

Regulatory Interface Management (RIM) Group Meeting

02 October 2018 1030 - 1400

Harwell, Oxfordshire

Minutes

Attendees

- Department for Business, Energy and Industrial Strategy (BEIS)
- 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 and the new BEIS representative on the RIM Group in particular. The Chair asked the new BEIS representative to thank her predecessor for the contribution he had made to the RIM Group.

Apologies had been received from Natural Resources Wales and the Scottish Environment Protection Agency.

2. Minutes and actions from the previous meeting

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

Action RIM2018/09: 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 – **open, RIM Group Secretary to pursue.**
- 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.**
- RIM2018/03 RIM Group Chair to share draft public-facing safety related documents with EA and ONR – **closed.**
- RIM2018/04 EA representative to share a copy of EA's organisational chart with RIM Group members – **closed.**
- RIM2018/05 RIM Group Secretary to update RIM Group contact list to reflect change in EA staff – **closed.**
- RIM2018/06 EA representative to inform RIM Group of EA's position on GPPs or the availability of alternative guidance on the GOV.UK website – **closed.**
- RIM2018/07 EA/ONR representative to provide RWM with a current draft of the 'Geological disposal regulatory overview' document – **closed.**
- RIM2018/08 RIM Group Secretary to confirm date for next RIM Group meeting – **closed, the date is 23 January 2019.**

3. BEIS update

The annual party conference recess was underway and was to end 09 October.

A new appointment had been made to BEIS Head of Geological Disposal position.

The Secretary of State for Business, Energy and Industrial Strategy had visited Sellafield.

BEIS was preparing a policy document to replace the 2014 White Paper on Implementing Geological Disposal. The policy document would provide a comprehensive picture of Government policy on geological disposal, including the policy in the 2014 White Paper (having been updated to reflect completion of the initial actions) and the finalised Working with Communities policy. The policy document was to go to the Secretary of State, with a view to its publication in late autumn. Publication would signal the launch of the siting process and would be accompanied by RWM publishing its 'prospectus', community guidance and the results of the national geological screening exercise. It would also consult upon its draft site evaluation criteria.

The Business, Energy and Industrial Strategy Committee had scrutinised the draft National Policy Statement on geological disposal infrastructure (NPS) and published its report with recommendations at the end of July. The draft NPS had also been debated in the House of Lords in September. There was brief discussion on aspects of the Committee's recommendations. It was anticipated that the final version of the NPS would be laid in Parliament and designated early in 2019. The NPS would not need to be designated before engagement with communities could begin.

Action RIM2018/10: BEIS representative to establish status of plans for BEIS's annual report on implementing geological disposal.

Action RIM2018/11: RIM Group Chair to investigate possibility of draft consultation document on RWM's site evaluation criteria being shared with RIM Group members.

BEIS was continuing to work closely with the regulators to develop a proposed approach to defining disposal facilities requiring licensing under the Nuclear Installations Act 1965.

BEIS understood that the Welsh Government anticipated publishing its arrangements for Working with Communities in Wales on a similar timescale to the UK policy.

It was recognised that the siting process could not be launched in Northern Ireland without an appointed Northern Ireland Executive.

4. RWM update

RWM was in a position to launch the siting process and welcomed the progress being made towards a potential launch later in 2018.

The RIM Group Chair updated the group on a number of changes to the membership of the RWM Board, including the appointment of two new non-executive directors from outside the NDA.

All RWM's Executive positions had been filled, with recent appointments to the positions of Technical Director and Business Services Director.

RWM's recruitment programme had continued to make progress, with 127 permanent members of staff in position. RWM had planned for 157 staff to be in place by the end of financial year 2018/19 (out of an approved headcount of 165).

BEIS had appointed Sir Nigel Thrift as the new Chair of the Committee on Radioactive Waste Management (CoRWM) in July. CoRWM had published its annual report on its advice to Government in June. The report contained no new recommendations in relation to RWM. The RIM Group Chair reported that RWM hoped its responses to recommendations in CoRWM's previous annual report, relating to the National Geological Screening work and the applicability of the Letter of Compliance process to different rock types were sufficient to close out the recommendations, although the latter was still being considered by the Committee. The annual report had also talked about what CoRWM was doing to further publicise its work, including updating its website, making use of social media and the need for a wider engagement strategy. It was also noted that CoRWM was proposing to issue a number of formal position statements on a range of key issues, such as GDF safety and transport considerations.

RWM's new Chair, Malcolm Morley, was planning to meet senior members of the Environment Agency.

Action RIM2018/12: RWM representative to call EA representative to discuss briefings for the Chairs' meetings.

RWM had mounted an exhibition explaining the science and engineering of geological disposal to the general public at the *New Scientist Live* event in London, in September.

RWM was meeting with representatives of Nuclear Waste Advisory Associates in late October to discuss issues arising from the Swedish Environmental Court's recent decision in relation to the licensing of SKB's proposed geological disposal facility.

The pre-application advice and scrutiny programme for FY18/19 was ongoing. RWM was carrying out a factual accuracy check on the regulators' draft joint report on their assessment of RWM's 2016 generic Disposal System Safety Case (gDSSC). The regulators had provided RWM with a number of regulatory issues and observations. RWM was considering its responses and hoped to meet with the regulators before the end of the calendar year to discuss their review of the gDSSC. RWM was also carrying out a factual accuracy check on the regulators' annual report on their scrutiny of RWM's work during 2017/18.

There was a discussion of RWM's communications plans for launch of the siting process, comprising a launch plan and a post-launch plan. The launch plan addressed RWM publishing its 'prospectus', community guidance and the results of the national geological screening exercise. It would also consult upon its draft criteria for site evaluation. The subsequent post-launch plan included proposals for sessions across the country during early 2019, aimed at local government professionals, the existing nuclear community, the private business sector and landowners, with a view to encouraging interested parties to register interest with RWM. The extent to which EA and ONR might be involved in the post-launch sessions was discussed.

Action 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.

Action RIM2018/14: EA representative to ensure appropriate EA staff members are invited to the Nuclear Stakeholder Engagement and Communications Group meeting in early November.

The Planning Inspectorate noted that there would be examinations of development consent applications for other nuclear projects during early 2019 and that RWM may wish to factor this in to its post-launch plans. It was also noted that RWM needed to take care to ensure that any public and regulator engagement it undertook prior to making an application for development consent was clearly distinguished from the statutory consultations under the pre-application process established by the Planning Act.

Action RIM2018/15: RWM representative to share RWM's post-launch plans with the Planning Inspectorate for information.

5. Planning Inspectorate update

There had been no changes to the Planning Inspectorate's organisational structure, but its transformation programme to improve customer experience (e.g. through the development of new application tools) was ongoing.

The Planning Inspectorate had received fifteen applications for development consent in the current year, bringing the number of applications in acceptance, examination or reporting to nineteen. This had included the application for Wylfa Newydd Nuclear Power Station, which had been submitted in June, accepted in July and the examination of which would begin before the end of the year. A further five or six applications were expected to be received before the end of the year and the elevated rate of applications was anticipated to continue into next year. This was in marked contrast to the previous two years, during which very few applications had been received.

Being able to respond to highly variable rates of applications was a challenge, and the Planning Inspectorate had begun gathering intelligence on the progress of applications anticipated to be made over the next five years. This had already resulted in improvement to the accuracy of the Planning Inspectorate's predictions.

The substantial number of applications received and the rise in the number of habitats regulations assessments progressing to appropriate assessment (following *People Over Wind*) had required additional recruitment to the Planning Inspectorate's Environmental Services Team. Work was underway to update Advice Note Ten (Habitats Regulations Assessments).

In light of recent experience, the Planning Inspectorate noted that a scoping report should be sufficiently succinct to be evaluated and a scoping opinion adopted within the statutory time frame. It was also noted that the notification and consultation process applicable to applications for development consent for projects with significant transboundary effects was now expansive. RWM was informed that the advice on the translation of application documents into the languages of the affected states provided in Advice Note Twelve (Transboundary Impacts and Process) stands.

Action RIM2018/16: Planning Inspectorate to provide a briefing on the transboundary notification and consultation process at a future RIM meeting.

6. EA update

EA's RSR policy and strategy function is now organised into 4 portfolios. A member of the Nuclear Waste Assessment team had been given responsibility for managing EA's engagement with RWM on geological disposal facility siting.

EA would finalise the regulators' draft annual report on their scrutiny of RWM's work following receipt of RWM's fact-checking comments. The regulators' planned to issue the annual report at the same time as the report on their joint regulatory assessment of RWM's 2016 gDSSC.

Revision of the geological GRA was ongoing. The results of consultations with users suggested it was fit for purpose, but at nearly 10 years old it would benefit from up-dating. While much technical thinking had been done, a project plan was still to be developed, which meant the delivery date was yet to be agreed. Further consideration would need to be given to the most appropriate format in which to publish a revised version.

EA's resource planning for FY2019/20 would commence in November and there was a discussion on the estimation of the resource needed to provide input to the siting process. It was also noted that RWM's scrutiny agreement with EA was to end in March 2019 and that a replacement agreement would need to be in place before then. A new agreement would need to include resource to cover the possibility of one or more community partnerships being established under the siting process.

EA had published guidance on its role in the development and regulation of a geological disposal facility for radioactive waste (<https://www.gov.uk/guidance/regulating-the-geological-disposal-of-radioactive-waste-environmental-protection>).

7. ONR update

There had been no organisational changes in ONR since the last RIM Group meeting.

ONR was continuing to work closely with BEIS to develop a proposed approach to defining disposal facilities requiring licensing under the Nuclear Installations Act 1965. The preferred qualitative approach required ONR to carry out work on the interpretation of the expression 'bulk quantities of other radioactive matter'. ONR expects to complete this work, including public consultation, by end of March 2020.

The proposed Annex on geological disposal to ONR's licensing guidance (*Licensing Nuclear Installations*) has been drafted and will be included when the guidance is next reissued.

ONR and EA's jointly prepared 'Geological disposal regulatory overview' document explaining the regulation of geological disposal to the public had been sent for publication. The short position statement prepared by ONR, EA, NRW and the Northern Ireland Environment Agency on higher activity waste management and geological disposal was available on ONR's website (<http://www.onr.org.uk/documents/2019/jrp-haw-geo-disposal.pdf>).

ONR planned to review its webpages on higher activity waste and geological disposal before launch of the siting process.

ONR continued 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.

Action RIM2018/17: ONR representative to provide an update on the revision of REPIR.

8. Other Business

There was no other business.

9. Date of Next Meeting

The next RIM Group meeting would be on 23 January at RWM's Harwell Office.

Summary of ongoing actions

RIM2018/01	RIM Group Secretary	Publish minutes of the previous meeting (June 2017) on RIM Group webpage.
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.
RIM2018/09	RIM Group Secretary	Publish minutes of the previous meeting (May 2018) on RIM Group webpage.
RIM2018/10	BEIS representative	Establish status of plans for BEIS's annual report on implementing geological disposal.
RIM2018/11	RIM Group Chair	Investigate possibility of draft consultation on RWM's approach to site evaluation criteria being shared with RIM Group members.
RIM2018/12	RWM representative	Call EA representative to discuss briefings for the Chairs' meetings.
RIM2018/13	RWM representative	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.
RIM2018/14	EA representative	Ensure appropriate EA staff members are invited to the Nuclear Stakeholder Engagement and Communications Group meeting in early November.
RIM2018/15	RWM representative	Share RWM's post-launch plans with the Planning Inspectorate for information.
RIM2018/16	Planning Inspectorate	Provide a briefing on the transboundary notification and consultation process at a future RIM meeting.
RIM2018/17	ONR representative	Provide an update on the revision of REPPIR.