Submarine Dismantling Project (SDP)

Consultation on the Site for Interim Storage of ILW - Supporting Information on Planning and Permitting

November 2014 V1.0

Ministry of Defence

de&S

Revision Notes

This is the first issue of this Supporting Information Document.

Contents

1. Introduction

Submarine Dismantling Project

1. The Submarine Dismantling Project (SDP) is the MOD's programme to deliver a safe, secure and environmentally responsible solution for dismantling 27 defuelled submarines. This involves recycling the bulk of the submarine and safely disposing of the remainder. The submarine's Reactor Pressure Vessel (RPV) contains Intermediate Level radioactive Waste (ILW). After the RPV has been removed in its entirety, it must be stored for an interim period until it can be processed and sent to a proposed Geological Disposal Facility (GDF) some time after 2040. The current Public Consultation will help to determine where the interim RPV storage site should be.

This Document

2. The MOD has published a Consultation Document and associated Factsheets to help potentially involved communities and other stakeholders understand more about the project and to seek their views on three main topic areas:

   - the Strategic Environmental Assessment;
   - the process and criteria being used to compare the shortlisted storage sites;
   - the shortlisted sites and the differences between them.

3. This Supporting Information Document addresses some specific technical information requirements identified during Pre-engagement with stakeholders on selected planning, regulation and permitting topics. It generally does this by expanding on the text in the main Consultation Document and by providing links to online resources.

   - Section 2 covers planning-related topics.
   - Section 3 provides information on regulatory interface arrangements.
   - Section 4 summarises some key aspects of the storage site regulatory framework and environmental permitting regime.

4. The regulatory framework covering RPV container design and transport is covered in a second Supporting Information Document[1].

5. This document inevitably includes a higher proportion of technical language and specialist terms than the main Consultation Document and so a supplementary technical glossary is included as Annex A.

6. Further Annexes cover Environmental Impact Assessment contents (Annex B) and Nuclear Site Licence conditions (Annex C).

[1] SDP: Interim Storage of ILW - Supporting Information on RPVs and RPV Store.

2. Planning

7. This section provides a brief introduction to the main planning-related frameworks that apply to the RPV store, focussing on topics that were raised in Pre-engagement. Links are provided to online resources for more information.

Need for Planning Permission

8. The Town and Country Planning Acts determine the need for and scope of planning approvals required for "developments". Planning permission is required for any development which comprises: any engineering operation above, on and below ground; any material change of use of land and/or buildings; or any material change in appearance of an existing building and/or structure.

9. Therefore, irrespective of the choice of site, the RPV Store will need planning permission under the Town and Country Planning Acts. Following a decision by the MOD on the storage site, a planning application for the proposed RPV store and supporting information will be prepared by the store operator and submitted to the local planning authority. Since the RPVs are being treated as waste, the relevant authorities for each of the shortlisted sites are the county or unitary councils:

   - AWE Aldermaston - West Berkshire Council[2] (unitary authority).
   - AWE Burghfield - West Berkshire Council (unitary authority).
   - Capenhurst - Cheshire West and Chester Council[3] (unitary authority).
   - Chapelcross - Dumfries and Galloway Council[4] (unitary authority).
   - Sellafield - Cumbria County Council[5].

Planning Policy

10. The basic structure of the planning systems is similar in Scotland and England. They are both 'plan-led' which means that decisions are made in line with formal development plans setting out national and local planning policy, unless there are 'material considerations' that justify going against the plan. However, there are differences in the detail and in how the two systems work which are explained below.

11. Scottish Planning Policy (SPP) was published on June 23, 2014[6]. It sets out national planning policies which reflect Scottish Ministers' priorities for operation of the planning system and for the development and use of land. The SPP promotes consistency in the application of policy across Scotland whilst allowing sufficient flexibility to reflect local circumstances. It directly relates to: the preparation of development plans; the design of development, from initial concept through to delivery; and the determination of planning applications and appeals.

---

[2] See www.westberks.gov.uk

[3] See www.cheshirewestandchester.gov.uk

[4] See www.dumgal.gov.uk

[5] If Sellafield is the chosen site, Cumbria County Council will be the determining authority for the planning application but Copeland Borough Council will be involved in the planning process under existing arrangements.

[6] See http://www.scotland.gov.uk/Topics/Built-Environment/planning/Policy See also http://www.scotland.gov.uk/Topics/Built-Environment/planning for an overview of the Planning System in Scotland and links to other key documents.

12. In Scotland, the National Planning Framework 3 (NPF3)[7] sets the context for development planning and provides a framework for the spatial development of Scotland as a whole. It sets out the Scottish Government's development priorities over the next 20-30 years and identifies national developments which support the development strategy.

13. In England, the National Planning Policy Framework (NPPF) sets out the Government's planning policies and how it expects them to be applied. It provides a framework within which local people and councils can produce their own distinctive local and neighbourhood plans, which reflect the needs and priorities of their communities.

Updates to Policy since Previous SDP Consultation

14. The planning systems in both Scotland and England continue to evolve with frequent reviews and reforms. The changes since the previous issue of the 2011 Strategic Environmental Assessment (SEA) are detailed in the 2014 SEA Environmental Report and summarised here. The key environmental protection objectives identified through this review can be found in Annex 3 of the Environmental Report[8], including updates which reflect the changes listed below.

15. Since 2011, there have been some significant updates to international and national policy. For example, the National Planning Policy Framework[9] was introduced in England in March 2012. It replaced much of the English planning policy documents which were included in the 2011 SEA Scoping Report, with the exception of the following which remain in force.

    - Planning Policy Statement 10: Waste Management (May 2006).
    - Marine Minerals Guidance 1: Extraction by dredging from the English seabed (July 2002).
    - Marine Minerals Guidance 2: The control of marine minerals dredging from British seabeds (July 2002).
    - Mineral Planning Guidance 4: Revocation, modification, discontinuance, prohibition and suspension orders (August 1997).
    - Mineral Planning Guidance 8: Interim Development Order Permissions (October 1991).
    - Mineral Planning Guidance 9: Planning and Compensation Act 1991: Interim Development Order Permissions (IDOs) (March 1992).
    - Mineral Planning Guidance 14: Environment Act 1995: Review of Mineral Planning Permissions (October 1995).
    - Mineral Planning Guidance 15: Provision of Silica Sand in England (September 1996).

16. The Localism Act[10] came into force in 2011 in England, amending and updating some of the aims identified in the previous SEA from the 'Strong and prosperous communities' White Paper (2006). It has devolved more decision-making powers from central government to local government, as well as local communities and individuals. This includes new community rights enshrined in law, as well as statutory neighbourhood planning.

---

[7] See www.scotland.gov.uk/Topics/Built-Environment/planning/NPF3-SPP-Review/NPF3

[8] SDP: Strategic Environmental Assessment (SEA): Environmental Report. Issue 1, November 2014. Available www.gov.uk/government/uploads/system/uploads/attachment_data/file/34113/20111021SDP_SEA_Reportv1_0WEBU.pdf .

[9] See http://planningguidance.planningportal.gov.uk/blog/policy

[10] For a 'plain English' guide, see https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/5959/1896534.pdf

17. The national Scottish Planning Policy and National Planning Framework were revised in June 2014. During the scoping stage for this SEA, reference was made to the draft SPP consulted upon by the Scottish Government in 2013.

18. The European Union's (EU) 7th Environmental Action Programme (EAP) was proposed in 2012, and agreed in June 2013. The four priority areas from the 6th EAP (climate change; nature and biodiversity; environment and health; and natural resources and waste) have been consolidated into three thematic priority objectives, which are:

    - Protect nature and strengthen ecological resilience.
    - Boost sustainable resource-efficient low-carbon growth.
    - Effectively address environment-related threats to health.

19. The targets in the 7th EAP have been somewhat modified; however, the overall aims and objectives remain in line with those identified in the previous 2010/11 SDP SEA[11].

Planning Application and EIA

20. Following a decision by MOD on the storage site, a planning application and supporting information will be prepared for the proposed RPV Store by the operator[12] of the site and submitted to the relevant local planning authority. The planning application will detail the proposed development including the function, size, shape, elevations and supporting infrastructure.

21. Irrespective of the choice of site for the RPV Store, the planning application must be accompanied by an Environmental Statement under the Environmental Impact Assessment (EIA) Regulations as it is 'Schedule 1' development under (2) (e) '*being solely for the storage (planned for more than ten years) of …radioactive waste in a different site than the production site.'*

22. The Town and Country Planning (Environmental Impact Assessment) Regulations) 2011 applies in England[13] and the Town and Country Planning (Environmental Impact Assessment) (Scotland) Regulations 2011 apply in Scotland[14]. The aim of EIA in this context is to protect the environment by ensuring that planning authorities have full knowledge of any likely significant environmental effects and take them into account when they are deciding whether to grant planning permission for a project.

23. Where alternative options have been considered, the Environmental Statement will include an outline of the main alternatives and an indication of the reasons for the choice made. The public will be able to view and comment on the planning application and the Environmental Statement.

24. The Environmental Statement to accompany a planning application for the proposed RPV Store will provide the information listed in Annex B.

[11] SDP: Strategic Environmental Assessment (SEA): Environmental Report. Issue 1, October 2011.

[12] For the AWE sites, the planning application would be prepared by AWE but formally submitted by the Secretary of State for Defence. For the other three sites it would be the site operator.

[13] See http://planningguidance.planningportal.gov.uk/blog/guidance/environmental-impact-assessment

[14] A planning advice note is available at www.scotland.gov.uk/resource/0043/00432581.pdf

Consultation on the Planning Application

25. The local planning authority has an obligation to circulate the planning application to a wide range of organisations including Statutory Consultees. The Statutory Consultees will depend on the location of the site and are determined by specific legislative and policy requirements and guidance which differs between Scotland and England.

26. The Local Planning Authorities in Scotland and England will also notify local bodies such as Community Councils or Parish Councils and raise general public awareness through measures such as advertisements, notices and online information. The MOD has previously stressed its expectation that there will be opportunities for public involvement during the planning applications process.

In Scotland

27. Under Planning Circular 3 2011[15], which applies to Scotland, the statutory and non-statutory consultation bodies are likely to include the following.

- Any adjoining planning authority, where the development is likely to affect land in their area.
- Scottish Natural Heritage.
- Scottish Water.
- The Scottish Environment Protection Agency.
- Scottish Ministers.
- Health and Safety Executive.
- The Office for Nuclear Regulation.
- Transport Scotland.
- Other bodies designated by statutory provision as having specific environmental responsibilities and which the planning authority or Scottish Ministers, as the case may be, considers are likely to have an interest in the application.

In England

28. As identified in national planning policy or guidance, in England the statutory and non statutory consultation bodies are likely to include the following.

- Any adjoining planning authority, where the development is likely to affect land in their area.
- The Environment Agency.
- Health and Safety Executive.
- The Office for Nuclear Regulation.
- Natural England.
- English Heritage.
- Highways Agency.

[15] Available at www.scotland.gov.uk/Publications/2011/06/01084419/10

Determination

29. Once a planning application has been validated, the local planning authority is required to make a decision on the proposal within statutory time limits unless a longer period is agreed in writing with the applicant. The statutory time limit for ‘determination’ of a planning application for the proposed RPV store is 16 weeks as it will be subject to EIA.

30. After the consultation period, the Planning Officer will consider a range of information including**:** the responses to consultation; the information in the Environmental Statement; the adequacy of the information provided; and any other relevant information. The Planning Officer will then prepare a report with a recommendation to the Planning Committee.

31. The Planning Committee – which comprises elected members of the council - will take into account the Planning Officer’s report and will make the final decision to approve or refuse the application based on ‘material planning considerations’ and set any planning conditions. The local planning authority is obliged to inform the public of the Planning Committee’s decision and the main reasons for that decision. This is normally done in the same way for all applications, through regular channels such as the council’s website.

Call-in and Appeal

32. Both Scottish Ministers and the Secretary of State have a general power to 'call-in' planning applications for their own determination. Applications can be called in at any time during the planning application process up to the point at which the local planning authority actually makes the decision. Scottish Ministers and the Secretary of State have the authority to consider a called-in application through a public inquiry, informal hearing or through written submissions.

33. If the application is refused, the applicant can appeal against the decision to the relevant authority:

    - In Scotland planning appeals can be decided by 'reporters' from the Scottish Government Directorate for Planning and Environmental Appeals, although the Scottish Government can 'recall' an appeal for determination.
    - A similar process applies in England where the majority of planning appeals are decided by an Inspector from the Planning Inspectorate but the Secretary of State has the power to 'recover' an appeal for determination.

3. Regulators & Regulation

How Regulation will work

34. Initial dismantling of the submarines will be a staged process:

    - LLW and other radioactive material outside the RPV will be removed as a first step. The removed material will be sent for disposal via existing routes.
    - The RPV will be removed from the submarine and placed in a secure container for onwards transport to the interim RPV storage site.

35. These activities and subsequent storage will be carried out on Nuclear Licensed Sites by experienced nuclear sector organisations. These companies will have legal responsibility for safety and environmental protection, and will be regulated by the Office for Nuclear Regulation (ONR) and by the two environment regulators, the Environment Agency (in England and Wales) and the Scottish Environment Protection Agency (SEPA) in Scotland.

36. As well as securing planning permission, the proposed RPV Store will have to pass a number of other regulatory hold points. The removal of radioactive materials from the submarines and the discharge of waste from the initial dismantling site will be subject to a regime of "permissioning". Permissioning is the process by which the intent to do something is preceded by scrutiny and assessment, and is confirmed to meet regulatory standards and requirements. In cases where a significant risk to safety or to the environment may arise, the company is obliged to notify the regulator and, if necessary, gain his agreement.

37. The submission of safety cases to ONR and the Application to the Environment Agency or SEPA for a Permit or Authorisation to dispose radioactive waste from a site are examples of this style of "permissioning". Irrespective of any requirement to submit reports to the regulator, the nuclear licensed company will carry out its own scrutiny and internal permissioning, and keep evidence of its performance for the independent regulators to audit.

38. A summary is given below of regulatory interface arrangements and frameworks but interested readers are also referred to the useful overviews of the management of radioactive wastes on nuclear sites[16] and of the regulation of nuclear site operations[17] produced by the relevant regulators. These also include links to more detailed sources of information and the underpinning legislation.

[16] Fundamentals of the Management of Radioactive Waste: an introduction to the management of higher-level radioactive waste on nuclear licensed sites. December 2007. Available, with other guidance documents, at www.sepa.org.uk/radioactive_substances/publications/guidance.aspx

[17] Licensing Nuclear Installations. ONR, 3rd edition: June 2014. Available at www.onr.org.uk/licensing-nuclear-installations.pdf

SDP's Regulators

39. This subsection introduces SDP's main regulators. Further information on regulatory regimes is included in the Section 4.

40. The **Office for Nuclear Regulation** (ONR) is responsible for regulating the health and safety of workers on Nuclear Licensed Sites and for protecting the public. It ensures they are protected from radiation by making certain that the Site Licensees have effective control of health, safety, radioactive waste management and security on their sites. The ONR conducts independent inspections of the sites it regulates, including unannounced inspections if appropriate. ONR inspectors write reports following visits to sites and summaries are published and presented to the relevant site stakeholder group. The ONR has wide ranging powers which it would use if it believed current nuclear activities were not being managed safely or proper provisions were not being made for future management of wastes.

41. There are SDP shortlisted sites in both England and Scotland. The **Environment Agency**[18] and the **Scottish Environment Protection Agency** (SEPA)[19] (collectively referred to as 'the environment agencies') have a statutory duty to protect and improve the environment. These responsibilities include regulating discharges and disposals of radioactive waste. The environment agencies grant Permits and Authorisations to sites disposing of solid, liquid and gaseous radioactive waste. These limit the amount of radioactivity which can be released from a site and ensure it is done in an environmentally acceptable manner.

42. The **Defence Nuclear Safety Regulator** (DNSR) is the regulator for the packaging and transport of Defence Nuclear Programme radioactive materials, including the RPV containers and transport to the RPV store. DNSR is a division of the Defence Safety and Environment Authority[20].

Regulatory Engagement with the SDP

43. MOD is aligned with the processes of regulatory engagement upheld by the nuclear licensed companies. As required by regulations, the regulators will be informed where relevant of SDP policies, of lines of responsibility and accountability, of the design of initial dismantling processes, of the standards of performance to be achieved in practice.

44. Regulators will have the opportunity to audit the evidence that safety and environmental protection have in fact been attained. ONR have published an inspection guide covering regulation of naval nuclear propulsion programmes[21].

45. The regulators engage with the SDP at various levels.

    - Regulatory Interface Forums are held regularly between MOD, the nuclear licensed companies, and the independent regulators at which the MOD and the licensed companies will inform the regulators of their intentions for the project and, in turn, the regulators will notify the operators of their requirements for scrutiny and approval.

[18] See www.gov.uk/government/organisations/environment-agency

[19] See www.sepa.org.uk.

[20]. See www.gov.uk/government/groups/defence-safety-and-environment-authority

[21] http://www.onr.org.uk/operational/inspection/ns-insp-gd-056.pdf. ONR, March 2013. Available at www.onr.org.uk/operational/inspection/ns-insp-gd-056.pdf

- Safety and environmental management arrangements at the initial dismantling sites and the RPV storage site will ensure that the regulators are kept informed of developments and their approval sought where needed. Dismantling work cannot proceed without the regulators' approval when they say it is required.
- The regulating authorities will routinely carry out inspections and audits of the initial dismantling sites and RPV storage site licensees' performance, and notify them of any shortfalls and any improvements required.
- The regulating authorities will provide reports to representatives of local communities in the vicinity of the initial dismantling sites and the RPV storage site. ONR and the environment agencies produce regular reports of their regulatory activities on each site and on each nuclear licensee's performance. These are sent to Local Authorities and site liaison committees and are publically available.
- The environment agencies will require the sites to similarly disseminate reports on their discharge of radioactive materials and their environmental performance. For instance, Environment Agency permits require operators to provide monthly and quarterly returns of their discharges to the Environment Agency. The Environment Agency publishes these on the Public Register.

4. Regulatory Frameworks

46. This section provides a brief introduction to the main nuclear safety and environmental protection regulatory frameworks that apply to the RPV store, focussing on topics that were raised in Pre-engagement. Links are provided to online resources for more information.

Nuclear Site Safety

47. The main legislation governing the safety of nuclear sites in the UK, (including the candidate sites) is the Health and Safety at Work etc Act 1974 (HSWA74) and the associated relevant statutory provisions of the Nuclear Installations Act 1965 (as amended) (NIA65). Under the NIA65, no site may be used for the purpose of installing or operating a nuclear installation unless a nuclear site licence has been granted by ONR.

48. ONR is the safety regulator for the civil nuclear industry in the United Kingdom. It is an independent statutory corporation whose costs are met by charging fees to the nuclear industry. The ONR reports to the Department for Work and Pensions, although it also works closely with the Department of Energy and Climate Change.

49. It was initially created on 1 April 2011 as a non-statutory agency of the Health and Safety Executive, with the Government intending to put the ONR on a statutory basis at a later date. ONR was duly established as a statutory Public Corporation on 1 April 2014 under Part 3 of the Energy Act 2013. The Energy Act 2013 provides the framework of responsibilities and the powers of the ONR. Under Part 3, Chapter 3, paragraph 78 (1) and (2) defines the principal functions of ONR.

50. ONR's duty is to ensure that the nuclear industry controls its hazards effectively including by assessing safety cases and inspecting sites for licensing compliance. It sets national regulatory standards and helps to develop international nuclear safety standards.

51. Other legislation that underpins the legal framework for the nuclear industry includes:

- Ionising Radiations Regulations 1999[22]. These regulations provide for protection of workers across industry from ionising radiations and by the general health and safety regulation which ONR also enforces at nuclear sites.
- Nuclear Industries Security Regulations 2003[23]. ONR's Civil Nuclear Security team conducts its regulatory activities, approving security arrangements within the industry and enforcing compliance under the authority of these regulations.

Nuclear Site Licensing

52. The list of nuclear site License Conditions in Annex C provides an indication of their scope[24]. The majority of the Licence Conditions will be relevant to the proposed interim store. Amongst other things, the licensee will be required to:

    - LC4 - ensure that no nuclear matter is stored on the site except in accordance with adequate arrangements made by the licensee for this purpose.
    - LC32 - make and implement adequate arrangements for minimising so far as is reasonably practicable the rate of production and total quantity of radioactive waste accumulated on the site at any time and for recording the waste so accumulated.
    - LC35 - make adequate arrangements for the production and implementation of decommissioning programmes. ONR has interpreted "decommissioning" as being "the set of actions taken at the end of a nuclear facility's operational life to take it permanently out of service with adequate regard for the health and safety of workers and the public and the protection of the environment. The ultimate aim of decommissioning is to make the site available for other purposes".

53. All the candidate sites, apart from AWE Burghfield, expect that the RPV store could be sited within existing Nuclear Licensed Site boundaries. If an extension was required to the Burghfield Nuclear Licensed Site area (which is significantly smaller than the site boundary), AWE would have to seek consent from ONR. Relicensing of the site would be necessary to bring additional land within the licensed site boundary as explained in the ONR's 'Licensing Nuclear Installations' guide[25]. Section 3(12) of NIA65 provides for the variation of a nuclear site licence to exclude part or parts of a site if certain criteria are satisfied but there is no parallel power to vary the licence to enlarge a licensed site.

Emergency Preparedness

54. The Radiation (Emergency Preparedness and Public Information) Regulations 2001 (REPPIR) implement in Great Britain the articles on intervention in cases of radiation (radiological) emergency in Council Directive 96/29/Euratom, except where they apply to transport by road, rail, air, sea or inland waterway.

[22] See www.hse.gov.uk/radiation/ionising/legalbase.htm

[23] See www.onr.org.uk/documents/security-regulations-2003.pdf

[24] See www.onr.org.uk/silicon.pdf

[25] Licensing Nuclear Installations. ONR, 3rd edition: June 2014. Available at www.onr.org.uk/licensing-nuclear-installations.pdf (Section 3)

55. REPPIR establishes a framework of emergency preparedness measures to ensure that members of the public are:

    - properly informed and prepared, in advance, about what to do in the unlikely event of a radiation emergency occurring; and
    - provided with information if a radiation emergency actually occurs.

56. Further information[26] and a guide to the regulations are available online[27].

Environmental Permitting

57. All disposals of radioactive waste from a site are subject to "permitting" (in England) or "authorising" (in Scotland) and are strictly monitored to ensure that they are controlled and minimised. In England the discharging of liquid, gaseous and solid wastes from nuclear licensed sites into the environment is regulated by the Environment Agency under the Environmental Permitting Regulations 2010 (EPR10), and in Scotland by SEPA under the Radioactive Substances Act 1993 (RSA93).

58. Accordingly, if there could be any variation to existing permitted or authorised limits for site discharges of liquid radioactive effluents or discharges to air and land as a result of the interim storage facility, consideration would be necessary as to whether permission would be needed from Environment Agency if the site chosen is in England or authorisation from SEPA if the site chosen is in Scotland.

59. The environment agencies apply conditions to the permits and authorisations they grant which require the site operator to have suitable and sufficient management arrangements and processes in place. They have rights of access and scrutiny and powers to take enforcement action where required to ensure that disposals, discharges or off-site transfer of radioactive waste are in accordance with the conditions and limitations in permits.

60. They also advise the ONR on the long-term disposability of conditioned waste and ensure that waste is managed in a sustainable way, taking into account long-term environmental considerations.

Environmental Monitoring

61. Environmental radiological monitoring is undertaken by operators to comply with their authorisations under EPR2010 or RSA93. This monitoring is also carried out by regulatory bodies (Environment Agency, Scottish Environment Protection Agency, Northern Ireland Environment Agency, Food Standards Agency) in support of their regulatory roles under EPR2010 or RSA93 and other national and international obligations.

62. These regulators have published guidance[28] on planning and implementing routine environmental radiological monitoring programmes for both operators and regulators, providing clarity on the monitoring roles. The process for defining monitoring programmes, including stakeholder engagement, where appropriate, is also presented. Principle 7 states that programmes should consider legitimate stakeholder concerns and expectations, as far as reasonably practicable.

---

[26] www.hse.gov.uk/radiation/ionising/reppir.htm

[27] www.hse.gov.uk/pubns/priced/l126.pdf

[28] Radiological monitoring technical guidance note 2: Environmental radiological monitoring. December 2010. Available at http://www.sepa.org.uk/radioactive_substances/publications/guidance.aspx

63. The environment agencies monitor radioactivity in food and the environment, and they assess the impact of authorised discharges on the public, flora and fauna. With the **Food Standards Agency**, they manage sampling and analysis of air, rain and drinking water sources for radioactivity. The results of these surveys, which can detect contamination down to very low levels, are published in the Radioactivity in Food and the Environment (RIFE) reports, which are publicly available online[29].

RPV Transport

64. DNSR regulates the transport of Defence Nuclear Programme material under the same legislation as ONR regulates the transport of civil radioactive materials. ILW transport containers have to be designed to the same international standard whichever nuclear regulator has authority. If the same container is used for storage (as the SDP currently intends), then the ONR will also be involved through approval of the store safety case. Transport safety and regulation are covered in a separate Supporting Information Document[30].

65. MOD will have a legal responsibility for the safe consignment and transportation of radioactive waste between licensed sites and will need to apply to the environment agencies for certain permissions because it will retain title and ownership for the ILW.

66. The Agencies are likely to include conditions that require MOD to ensure the ILW is managed in a way that protects the public and the environment. For instance, for ILW removed from submarines at the Rosyth site, MOD will have to apply for a 'Letter of Agreement' to transfer the ILW from the submarine to Rosyth Royal Dockyard Ltd.

[29] See www.food.gov.uk/science/research/radiologicalresearch/radiosurv/rife Full reports available from http://sepa.org.uk/radioactive_substances/publications/rife_reports.aspx

[30] SDP: Interim Storage of ILW - Supporting Information on RPVs and RPV Store.

Annex A: Supplementary Technical Glossary

EAP	Environmental Action Programme. See Section 2.
EIA	Environmental Impact Assessment. See Section 2.
EPR10	Environmental permitting regulations 2010. See Section 4.
HSWA74	Health and Safety at Work etc Act 1974. See Section 4.
NIA65	Nuclear Installations Act 1965. See Section 4.
NPF	(In Scotland) National Planning Framework. See Section 2.
NPPF	(In England) National Planning Policy Framework. See Section 2.
REPPIR	The Radiation (Emergency Preparedness and Public Information) Regulations 2001. See Section 4.
RIFE	Radioactivity in Food and the Environment (RIFE). See Section 4.
RSA93	Radioactive Substances Act 1993. See Section 4.
SEA	Strategic Environmental Assessment. See Section 2.
SPP	Scottish Planning Policy. See Section 2.

Annex B: EIA Contents

The Environmental Statement to accompany a planning application for the proposed RPV Store will provide the information listed below.

In Part 1: A description of the development, including in particular:

- A description of the physical characteristics of the whole development and the land-use requirements during the construction and operational phases.
- A description of the main characteristics of the production processes, for instance, nature and quantity of the materials used.
- An estimate, by type and quantity, of expected residues and emissions (water, air and soil pollution, noise, vibration, light, heat, radiation, etc) resulting from the operation of the proposed development.
- An outline of the main alternatives studied by the applicant or appellant and an indication of the main reasons for the choice made, taking into account the environmental effects.
- A description of the aspects of the environment likely to be significantly affected by the development, including, in particular, population, fauna, flora, soil, water, air, climatic factors, material assets, including the architectural and archaeological heritage, landscape and the inter-relationship between the above factors.
- A description of the likely significant effects of the development on the environment, which should cover the direct effects and any indirect, secondary, cumulative, short, medium and long-term, permanent and temporary, positive and negative effects of the development, resulting from:
- The existence of the development.
- The use of natural resources.
- The emission of pollutants, the creation of nuisances and the elimination of waste, and the description by the applicant or appellant of the forecasting methods used to assess the effects on the environment.
- A description of the measures envisaged to prevent, reduce and where possible offset any significant adverse effects on the environment.
- A non-technical summary of the information provided under paragraphs 1 to 5 of this Part.
- An indication of any difficulties (technical deficiencies or lack of know-how) encountered by the applicant or appellant in compiling the required information.

In Part 2

- A description of the development comprising information on the site, design and size of the development.
- A description of the measures envisaged in order to avoid, reduce and, if possible, remedy significant adverse effects.
- The data required to identify and assess the main effects which the development is likely to have on the environment.
- An outline of the main alternatives studied by the applicant or appellant and an indication of the main reasons for the choice made, taking into account the environmental effects.
- A non-technical summary of the information provided.

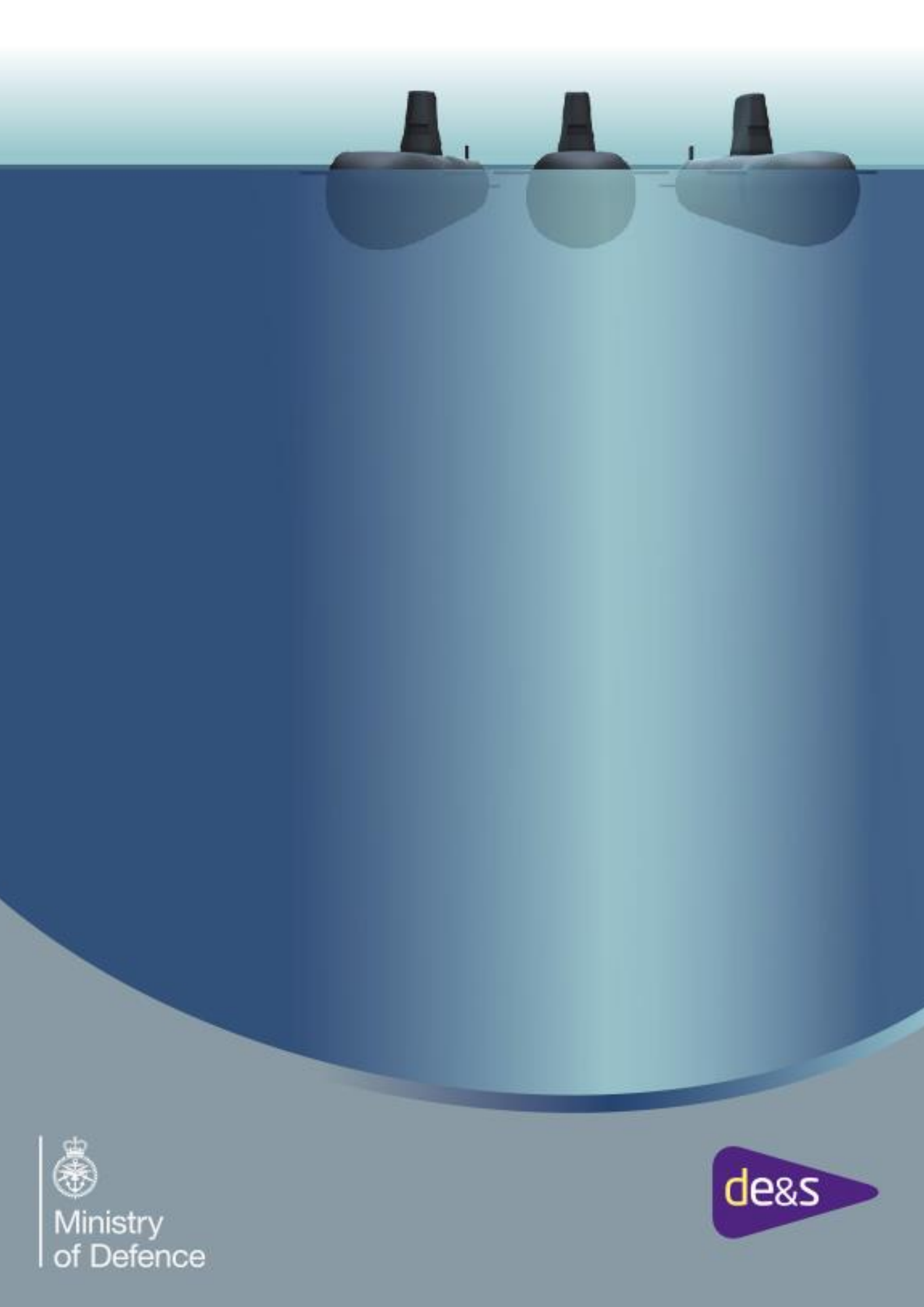
Annex C: Nuclear Site Licence Conditions

The list of standard Conditions that apply to all Nuclear Licensed Sites provides an indication of their scope. The purpose of each of these Conditions is to require the Licence-holder to have suitable and sufficient management arrangements and processes in place to ensure safety and to comply with the regulating authority's (ONR) requirements. A full description of the Licence Conditions and the regulatory requirements of can be found in the Licence Condition Handbook on ONR's website[31].

• Interpretation • Marking of the site boundary • Restriction on dealing with the site • Restrictions on nuclear matter on the site • Consignment of nuclear matter • Documents, records, authorities and certificates • Incidents on the site • Warning notices • Instructions to persons on the site • Training • Emergency arrangements • Duly authorised and other suitably qualified and experienced persons • Nuclear safety committee • Safety documentation • Periodic review • Site plans, designs and specifications • Management systems • Radiological protection	• Construction or installation of new plant • Modification to design of plant under construction • Commissioning • Modification or experiment on existing plant • Operating rules • Operating instructions • Operational records • Control and supervision of operations • Safety mechanisms, devices and circuits • Examination, inspection, maintenance and testing • Duty to carry out tests, inspections and examinations • Periodic shutdown • Shutdown of specified operations • Accumulation of radioactive waste • Disposal of radioactive waste • Leakage and escape of radioactive material and radioactive waste • Decommissioning • Organisational capability

[31] http://www.onr.org.uk/silicon.pdf

Kept blank for notes



Ministry of Defence

de&S