

Regulatory Interface Management (RIM) Group Meeting
Warrington, 26 February 2013
Minutes

Attendees:

Nuclear Decommissioning Authority (NDA, Chair & Secretary)
Department of Energy and Climate Change (DECC)
Environment Agency (EA)
Local Government Association Nuclear Legacy Advisory Forum (NuLeAF)
Office for Nuclear Regulation (ONR)
Scottish Environment Protection Agency (SEPA)

Apologies:

A representative from NuLeAF

1. Introduction and opening remarks

The Chair welcomed attendees, in particular DECC's new representative and the new secretary who were attending the RIM Group Meeting for the first time. The Chair reminded attendees that the RIM Group had last met in July 2012 and that there had subsequently been two significant developments in relation to the MRWS programme:

- Shepway District Council decided (September 2012) not to make an Expression of Interest to Government regarding the potential involvement of the Romney Marsh community in the MRWS siting process;
- Allerdale and Copeland Borough Councils both voted in favour of participating in the MRWS siting process; Cumbria County Council's Cabinet voted against, thereby bringing the MRWS process to an end in Cumbria (January 2013).

The Chair explained that it had been considered appropriate to delay the present meeting until after these decisions, rather than hold it in late 2012, as originally timetabled.

2. Minutes and actions from the previous meeting

The draft minutes of the previous meeting (27 July 2012) were accepted as a true record and approved for publication on the NDA website.

Action RIM2013/01: RIM Group Secretary to publish approved minutes of previous meeting on the NDA website.

Actions

RIM2011/5 RIM Group members to advise RIM Group Secretary of agenda items for the next meeting – **withdrawn**. The Chair explained that the Secretary would ask members to advise of agenda items before each meeting, rather than rely on a continuing action.

- RIM2011/16** RWMD to consider locations and make arrangements as necessary for geological disposal awareness sessions – **withdrawn**. The Chair explained that whilst awareness sessions would still be of value, they should be considered during Government’s review of the MRWS process in the light of experiences of the process to-date (see below).
- RIM2012/2** RIM Group Secretary to Advise EA of the number of attendees expected at geological disposal awareness sessions – **withdrawn**. See progress report for RIM2011/16 (above).
- RIM2012/10** RIM Group Secretary to amend the draft minutes of the 23 March 2012 meeting, and publish the revised minutes on the NDA’s website – **complete**.
- RIM2012/11** RIM Group Secretary to include item on ‘Update on implementation of Localism Act 2011 amendments to major infrastructure development provisions’ on the agenda for the next RIM Group meeting – **ongoing**. Efforts to identify an appropriate representative from CLG to provide the update would continue.
- RIM2012/12** RIM Group Secretary to distribute a link to CLG’s ‘plain English’ guide to the Localism Act 2011 – **complete**.
- RIM2012/13** RIM Group Secretary to confirm date for RIM Group meeting in late 2012 – **complete**.

Action RIM2013/02: RWMD to reengage with CLG regarding representation (by exception) on the RIM Group.

3. **DECC update**

DECC provided a summary of the outcome of the recent decision on west Cumbria’s participation in the MRWS process. On 30 January 2013, Allerdale Borough Council, Copeland Borough Council and Cumbria County Council each voted on whether to participate in the MRWS siting process. Both Borough Councils voted in favour of participating; the County Council voted against. As the Minister of State had previously agreed that both the Borough and the County Councils would need to be in favour of participating for the process to proceed, the outcome of the voting brings the MRWS process in west Cumbria to a close.

Whilst the outcome is disappointing, the Government remains committed to geological disposal of higher activity wastes and is confident that the MRWS process is essentially sound. The invitation remains open for other communities to express an interest in discussing their potential involvement in the MRWS process and Government will renew its efforts to encourage other communities to do so. At the same time, it will consider the lessons learnt from the Shepway and west Cumbria experiences.

The meeting reflected upon possible learning from the experiences in west Cumbria and Shepway.

'Setbacks' to the MRWS process are not unexpected; this has been the experience of other countries taking a voluntary approach to siting. Delays will not have an impact on the interim storage of higher activity radioactive wastes (plans anticipate interim storage being required for a period of 50 – 100 years).

4. RWMD update

RWMD's work programme is to be reviewed and revised following the termination of the MRWS process in west Cumbria. Work undertaken in preparation for Stage 4 will be 'banked' until it can be applied in future. Resources that would have been applied during financial year 2013/14 to undertaking Stage 4 in west Cumbria are to be refocused on assisting Government's review of lessons learned from the MRWS process and other priority areas.

NDA's plans to make RWMD a wholly-owned subsidiary by April 2013 have been affected by west Cumbria's decision not to participate in the siting process. Subsidiary formation required both Government agreement and there being a positive decision to participate in the siting process on the part of one or more communities. The NDA Strategy Director has written to the Environment Agency and ONR informing them that NDA still intends to form the subsidiary, but that this will necessarily be delayed. Both regulators welcomed NDA's continued commitment to subsidiary creation and reiterated their view that there must be a clear separation between the Letter of Compliance (LoC) process and NDA's discharge of its decommissioning functions. RWMD also reported that matters relating to pension arrangements require further resolution.

RWMD reported recent recruitments: the Operational Safety Manager, Inventory Manager and Senior Research Manager posts have been filled. The latter role was filled by an internal promotion, so leaves a post vacant. It might be necessary to expand the Communications team, depending on RWMD's role in the MRWS process in the future. There have been four resignations over the past 8 months. Whilst two of these posts have been filled, this is an unusually high resignation rate for RWMD. The organisation is monitoring the impact of the decision in west Cumbria on staff morale. RWMD continues to develop its organisation so that it will be capable of holding the necessary regulatory permissions. This is a corporate milestone associated with the preparation of a longer term (3 year) plan. It now has a separately approved management system, and has made further progress in relation to competency and knowledge management.

RWMD is to prepare a report in 2013, identifying those options in its programme optimisation report of December 2011 that are credible and should be taken forward. The final draft of the report will take account of feedback from the regulators (expected 26 March 2013). If the siting process had progressed in west Cumbria, the report would have been used to engage with communities there; it will now be used to support generic work on programme optimisation.

RWMD is in the process of revising its work programme to reflect its responses to the regulatory review of its generic Disposal System Safety Case (gDSSC). Responses have been received from the Environment Agency on the Environmental Safety Case Strategy. The Operational and Transport Safety Case Strategies are currently being reviewed by ONR.

RWMD continues to develop its approach to issues management. The current version of the issues register was published in 2012 and includes issues raised by CoRWM, NWAA, the regulators and others. It is intended that a searchable,

on-line version of the register will be in place by the end of March 2013, which will allow stakeholders to track an issue and its status. The intention is for issues management to become a part of “business as usual”: there will be a move from annual revisions to continuous up-dates as issues arise or are closed out. The regulators’ Joint Issues Resolution Process will be used to feed key regulatory issues onto the register and manage their resolution.

RWMD is reviewing the last 6 month’s legal developments and will be circulating a draft of the next revision of its Permissions Schedule to the regulators for comment mid-way through the next financial year.

RWMD reported that it had held a meeting with representatives of the UK Safeguards Office (UKSO) in the previous week. UKSO is reviewing RWMD’s draft position on the application of nuclear safeguards to a geological disposal facility in the UK. A number of matters need further consideration by RWMD, UKSO and the Ministry of Defence (MoD). These bodies will work together to produce an informed position for the UK, to be presented to Euratom at a future date. RWMD’s security plan is being updated to address the upper inventory and will be shared with ONR Civil Nuclear Security (CNS) early next financial year. It will be necessary to incorporate MoD requirements alongside the civil security requirements, but it will remain the case that the disposal facility will be a civil site.

5. Regulators’ update

EA reported that it would be issuing supplementary guidance notes to its Geological and Near-surface Disposal Facility GRA documents in March 2013, to deal with the groundwater provisions of the Environmental Permitting (England and Wales) Regulations 2010. The supplementary guidance introduces a “dose guidance level” for exposures resulting from groundwater pathways of 20 $\mu\text{Sv/y}$ during the period of authorisation and a risk guidance level for exposures resulting from groundwater pathways following the period of authorisation of 10^{-6} per year. The supplementary guidance also reminds developers/operators of geological disposal facilities of the need to consider ‘conventional pollutants’.

EA Guidance to Applicants on the initial site evaluation (ISE) and preliminary environmental safety evaluation (PESE) has been prepared and will be issued when the MRWS process requires it. EA has also been supporting Defra on minor amendments to The Environmental Permitting (E&W) Regulations 2010.

ONR reported that it was nearing the end of the next financial year’s planning round and that there is pressure on the availability of resources to scrutinise geological disposal work. It is envisaged that geological disposal will have its own sub-programme, which should raise its visibility within ONR. Work on the LoC process is considered to be a priority: RWMD’s application of the process (in particular, how LoCs are renewed for manufactured packages); and operators’ use of LoCs in the management of wastes intended for geological disposal. Meeting with and understanding the views of the new Chairman of CoRWM is also a priority. ONR will be the subject of an International Regulatory Review Survey by IAEA in October 2013, which will focus on its regulation of radioactive waste management - this will place further pressure on ONR resources.

ONR also reported that the *National Objectives, Requirements and Model Standards* (NORMS) document was issued in November 2012. NORMS provide a ‘goal setting’ approach to establishing regulatory security requirements, designed to provide flexibility in how they are complied with (the

approach used for safety requirements). The Nuclear Industries Security Regulations 2003 are to be amended to provide for the regulation of security on nuclear construction sites and nuclear sites located within 5 km of nuclear construction sites. A Technical Assessment Guide (TAG) is to be published (within the next 1-2 months) on Generic Design Assessment, which is likely to be of value to RWMD. A TAG on Site Security Plans is now available on ONR's website. ONR also reiterated that RWMD would benefit from early engagement on security aspects with ONR.

6. NuLeAF update

NuLeAF reported that it had convened its Steering Group and held its Annual General Meeting in October 2012. The Service Plan for November 2012 to October 2014 was agreed during the AGM. NDA has confirmed that it will continue to contribute to the funding of NuLeAF for financial year 2013/14.

NuLeAF issued a press release following the decision that west Cumbria would not participate in the MRWS siting process, which reaffirmed its commitment to work with central government to find a way forward for long term management of higher activity radioactive wastes arising in the UK. NuLeAF's Steering Group would be convening on the following day (27 February) and will consider recommendations for progressing MRWS policy to submit to DECC for consideration. NuLeAF will also be meeting with the newly constituted CoRWM in the near future to discuss key issues arising from experiences of the MRWS process in west Cumbria.

Two NuLeAF representatives will be participating in a MoDeRn (Monitoring in Geological Disposal of Radioactive Waste) workshop in Luxembourg in March.

NuLeAF advised that the draft Cumbria Minerals & Waste Local Plan was being consulted on.

7. Any other business

None

8. Proposed date and venue of next meeting

The next meeting was proposed for May/June at the NDA's Warrington office.

Action RIM2013/03: RIM Group Secretary to confirm date for RIM Group meeting in May/June 2013.

Summary of ongoing actions

RIM2012/11	RIM Group Secretary	Include item on 'Update on implementation of Localism Act 2011 amendments to major infrastructure development provisions' on the agenda for a future RIM Group meeting
RIM2013/01	RIM Group Secretary	Publish approved minutes of previous meeting on the NDA website
RIM2013/02	RWMD	Re-engage with CLG regarding representation (by exception) on the RIM Group
RIM2013/03	RIM Group Secretary	Confirm date for RIM Group meeting in May/June 2013
