

Regulatory Interface Management (RIM) Group Meeting
Warrington, 27 July 2012

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)

Apologies:

Communities and Local Government (CLG)
Scottish Environment Protection Agency (SEPA)

1. Introduction and opening remarks

The Chair welcomed attendees, in particular NuLeAF's new Executive Co-Director who was attending the meeting for the first time. The Chair explained that as a result of the appointment of NDA's new Chief Executive, NDA's Strategy & Technology Director would now have overall responsibility within NDA for RWMD's activities. It was noted that a new Chair had been appointed to the Government's Committee on Radioactive Waste Management (CoRWM) with effect from November 2012.

2. Minutes and actions from the previous meeting

A number of minor drafting comments to the draft minutes of the previous meeting (23 March 2012) were agreed; subject to those changes the draft minutes were accepted as a true record and approved for publication on the NDA website.

Action 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.

RIM2011/5 RIM Group members to advise the RIM Group Secretary of agenda items for the next meeting – **ongoing**.

RIM2011/16 RWMD to consider locations and make arrangements as necessary for geological disposal awareness sessions – **ongoing**. The Secretary advised that, as agreed at the previous meeting, EA's Penrith office would be the location and RWMD was making the arrangements for session(s) to be held in late Autumn 2012.

RIM2012/1 RIM Group Secretary to publish the minutes of the 18 November 2011 meeting on the NDA's website – **complete**.

- RIM2012/2** RIM Group Secretary to advise EA of the number of attendees expected at geological disposal awareness sessions – **ongoing**. The Secretary advised that RWMD would be liaising with EA to collate the attendee list, and the names of any further attendees could be notified to RWMD.
- RIM2012/3** RIM Group Secretary to include RWMD’s approach to issues management on the agenda for the next RIM Group meeting – **complete**.
- RIM2012/4** RWMD to provide ONR with information on its previous review of the applicability of site licence conditions to geological disposal – **complete**.
- RIM2012/5** ONR and RWMD to engage with HSE’s Mining Inspectorate on mining safety legislation in relation to geological disposal – **complete**.
- RIM2012/6** ONR and RWMD to discuss the need for any response to ICRP’s consultation on radiological protection against radon exposure in relation to geological disposal – **complete**.
- RIM2012/7** RWMD to distribute a revised version of its proposals for minor changes to the ‘Permissions Schedule for geological disposal of higher activity radioactive waste’ – **complete**.
- RIM2012/8** RIM Group members to provide the RIM Group Secretary with any comments on EA’s draft initial site evaluation (ISE) guidance by mid June 2012 – **complete**.
- RIM2012/9** RIM Group Secretary to confirm the date for the next RIM Group meeting in July 2012 – **complete**.

3. **DECC update**

DECC reported that the West Cumbria Managing Radioactive Waste Safely (MRWS) Partnership had agreed its final report. The Partnership’s views would now be fed into the decision-making process expected to lead to a coordinated decision in October 2012 on whether to proceed to Stage 4 of the MRWS siting process.

Shepway District Council had continued to take soundings from its community until 20 July. The Council was analysing the approximately 3500 responses received with a view on whether to express interest and is expected to make a decision by September 2012. DECC had not imposed any deadlines for expressions of interest; in general it appeared that interest from local communities was increasing. NuLeAF reported that it was working on a note for DECC on contacting other communities, and that DECC’s recent proposals on plutonium had resulted in a degree of uncertainty for some people on whether it was intended for disposal.

DECC reported that the Government’s Geological Disposal Implementation Board (GDIB) had met recently on 11 July, at which the MRWS Annual Report 2011/12 had been launched. DECC’s non-governmental organisation (NGO) forum was scheduled for mid October 2012.

The draft Energy Bill was currently undergoing pre-legislative scrutiny with a focus on energy market reforms, and was on schedule to be introduced as a bill to Parliament in Autumn 2012. It was expected that ONR would be formally created as a statutory corporation in 2014, with initial shadow working from April 2013.

4. **RWMD update and discussion**

RWMD reported on progress in its recent recruitment exercise: six posts remained to be filled, some of which had been created as a result of internal appointments. Some key posts remained unfilled including the Operational Safety Manager, and a new succession post for Inventory Manager was being advertised.

Approval from NDA's Board had been obtained for the creation of RWMD as a wholly-owned subsidiary of NDA, with the decision on timing delegated to NDA's Chief Executive and contingent on there being a decision to participate. It was currently planned that the subsidiary would be created in April 2013. Project manager and task manager roles had been created within NDA and RWMD, and further meetings to discuss the proposed change with regulators were planned for August 2012. Key matters to be resolved included transfer of staff and pension arrangements.

RWMD had responded to the Ministerial challenge to consider potential options for programme acceleration, and DECC had asked for further work to be carried out to consider further certain of the options. The Royal Academy of Engineering review of the work had not examined regulatory-related risks, focusing instead on technical components of MRWS Stages 5 and 6.

RWMD updated the meeting on its work on organisational development, including its progress on competency management, assurance, learning and knowledge management. One of the main challenges for RWMD was that it needed to possess different attributes in different stages of the MRWS site selection process. NuLeAF emphasised the need to ensure the organisational structure was able to achieve wider environmental management compliance with planning permission conditions.

As part of its evolving issues management process, RWMD intended to ensure it had correctly and clearly captured issues raised, and considered whether they could be closed out, and had updated its procedures and arrangements. The next iteration of the issues management process was expected to be complete by the end of March 2013. NuLeAF asked about the process for closing out issues, and RWMD explained that it intended to discuss such issues with stakeholders with the aim of seeking agreement. A decision on public access to the issues management work was needed in terms of whether it would be report based, or there would be a searchable web-based database.

Under the regulatory scrutiny programme, RWMD reported on the most recent quarterly meeting, a forthcoming meeting with 'statutory consultees' for the purposes of the Strategic Environmental Assessment (SEA) Directive, and a meeting with regulators and CoRWM on site assessment methodologies.

RWMD presented the latest revision of the Permissions Schedule diagram, explaining how RIM Group members' comments had been addressed, and why dates and durations were not included. It was noted it may be appropriate to include durations in the Schedule where appropriate. RWMD agreed to consider whether a separate more detailed diagram for Stage 4 would be helpful.

RWMD reported on its published response to the regulatory review of its generic Disposal System Safety Case (gDSSC), and on its developing strategies for environmental, operational and transport safety cases.

5. **Regulators' update**

EA reported that there had been no further comments on its draft initial site evaluation (ISE) guidance document, and it would be finalised. EA intended to provide an initial draft of its guidance on the preliminary environmental safety evaluation (PESE) to the RIM Group in late 2012, and EA was considering addressing the ISE and PESE together as part of 'guidance to applicants'. NuLeAF emphasised the need to ensure the ISE and PESE were consistent with applications for planning permission. Work on the environmental permit template was progressing well.

ONR reported that its supplementary consultation on the regulatory interpretation of "bulk quantities" in nuclear site licensing legislation had now finished, and ONR's response was being considered.

6. **Regulation of mining safety and extractive waste**

ONR reported that it was being advised that a geological disposal facility (GDF) would not be classified as a "mine" under mining safety legislation, although certain mining safety provisions were likely to be relevant, and ONR was considering options for how mining and tunnelling safety aspects at a GDF might be regulated. ONR was also taking advice in relation to ventilation, mining rescue arrangements, and GDF construction safety.

EA was considering whether and how extractive waste provisions for a GDF might be incorporated within an environmental permit.

7. **NuLeAF update**

NuLeAF reported that it was considering the level and type of support that it would provide to local authorities, DECC and NDA, and that future NuLeAF work programmes would be published. NuLeAF was intending to establish a specific meeting with RWMD.

It was noted that the Cumbria Minerals & Waste Local Plan was being consulted on, and the previous Minerals & Waste Framework documents had been withdrawn from the examination process. NDA was intending to make a response to the consultation.

8. **Update on implementation of Localism Act 2011 amendments to major infrastructure development provisions**

In the absence of CLG, it was agreed to defer this item to a future meeting.

Action 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.

DECC advised that CLG had produced a 'plain English' guide to the Localism Act.

Action RIM2012/12: RIM Group Secretary to distribute a link to CLG's 'plain English' guide to the Localism Act 2011.

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

RWMD reported that it had held several discussions with CoRWM on issues management and Stage 4 assessment methodologies. DECC advised that the triennial review of CoRWM had been published earlier in 2012 and was

available on the DECC website. EA reported that it and ONR had held high-level discussions with the Partnership on resources and regulatory independence, and had explained that regulators had a role in the siting process that would not conflict with their independence.

10. Any other business

NuLeAF sought clarification on whether plutonium-contaminated material was intended for geological disposal, and RWMD explained that this category of material had been included within the MRWS White Paper's Baseline Inventory of wastes and materials for disposal.

11. Proposed date and venue of next meeting

The next meeting was proposed for late November / early December 2012 at the NDA's Warrington office.

Action RIM2012/13: RIM Group Secretary to confirm date for RIM Group meeting in late 2012.

Summary of ongoing actions

RIM2011/5	RIM Group members	Advise RIM Group Secretary of agenda items for the next meeting
RIM2011/16	RWMD	Consider locations and make arrangements as necessary for geological disposal awareness sessions
RIM2012/2	RIM Group Secretary	Advise EA of the number of attendees expected at geological disposal awareness sessions
RIM2012/10	RIM Group Secretary	Amend the draft minutes of the 23 March 2012 meeting, and publish the revised minutes on the NDA's website
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 the next RIM Group meeting
RIM2012/12	RIM Group Secretary	Distribute a link to CLG's 'plain English' guide to the Localism Act 2011
RIM2012/13	RIM Group Secretary	Confirm date for RIM Group meeting in late 2012
