related to that site based on:
  - (i) on-site management / disposal,
  - (ii) adjacent or near-site management / disposal,
  - (iii) management / disposal at other licensed nuclear sites, and
  - (iv) management / disposal at other sites (with those closest to the origin of the waste being considered first).

### Augean representation

42. We do not consider that the second part of Policy 21 is necessary or indeed appropriately reflects national policy. There is no national planning or other policy requirement for such a rigid sequential approach to site selection for disposal of radioactive waste. Indeed, the UK NDA Strategy when considering on and off site options stipulates that there are a number of factors to consider on a case by case basis and “recognises the opportunity provided by the use of alternative sites for disposal of LLW. However, **it does not set out to prescribe which of the above is preferred or where these activities should take place because of the inherently local issues that accompany such decisions**” (page 26 of the Strategy). (My emphasis)

43. Further, this is a matter appropriately considered as part of the Best Available Techniques (BAT) assessment which is undertaken by the waste producer as part of their application for an authorisation to send waste off site for treatment or disposal (see the box under paragraph 2.3 on page 14 of the NDA Strategy).

44. The 2007 Government Policy also refers to the options assessment that is required in the preparation of waste management plans, namely the Best Practical Environmental Option (BPEO) analysis approach (see paragraph 24 of the Policy). In paragraph 19 the UK Policy identifies the various disposal options available including on or adjacent to nuclear sites and off- site disposal and states at paragraph 21 that these options “**may be used in a flexible way**” subject to safety and environmental requirements and appropriate local circumstances

### Proposed amendment

45. We recommend deletion of the second part of Policy 21 from the words “where proposals come forward” to the end of the policy.

### NCC response

46. Second part of Policy 21 is required as it sets out the Councils preferred strategy for disposal of such wastes. The UK Strategy (S 2.5.6 pg 26) and UK Policy (Annex 1 Supplementary notes - para 19) look at alternative disposal options. The sequential approach identified in Policy 21 applies these alternative disposal options but identifies local preference and links this to communities taking more responsibility for their waste and disposal to the nearest appropriate installation. Where there are local issues /

circumstances that would prevent other options being utilised this should be clearly demonstrated and outlined in the planning application (as detailed in Policy 21) – this may include how such matters were considered as part of the BAT/BPEO. Such information feeds into the (planning application) decision making process and is important in ensuring that outcomes are well considered, supported by robust evidence, balanced and support sustainable development.

47. Cumbria has applied a similar sequential approach which has been carried forward into the Cumbria MWLP (the draft plan was subject to consultation in early 2012 - Policy SP7).

## Augean further comments

48. ***The means by which radioactive waste management is undertaken, planned and the appropriate management route determined is explained in the introduction to this statement and has been recognised by the Secretary of State (In respect of the ENRMF decisions) as an appropriate approach to planning for radioactive waste facilities. The sequential approach is effectively duplicating the waste management plan and BAT process for individual waste streams which is controlled by the NDA and regulated by the Environment Agency. Duplication of regulatory control is not consistent with national policy (PPS10, Paragraph 5)***
49. ***Merchant radioactive waste management facilities provide services to a wide range of producer sites. The implications of the policy are that the applicants for such facilities will need to assess all the waste streams from each of the generating sites as part of making an application for planning permission. This is not a practical proposition because all of the sites that may deliver to the facility will not be known at the application stage, not all of the wastes that may be suitable for the facility are yet generated or known and of the scale of the task.***
50. ***The NDA Strategy looks to the supply chain to provide the national infrastructure for waste management. This is consistent with the approach for the provision of hazardous waste management. The Hazardous Waste NPS sets out, a little further than the NDA Strategy, the planning implications of a strategy approach delivered by the market:***
- “... Government looks to the market to provide the infrastructure to implement the Strategy. Government’s role is to provide the right framework and encouragement to the private sector to bring the necessary infrastructure forward. This is because the waste industry has the greatest level of expertise in hazardous waste management issues and is best placed to consider where facilities are needed and the most appropriate types of technologies to use.”*
51. ***The implication of a market led approach is for the supply chain to determine the technologies and the locations where facilities may be established subject to environmental, safety and local policy considerations. A sequential test is not consistent with national policy for delivery by the supply chain and in this respect the plan is unsound.***
52. ***We note the County Council’s reference to the Cumbria sequential approach policy. As identified by the County Council, Cumbria is at an earlier stage of the plan preparation process than Northamptonshire and the policy is yet to be tested or examined. The policy has been subject to objections raising similar concerns to***

***Augean. Furthermore given the unique circumstances of Cumbria and it's nuclear legacy it is questionable whether it's radioactive waste policies would be directly transferable to Northamptonshire. Cumbria specifically identify in their representation that "an important difference is of course that we have nuclear sites and an existing legacy of radioactive waste."***

***53. Fundamentally the policy is unsound because it meets none of the relevant tests; it is impracticable, it is duplication of regulation, it is inconsistent with a market led approach and as a result is likely to deter development.***

## Policy 21, Part 2, Bullet 2

Community engagement and consultation requirements have been satisfied in respect of:

- (i) the waste management plan for the licensed nuclear site(s), and
- (ii) the communities in the vicinity of the proposed site.

### **Augean further comment**

***54. In respect of point (i) we note that Waste Management Plans are the responsibility of the waste generator. They require local engagement at the generating site and are part of determining BAT. These matters are overseen by the NDA and regulated by the Environment Agency as has been accepted by the Secretary of State in respect of the ENRMF determinations. It is not practical or appropriate for an applicant or operator to assess whether the engagement and consultation requirements have been satisfied. It is not clear how this policy can be applied.***

# **Matters and issues the subject of examination**

## **Matter 6 – Radioactive Policy**

### **Issues**

#### **R1 Should the policy relate to waste management rather than disposal?**

55. Yes

56. The draft Policy seems driven significantly by the existence of approval for disposal of LLW at ENRMF and not as a comprehensive planning policy covering the range of radioactive wastes that could be managed in the County.

#### **R2 Does the policy properly reflect national policy and guidance**

57. As discussed above it is considered that the policy:

- Is not consistent with the market led approach promoted in national policy
- Duplicates regulatory control
- Requirements of paragraph 5.98 are significantly more onerous than national policy and therefore inconsistent with national policy.

#### **R3 Are the criteria in the policy appropriate? What is their justification?**

58. As discussed above it is impractical at the planning stage to identify where waste will come from, its nature and quantity hence:

- The waste hierarchy cannot be rigidly applied to such proposed development
- The applicant/operator cannot predetermine community liaison in respect of the other sites

## **Alternative Proposal for Policy 21: Development criteria for radioactive waste management**

59. The following alternative policy is proposed:

Proposals for the management of radioactive waste will be permitted where:

- The proposal complies with national guidance and the principles of sustainable waste management including the waste hierarchy.
- The intended catchment area is identified and how the waste will be sustainably transported
- Any adverse impacts can be mitigated to an acceptable level.
- The proposal will not prejudice the existing use where the proposal is for co-location on an operational or committed waste site.
- Community engagement and consultation requirements have been satisfied in respect of the communities in the vicinity of the proposed site.

60. It is further recommended that the County includes within the text of the plan relating to Policy 21 an explanation of how waste management plans are prepared, the hierarchy is considered and the BAT is applied taking into account proximity to ensure that waste is managed sustainably at treatment and disposal facilities. This would help the public understand the basis of the proposed policy.

## References

### Reference 1

Policy for the long term management of solid low level radioactive waste in the United Kingdom, DECC 2007

### Reference 2

Strategy for the Management of Solid Low Level Radioactive Waste from the non-nuclear industry in the United Kingdom. Department of Energy and Climate Change. 2010.

### Reference 3

Radioactive Substances Regulation: Assessment of Best Available Techniques (BAT), Environment agency 2009

### Reference 4

Decision letter of the Secretary of State dated 24<sup>th</sup> May 2011. Appeal by Augean PLC; East Northants Resource management Facility, Stamford Road, King's Cliffe, PE8 6XX  
Application: REF 09/00053/WAS

### Reference 5

Western Extension of East Northants Resource Management Facility Order; Examining Authority's Report findings, conclusions and recommendations to the Secretary of State 22 April 2013

### Reference 6

Decision letter of the Secretary of State dated 11 July 2013  
Decision Letter of the Secretary of State dated 11<sup>th</sup> July 2011. Planning Act 2008; Application for proposed East Northamptonshire Resource management Facility (ENRMF) Order. Reference WS0 10001