

## Regulatory Interface Management (RIM) Group Meeting

23 November 2016, 1030 - 1400

Harwell, Oxfordshire

### Minutes

#### Attendees

- Department for Business, Energy and Industrial Strategy (BEIS)
- Office for Nuclear Regulation (ONR)
- Environment Agency (EA) (by telephone)
- Planning Inspectorate
- Natural Resources Wales (NRW)
- Radioactive Waste Management Limited (RWM, Chair and Secretary)

#### 1. Introduction and opening remarks

The Chair welcomed attendees, in particular the new representatives from NRW and the Planning Inspectorate.

Apologies had been received from the Scottish Environment Protection Agency (SEPA).

The Chair reiterated that the primary purpose of the RIM Group was for RWM to 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.

The Chair also noted that the Minister of State for Energy and Intellectual Property had commended the work between Government, Radioactive Waste Management and the ONR, in relation to geological disposal, in her speech at the ONR Industry Conference earlier in November.

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

The Chair asked for any comments on the draft minutes of the previous meeting (25 May 2016) to be provided to the RIM Group Secretary by the end of the following week.

**Action RIM2016/07: RIM Group Secretary to finalise minutes of previous meeting and publish on RWM's RIM Group webpage.**

**Actions**

- RIM2016/01 RIM Group Secretary to finalise minutes of previous meeting (14 August 2014) and publish on RWM's RIM Group webpage – **complete**
- RIM2016/02 RIM Group Secretary to provide RIM Group members with address of RIM Group's new webpage on GOV.UK website – **complete**
- RIM2016/03 ONR representative to share terms of reference for the UK Regulators' Higher Activity Waste Board with RIM Group members – **complete**
- RIM2016/04 RIM Group Chair to arrange dedicated meeting for RWM to brief the Planning Inspectorate on geological disposal and discuss the implications of the NSIP regime – **ongoing**
- RIM2016/05 RIM Members to provide any further comments on the draft ToR and RIM Group membership to RIM Secretary – **complete**
- RIM2016/06 RIM Group Secretary to confirm date and location for next RIM Group meeting in September/October 2016 – **complete**

**Action RIM2016/08: RIM Group Secretary to revise draft RIM Group ToR and circulate to RIM members.**

**3. BEIS update**

BEIS was a new ministerial department, formed in July 2016, with responsibilities for business, industrial strategy, science, innovation, energy, and climate change. Key roles within the department were noted, including the Senior Responsible Officer (SRO) for the geological disposal facility programme.

Public consultation on the draft National Policy Statement (NPS) for geological disposal infrastructure was planned for 2017.

A draft statutory instrument (SI) that would make a geological disposal facility a nuclear installation under the Nuclear Installations Act 1965 had been prepared. The draft SI was expected to be laid before Parliament during the first half of 2017.

**Action RIM2016/09: BEIS representative to share draft SI and its underpinning paper with the Environment Agency's RIM representative.**

**Action RIM2016/10: BEIS representative to consider how the coming into force of the SI might be publicised so that its intended scope is clear.**

The publication of the nuclear regulators' guidance note for members of the public on how a geological disposal facility would be regulated would be appropriately aligned with the programmes for development of the NPS and Working with Communities Policy.

**4. RWM update**

The RIM Group's Chair updated the group on a number of changes to the membership of the RWM Board, including a new RWM Chair.

The position of Transition Programme Director had been taken up by RWM's Business Services Director, on a temporary basis, following the retirement of the previous holder of the post.

Having been operating in July 2016 with around 90 of its 123 posts occupied by permanent employees, RWM had now filled 101 posts with permanent employees, with more in recruitment. Interim support was in place in unfilled posts.

RWM held a Stakeholder Conference in Manchester in October 2016. It was considered successful, with considerable interest from stakeholders, and the use of video and digital technology working well.

Work on National Geological Screening was well underway, with draft materials being discussed and their completion expected by June 2017. The draft materials had not yet been shared with the regulators.

**Action RIM2016/11: RIM Group Chair to arrange meeting for draft materials to be shared with EA, NRW and ONR as required.**

In October 2016, RWM held a follow-up meeting to the Letter of Compliance (LoC) Summit it held in May. Attended by senior management from NDA, waste producers, regulators and RWM, these events clarified the role of RWM's disposability assessment process and the use of the LoC as an input into the balancing of risks carried out by waste producers in radioactive waste management cases (RWMCs).

**Action RIM2016/12: RIM Group Chair to discover what NDA would do to communicate this message across NDA sites and the potential role of the RWMC.**

RWM would be updating its Permissions Schedule in early 2017. Regulators expected to be able to engage with RWM on the requirements of the Groundwater Daughter Directive before 2017.

RWM's generic Disposal System Safety Case (gDSSC) was in the process of being completed, with issues raised through RWM's HSSEQ function's independent assessment of the draft gDSSC and by RWM's Nuclear Safety and Environment Committee (NSEC) being addressed. Meetings for RWM to discuss the gDSSC with EA and ONR were planned for December 2016 and January 2017, respectively.

RWM met with CoRWM in October 2016 and discussed organisational development, the siting process, the disposability assessment process and transitioning from the gDSSC to site specific safety cases.

## **5. EA update**

EA was to lose two staff involved in the regulation of geological disposal in the first quarter of 2017 through retirement and a secondment to BEIS. Plans were in place to fill these roles.

EA and ONR had prepared a draft of their document to explain the regulation of geological disposal to the public. It was being checked by the EA's lawyers.

EA was planning a review of its own guidance on disposal facilities for solid radioactive waste against the Safety Reference Levels (SRLs) for Radioactive Waste Disposal Facilities developed by Western European Nuclear Regulators' Association (WENRA).

EA and the other UK environment agencies were considering revising the Guidance on the Requirements for Authorisation (GRA) documents to reflect changes in legislation and the WENRA SRL review, and to incorporate the Groundwater Directive supplement into the GRA. No major changes to the GRA documents were expected and this is likely to be a long-term project, lasting a year or more.

## **6. NRW update**

NRW was going through a senior management review.

NRW would be supporting the Welsh Government's stakeholder event on community engagement in Cardiff in early January 2017. ONR and RWM would also be supporting the event.

NRW was preparing its own document to explain the regulation of geological disposal, and other supporting documentation. English and Welsh language versions were planned.

**Action RIM2016/13: NRW representative to share draft of NRW's document to explain the regulation of geological disposal with BEIS representative.**

## **7. ONR update**

A permanent appointment had been made to the role of Deputy Chief Inspector, Sellafield, Decommissioning, Fuel and Waste. This role includes responsibility for the regulation of geological disposal. A number of other staff changes were identified as a result of a retirement and wider reorganisation.

ONR's resource planning for the coming year had been updated to reflect the progress made by RWM against its geological disposal programme. RWM was asked to give ONR as much advance warning as was possible of any slippage in the future work programme and identify any alternative RWM work that ONR might use its available resources to scrutinise.

ONR had published its Project Assessment Report on the Applicability of licensing guidance and current Licence Conditions to a future Geological Disposal Facility. A new Annex to ONR's guidance document, Licensing Nuclear Installations, covering the licensing and regulation of a future geological disposal facility was under preparation; as was work to identify the necessary modifications to ONR's standard licence conditions. A work stream to revise ONR's Safety Assessment Principles and Technical Assessment Guides to cover safety regulation of a geological disposal facility was in development.

**Action RIM2016/14: ONR representative to share Project Assessment Report and draft Annex to Licensing Nuclear Installations with BEIS representative.**

ONR and SEPA had completed their examination of the role of the advice RWM provides to higher activity waste (HAW) producers in Scotland. The broad consensus was that the process supports the Scottish Government's HAW policy.

ONR was considering the Industry's responses to its consultations on its Security Assessment Principles (SyAPs) and Security Technical Assessment Guides.

EA and SEPA would in future be charging licensees directly for waste management advice and regulation. However, close working between ONR and the environment agencies would continue.

ONR, EA and RWM attended an NEA Workshop on Deep Geological Repositories and Nuclear Liability in November 2016.

It was noted that RWM was to run its Executive Induction Session for regulatory and BEIS staff in January 2017.

## **8. Planning Inspectorate update**

There had been a number of changes to the Planning Inspectorate's Board. The appointment of a new Director of Major Applications and Plans, with responsibility for handling major applications under the nationally significant infrastructure project (NSIP) regime, was of most relevance to RWM.

The Planning Inspectorate was looking into making modifications to fees for NSIP applications to ensure they provided 100% cost recovery. Pre-application advice would, however, remain free of charge.

The Planning Inspectorate cited a number of changes to NSIP-related legislation that RWM should be aware of, including: changes made by the Housing and Planning Act 2016 that allow an element of housing to be included as part of an NSIP development; and the inclusion of certain business or commercial projects as NSIP, as prescribed in Regulations made under the Growth and Infrastructure Act 2013. These may be applicable to development which relates to any community investment as set out in the Implementing Geological Disposal White Paper.

The Planning Inspectorate would be able to advise RWM on the operation of processes related to subsurface interests in land in the DCO application process.

The Planning Inspectorate had provided comments to Government during the development of the draft NPS for geological disposal.

## **9. Other Business**

**Action RIM2016/15: RIM Group Chair to arrange Level 1 Regulator Meeting.**

**Action RIM2016/16: RIM Group Chair to invite new EA NWAT member to Executive Induction Session for the regulators and BEIS in January 2017.**

## **10. Date of Next Meeting**

RIM Group meetings should be held every 4 months at RWM's Harwell Office.

**Action RIM2016/17: RIM Group Secretary to confirm date for next RIM Group meeting.**



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**Summary of ongoing actions**


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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.
RIM2016/07	RIM Group Secretary	Finalise minutes of previous meeting and publish on RWM's RIM Group webpage.
RIM2016/08	RIM Group Secretary	Revise draft RIM Group ToR and circulate to RIM members.
RIM2016/09	BEIS Representative	Share draft SI and its underpinning paper with the Environment Agency's RIM representative.
RIM2016/10	BEIS Representative	Consider how the coming into force of the SI might be publicised so that its scope may be made clear.
RIM2016/11	RIM Group Chair	Arrange meeting for draft materials to be shared with EA, NRW and ONR as required.
RIM2016/12	RIM Group Chair	Discover what NDA would do to communicate this message across NDA sites and the potential role of the RWMC.
RIM2016/13	NRW Representative	NRW representative to share draft of NRW's public facing document on to explain the regulation of geological disposal with BEIS representative..
RIM2016/14	ONR Representative	Share Project Assessment Report and draft Annex to Licensing Nuclear Installations with BEIS Representative.
RIM2016/15	RIM Group Chair	Arrange Level 1 Regulator Meeting.
RIM2016/16	RIM Group Chair	Invite new EA NWAT member to Executive Induction Session for regulators and BEIS in January 2017.
RIM2016/17	RIM Group Secretary	Confirm date for next RIM Group meeting.