

**Regulatory Interface Management (RIM) Group Meeting**  
**Warrington, 18 November 2011**  
**Minutes**

**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)  
Scottish Environment Protection Agency (SEPA), by teleconference

**Apologies:**

Communities and Local Government (CLG)

**1. Introduction and opening remarks**

The Chair welcomed attendees and explained the main purpose of the meeting was to provide an opportunity for the Group to receive updates on, and discuss, recent developments.

**2. Minutes and actions from the previous meeting**

The draft minutes of the previous meeting (15 July 2011) were accepted as a true record and approved for publication on the NDA website.

**Action RIM2011/12: RIM Group Secretary to publish the minutes of the 15 July 2011 meeting on the NDA's website.**

**RIM2010/26** NDA's Radioactive Waste Management Directorate (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**. RWMD updated the Group on its progress, providing a list of key RWMD products and strategy and planning documents. ONR and RWMD agreed that documents containing material requiring protective or security markings (as expected for RWMD's proposed Generic Security Plan) could be mentioned on the route map but should not be included on RWMD's Publications Schedule. RWMD also explained that the NDA was intending to update its website to address stakeholder comment. The update would include the RWMD content, and was intended to make RWMD's bibliography downloadable.

**Action RIM2011/13: RIM Group members to provide comment to the RIM Group Secretary by 29 February 2012 on RWMD's proposals for developing its documentation route map.**

- RIM2011/2** NuLeAF to provide EA with its views on the clarity for stakeholders of separate issues registers maintained by RWMD and regulators – **closed**. RWMD explained that it had provided an update in August 2011 on its issues management process; issues had been included in a register and grouped appropriately. To ensure the process remains manageable RWMD was taking the approach of reporting against grouped issues. It had originally been intended to provide a further update in October 2011 but this had not been possible and the publication of the final report had been delayed. NuLeAF agreed that it had found the process to be sufficiently clear, but suggested that this may not be the case for all stakeholders. NuLeAF encouraged RWMD to seek feedback on its approach from other stakeholders actively, and suggested that views from the Government's Geological Disposal Implementation Board (GDIB) and the West Cumbria Managing Radioactive Waste Safely (MRWS) Partnership may be useful. The Group agreed that issues registers should appear on the agenda of a future RIM Group meeting.
- 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 had restructured the document, and was currently circulating a new draft internally.
- RIM2011/4** RIM Group Secretary to revise the Group's terms of reference – **ongoing**. RWMD had distributed the revised version which had been incorporated within its management system on 7 November 2011. The Group agreed a further change to the terms of reference to remove the text referring to the functions taken on by ONR, to be consistent with the other bullets in section 4.
- RIM2011/5** RIM Group members to advise the RIM Group Secretary of agenda items for the next meeting – **ongoing**.
- RIM2011/6** RIM Group Secretary to provide RIM Group members with a web link to DECC's Implementing Geological Disposal Annual Report 2010/11 – **complete**.
- RIM2011/7** When available, NDA to provide RIM Group members with a copy of the new RWMD organisational chart – **complete**.
- RIM2011/8** RWMD to arrange working-level meetings on organisational development with regulators – **complete**.
- RIM2011/9** RIM Group Secretary to include RWMD organisational development as a standing item for the agenda of future meetings – **complete**.
- RIM2011/10** ONR and Department for Transport (DfT) to confirm to RIM Group members the date of the transfer of DfT's Radioactive Materials Transport Team (RMTT) to ONR – **closed**.
- RIM2011/11** RIM Group Secretary to publish the corrected minutes of the 24 March 2011 meeting on the NDA's website – **complete**.

### 3. **DECC update**

DECC reported that the West Cumbria MRWS Partnership had approved the publication of a consultation document seeking views on the Partnership's initial opinions about the key issues relating to the potential for siting a repository for higher activity radioactive waste in West Cumbria. This approval was subject to a clarification from DECC on local decision making. The consultation was intended to run for 18 weeks from 21 November 2011 to 23 March 2012. Government had not closed its invitation for expressions of interest from other communities, and was working up plans to make a public statement explaining the benefits of hosting a geological disposal facility. The next GDIB meeting was to be held on 6 December 2011 when two of the main items to be discussed were expected to be (a) issues management; and (b) the review carried out by RWMD of potential options for accelerating the implementation of geological disposal. The review had concluded that there were potential options that could lead to acceleration but that further work and stakeholder engagement would be required before any of the options could be used to re-baseline the existing generic programme. Feedback from the Partnership Steering Group suggested that after any decision to participate it may be possible to look more closely at the programme for known locations and geologies. It also highlighted that current engagement in West Cumbria had consistently indicated a 2040 first waste emplacement date.

DECC reported that its consultation on Stage 4 frameworks for site identification and assessment had received 45 responses and that RWMD was assisting in the development of a Government response planned for December 2011.

DECC was planning to start discussions in April 2012 on the implementation of the Euratom Spent Fuel and Radioactive Waste Directive; the first report is required by 23 August 2015, and a further report every three years afterwards. The European Nuclear Safety Regulators Group (ENSREG) is developing template guidance for reporting, and arranging a seminar on the better use of existing reporting under the Joint Convention.

#### 4. **RWMD update and discussion**

RWMD reported on its organisational development: in the new structure there were now 92 posts of which about 70 were filled. Recruitment was going well: there had been a good response and the selection process was well underway. Many interviews had been carried out and offers were being formulated. However, it was unlikely that all 20 vacancies would be filled.

RWMD had recently held three meetings with regulators on acceleration, the business case for creating a wholly-owned subsidiary and future permitting implications, and ONR agreed that these meetings had been very useful. In relation to subsidiary formation, RWMD explained it was considering issues such as different models for creating the subsidiary, and timing. Regulators' views on these matters were currently being sought, and RWMD would also be happy to hold discussions with NuLeAF if required. Regulators expressed a strong desire for NDA to proceed with the creation of a subsidiary, and would welcome a commitment to a fixed date. It was explained that approval for the creation of a subsidiary would first be required from RWMD's Repository Development Management Board (RDMB), followed by approval from the NDA before final approval from the Government, including the Treasury. It was intended that the subsidiary would be a separate legal entity from the NDA, and would not benefit from Crown immunity. An option under consideration was whether the subsidiary would be staffed by secondees. The discussion also touched on ownership of the disposal site; ONR explained that leasing could be a possibility provided security of tenure was obtained.

A discussion was held on methodologies for site identification and assessment. NuLeAF suggested that work with communities to draw up local processes to support and inform decision making would be useful. Once specific geologies were under consideration, regulators questioned, the value of generic studies. RWMD explained that in Stage 4 site-specific geologies can start to be considered to a limited extent. Generic studies would provide broad answers and it may be the case that limited local information would be available relating to some evaluation criteria. NuLeAF made the point that if local information is available, then it should be used. NuLeAF asked how much information would be provided by boreholes; RWMD explained that the information would be significant and would give the developer a high degree of confidence, but further underground investigations would be necessary.

Plans for the development of the disposability assessment process were underway; RWMD had met with ONR to discuss, and was now drafting proposals for changes such as earlier engagement with waste producers, recognising that waste producers would retain responsibility for proposals and submissions. It was necessary to protect the integrity of the process, and the involvement of RWMD's Nuclear Safety and Environment Committee (NSEC) in an advisory capacity would add to the robustness of the process. Other enhancements in terms of issuing formal advice, strengthening periodic review and opportunities to align with regulators' strategies were being sought. It was intended to agree the principles behind the changes first, and to update by the end of March 2012.

RWMD continued to provide packaging advice for wastes in Scotland, and RWMD's scrutiny agreement with SEPA had been updated.

In January 2012 RWMD was planning to seek regulators' views on the framework for the next year's regulatory scrutiny programme, and would be suggesting focusing on priorities including organisational development, waste packaging specifications, items from RWMD's research programme and spent fuel management.

RWMD reported that it had provided regulators with its position statement on generic design assessments for wastes from new nuclear power stations in light of the generic Disposal System Safety Case (DSSC), concluding that there are no new issues arising from the generic DSSC that would challenge the fundamental disposability of the wastes and spent fuel expected to arise from operation of the AP1000 and EPR.

RWMD also reported on its recent initial meeting with the European Commission's Safeguards team and ONR to start discussions on the applicability of nuclear safeguards to a geological disposal facility in the UK. In the meeting the need to consider whether wastes of military origin could or should be brought within the safeguards regime was agreed. NuLeAF mentioned the need to consider the retrievability implications of safeguards requirements.

## **5. Regulators' update**

EA reported that it currently had two vacancies for nuclear waste assessors.

EA explained that the report of the regulators' review of RWMD's generic DSSC was currently with RWMD and DECC for factual accuracy checking, and it was aimed to publish the report in December 2011. Regulators' interim views remained largely unchanged from those conveyed to RWMD in June 2011, i.e. the generic DSSC "provides confidence, to a degree appropriate at this early stage in implementing geological disposal, that a safety case for a GDF in the UK could be made, providing a suitable site is available and RWMD continues to work with us to address our issues and concerns". Regulators' main reservations related to the need for RWMD to explain the future role of the DSSC and how it might be developed towards a site-specific DSSC; repetition and overlap between documents in the DSSC suite; accessibility to a wide audience; a wider exploration of waste inventory uncertainty; and how change control would be applied. RWMD explained that it was addressing the regulators' findings, and that the development of the DSSC would continue with the production of three strategy documents. The Environmental Safety Case (ESC) strategy document had already been provided to regulators for comment. NuLeAF asked whether the DSSC contained environmental impact assessments and RWMD explained that these were currently contained within RWMD's generic strategic environmental assessment (SEA). The regulators had also recently published a report of the regulatory inspection of RWMD carried out in March 2011.

EA and RWMD had responded to the recent International Commission on Radiological Protection (ICRP) consultation on radiological protection in geological disposal.

ONR had published a new corporate plan setting out its approach to programme working. ONR's geological disposal work was to be carried out within its Decommissioning, Waste & Fuels programme, and two additional inspectors were being sought. ONR's nuclear security, safeguards and transport safety functions had yet to be allocated to programmes. It is expected that that security would remain as a self-contained unit, dealing with geological disposal matters from within its new build team. The very recent transfer of DfT staff into ONR had not yet fully embedded, and this process was not expected to be complete before April 2012. Recruitment to the transport safety function was also needed, but this was expected to be difficult. ONR retained contact with DfT's Carriage of Dangerous Goods (CDG) team, and expected to continue to provide a link to DfT staff with responsibility for wider areas of transport interest. It was expected that there would be a move to cost recovery for transport safety scrutiny in future.

ONR had issued its final report on lessons from the Japanese earthquake and tsunami; it was widely accepted that this had not resulted in major issues for the UK, although there were lessons to be learnt around security of power supplies, the ability to bring in equipment and materials, and the ongoing stress tests. NuLeAF mentioned that ONR had made a presentation on this to the Association of Local Authorities; there had been strong interest from authorities in whose areas new nuclear power stations were expected, and there appeared to be a reinvigorated interest in emergency planning. EA mentioned that its Flood Risk Working Group's principles had been revised in light of the events, and regulators noted that ONR and International Atomic Energy Agency (IAEA) guidance were also being reviewed.

ONR's consultation on the interpretation of 'bulk quantities' of radioactive material was ongoing, and a useful workshop had been held at which interest had been shown in the licensing of disposal. DECC was required to implement changes required by the 2004 Protocol to the Paris & Brussels Conventions, but difficulties had arisen around the lack of any 'de minimis' level for disposal. Agreement on this was being sought from the Nuclear Energy Agency (NEA)'s Paris & Brussels Steering Committee, after which it was expected that disposal could be prescribed. Other requirements of the 2004 Protocol such as liability limits were expected to be included in a Ministerial statement in January 2012 before an order would be made in Spring 2012.

**6. Standing agenda item: interactions with the Committee on Radioactive Waste Management (CoRWM) and the West Cumbria MRWS Partnership**

NDA had had several interactions with CoRWM on options for programme acceleration, methodologies for site selection and updates with RWMD and the NDA's Chief Executive at which interest had been expressed in establishing a more strategic approach to nuclear research. CoRWM's review of the science and engineering underpinning RWMD's generic DSSC was expected by the end of 2011 although the scope of this review was still being finalised. EA and ONR had attended a meeting with CoRWM in July 2011, and a meeting on decommissioning was planned for January 2012. NuLeAF had had no interactions with CoRWM.

Meetings with the Partnership had been held to help establish the Partnership's timetable for consultation, and to consider site selection criteria.

## 7. Any other business: awareness sessions

RWMD had noted that a number of new recruits to regulators' teams were now in place, and offered to provide geological disposal awareness sessions as necessary and at appropriate locations for those individuals.

**Action RIM2011/14: Regulators to advise RIM Group Secretary by 29 February 2012 of the names of members of staff who would wish to attend a RWMD geological disposal awareness session.**

NuLeAF suggested that there may be interest from a wider group of stakeholders such as councillors for awareness sessions such as these.

**Action RIM2011/15: RWMD to liaise with other stakeholders including relevant local authorities to establish the level of wider interest for attendance at geological disposal awareness sessions.**

**Action RIM2011/16: RWMD to consider locations and make arrangements as necessary for geological disposal awareness sessions.**

## 8. Proposed date and venue of next meeting

The next meeting was proposed for Friday 23 March 2012 at the NDA's Warrington office.

## Summary of actions

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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
RIM2011/3	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
RIM2011/12	RIM Group Secretary	Publish the minutes of the 15 July 2011 meeting on the NDA's website
RIM2011/13	RIM Group members	Provide comment to the RIM Group Secretary by 29 February 2012 on RWMD's proposals for developing its documentation route map
RIM2011/14	Regulators	Advise RIM Group Secretary by 29 February 2012 of the names of members of staff who would wish to attend a RWMD geological disposal awareness session
RIM2011/15	RWMD	Liaise with other stakeholders including relevant local authorities to establish the level of wider interest for attendance at geological disposal awareness sessions
RIM2011/16	RWMD	Consider locations and make arrangements as necessary for geological disposal awareness sessions

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