

Regulatory Interface Management (RIM) Group Meeting

09 May 2019 1030 - 1400

Harwell, Oxfordshire

Minutes

Attendees

- Department for Business, Energy and Industrial Strategy (BEIS)
- Department for Environment, Food & Rural Affairs (Defra)
- Environment Agency (EA)
- Planning Inspectorate (PI) (by telephone)
- Radioactive Waste Management Limited (RWM, Chair and Secretary)

1. Introduction and opening remarks

The Chair welcomed attendees to the meeting and the new Defra and BEIS representatives for the RIM Group in particular.

The Chair noted that this was the first RIM Group meeting that Defra had been invited to attend. The RIM Group had been established to help RWM navigate the wide range of potential permissions required to deliver a geological disposal facility (GDF) in England and/or Wales. As RWM's search for a willing host community progressed, the regulatory environment would continue to crystallise and it was anticipated that the composition of the RIM Group would develop accordingly.

Apologies had been received from the Office for Nuclear Regulation (ONR) and the Scottish Environment Protection Agency.

2. Minutes and actions from the previous meeting

The draft minutes of the previous meeting (23 January 2019) were accepted as a true record and approved for publication on RWM's RIM Group webpage.

Action RIM2019/06: RIM Group Secretary to publish minutes of the previous meeting on RIM Group webpage.

Actions

- 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**.
- RIM2018/15 RWM representative to share RWM's post-launch plans with the Planning Inspectorate for information – **closed, noting has become a standing item**.
- RIM2019/01 RIM Group Secretary to publish minutes of the previous meeting on RIM Group webpage – **closed**.
- RIM2019/02 RIM Group Chair to ask RWM Chair whether he has plans to meet senior members of ONR – **closed, RWM Chair to meet with ONR's Sellafield, Decommissioning, Fuel and Waste Director**.
- RIM2019/03 RIM Group Chair to ask RWM's Siting and Engagement team whether there was a need for regulators to attend the site evaluation consultation meetings – **closed, regulators attended**.
- RIM2019/04 RWM representative to put BEIS representative with recent experience of Espoo/Aarhus Convention in contact with Planning Inspectorate – **closed**.
- RIM2019/05 RWM representative to arrange meeting with EA and Planning Inspectorate to discuss development consent application processes – **closed**.

3. BEIS update

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

It was anticipated that the NPS would be laid in Parliament in the coming months. The NPS did not need to be designated before RWM's engagement with potential communities could begin. A designated NPS would be a useful input to RWM's discussions with interested parties, but was not strictly necessary for those discussions. RWM's Site Evaluation documents would need to take account of the designated NPS.

The proposed approach to defining disposal facilities requiring licensing under the Nuclear Installations Act 1965 will likely make use of the concept of "bulk quantities of other radioactive matter". ONR was revisiting its 2012 interim position statement on its interpretation of "bulk quantities" in relation to the storage of other radioactive matter to ensure it also applied to disposals.

The implementation of geological disposal was not reliant on the UK's membership of Euratom, and the UK's withdrawal from the EU and Euratom should not have any implications for the programme.

4. RWM update

For the benefit of new attendees, the RIM Group Chair explained that BEIS was the government department with policy responsibility for policy for nuclear decommissioning and management radioactive waste and materials. The Nuclear Decommissioning Authority (NDA) was responsible for implementing Government policy on the long-term management of radioactive waste. RWM was one of several subsidiary companies of NDA, and has responsibility for implementing geological disposal of higher activity radioactive waste.

The RIM Group Chair informed the group about possible changes to the governance of RWM and the ongoing transition to NDA's "One NDA" way of working. A One NDA Handbook had been issued.

NDA's Director of UK Waste Operations would be joining the RWM Board and would be RWM's main point of contact with NDA.

As of April 2019, RWM's agreed head count was 165. The target for the end of FY 2019/20 was 195. The majority of the growth had been in RWM's Programme Directorate and reflected RWM's ongoing development into a major programme delivery organisation.

The Pre-Application Advice and Scrutiny programme for 2019/20 was underway. A key meeting would be held with the regulators in June to discuss RWM's ongoing development into a major programme delivery organisation and other organisational development activities.

RWM had commissioned an Infrastructure and Projects Authority (IPA) Route Map review of its plans for later in May.

RWM's Chair, Malcolm Morley, had had regular meetings with the EA's Deputy Director of Radioactive Substances & Installations Regulation, and had also met with the EA's Director of Regulated Industry and the EA's Chair. He was due to meet with ONR's

Director of Sellafield, Decommissioning, Fuel and Waste later in the year. RWM would arrange senior level meetings following the Chair's meeting with ONR.

There followed a discussion on the availability of RWM's plans for engaging with stakeholders and the wider public as part of the siting process. EA stressed that if there was an expectation that the regulators would attend these meetings, RWM would need to make any plans it has available to the regulators so they could plan their own resourcing. EA would work with any uncertainty associated with RWM's plans.

RWM was planning to meet with the Site Stakeholder Groups associated with NDA nuclear licensed sites, although no dates had been confirmed.

Action RIM2019/07: RWM Representative to provide regulators with names of NDA staff involved in coordinating SSG Meetings.

RWM provided the group with an update on the Siting Process.

RWM's awareness raising activities had been on hold in advance of the local elections. A number of planned activities were reported to the RIM Group, including RWM's attendance at the Local Government Association's (LGA) Annual Conference and Exhibition and the NDA Stakeholder Summit in early July. The Environment Agency also has plans to attend the NDA Stakeholder Summit and is intending to run a workshop.

Action RIM2019/08: RWM Representative to inform regulators of RWM's proposals for NDA Stakeholder Summit.

RWM's consultation on its plans to evaluate sites had closed in England on 31 March and in Wales on 14 April. The consultation responses were being analysed and updated Site Evaluation documents and a consultation response document were expected to be published later in 2019.

RWM provided the group with a presentation on its site characterisation planning.

There followed a discussion about plans for sealing site characterisation boreholes and the timing of this, noting some boreholes may be kept open during the construction of a GDF.

5. Planning Inspectorate update

The Planning Inspectorate's management level restructuring exercise (Organisational Design Phase 1) was complete and new Directors of Operations and of Strategy had been appointed. Organisational Design Phase 2, which would involve changes to administrative posts, had begun and a new structure would be in place by the end of 2019.

The Planning Inspectorate was handling a record number of applications for development consent, with 26 live applications and more expected over the course of the year.

Examination of Horizon Nuclear Power's application for development consent for the Wylfa Newydd Nuclear Power Station had closed at the end of April. NNB GenCo was consulting the public on a proposed application for a material change to its development consent order for the Hinkley Point C Nuclear Power Station. The ongoing pre-application public consultation on this change was expected to run until June.

The Planning Inspectorate informed the group that, as of 1 May, the Marine Management Organisation was charging applicants for statutory consultation responses to development consent applications.

6. EA update

EA and ONR had both approved the regulatory overview document they had produced for BEIS, which explains the steps involved in the development and operation of a GDF and how these would be regulated <http://www.onr.org.uk/documents/2019/geological-disposal-overview.pdf>. A short guide had also been published by the EA and ONR <http://www.onr.org.uk/documents/2019/geological-disposal-joint-working.pdf>.

EA had attended all of the events in England that had been organised by RWM to support the consultation on the proposed approach to site evaluation. EA had also provided a written response to the consultation.

There was a further discussion on EA's plans in relation to the siting process over the coming three years. EA's advice on site evaluation would not be limited to radioactive substances regulation, but would also include advice on areas such as sustainable development. Going forward, geological disposal would appear in EA's Corporate Plan.

EA's revision of Geological Disposal Facilities on Land for Solid Radioactive Wastes: Guidance on Requirements for Authorisation was ongoing. Further consideration would need to be given to how best to publish the revised version.

Regulators were planning to produce an annual report on their interactions with RWM in 2018/19 which would cover both regulators' Pre-Application Advice and Scrutiny, as well as regulators' support to the siting process.

EA would be engaging in a technical exchange with the Swedish regulator in June. This was to include a visit to the Äspö Hard Rock Laboratory, the Central Interim Storage Facility for Spent Fuel and the Canister Laboratory, near Oskarshamn.

7. ONR update

(Written update provided by ONR in advance of RIM Group meeting)

Mark McAllister had been appointed as the new Chair of ONR (succeeding Nick Baldwin CBE) and joined ONR on 1 April.

ONR had published its 2018 Stakeholder Survey report in February following the survey in October/November last year. Stakeholders from across the sector were invited to take part in the survey, with 329 responses received. It had provided valuable insight into how ONR is viewed by its stakeholders. The full report was available on the ONR website.

ONR is progressing work to revise its 2012 interim position statement on the interpretation of "bulk quantities" in relation to storage of radioactive matter to include application to disposal. It was anticipated that there would be a stakeholder consultation in autumn 2019, with publication of the revised interpretation in March 2020.

The Radiation (Emergency Preparedness and Public Information) Regulations 2019 (REPPiR) were laid in Parliament in late March. A draft version of the Approved Code of Practice (ACoP) and guidance was published alongside the new regulations.

The Health and Safety Executive would launch an eight week consultation on the ACoP in due course, which would support dutyholder-compliance with the new regulations. The consultation would be managed by ONR as it had led the drafting of the ACoP. The ACoP would be supported by additional guidance, with both available in a single publication. Although there would be no formal consultation on the guidance, stakeholders and interested parties would be able to provide comments which would be considered before the guidance was finalised. The final ACoP and guidance was expected to be published by late autumn 2019.

8. Defra update

Defra ministers would have a clear interest in the implementation of geological disposal and attendance at RIM group meetings would ensure that Defra staff would be in a position to brief ministers as necessary. Defra's attendance at future meetings was welcomed by the RIM group.

Action RIM2019/9: RIM Group Secretary to provide slides used in RWM's presentations to the RIM group to all Defra representatives.

Action RIM2019/10: RIM Group Secretary to ensure all Defra representatives are copied in on future communications.

The RIM Group Chair indicated that RWM would be pleased to provide Defra representatives with further background information on the implementation of geological disposal if that would be useful.

9. Other Business

A short animation on the regulation of geological disposal, which had been jointly produced by EA and ONR, was viewed by the RIM group.

10. Date of Next Meeting

The next RIM Group meeting would be on 18 September 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.
RIM2019/06	RIM Group Secretary	Publish minutes of the previous meeting on RIM Group webpage.
RIM2019/07	RWM Representative	Provide regulators with names of NDA staff involved in coordinating SSG Meetings.
RIM2019/08	RWM Representative	Inform regulators of RWM's proposals for NDA Stakeholder Summit.
RIM2019/09	RIM Group Secretary	Provide slides used in RWM's presentations to the RIM group to all Defra representatives.
RIM2019/10	RIM Group Secretary	Ensure all Defra representatives are copied in on future communications.