

Regulatory Interface Management (RIM) Group Meeting

23 January 2019

1030 - 1400

Harwell, Oxfordshire

Minutes

Attendees

- Environment Agency (EA)
- Office for Nuclear Regulation (ONR)
- Planning Inspectorate (PI)
- Radioactive Waste Management Limited (RWM, Chair and Secretary)

1. Introduction and opening remarks

The Chair welcomed attendees to the meeting, noting a number of the RIM Group's members had been unable to attend the meeting due to illness.

Apologies had been received from the Department for Business, Energy and Industrial Strategy (BEIS), Natural Resources Wales and the Scottish Environment Protection Agency.

The Chair noted that, since the RIM Group last met, the UK Government had published a policy paper setting out its policy framework for managing higher activity radioactive waste through geological disposal, and the consent-based approach to working in partnership with communities to find a suitable location for a geological disposal facility (GDF) in England. In addition, the Welsh Government had published its policy on the engagement process for communities in Wales who wish to enter into discussions about potentially hosting a GDF. Publication of these policy documents marked the launch of the siting process in England and Wales.

2. Minutes and actions from the previous meeting

The draft minutes of the previous meeting (02 October 2018) were accepted as a true record and approved for publication on RWM's RIM Group webpage.

Action RIM2019/01: RIM Group Secretary to publish minutes of the previous meeting on RIM Group webpage.

Actions

RIM2018/01	RIM Group Secretary to publish minutes of the previous meeting on RIM Group webpage – closed .
RIM2018/02	RIM Group Chair to consider alternative means of ensuring effective engagement between regulators and RWM, and the role of the RIM Group in the context of other groups – open .
RIM2018/09	RIM Group Secretary to publish minutes of the previous meeting on RIM Group webpage – closed .
RIM2018/10	BEIS representative to establish status of plans for BEIS's annual report on implementing geological disposal – closed .
RIM2018/11	RIM Group Chair to investigate possibility of draft consultation on RWM's approach to site evaluation factors being shared with RIM Group members – closed, site evaluation material published .
RIM2018/12	RWM representative to call EA representative to discuss briefings for the Chairs' meetings – closed .
RIM2018/13	RWM representative to share RWM's launch and post-launch plans with EA and ONR at the next Nuclear Stakeholder Engagement and Communications Group meeting (involving BEIS, NDA, RWM and Regulators) in early November – closed .
RIM2018/14	EA representative to ensure appropriate EA staff members are invited to the Nuclear Stakeholder Engagement and Communications Group meeting in early November – closed .
RIM2018/15	RWM representative to share RWM's post-launch plans with the Planning Inspectorate for information – open .
RIM2018/16	Planning Inspectorate to provide a briefing on the transboundary notification and consultation process at a future RIM meeting – closed .
RIM2018/17	ONR representative to provide an update on the revision of REPPiR – closed .

3. BEIS update

A written up-date provided by BEIS was discussed.

A number of changes to the BEIS staff responsible for geological disposal were occurring.

Work to further develop the governance arrangements for the geological disposal programme was underway.

BEIS had published the policy paper on geological disposal in England on 19 December 2018 and Welsh Government had published its policy on working with communities in Wales on 16 January 2019.

The National Policy Statement was expected to be laid in Parliament and designated in early 2019. The NPS did not need to be designated before RWM's engagement with communities could begin.

BEIS was continuing to work closely with ONR to develop a proposed approach to defining disposal facilities requiring licensing under the Nuclear Installations Act 1965. It was anticipated that regulations would be laid before Parliament during summer / autumn 2019.

All pieces of 'day one' Euratom-exit legislation had been passed by Parliament. The last pieces of legislation to be passed were the Nuclear Safeguards (EU Exit) Regulations 2019 and the Nuclear Safeguards (Fissionable Material and Relevant International Agreements) (EU Exit) Regulations 2019, which complete the legislative framework for a new domestic safeguards regime, and the Transfrontier Shipment of Radioactive Waste and Spent Fuel (EU Exit) Regulations 2019.

4. RWM update

Following the publication of the UK Government's policy paper on geological disposal, RWM had published a suite of documents that included detailed guidance on how RWM will work with communities and regional reports from the National Geological Screening exercise, which provided information about the geology across the country of relevance to long-term safety. RWM had also published a draft site evaluation document for consultation, which described the factors that would be taken into account in evaluating prospective sites for a GDF.

The RIM Group Chair informed the group about possible changes to the governance of RWM under the 'One NDA' initiative which was changing the way NDA works with its site licence companies and subsidiaries.

There had been no changes to the membership of the RWM Board since the last RIM meeting. The RWM Chair, was reorganising the Board Committees, including replacing the HSSEQ Committee with a new Regulatory Committee the members of which would be made up of non-executive Board members.

The RWM Chair had met with senior members of the Environment Agency.

Action RIM2019/02: RIM Group Chair to ask RWM Chair whether he has plans to meet senior members of ONR.

RWM's recruitment programme had continued to make progress, with 131 permanent members of staff in position at the end of December 2018, and 10 more appointments were underway. RWM expected to make future submissions proposing further increases in headcount to support future phases of the programme, e.g. site characterisation.

RWM had organised a series of events in England and Wales to help people understand the context of RWM's proposed approach to site evaluation and to answer any questions individuals or organisations may have about RWM's consultations on the draft site evaluation document. There followed a brief discussion on the regulators' attendance at these meetings.

Action RIM2019/03: RIM Group Chair to ask RWM's Siting and Engagement team whether there was a desire for regulators to attend the site evaluation consultation meetings.

There was a more general discussion about the involvement of regulators on a range of BEIS, NDA and RWM meetings to support the delivery of geological disposal and the best way for the regulators to be kept informed of progress and future work.

5. Planning Inspectorate update

There had been no changes to the Planning Inspectorate's organisational structure, but its transformation programme to improve customer experience was ongoing.

The Planning Inspectorate was handling close to a record number of applications for development consent, with 25 live applications and more expected in the near future.

EU law relevant to nationally significant infrastructure projects would be converted into domestic law by the EU Withdrawal Act 2018 and the Government had made a series of amendments to existing domestic legislation transposing EU law, to ensure it would continue to operate effectively once the UK had left the EU.

There was a discussion about the notification and participation requirements of the Espoo Convention on Environmental Impact Assessment in a Transboundary Context and the Aarhus Convention on Access to Information, Public Participation in Decision-making and Access to Justice in Environmental Matters. The nature and extent of what was required by Parties to comply with the public participation requirements of the Aarhus Convention was uncertain and had the potential to be resource intensive.

Action RIM2019/04: RWM representative to put BEIS representative with recent experience of Espoo/Aarhus Convention in contact with Planning Inspectorate.

6. EA update

EA and ONR had published their annual report on their pre-application advice and scrutiny of RWM for 2018/19 and their Joint regulators' assessment of the 2016 generic Disposal System Safety Case, in November 2018.

EA was focused on improving its 'interfaces' with others with a role in the implementation of geological disposal. A new section 37 agreement between RWM and EA was in the process of being drawn up. EA asked for a meeting with the Planning Inspectorate to better understand the pre-application and examination phases of a development consent

application and where EA should be involved. The EA's Nuclear Waste Assessment Team had been carrying out internal communications within the Agency to ensure a general awareness of the siting process throughout its 14 Areas and where to obtain information on it.

Action RIM2019/05: RWM representative to arrange meeting with EA and Planning Inspectorate to discuss development consent application processes.

EA's revision of the geological GRA was ongoing. Further consideration would need to be given to the most appropriate format in which to publish a revised version.

7. ONR update

ONR had been using the Local Liaison Committee / Site Stakeholder Group reports published after December 2018 to publicise the launch of the siting process (and the new Nuclear Safeguards Regulations).

ONR and RWM had finalised and signed an ONR cost recovery agreement.

ONR was continuing to work with BEIS on the revision of the Radiation (Emergency Preparedness and Public Information) Regulations to implement the 2013 Basic Safety Standards Directive in the UK. New Regulations were expected to be brought into force in summer 2019. ONR was leading on the preparation of an Approved Code of Practice which would be consulted for an eight week period, starting when the new Regulations were laid in Parliament.

ONR had approved a regulatory overview document produced for BEIS, which explains the steps involved in the development and operation of a GDF and how these would be regulated. When it has received EA approval, it will be hosted on ONR's website with links from the GOV.UK website. NRW is developing an equivalent for Wales in English and Welsh.

8. Other Business

There was no other business.

9. Date of Next Meeting

The next RIM Group meeting would be on 09 May 2019.

Summary of ongoing actions

RIM2018/02	RIM Group Chair	Consider alternative means of ensuring effective engagement between regulators and RWM, and the role of the RIM Group in the context of other groups.
RIM2018/15	RWM representative	Share RWM's post-launch plans with the Planning Inspectorate for information.
RIM2019/01	RIM Group Secretary	Publish minutes of the previous meeting on RIM Group webpage.
RIM2019/02	RIM Group Chair	Ask RWM Chair whether he has plans to meet senior members of ONR.
RIM2019/03	RIM Group Chair	Ask RWM's Siting and Engagement team whether there was a desire for regulators to attend the site evaluation consultation meetings.
RIM2019/04	RWM representative	Put BEIS representative with recent experience of Espoo/Aarhus Convention in contact with Planning Inspectorate.
RIM2019/05	RWM representative	Arrange meeting with EA and Planning Inspectorate to discuss development consent application processes.