

THE VALE OF GLAMORGAN COUNCIL

CABINET: 6TH NOVEMBER, 2017

REFERENCE FROM ENVIRONMENT AND REGENERATION SCRUTINY
COMMITTEE: 12TH OCTOBER, 2017

“ DISPOSAL OF DREDGED MATERIAL ASSOCIATED WITH THE
CONSTRUCTION OF HINKLEY POINT C POWER STATION (REF) –

The Chairman had requested that the report be placed on the Committee’s agenda for consideration and the reference from Cabinet of its meeting on 9th October, 2017 was tabled for Members’ consideration.

Cabinet had, on 9th October, 2017 resolved

- (1) **T H A T the contents of the report be noted.**
- (2) **T H A T the Leader of the Council writes to the Cabinet Secretary for Environment and Rural Affairs and the Chief Executive of Natural Resources Wales (NRW), expressing this Council's concerns to the proposal to dispose of dredged radioactive material at the Cardiff Grounds disposal site, given the time that has elapsed since issuing of the licence in July 2014.**
- (3) **T H A T within the letter referred to in resolution 2 above, consideration is requested to be given to the methodology to be used for the new radiological assessment of the material, suggesting greater sampling of the material, to full excavation depth and over the entire excavation area.**
- (4) **T H A T within the letter referred to in resolution 2 above, NRW be requested to formally consult this Council on the details of the new, more thorough, radiological assessment prior to any disposal works progressing.**
- (5) **T H A T the Leader of the Council seeks a meeting with the Cabinet Secretary for Environment and Rural Affairs, the Chief Executive of NRW and the Leaders of all neighbouring authorities along the Severn Estuary to seek the necessary support for a review of the position by Welsh Government and NRW as detailed in resolutions 2 to 4 above.**
- (6) **T H A T the report be referred to the Scrutiny Committee (Environment and Regeneration) for further consideration and discussion.**

The Chairman had also requested that an invitation be extended to a representative from Natural Resources Wales (NRW) to attend the meeting to respond to Member queries and advised that an Independent Marine Research Consultant, Mr. Tim Deere-Jones, was present to provide the Committee with an overview on “Dumping of radioactive wastes at Cardiff Deep”.

The Managing Director, in presenting the report, advised that following an application made in August 2012 a Marine Licence was granted in 2014 by NRW to NNB Genco, a subsidiary of EDF Energy, to dispose of the dredged materials arising from the above works. The Licence was valid until 4th March, 2019 and permitted a quantity not exceeding 304,885 tonnes to be deposited.

The Council had been consulted as Local Planning Authority by Welsh Government on the application, the application at that time being for 200,000m³ of material. The conclusion of the Planning Officers had been that without detailed expertise and in the limited timescale for making comments, it was difficult to make an informed conclusion of the application and hence no objection was raised. However, it was noted that it appeared that the major issues of concern to the Authority and of wider interest had been the subject of detailed research, conclusions of which seemed to indicate that the proposal could be carried out without significant impact.

As part of the application a full radiological assessment had been undertaken which concluded the proposal was acceptable and this was further reviewed by internal experts in NRW who agreed with that conclusion. No material from Hinkley Point had yet been deposited and due to the time that had elapsed since the Licence was granted, a further radiological assessment must now be undertaken before this could occur.

The assessment to be undertaken must be based on a new set of sediment samples taken as part of a structured sampling programme agreed by NRW and would include all relevant radiological determinants.

The Managing Director further advised that there had been concerns expressed by individuals about the adequacy of the radiological assessment undertaken and the potential health implications of the proposed deposit of material. There was currently an e-petition to the Welsh National Assembly calling for NRW to suspend the Licence pending a Public Inquiry, a full hearing of independent evidence and a Public Consultation.

Following the presentation of the report the Chairman then invited Mr. Tim Deere-Jones, Marine Radioactivity Research and Consultant, to provide evidence to the Committee.

Mr. Deere-Jones commenced by referring the Committee to the map of the Bristol Channel, advising that core studies elsewhere in the Irish Sea had shown that 0-5cm surface samples held the lowest concentrations of man-made radioactivity and that increasing depths showed increasing concentrations. At approximately 20cm depth,

concentrations were five times higher than at the surface. In his view, the use of the surface samples was therefore inadequate.

In referring to Hinkley Point, he advised that there were two sub-stations, A and B, and that there had been 50 years' worth of discharges from the Point into the sea. The discharges had built up and held radioactivity which was slowly released in the area. The concern was that radioactivity was slowly releasing and once 200,000 tonnes was "dropped", it would eventually disperse into the environment. All studies showed that radioactivity would re-concentrate and deposit out in the Estuary and the coastal mud flats, which were the main areas of concern.

Mr. Deere-Jones had also analysed the CEFAS document advising that he was clear that you could not quantify the amount of radioactivity in the mud using only 0-5cm of surface sampling. To this end, in his profession, calls had been made for a change in monitoring standards. He stated that once dredged in Cardiff, the deposits would run the risk of increasing pollution and dosage. He was also of the opinion that you could not work out the risk if you did not have sufficient data and, in particular, he stated "don't dump until you have the information".

There were not many studies in Wales as there were insufficient resources to undertake such work with reliance therefore on the Government for such work. Mr Deere – Jones stated that he had previously been involved in the Tidy Estuary Study where it was found that there were ten times more levels in the estuary inland, which was much higher than in the normal open coast. In referring to the Towyn storm surge flooding years previously, samples had been taken and a consultant had advised that given the presence of aneurism it was deemed certain plutonium would also be there.

With regard to breaches of standards, he referred to

- the precautionary principle re transport movement of RAD materials - he advised not to engage in unnecessary transport movement as this runs the risk of increasing population and environmental doses
- the precautionary principles also invoked when available that scientific data was "so insufficient, inconclusive or imprecise as to make it impossible to determine with sufficient certainty the risk in question".

With specific reference to Bridgewater Bay, he stated that the Bridgewater Bay sediment was now a major deposit of sequestered RAD waste after 50 years of input. Radioactivity in Bridgewater Bay had been subject to slow leaching due to storms, tidal surges, etc. and the dredging invoked a major and rapid disturbance of settled and consolidated sediments. The disposal at the Cardiff ground would invoke a major and rapid distribution of radioactivity into Welsh coastal waters which would disperse into water columns and then re-concentrate in sedimentary deposits (coastal mud flats along Gwent levels estuaries and tidal areas of South Wales rivers). Studies had also shown that marine RAD transferred across the Welsh coastline impacted the terrestrial zone and on the Ceredigion coast sea to land transfer via marine aerosol sea spray in onshore winds.

Mr. Deere-Jones concluded by stating that he thought the science was inadequate and he urged the Council to lobby NRW and Welsh Government to get assistance in order for further studies to be undertaken.

Mr. Wheadon, representing NRW, advised that he could not comment on the expertise that Mr. Deere-Jones was presenting, but he could advise on the process undertaken for the Licence and that the data itself was a matter for technical experts.

Councillor N.P. Hodges, with permission to speak, stated that he was pleased that the Cabinet had considered the matter but referred to the Council constantly seeking to defer to expert advice that was not available in house. He therefore requested that the Committee consider recommending to Cabinet that a pot of money be made available in the future for such applications and referred to the Barry incinerator proposal where again, the Planning Department he advised had stated they had little expertise to make comments on the matter. Cllr Hodges stated that it was important that the Council had adequate resources to fund the purchase of such expertise when it needed to. He further stated his abhorrence at the fact that it appeared to be a fait accompli that 300 tonnes was going to be deposited on the Welsh side of the estuary for no financial gain whatsoever for the Vale. He stated that with regard to the incinerator at least that had a potential for 15 jobs that may materialise as a result, but for the dropping of such waste there was no incentive for the Council whatsoever.

Members of the Committee also concluded that they were appalled that such deposits were likely to be dropped in the Welsh region when English counties did not want it. Members were very appalled by the proposal and requested that Welsh Government be requested to look into the matter as a matter of urgency.

Following further questions about the possibility of damage to marine life, Mr. Deere-Jones advised that there had been less work done on the health impact to marine life, but there was evidence in the Bristol Channel of the impact on marine birds.

The Managing Director queried the risks involved which related to disturbance of the material and where it was to be deposited and asked whether the Licence covered both. In response, the officer from NRW advised that for any dredging another Licence would need to be agreed. The Licence that had been issued was specific to the deposit. However, in order to commence with the deposit, further samples would need to be undertaken.

Following on Mr. Wheadon advised that with regard to the sampling, he could share such information with the Committee, but if the Committee had any further concerns about the adequacy of the sampling programme, that NRW would welcome looking into the issues.

A number of Members also considered it important that representatives from Welsh Government and the MP should be present to provide the Scrutiny Committee with

their thinking in relation to the issue and to answer any questions and concerns of the Committee.

Following a further query from the Managing Director to the representative from NRW that the fact that the Licence had been granted, did that hold NRW responsible, Mr. Wheadon advised that if the sample results were unacceptable then the Licence could be revoked. The Company had to follow a number of constraints and they would not be able to deposit in the location if the sample results were unacceptable.

The Chairman enquired as to whether it was within the gift of NRW to make the sampling more stringent and was advised that the methodology had been agreed in January 2017 but any person could make representations to NRW who would have the ability to make changes if appropriate. Mr. Wheadon informed the Committee that he would be happy to look into the depths and range agreed and get back to the Committee.

In referring to the issue of the Council possibly establishing a pot of money to pay for expert advice for a number of aspects, the Managing Director made the suggestion that in the first instance the Council investigated undertaking such work on a collaborative basis with Newport, Monmouthshire and Cardiff and that following such discussions a report be brought back to Committee for consideration, with the intention that also hopefully Welsh Government would fund such expertise in view of the issue at hand.

Having fully considered the report, the resolutions of Cabinet, the presentation to Committee and the comments made at the meeting, it was subsequently

RECOMMENDED –

- (1) T H A T Natural Resources Wales be requested to provide the Committee with the scale of sampling that had been agreed and for that scale to be expanded.
- (2) T H A T the resolutions of Cabinet be noted.
- (3) T H A T the relevant Minister and the Vale of Glamorgan MP be invited to attend a future meeting of the Scrutiny Committee in order for the Scrutiny Committee to voice its concerns and raise issues.
- (4) T H A T the results of the meetings with the Cabinet Secretary for Environmental Affairs, the Chief Executive of Natural Resources Wales and the Leaders of all neighbouring Authorities along the Severn Estuary be presented to the Scrutiny Committee for consideration in due course.
- (5) T H A T, if a collaborative approach in relation to funding expert advice for such projects was not forthcoming, the Committee consider a further recommendation for the possibility of a Vale funding pot for such matters.

(6) T H A T Cabinet be advised of the Committee's comments and recommendations as outlined above.

Reasons for recommendations

- (1) To consider the scale of sampling agreed and to expand it.
- (2) In recognition of the Cabinet decisions
- (3) For Members to seek for information.
- (4) For consideration
- (5) To ensure monies are made available for future advice.
- (6) In light of information obtained during the debate.”