

Regulatory Interface Management (RIM) Group Meeting

08 June 2017, 1030 - 1400

Harwell, Oxfordshire

Minutes

Attendees

- Department for Business, Energy and Industrial Strategy (BEIS)
- Environment Agency (EA) (by telephone)
- 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 and noted apologies had been received from Natural Resources Wales (NRW) and the Scottish Environment Protection Agency (SEPA).

The Chair explained it had been anticipated that, by the time of the RIM Group meeting, BEIS would have begun consultations on a National Policy Statement (NPS) for geological disposal related development and on the Government's policy proposal for Working with Communities (WWC). However, the announcement of the General Election had meant that both of these consultations were delayed. This was expected to have implications for the timing of the launch of the siting process.

2. Minutes and actions from the previous meeting

The draft minutes of the previous meeting (23 November 2016) were accepted as a true record and approved for publication on RWM's RIM Group webpage.

Action RIM2017/01: RIM Group Secretary to publish minutes of the previous meeting on RWM's RIM Group webpage.

Actions

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| 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 – complete: meeting to be held 08 August 2017 |
| RIM2016/07 | RIM Group Secretary to finalise minutes of previous meeting (23 May 2016) and publish on RWM's RIM Group webpage – complete |
| RIM2016/08 | RIM Group Secretary to revise draft RIM Group ToR and circulate to RIM members – ongoing: RIM Group Chair to consider the RIM Group's relationships with other RWM groups |

- RIM2016/09: BEIS representative to share draft SI and its underpinning paper with the Environment Agency's RIM representative – **complete**
- RIM2016/10: BEIS representative to consider how the coming into force of the SI might be publicised so that its intended scope is clear – **complete**
- RIM2016/11: RIM Group Chair to arrange meeting for draft National Geological Screening materials to be discussed with EA, NRW and ONR as required – **complete**
- RIM2016/12: RIM Group Chair to discover what NDA would do to communicate the message from the RWM LoC Summit across NDA sites and the potential role of the RWMC – **ongoing**
- RIM2016/13: NRW representative to share draft of NRW's document to explain the regulation of geological disposal with BEIS representative – **ongoing**
- RIM2016/14: ONR representative to share Project Assessment Report and draft Annex to Licensing Nuclear Installations with BEIS representative – **complete**
- RIM2016/15: RIM Group Chair to arrange Level 1 Regulator Meeting – **ongoing**
- RIM2016/16: RIM Group Chair to invite new EA NWAT member to Executive Induction Session for the regulators and BEIS in January 2017 – **complete**
- RIM2016/17: RIM Group Secretary to confirm date for next RIM Group meeting – **complete**

3. BEIS update

BEIS had planned to consult on a draft NPS for geological disposal related development and a draft policy proposal on WWC in May, but the General Election meant that the consultations had been delayed. Preparations for the consultations were well advanced. BEIS had identified a number of possible scenarios, but it would not be known when the consultations could begin until after a new Government was formed.

The role of Deputy Director for SMRs, Nuclear Decommissioning and Waste within BEIS was unoccupied. As a senior civil service post, it could not be advertised during Purdah.

BEIS was revising the proposed approach to defining disposal facilities requiring licensing under the Nuclear Installations Act 1965 and had prepared an options paper with ONR.

4. RWM update

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

RWM planned to introduce a new Executive position of Programme Director, with responsibility for developing RWM's programme management capability and driving RWM's Programme.

RWM's Board had agreed an increase in RWM's approved headcount from 123 to 150. RWM currently had approximately 110 staff in post. Recent recruitment had partly been

offset by an unusually high rate of leavers and retirements from RWM's staff, but it was believed that this rate had subsided and the number of staff in post would increase.

Work on National Geological Screening was progressing well.

RWM was planning to up-date its Provisional Implementation Plan (PIP). The PIP outlined what RWM needs to do to implement geological disposal and provided a basis for the nuclear industry's waste management planning. The intention was to move away from providing specific dates based on planning assumptions towards providing a range of estimated dates based on differing assumptions.

RWM was also developing a Technical Programme, which would identify the technical capabilities needed at different points within the programme, in order to identify and put in place plans to address long lead time issues.

RWM had reissued a provisional version of its Permissions Schedule. This had recognised changes in legislation and guidance since the last provisional issue and recognised the potential implications of the UK's withdrawal from Euratom, although the latter point could not yet be addressed in detail. A copy had been sent to RIM members for comment and RWM thanked the Planning Inspectorate for their comments. Comments and any future changes in the law would be addressed in a further update prior to publication. While the Permissions Schedule identified 'what' permissions would be needed, RWM also planned to prepare a Consenting Strategy, which would consider 'how' RWM would go about applying for the permissions.

RWM's Board had commissioned an independent Readiness Review to provide an objective, independent assessment of RWM's readiness to undertake the next phase of the GDF programme. The independent Review Panel had been led by Prof Denise Bower, Executive Director of the Major Projects Association. The Panel had provided RWM with its final report in April 2017, which concluded RWM would be ready to launch the siting process during 2017, subject to completion of the current and planned actions required prior to launch.

Action RIM2017/02: RIM Group Chair to share the final report of the independent Readiness Review Panel with RIM Group members.

5. EA update

EA had filled the posts from which staff had recently retired and been seconded to BEIS.

Following a request for views from industry on the Guidance on the Requirements for Authorisation (GRA) documents, EA and the other UK environment agencies were reviewing the responses received. In addition to any issues raised by industry, minor changes would be made to the GRA to reflect changes in legislation and the Safety Reference Levels (SRLs) for Radioactive Waste Disposal Facilities developed by Western European Nuclear Regulators' Association (WENRA).

The RIM Group discussed the extent to which a revised GRA might cover the interactions between the environmental permitting regime regulated by EA and the other regimes applicable to the development and operation of a GDF: nuclear site licensing and development control. EA stated that ONR and the Planning Inspectorate would be provided the opportunity to provide input to the update of the GRA.

EA and ONR had prepared a document explaining the regulation of geological disposal to the public. The document was going through approval processes within both organisations. It was to be published on the Government's webpages on geological disposal, although the timing of its publication had not yet been finalised.

EA, ONR, NRW and the Northern Ireland Environment Agency were developing a short position statement on higher activity waste management and geological disposal.

6. ONR update

A permanent appointment had been made to the role of Deputy Chief Inspector, Technical Division, with responsibility for ONR's Professional Leads, Regulatory Intelligence, Oversight and Legal Support functions.

The Sellafield, Decommissioning, Fuel and Waste programme had recently been restructured. A new appointment had been made to the role of Superintending Inspector responsible for the decommissioning, fuel and waste sub-programme (which covers geological disposal). Individual members of ONR staff had been assigned responsibility for the RWM Scrutiny Programme and Siting. Recruitment to ensure succession and resilience was underway.

ONR was developing a training academy for ONR's inspectors, which would also be open to nuclear site licensees' internal regulators. The RIM Group Chair stated RWM would be happy to support the academy, for example, by presenting on radioactive waste management issues.

ONR had carried out a review of the applicability of its licensing guidance (*Licensing Nuclear Installations*) and licence conditions to a geological disposal facility, issuing a Project Assessment Report in July 2016. ONR had since completed a review of its own regulatory guidance in relation to geological disposal facilities and published a Project Assessment Report in March 2017. The review had considered international guidance and information exchanged with nuclear safety regulators from other countries, and compared these to the guidance in ONR's existing Safety Assessment Principles (SAPs) and Technical Assessment Guides (TAGs). ONR had also engaged with the HSE's Mines Inspectorate to consider safety issues associated with underground working. The review had concluded that the SAPs are appropriate for the regulation of a GDF, although a number of technical areas were identified where guidance on ONR's expectations specific to a GDF would be required. It also recommended that ONR develop a new TAG on Geological Disposal providing supplementary, technical guidance to inspectors, on the application of the SAPs to a GDF. It was expected that a Project Assessment Report of a TAG on Geological Disposal would be published by the end of the financial year.

ONR had updated and published its Regulatory Research Register in April 2017. ONR was satisfied that RWM's research on geological disposal was sufficient and that no additional research was currently required to be carried out by ONR.

The RIM Group Chair recognised that RWM's submission of its Operational Safety Case to ONR was behind schedule and acknowledged the challenges that this presented to ONR.

7. Planning Inspectorate update

The Planning Inspectorate's National Infrastructure Directorate had recently been streamlined, with two Infrastructure Planning Leads covering Energy and Transport.

The Infrastructure Planning (Fees) (Amendment) Regulations 2017 came into force in April. The Regulations increased fees by 50% on 06 April 2017 and provided for an annual increase in line with the consumer prices index, starting from 01 April 2018.

The Infrastructure Planning (Environmental Impact Assessment) Regulations 2017 came into force in May 2017. Among other things, the Regulations amended the Infrastructure Planning (Applications: Prescribed Forms and Procedure) Regulations 2009 to increase the minimum time period for receipt of relevant representations for EIA developments, from no less than 28 days to no less than 30 days – a change to be incorporated into the Permissions Schedule. Further changes introduced by the new EIA Regulations (including changes to scoping and the Secretary of State's decisions) could be addressed during the meeting between RWM and the Planning Inspectorate planned for August 2017.

The Planning Inspectorate's National Infrastructure Directorate had recently received an application for the Eggborough CCGT and anticipated about ten more applications by the end of the year (including for the new nuclear power station at Wylfa and its associated grid connector project). The Planning Inspectorate's work on Moorside nuclear power station project and its associated grid connector project were paused.

The Planning Inspectorate was prepared to provide RWM with an outline of the information it could present at the planned meeting in August 2017 in advance, to support planning for the meeting. This could include the Planning Inspectorate's pre-application advice service and common practices for joint working between the Planning Inspectorate and the regulators of nationally significant infrastructure projects.

8. Other Business

EA informed the RIM Group that a Senior Management meeting had considered how EA might manage the regulation of a geological disposal facility over the long-term, recognising it as a major infrastructure project – this included organisational structures and means of coordinating, funding and charging for its regulation. In the near-term, it was noted that the current reduction in work to support nuclear new build meant that further resource could be available for advice and scrutiny of geological disposal.

The Chair informed the RIM Group that NRW had provided RWM with a draft charging agreement, which RWM was reviewing.

9. Date of Next Meeting

It was agreed that a date for the next RIM Group meeting would be set once the timing of BEIS consultations on the NPS and WWC policy was known.

Action RIM2017/03: RIM Group Secretary to confirm date for next RIM Group meeting.

Summary of ongoing actions

RIM2016/08	RIM Group Chair	Revise draft RIM Group ToR and circulate to RIM members.
RIM2016/12	RIM Group Chair	Discover what NDA would do to communicate the message across NDA sites as to the role of RWM's disposability assessment process and the use of LoCs as an input into the balancing of risks carried out by waste producers in RWMCs.
RIM2016/13	NRW Representative	NRW representative to share draft of NRW's document on to explain the regulation of geological disposal to the public with the BEIS representative.
RIM2016/15	RIM Group Chair	Arrange Level 1 Regulator Meeting.
RIM2017/01	RIM Group Secretary	Publish minutes of previous meeting (November 2016) on RWM's RIM Group webpage.
RIM2017/02	RIM Group Chair	Share the final report of the independent Readiness Review Panel with RIM Group members.
RIM2017/03	RIM Group Secretary	Confirm date for next RIM Group meeting.