

Regulatory Interface Management (RIM) Group Meeting

25 May 2016 1030 - 1400

Warrington

Minutes

Attendees

- Department of Energy and Climate Change (DECC)
- Environment Agency (EA)
- Office for Nuclear Regulation (ONR)
- Planning Inspectorate (by telephone)
- Radioactive Waste Management Limited (RWM, Chair and Secretary)

1. Introduction and opening remarks

The Chair welcomed attendees, in particular the new representatives from DECC and ONR, and the representatives from the Planning Inspectorate, which was represented at the RIM Group for the first time.

Apologies had been received from Natural Resources Wales (NRW) and the Scottish Environment Protection Agency (SEPA).

The Chair explained that following the publication of the 2014 White Paper on Implementing Geological Disposal, the 'initial actions' had been underway and RWM had been developing its plans in light of the revised siting process and its role in it. It had been recognised at the previous meeting that there would be limited value in holding meetings while that work was underway, but it was now appropriate to resume regular RIM Group meetings.

The purpose of the RIM Group was for RWM to help understand the regulatory requirements that would apply to the implementation of geological disposal in England, Wales and Northern Ireland, and allow RWM to ensure its plans addressed them. It was also of benefit to the regulators, to help them be in a good position to support engagement through the siting process. The RIM Group would also provide a forum for the coordination and oversight of: RWM's engagement with the regulators on health, safety, security, planning and environment matters relevant to the development of a geological disposal facility; the establishment of regulatory agreements; ensuring the effectiveness of regulatory engagement and scrutiny; engaging with the regulators on RWM's organisational development; and identifying potential obstacles to implementation of geological disposal.

The Chair went on to explain that, with geological disposal becoming a nationally significant infrastructure project (NSIP) under the Planning Act 2008, it was appropriate for

the Planning Inspectorate to become a member of the RIM Group. It had been agreed with the Local Government Association's Nuclear Legacy Advisory Forum (NuLeAF) that they would no longer attend RIM Group meetings, although they would continue to engage with RWM through other channels.

2. Minutes and actions from the previous meeting

The Chair asked for any comments on the draft minutes of the previous meeting (14 August 2014) to be provided to the RIM Group Secretary by the end of the following week.

Action RIM2016/01: RIM Group Secretary to finalise minutes of previous meeting and publish on RWM's RIM Group webpage.

Actions

RIM2014/04	RIM Group Secretary to publish approved minutes of previous meeting (20 February 2014) on the NDA website – complete
RIM2014/05	Environment Agency to provide DECC with definition of geological disposal facility etc. in Environmental Permitting (E&W) Regulations 2010 - complete
RIM2014/06	RIM Group Chair to review RIM Group membership in light of changes to White Paper and propose changes to membership at next RIM Group meeting - complete

Action RIM2016/02: RIM Group Secretary to provide members with address of RWM RIM Group's new webpage on GOV.UK website.

3. DECC update

Geological disposal facility development and associated investigation boreholes had been made NSIP under the Planning Act 2008 in 2015 and Government had since been developing a National Policy Statement (NPS). Substantial progress had been made and a public consultation on the draft NPS, and its supporting Appraisal of Sustainability and Habitats Regulation Assessment, was anticipated to take place later in the year.

The Community Representation Working Group (CRWG) had also made progress on its consideration of processes for working with communities. Policy proposals for community representation, test of public support, and community investment, were in preparation.

The 2014 White Paper stated that a geological disposal facility should be licensed under the Nuclear Installations Act 1965. Work was underway to develop an appropriate legal definition for a geological disposal facility, which would be used in secondary legislation to bring it into the licensing regime provided for by the 1965 Act.

A guidance note for members of the public on how a geological disposal facility would be regulated was also being prepared jointly by the regulators.

4. RWM update

The RIM Group's Chair updated the group on a number of changes to the membership of the RWM Board including an anticipated change in the RWM Chair later in 2016.

The Board had issued a Corporate Strategy for RWM and a supporting Health, Safety, Security, Safeguards, Environment and Quality Strategy. Both strategies have been published on the RWM web-site www.gov.uk/rwm.

The newly formed position of Transition Programme Director had been taken up by Alun Ellis following the recruitment of John Corderoy, who replaced him as Science & Technology Director.

RWM had been operating with around 90 of its 123 posts being filled by permanent employees, but recruitment to the remaining posts was underway.

RWM had, following a public consultation last year, issued its National Geological Screening Guidance. The Guidance set out how information on the geology of England, Wales and Northern Ireland should be assembled and presented to the public in a series of Technical Information Reports and maps prior to the start of the siting process.

A dedicated organisational development programme had been established under the Transition Programme Director. It would address the development of RWM to deliver its waste management and GDF siting roles, and the need for RWM to become an organisation capable of holding environmental permits and a nuclear site licence. A HSSEQ Improvement Plan has been prepared to address the latter.

A panel of independent assessors had begun conducting a review of RWM's readiness to support the siting process. This review will take place in two phases, initially to review and input to RWM's development plans and then to provide assurance of RWM's readiness to begin the siting process. RWM is also planning to undertake an exercise to explore how it would respond to a range of potential siting scenarios to inform its preparations.

RWM was in the process of preparing a prospectus that would provide general background information on higher activity waste and geological disposal, and outline aspects such as investment funding. The messaging would be tested with stakeholders.

RWM would be updating its Permissions Schedule for publication during 2016 and would submit it to the regulators for review beforehand. RWM also reported that it would be continuing to progress its plans to ensure compliance with the Groundwater Daughter Directive during FY 2016/17. Regulators suggested further engagement on the requirements of the Groundwater Daughter Directive would be timely in late 2016.

RWM held its Letter of Compliance (LoC) Summit in May. The Summit was attended by senior management from NDA, waste producers, regulators and RWM with the aims of clarifying the role of RWM's disposability assessment process and agreeing key messages to be communicated within their organisations and to key stakeholders.

RWM was updating its generic Disposal System Safety Case (gDSSC) ready for publication at the end of 2016.

5. ONR update

ONR had undergone a number of organisational changes, including the appointment of Adrienne Kelbie as CEO and Richard Savage as Chief Nuclear Inspector.

ONR's review of its standard licence conditions was complete and an implementation programme would follow.

ONR had reissued its Safety Assessment Principles (SAPs) in November 2014 and published a revised version of the Joint Regulatory Guidance on the Management of Radioactive Waste on Nuclear Licensed Sites with the environment agencies in March 2015.

ONR was working on replacing its National Objectives, Requirements and Model Standards (NORMS) with less prescriptive Security Assessment Principles (SyAPs), following a similar model to its SAPs.

ONR had developed a policy paper on the licensing and regulation of a geological disposal facility. Work was also underway to consider the suitability of the current licence conditions and guidance with respect to their application to a geological disposal facility.

ONR and the Environment Agency had carried out an inspection of RWM's organisational development in February 2016. The inspection report identified areas of good practice and where improvement has been made, and recommended areas for further improvement.

ONR and SEPA planned to examine the advice RWM provides to waste producers in Scotland. An initial site inspection has taken place with further inspections at Scottish nuclear sites expected prior to a planned inspection of RWM in November 2016

ONR had provided DECC with advice on the relevance of demographic siting criteria for geological disposal facilities.

6. EA update

Sir James Bevan had been appointed as EA's new CEO and Emma Boyd its interim Chair. EA had recently appointed new Heads of its Nuclear Regulation Groups North and South.

EA and the other nuclear regulators had established a UK Regulators' Higher Activity Waste Board. This is intended to drive improvement in UK management of higher activity waste through: oversight of UK higher activity waste management; clarifying individual regulators' positions; supporting the formulation of joint regulatory positions, where appropriate; and identifying and prioritising issues for the regulators to progress.

Action RIM2016/03: ONR representative to share the terms of reference for the UK Regulators' Higher Activity Waste Board with RIM Group members.

EA and ONR had been developing their annual plan for their scrutiny of RWM, the major element being their joint review of RWM's up-dated generic Geological Disposal System Safety Case. EA and ONR would also provide views on RWM's readiness for siting to the panel conducting the readiness review.

EA had been exploring the possibility of up-dating guidance on the Groundwater Daughter Directive and its Guidance on the Requirements for Authorisation.

EA reported plans to establish a National Waste Group with the aim of facilitating the delivery of improvements in radioactive waste management. The National Waste Group would include Government (DECC, MoD, etc.), Regulators, NDA, LLWR Ltd and RWM.

EA's work on the proportionate regulation of nuclear sites in decommissioning was continuing, but dependencies on the resolution of aspects of the Paris Convention on nuclear liabilities meant it could not be completed until 2018. It had been recognised that this work should cover geological disposal facilities.

7. Planning Inspectorate update

Sarah Richards had been appointed as Chief Executive of the Planning Inspectorate.

The Planning Inspectorate had provided comments to Government during the development of the draft NPS for geological disposal. The Planning Inspectorate explained that it had no formal role in the Assessment of Sustainability of any NPS.

The Planning Inspectorate noted that the new EIA Directive (2014/52/EU) would have to be transposed into domestic legislation by May 2017 and that a consultation of the draft legislation was expected this year. Among other changes, consideration of expected effects deriving from the vulnerability of the project to risks of major accidents and/or disasters will be an explicit requirement, which may well be of relevance to a GDF.

The Planning Inspectorate had been reviewing the management of its project pipeline. Experience from examinations was that the provision of pre-application advice was highly beneficial. Pre-application advice is provided free of charge by the Planning Inspectorate.

The RIM Group Chair explained that RWM would not be expecting to make an application for development consent for surface-based intrusive investigations until the early 2020s.

Action RIM2016/04: RIM Group Chair to arrange a dedicated meeting for RWM to brief the Planning Inspectorate on geological disposal and discuss the implications of the NSIP regime.

8. Other Business

The RIM Group Chair noted that there was clear consensus that the RIM Group was still of value. The draft, revised terms of reference (ToR) for the RIM Group were considered. It was agreed that the ToR should map-out the RIM Group's links with other groups, including the UK Regulators' Higher activity Waste Board, the Level 1 meetings between senior staff from RWM and the regulators, the meetings held as part of the regulatory scrutiny programme and the meetings with regulators in support of GDF siting.

Action RIM2016/05: RIM Members to provide any further comments on the draft ToR and RIM Group membership to the RIM Secretary.

It was agreed alternative locations should be considered for future RIM Group meetings.

9. Date of Next Meeting

The next meeting would be held in September/October.

Action RIM2016/06: RIM Group Secretary to confirm date and location for next RIM Group meeting in September/October 2016.

Summary of ongoing actions

RIM2016/01	RIM Group Secretary	Finalise minutes of previous meeting and publish on RIM Group webpage.
RIM2016/02	RIM Group Secretary	Provide RIM Group members with address of RIM Group's new webpage on GOV.UK website.
RIM2016/03	ONR Representative	Share terms of reference for the UK Regulators' Higher Activity Waste Board with RIM Group members.
RIM2016/04	RIM Group Chair	Arrange dedicated meeting for RWM to brief the Planning Inspectorate on geological disposal and discuss the implications of the NSIP regime.
RIM2016/05	RIM Members	Provide any further comments on the draft ToR and RIM Group membership to RIM Secretary.
RIM2016/06	RIM Group Secretary	Confirm date and location for next RIM Group meeting in September/October 2016