

## **Regulatory Interface Management (RIM) Group Meeting**

**18 September 2019      1030 - 1400**

**Harwell, Oxfordshire**

### **Minutes**

#### **Attendees**

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

#### **1. Introduction and opening remarks**

The Chair welcomed attendees to the meeting and explained the purpose of RIM, stating that it was established in 2008 when geological disposal first became the preferred government policy for disposal of radioactive waste. The RIM group meeting is an opportunity for those involved in the RWM-Regulator interfaces to meet and take a higher-level strategic look at progress towards regulatory engagement in GDF implementation.

Apologies had been received from the Scottish Environment Protection Agency.

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

The draft minutes of the previous meeting (09 May 2019) were accepted as a true record subject to clarification of a statement in the RWM update. The minutes will be published once the amended text on this point has been agreed.

**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**.
- RIM2019/06 RIM Group Secretary to publish minutes of the previous meeting on RIM Group webpage – **closed**.
- RIM2019/07 RWM Representative to provide regulators with names of NDA staff involved in coordinating SSG Meetings – **closed**.
- RIM2019/08 RWM Representative to inform regulators of RWM's proposals for NDA Stakeholder Summit – **closed**.
- RIM2019/09 RIM Group Secretary to provide slides used in RWM's presentations to the RIM group to all Defra representatives – **closed**.
- RIM2019/10 RIM Group Secretary to ensure all Defra representatives are copied in on future communications – **closed**.

### **3. BEIS/General Policy update**

The team responsible for the GDF portfolio at BEIS is expected to decrease in size with the transfer of the Senior Responsible Officer role from BEIS to NDA.

Due to the recent Cabinet reshuffle, Andrea Leadsom is now Secretary of State at BEIS, the minister responsible for nuclear is Nadhim Zahawi.

The National Policy Statement (NPS) for Geological Disposal Infrastructure was laid in Parliament and the period for consideration was due to be completed shortly after Parliament resumes sitting. The Appraisal of Sustainability Post Adoption Statement (AoS PAS) and the final Habitat Regulation Assessment (HRA) report will be published with the designated NPS.

*Post meeting note: The NPS was designated on the 17 October 2019 with a written ministerial statement and the publication of the AoS PAS and the HRA. This completes the parliamentary process on the NPS. The policy paper can be accessed on the government website <https://www.gov.uk/government/publications/national-policy-statement-for-geological-disposal-infrastructure>*

BEIS has worked closely with the ONR to develop an approach for defining disposal facilities requiring licensing. ONR is working on an updated interpretation of 'bulk quantities' in the context of licensing both storage and disposal. The updated position paper will also take in to consideration updates to REPPiR since the current position statement was produced in 2012. ONR stated that all RIM members will be welcomed to participate through a planned public consultation expected in early 2020.

Within BEIS there is ongoing planning for Brexit and specifically 'no deal' and more resources have been allocated for this. Good progress has been made with regards to Brexit, in particular, ONR were prepared to deliver the UK safeguarding regime from the 31<sup>st</sup> March 2019. RWM updated RIM on its own preparations for Brexit.

BEIS is producing a paper on radioactive waste policy that is due to be finalised in late 2020.

### **4. Defra update**

A new Under Secretary of State is in place in Defra, Rebecca Pow will continue the same portfolio of responsibilities as her predecessor. Meetings with senior staff within Defra are being held to update the new Under Secretary.

### **5. NRW update**

NRW's organisational change programme is continuing and includes restructuring in the team responsible for GDF. NRW is also currently preparing for the upcoming IRRS review of the UK's nuclear regulatory framework.

## **6. RWM update**

The implementation of One NDA across the NDA group is continuing with an increasing level of functional coordination and sharing across the group.

RWM has worked closely with the NDA on its submission for the recent spending review. The NDA received additional funding in its spending review settlement for 2020/21 to address the reduction in commercial revenue. RWM is currently awaiting confirmation of its own budget for 2020/21 from the NDA.

The NDA published its Integrated Waste Strategy on the 16<sup>th</sup> of September 2019. Key themes within this include optimisation of waste management and risk based decision sentencing of waste for treatment and disposal. The strategy recognises the importance of geological disposal as part of the required UK radioactive waste management capability.

RWM is also engaging with the NDA on its aspiration for the next update of the NDA's strategy. The programme of work to produce the NDA's 4<sup>th</sup> strategy is commencing as the updated strategy is due for approval by Ministers by March 2021.

RWM is also working together with the NDA to ensure that nuclear stakeholder messaging to a parliamentary audience is aligned.

Since the last meeting of RIM, RWM's Managing Director announced that he will be stepping down in March 2020. Recruitment has begun in order to fill this role. Also in July, an interim Communications Director joined RWM to lead the organisation's communications and engagement programme.

A further new executive position is being created; the Transformation Director will be responsible for delivering a coordinated organisational transformation programme to ensure RWM is prepared for future phases of its programme.

More generally, RWM's recruitment programme is continuing. The current headcount is approximately 165 (including interim staff) with the organisation expected to grow to around 200 by the end of the current financial year.

RWM has now successfully completed its move to new premises at Harwell as a result of the increasing headcount and is looking at further new accommodation options.

The GDF Programme Business Case has been considered by the Treasury Review Panel which has recommended its approval. RWM is continuing to progress the approval of the Final Business Case for Tranche 2 (Site Evaluation). RWM is also discussing its approach to the Business Case for Tranche 3 (Site Characterisation).

*Post meeting note: The GDF Programme Business Case has now been approved.*

RWM is also continuing to work on the development of its programme delivery capability, the programme directorate is now substantially staffed and a new digital Programme and Project Management tool is being implemented.

RWM is also implementing a system for Customer Relation Management (CRM) and this will record communication with different stakeholders including potential communities. The CRM will be important for providing evidence for a future DCO application.

RWM attended a Peer Assist with the NDA and other organisations in the NDA estate to build on some of the discussion from the Letter of Compliance (LoC) summit. The NDA will be updating regulators on the Peer Assist outcomes.

Scrutiny of RWM's activities by regulators is ongoing through the Pre-application and Advice Scrutiny programme. There are several meetings planned in the coming months to update regulators on progress in different areas of RWM's technical work.

RWM has attended several regional meetings of NDA Site Stakeholder Groups in different parts of the country to increase awareness of the geological disposal programme. RWM has received positive feedback from those attending these events.

CoRWM membership remains in transition with new appointments still awaited. CoRWM is also reconsidering its approach to public engagement and as a result has cancelled planned public plenaries until the end of 2019. CoRWM published a position statement on Deep Borehole disposal of radioactive waste in August 2019.

In terms of the siting process, RWM is actively increasing the profile of the company and the project. There is increased activity on social media and engagement with mainstream media including BBC television and radio.

RWM attended the Trades Union Congress (TUC) in September 2019 and held a fringe event related to spreading awareness of geological disposal to union leaders.

Regulators requested further clarity of how and at what stage in discussions with potential interested parties about the formation of public Working Groups would RWM be in a position to engage regulators in order to allow them to plan to respond effectively to Working Groups and respond to requests for information. RWM took an action to discuss the process for engaging regulators on progress of discussions with interested parties.

**Action RIM2019/11      Determine process for engaging with regulators on progress of discussions with interested parties.**

RWM is finalising a document on its approach to site evaluation which will be informed by responses to the 2018 public consultation and the National Policy Statement for Geological Disposal Infrastructure. RWM is also undertaking trials of its approach to site evaluation using artificial information about 'mock' communities. The next phase of trials will use geological information from other programmes to test RWM's site characterisation capability to develop a site descriptive model and to use this model to undertake assessments to inform implementation decisions. This testing is intended to inform preparations for site characterisation. RIM requested more information on when RWM will be in a position to engage regulators on its work to trial its approach to site characterisation and the development of a site descriptive model.

**Action RIM2019/12      Notify RIM group members when plans to update regulators on the trial development and use of a site descriptive model are agreed.**

RWM are progressing a number of pieces of work to support the development of its capability for site characterisation, consenting and permissioning. This phase of work will also establish required activities, capabilities and resources. It will be used to review risk and opportunities and identify forward actions to be carried out over the next 18-24 months in preparation for Tranche 3 of RWM's programme. RWM proposes to share a report on permitting capability and resource with regulators later in 2019.

RWM is working to develop its arrangements for dealing with conventional health and safety for the siting process leading up to construction. It was noted that RWM needs to develop arrangements for compliance with Construction (Design and Management) regulations in advance of site specific design work commencing.

RWM noted it had been engaging with regulators on its plans to test borehole sealing at full scale using existing boreholes. An initial phase of this project at a site in the UK will be carried out in several stages (initial survey work to confirm whether the planned borehole is suitable for this trial and then trial sealing and testing). RWM is currently discussing land access requirements with the organisations responsible for the land.

## **7. Planning Inspectorate update**

The Planning Inspectorate is currently in the second phase of an organisational design exercise which affects mainly administrative staff. Updated organisational designs are expected to be finalised by the end of the year.

Key developments include the update of guidance documents to reflect the Environmental Impact Assessment (EIA) Regulations 2017. Updated Advice Notes include;

- Advice Note No.11, which was updated in July 2019, includes updates to the Annexes relating to working with EA/NRW
- Advice Note No. 17, which was updated in August 2019, includes updated coverage of cumulative effects, amended in line with updated EIA requirements.

The Planning Inspectorate is dealing with a record number of live cases.

RWM will be holding future workshops on planning for the DCO application. [RWM was advised to consult with the Planning Inspectorate ahead of discussion on DCO strategy. RWM was advised to consult with the Planning Inspectorate with regard to the proposed timeline for DCO submission.](#)

**8. EA update**

EA are currently commencing their annual business planning cycle and therefore are planning resourcing for the year. They advised that all aspects of RWM's engagement with them should be considered soon so that resourcing could be planned accordingly.

The EA and ONR have shared with RWM the draft 2018-19 annual report on '*Regulatory scrutiny and engagement for geological disposal*' for factual accuracy checking. RWM welcomed the new style adopted to make the report accessible to a wider audience and confirmed it would provide consolidated factual accuracy comments.

The EA executive has discussed strategic issues that may affect future nuclear regulation in the context of climate change with a focus on sustainable development. It was noted that this may affect RWM's long term planning and RWM also noted One NDA's increased focus on sustainability. NRW also noted the duties placed on it and other public bodies operating in Wales with respect to the goals set out in the Well-being of Future Generations Act. These duties will be relevant should communities in Wales come forward.

**9. ONR update**

The ONR is planning to publish an update to its document titled '*Licensing nuclear installations*'. This describes how ONR makes licencing decisions and includes new information on ONR's approach to the licensing of a geological disposal facility.

*Post meeting note: ONR published a revised 'Licensing Nuclear Installations' document on the 27 September 2019, it contains within it a section in the Annex on 'Licensing and regulating a future geological disposal facility'. The guidance can be accessed on the ONR website <http://news.onr.org.uk/2019/09/revised-licencing-nuclear-installations-guidance/>.*

**10. Other Business**

None

**11. Date of Next Meeting**

The next RIM Group meeting would be on 16 January 2020.

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**Summary of ongoing actions**

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RIM2018/02	RIM Group Chair	RIM Group Chair will update the RIM group Terms of Reference (TOR). This should include reference to all levels of engagement between RWM and the RIM group members clarifying the hierarchical nature for engagement. The TOR will be circulated ahead of the next RIM group meeting.
RIM2019/11	RWM Representative	Determine process for engaging with regulators on progress of discussions with interested parties.
RIM2019/12	RWM Representative	Notify RIM group members when plans to update regulators on the trial development and use of a site descriptive model are agreed.