

Regulatory Interface Management (RIM) Group Meeting
2 December 2010 (Video- and teleconference)
Minutes

Attendees:

Nuclear Decommissioning Authority (NDA, Chair & Secretary)
Department for Transport (DfT)
Environment Agency (EA)
Health and Safety Executive (HSE)
Local Government Association Nuclear Legacy Advisory Forum (NuLeAF)

Apologies:

Communities and Local Government (CLG)
Department of Energy and Climate Change (DECC)

1. Introduction and opening remarks

NDA provided a progress update including items related to the Government's Managing Radioactive Waste Safely (MRWS) programme:

- The British Geological Survey (BGS) had issued a screening report for the areas of Copeland and Allerdale Borough Councils within Stage 2 of the site selection process.
- The West Cumbria MRWS Partnership was continuing its programme of public and stakeholder engagement; feedback received by the NDA had been that the events were proving to be very valuable.
- The initial meeting of the reconstituted Geological Disposal Implementation Board (GDIB) chaired by the Minister for Energy had been held the previous day. It had been a valuable meeting, and the Minister had reaffirmed the Government's support for geological disposal.
- Three members of staff had recently been recruited into the Radioactive Waste Management Directorate (RWMD) from the wider NDA.
- The NDA had received a settlement under the Government's recent Comprehensive Spending Review (CSR). EA was expecting about a 25% reduction in the grant-in-aid (GiA) it received from Government but noted 80% of the funding for its nuclear regulatory function arose from charging schemes and contractual agreements with operators. An additional team member had been recruited to the Nuclear Waste Assessment Team (NWAT). HSE reported that it was expecting a 35% reduction in funding over the CSR period. It was continuing its recruitment programme for nuclear inspectors but, in common with the rest of the public sector, its external spend was under scrutiny. DfT was expecting a 30–35% cut in funding, but its radioactive material transport regulatory function had been ring-fenced pending any future transfer of staff to another body. NuLeAF reported that its funding was received through grants from local authorities, Government and the NDA. Discussions were underway, but there was uncertainty over NuLeAF funding in the medium term.

- The NDA reported that the Nuclear Industry Association (NIA) had published a report on the feasibility of spent fuel disposal based on work carried out by the NDA, and a meeting had been arranged later in the month for regulators to be briefed by the NDA on the report.

2. Minutes and actions from the previous meeting (13 August 2010)

The draft minutes of the previous meeting (13 August 2010) were accepted as a true record and approved for publication on the NDA website.

Action RIM2010/22: RIM Group Secretary to publish the minutes of the 13 August 2010 meeting on the NDA's website.

RIM2009/21 SEPA to provide minor drafting amendments for NDA RWMD's Permissions Schedule by 10 September 2010 – **closed**.

RIM2010/5 RWMD to liaise with regulators to arrange an organisational development topic day within the regulatory scrutiny programme – **complete**. RWMD reported that the next regulatory inspection had been arranged for 1–2 March 2011.

RIM2010/10 HSE and RWMD to discuss HSE's siting criteria and their role in the siting process – **superseded**.

Action RIM2010/23: RWMD to review regulatory siting criteria and arrange meeting with regulators as required.

RIM2010/12 RIM Group Secretary to finalise and publish the minutes of the 24 March 2010 meeting on the NDA's website – **complete**.

RIM2010/13 HSE to consider the legal implications of joint inspections with NDA – **ongoing**. HSE reported that it was not intending to carry out joint inspections at the present time, but they were not ruled out for the future.

RIM2010/14 RIM Group members to consider whether additional measures were necessary to ensure package disposability – **closed**. It was agreed that this subject would be discussed again in the future in light of any lessons learned from the periodic review of packaging proposals and other relevant RWMD activities.

RIM2010/15 RWMD and regulators to engage further on regulatory expectations for any future NDA wholly-owned subsidiary – **closed**. RWMD reported that regulators' views on timing had been considered in the preparation of a paper on options that was being submitted to RWMD's Repository Development Management Board (RDMB).

Action RIM2010/24: RWMD to arrange a meeting with regulators for further discussions on options for organisational design.

RIM2010/16 RIM Group Secretary to include a further item on infrastructure planning developments on the agenda for the next meeting – **ongoing**. After discussion with CLG it had been agreed that the item would be included on the agenda for the subsequent meeting.

RIM2010/17 SEPA to provide RIM Group members with a short note on recent developments relating to the Scottish Government higher-activity waste consultation – **ongoing**.

- RIM2010/18** EA to provide RIM Group members with a copy of its correspondence with NWAA – **complete**.
- RIM2010/19** RWMD to provide RIM Group members with its note summarising its recent interactions with CoRWM – **complete**.
- RIM2010/20** RWMD to provide HSE with further information on over-pack proposals – **complete**.
- RIM2010/21** HSE to respond to RWMD on the regulatory requirement for mitigation plans for damaged packages – **ongoing**.

3. RWMD Project Directorate update

RWMD reported that it was in the process of drafting a consultation paper on frameworks for the identification and desk-based assessment of potential candidate sites, and thanked NuLeAF for its assistance with the drafting. There was a commitment in the MRWS White Paper to consult on this. EA expressed its support for the early publication of a draft. NuLeAF agreed with EA, and mentioned a West Cumbria MRWS Partnership companion document entitled '*Principles for involvement of affected communities*' (Doc 75).

Reporting on its organisational development, RWMD stated that it was making good progress against the Compliance Action Plan it had prepared after the previous regulatory inspection, although some actions were being achieved a little later than originally planned. RWMD was now providing a regular monthly update to regulators, and EA and HSE mentioned that they were finding this useful.

RWMD reported on the main impact on RWMD of the NDA's Operational Effectiveness review: it had recruited a member of staff responsible for inventory matters; and mitigating steps had been put in place to respond to the closure of the Harwell library. RWMD was currently undertaking its own structure review.

4. Update on RWMD's Permissions Schedule and regulatory scrutiny

RWMD reported that it had largely completed its work on the Permissions Schedule and was intending to publish the document soon pending final liaison with DECC and the West Cumbria MRWS Partnership on publication dates. NuLeAF reported that it was aware of an amendment that the Partnership was seeking that would help to clarify the role of local communities.

Action RIM2010/25: RWMD to liaise with the West Cumbria MRWS Partnership on the publication of the Permissions Schedule.

RWMD updated the Group on recent progress in the regulatory scrutiny programme, and explained to the Group its proposed approach to carrying out strategic environmental assessment (SEA) as part of implementation.

The Secretary updated the Group on behalf of DECC on proposals for implementing amendments to the Paris Convention in relation to nuclear liability.

5. RWMD Technical Directorate update

RWMD updated the Group on progress with its Generic Disposal System Safety Case (DSSC), and outlined recent developments relating to its Technical Strategy, Technical Plan and R&D programme:

- Status reports within the Generic DSSC provide a baseline of scientific and technical information supporting geological disposal.
- The Technical Strategy sets out RWMD's approach to setting and delivering its technical programme, and was intended to be ready for publication later in the month.
- The Technical Plan links projects at the working level with the technical strategy.
- The R&D programme described RWMD's R&D activities, planned and in progress.

RWMD mentioned that a workshop on the science underpinning geological disposal was planned to be held in September 2011 by the Geological Society and the Royal Society of Chemistry at the University of Loughborough. It was intended that the proceedings of the workshop would be published in a mainstream scientific publication.

HSE emphasised that RWMD's R&D programme provided important support to its Generic DSSC. EA and DfT suggested that RWMD was approaching a significant phase in the production of its documentation, and advised RWMD to work with regulators and others to ensure that communications activities were well coordinated.

Action 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.

6. EA update

EA reported that it had published its annual report for 2009/10 on its scrutiny of RWMD activities. It had held productive meetings with NuLeAF and the Cumbria Association of Local Councils (CALC) to explore planning the coordination of its activities relating to the staged regulation of geological disposal with land-use planning activities, and had represented the regulators at all of the West Cumbria MRWS Partnership's recent round of public and stakeholder engagement (PSE2) events. Good progress had also been made in developing the joint regulatory arrangements for geological disposal with HSE and DfT: a joint regulatory issue resolution process was being finalised, based on the process currently being used for generic design assessment (GDA) of new nuclear power stations, and featuring a similar three-tier hierarchy: queries, observations and issues.

Action RIM2010/27: EA to distribute to RIM Group members a draft of the geological disposal joint regulatory issue resolution process.

7. **HSE update**

HSE reported that proposals setting out options for nuclear regulatory integration were currently being considered at Ministerial level. HSE's work on the interpretation of "bulk quantities" of radioactive material within nuclear safety legislation had been delayed, but would be continuing shortly. HSE confirmed that DECC was progressing work leading towards a consultation on the prescription of disposal as an activity requiring a nuclear site licence.

8. **Standing agenda item: interactions with CoRWM and the West Cumbria MRWS Partnership**

RWMD reported that CoRWM had responded on the NDA's consultation on its revised strategy, suggesting greater prominence was needed for material on geological disposal. CoRWM had also been considering plans related to legacy ponds and silos at Sellafield. The Government's response to the House of Lords Science and Technology Committee report on radioactive waste management was awaited [*post-meeting note: the response had been made available on the House of Lords website on 22 November 2010*].

9. **RIM Group membership**

Representation of security and nuclear safeguards regulators within the RIM Group was discussed. It was concluded that input from these regulators when relevant would be helpful, and it was expected that they may wish to receive RIM Group correspondence and attend meetings of particular relevance.

Action RIM2010/28: RIM Group Secretary to invite representatives of HSE/OCNS and HSE(UKSO) to become corresponding members of the RIM Group, attending meetings to discuss relevant agenda items.

10. **Any other business**

NuLeAF noted the need for appropriate coordination of waste management developments to help build community support for the MRWS programme.

RWMD explained that it had drafted a response to the Nuclear Waste Advisory Associates (NWAA) issues register, and had met with NWAA to ensure that it had correctly understood NWAA's issues. The meeting had been useful, and RWMD was currently working to finalise its response which it intended to publish.

11. **Proposed date of next meeting**

The next meeting is provisionally booked for Thursday 24 March 2011 at Cumbria County Council offices in Kendal.

Action RIM2010/29: RIM Group members to advise RIM Group Secretary of availability for the next meeting (scheduled to be held on 24 March 2011).

Summary of actions

RIM2010/10	HSE and NDA RWMD	Discuss HSE's siting criteria and their role in the siting process
RIM2010/13	HSE	Consider the legal implications of joint inspections with NDA RWMD
RIM2010/16	RIM Group Secretary	Include a further item on infrastructure planning developments on the agenda for the next meeting
RIM2010/17	SEPA	Provide RIM Group members with a short note on recent developments relating to the Scottish Government higher-activity waste consultation
RIM2010/21	HSE	Respond to NDA RWMD on the regulatory requirement for mitigation plans for damaged packages
RIM2010/22	RIM Group Secretary	Publish the minutes of the 13 August 2010 meeting on the NDA's website
RIM2010/23	RWMD	Review regulatory siting criteria and arrange meeting with regulators as required
RIM2010/24	RWMD	Arrange a meeting with regulators for further discussions on options for organisational design
RIM2010/25	RWMD	Liaise with the West Cumbria MRWS Partnership on the publication of the Permissions Schedule
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
RIM2010/27	EA	Distribute to RIM Group members a draft of the geological disposal joint regulatory issue resolution process
RIM2010/28	RIM Group Secretary	Invite representatives of HSE/OCNS and HSE(UKSO) to become corresponding members of the RIM Group, attending meetings to discuss relevant agenda items
RIM2010/29	RIM Group members	Advise RIM Group Secretary of availability for the next meeting (scheduled to be held on 24 March 2011)
