

Regulatory Interface Management (RIM) Group Meeting
Tele- / videoconference, 15 July 2011
Minutes

Attendees:

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

Apologies:

Communities and Local Government (CLG)

1. Introduction and opening remarks

The Chair explained that there had been a change to the secondment arrangement between the NDA and DECC: the member of NDA staff previously on secondment to DECC's Managing Radioactive Waste Safely (MRWS) team had returned to the NDA's Radioactive Waste Management Directorate (RWMD); another member of RWMD staff had commenced a one-year secondment in DECC's MRWS team.

2. DECC update

DECC reported that within its MRWS programme, the second ministerially-chaired Geological Disposal Implementation Board (GDIB) meeting had taken place in June 2011, at which the first Implementing Geological Disposal Annual Report had been published and laid before Parliament.

Action RIM2011/6: RIM Group Secretary to provide RIM Group members with a web link to DECC's Implementing Geological Disposal Annual Report 2010/11.

At the GDIB meeting, the Minister of State for Energy had challenged the NDA to deliver an accelerated geological disposal programme to allow first waste emplacement by 2029. DECC had also launched a consultation on the identification and assessment of potential candidate sites for geological disposal which would run until 30 September 2011, and RWMD had been tasked to analyse the consultation responses. At the meeting, the Minister had expressed his desire for there to be a publicly-accessible register of issues associated with geological disposal, and DECC explained that there was an intention to publish an issues register in Autumn 2011. ONR mentioned that it was important to recognise the distinction between the RWMD issues register and the register of issues being maintained by the regulators. NuLeAF felt it would not be able to complete its action in this area (RIM2011/2) until it was possible to view a draft of the issues register.

3. **RWMD update and discussion**

The NDA updated the group on progress that had been made in RWMD's restructuring exercise. A Management of Organisational Change Case had been submitted to regulators who had responded with observations but had not raised objections, allowing the restructuring to proceed. Two rounds of staff selection had taken place, and the second round was currently being concluded. Consultation was continuing with a very small number of unmatched individuals. There were now around twenty vacancies in RWMD; a business case had been prepared for recruitment to these posts and this had been provided to DECC. EA stated its interest in continuing to support RWMD's organisational change such that RWMD would be ready for its transformation to become a subsidiary of the NDA when the time was right. EA was keen to see a timeline for the creation of the subsidiary, as this would be helpful in allowing EA to provide advice. ONR reminded RWMD to consider RWMD's security capability during restructuring activities.

Action RIM2011/7: When available, NDA to provide RIM Group members with a copy of the new RWMD organisational chart.

The NDA felt that accelerating the programme to allow first waste emplacement by 2029 would be a challenge, but that it had started to identify options worthy of assessment, some of which were quite radical, e.g. reconsidering the previous assumption that the first waste to be emplaced would be intermediate level waste (ILW) – it was possible that vitrified high level waste (HLW) could be emplaced first. RWMD intended to take a paper to the Geological Disposal Steering Group (GDSG) in October 2011 with a proposed set of credible acceleration options. Regulators offered to provide input as necessary. NuLeAF mentioned that it would also be keen to comment, and advised RWMD to consider briefing the West Cumbria MRWS Partnership on acceleration options. The NDA clarified that it was looking at credible options at this stage; there had not been any change of plan, and it would be pleased to receive input from RIM Group members during late August to early September 2011.

The NDA reported that it was planning to prepare a business case in Autumn 2011 to consider the benefits and disadvantages of the different options for establishing RWMD as a subsidiary.

RWMD had intended to meet with ONR's Chief Inspector, but the meeting had needed to be rearranged. RWMD noted ONR's interim report into the impact of the recent earthquake and tsunami on the Fukushima nuclear power plant, and RWMD was intending to ensure that learning points for the geological disposal programme would be captured. At this stage ONR was not aware of any specific points affecting disposal as the main focus had been on reactors, but ONR was intending to take the report into account within its review of RWMD's generic Disposal System Safety Case (DSSC). NuLeAF mentioned that it had scheduled a meeting with ONR's Chief Inspector in Autumn 2011 which would provide an opportunity for local authority members to raise related issues.

Regulators agreed that there would be little value in carrying out the next periodic regulatory inspection of RWMD until some time had passed after the current restructuring changes had been implemented. It was felt that regular working-level meetings would be valuable and should proceed, and that it would be useful to include RWMD organisational development as a standing item for the agenda of future RIM Group meetings.

Action RIM2011/8: RWMD to arrange working-level meetings on organisational development with regulators.

Action RIM2011/9: RIM Group Secretary to include RWMD organisational development as a standing item for the agenda of future meetings.

4. EA update

EA explained that the regulators' report from the March 2011 periodic inspection of RWMD was likely to be cleared for publication by the end of July 2011. Regulators felt that RWMD was making good progress and working well as a prospective site licence company (SLC), but further recommendations would be made for RWMD to develop an autonomous management system with effective assurance and review arrangements, and develop capabilities to be an intelligent customer and contract management organisation. Overall the report would be positive. RWMD thanked the regulators for their efforts and conclusions which were welcome.

EA advised that the regulators' review of RWMD's generic DSSC was ongoing, and it was intended to provide review feedback at the West Cumbria MRWS Partnership meeting on 29 July 2011. Regulators would be meeting the Committee on Radioactive Waste Management (CoRWM) to discuss their respective reviews, and would publish the generic DSSC regulatory review report in Autumn 2011. In general, EA and ONR were encouraged by the progress, and had no significant reservations. DfT was intending to provide review input by the end of July 2011.

5. ONR update

ONR and DfT explained that the move of DfT's Radioactive Materials Transport Team (RMTT) into ONR would be occurring officially in early August 2011.

Action RIM2011/10: ONR & DfT to confirm to RIM Group members the date of the transfer of DfT RMTT to ONR.

ONR itself was undergoing structural change as it moved towards programme working: the main programmes were to be civil reactors, Sellafield, defence and decommissioning (including geological disposal) but ONR staff would remain in their current divisional structure until March 2012.

6. Minutes and actions from the previous meeting

The draft minutes of the previous meeting (24 March 2011) were accepted as a true record subject to a single correction on the first line of page 2 (for "Policy" substitute "Planning") and approved for publication on the NDA website.

Action RIM2011/11: RIM Group Secretary to publish the corrected minutes of the 24 March 2011 meeting on the NDA's website.

RIM2010/23 RWMD to review regulatory siting criteria and arrange meeting(s) with regulators as required – **closed**.

RIM2010/26 RWMD to explore the development of a route map for key documentation to support its Publications Schedule, and include the Publications Schedule as an agenda item – **ongoing**.

RIM2011/1 RIM Group Secretary to publish the minutes of the 2 December 2010 meeting on the NDA's website – **complete**.

RIM2011/2 NuLeAF to provide EA with its views on the clarity for stakeholders of separate issues registers maintained by RWMD and regulators – **ongoing** (see agenda item 2).

- RIM2011/3** EA to distribute a revised draft of its internal initial site evaluation (ISE) guidance to RIM Group members – **ongoing**. EA explained that it intended to publish its internal guidance on its website in due course, and was planning to extend the guidance to also cover the preliminary environmental safety evaluation (PESE).
- RIM2011/4** RIM Group Secretary to revise the Group's terms of reference – **ongoing**. The NDA had distributed a draft revision which was agreed subject to changes to the relevant committees and groups mentioned in section 7 (Communication), but it was suggested that this action should not be completed until the DfT RMTT move into ONR had occurred.
- RIM2011/5** RIM Group members to advise RIM Group Secretary of agenda items for the next meeting – **ongoing**.

7. Standing agenda item: Interactions with CoRWM and West Cumbria MRWS Partnership

NuLeAF reported that the Partnership had commenced its assessment process, and was considering matters including geology, design engineering and inventory. Further discussions would be needed on the siting process, and the Partnership was intending to discuss benefits packages, safety & environment and land use planning before setting out its preliminary judgements for consultation ahead of issuing its formal advice.

RWMD reported that CoRWM's annual report had been issued and had generally been positive, but identified recommendations for improvements. CoRWM was currently reviewing the technical work underpinning RWMD's generic DSSC, and the issues process. EA and ONR were intending to meet with CoRWM on 28 July 2011.

8. Any other business

EA-HSE Memorandum of Understanding (MoU)

ONR reported that the MoU remained in place for the time being; there was no specific issue or problem with it, and the priority was to revise the financial MoU. EA was taking steps to update the part of the MoU dealing with non-nuclear radioactive substances regulation to reflect the recent change to environmental permitting legislation. ONR reported that the MoU appeared to be working very smoothly for disposability, and SEPA felt there was no urgency to revise.

SEPA update

An implementation strategy for the Scottish Government's new higher activity waste policy was being prepared, and the first board meeting for this was to be held on 21 July 2011.

SEPA was in the process of restructuring itself, and now had three new directorates. Radioactive substances regulation was now largely carried out by regional teams within the operations directorate; policy staff had been brought together into a single unit.

Low level waste (LLW) disposal

NuLeAF reiterated its concern that NDA's approach to LLW disposal could have an effect on the MRWS programme.

9. Proposed date and venue of next meeting

The next meeting is proposed for Friday 18 November 2011 at the NDA's Warrington office.

Summary of actions

RIM2010/26	RWMD	Explore the development of a route map for key documentation to support its Publications Schedule, and include the Publications Schedule as an agenda item
RIM2011/2	NuLeAF	Provide EA with its views on the clarity for stakeholders of separate issues registers maintained by RWMD and regulators
RIM2011/3	EA	Distribute a revised draft of its internal ISE guidance to RIM Group members
RIM2011/4	RIM Group Secretary	Revise the Group's terms of reference
RIM2011/5	RIM Group members	Advise RIM Group Secretary of agenda items for the next meeting
RIM2011/6	RIM Group Secretary	Provide RIM Group members with a web link to DECC's Implementing Geological Disposal Annual Report 2010/11
RIM2011/7	NDA	When available, to provide RIM Group members with a copy of the new RWMD organisational chart
RIM2011/8	RWMD	Arrange working-level meetings on organisational development with regulators
RIM2011/9	RIM Group Secretary	Include RWMD organisational development as a standing item for the agenda of future meetings
RIM2011/10	ONR & DfT	Confirm to RIM Group members the date of the transfer of DfT RMTT to ONR
RIM2011/11	RIM Group Secretary	Publish the corrected minutes of the 24 March 2011 meeting on the NDA's website
