

Regulatory Interface Management (RIM) Group Meeting

29 June 2020, 1400 - 1600

By telephone

Minutes

1. Attendees

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

2. Introduction and opening remarks

The Chair welcomed attendees and explained that the meeting planned for May 2020 was postponed due to the national Covid-19 measures in place and thanked attendees for attending the rearranged meeting.

Apologies had been received from the Scottish Environment Protection Agency; the Marine Management Organisation also could not attend the meeting, but a further discussion will be arranged to update their RIM representative.

The Chair mentioned that RWM has continued to work remotely during this period of lockdown. RWM is making good progress on the agreed programme, though some aspects of the programme have been delayed or are moving slower than planned.

3. Minutes and actions from the previous meeting

Comments from the RIM members on the draft minutes of the previous meeting held on the 16th January 2020 are yet to be finalised and there will be opportunity for any submission of comments/clarifications until 10th July. The minutes will be published on the RIM Group webpage when they have been agreed.

Actions

RIM2018/02	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. Open
RIM2019/11	Determine process for engaging with regulators on progress of discussions with interested parties. Closed
RIM2019/12	Communicate to RIM group members timescales for when RWM will be in a position to update regulators on progress on work to trial the development and use of a site descriptive model. Closed
RIM2019/13	RWM will share with RIM Group members a list of assumptions of the permits and consents that would be applicable if a location for GDF is determined. Open
RIM2019/14	RIM Group members to advise on how/if RWM could attend their engagements with external stakeholders (mainly statutory consultees) for opportunities to raise awareness on the GDF. Open
RIM2019/15	RWM to determine if it is necessary to have made recommendations of suitable sites to government before it can formally enter pre-application phase with Planning Inspectorate. Open
RIM2019/16	MMO will present at a future RIM Group meeting to provide an overview of the organisation. Open

4. BEIS/General Policy update

Following on from the cabinet reshuffle in the early part of the year, Alok Sharma is the new Secretary of State for BEIS. Nadhim Zahawi continues in his role as the Parliamentary Under-Secretary of State responsible for the nuclear brief.

Supporting the Covid-19 response has been a major focus for BEIS. BEIS prioritised and continued overseeing nuclear safety and security matters but other areas and negotiations with the EU are ongoing. Additionally, a number of other items have been impacted by the diversion of resources due to the Covid-19 response. A high proportion of BEIS staff will continue to work from home over the next few months.

Due to the current circumstances, review of the Radioactive Waste policy is progressing slower than planned; the timing for the consultation period is being reviewed. The role of Senior Responsible Owner (SRO) had already been transferred to the NDA in the previous financial year and as a result; BEIS's work on the GDF was reducing and the impact of Covid-19 on GDF programme issues has been limited.

Work is ongoing to update the National Policy Statement for Nuclear New Build.

Action RIM2020/01 BEIS to share progress on the update to the NPS for Nuclear New Build with RIM members

Post meeting note (30/06/20): BEIS provided the following update in response to the Action RIM2020/01

- The Government is progressing work towards the designation of a new nuclear National Policy Statement.
- The Government is continuing to consider a range of siting and planning options for new nuclear power plants and expects to publish further information in due course.

5. Welsh Government update

There have been organisational changes resulting in an increase in staff working in the area of Nuclear and Radioactive Substances. Resources in this area have not been diverted to support the Welsh Government's Covid-19 related responsibilities.

6. RWM update

Karen Wheeler, RWM's new CEO, started in February. Karen has experience in the public sector having most recently been at the Border Agency. The appointment of a new Communications and Stakeholder Engagement Director was announced in June and the appointment of a new Commercial Director is imminent.

RWM estimates there will be an increase in staff from 170 permanent staff to 200-250 by the next financial year, the additional staff members are necessary to help RWM deliver the programme over the next few years.

With the transfer of the SRO role to the NDA, the Terms of Reference for the Geological Disposal Programme Board (GDPB) has been revised and the board has been reconstituted.

Action RIM2020/02 RWM to determine if regulators have been invited to attend GDPB meetings as observers.

Tranche 2 of the GDF programme has been moving forward, planning for undertaking Tranche 3 is ongoing and a Business Case for Tranche 3 is in development. RWM will proactively engage with regulators to ensure plans and timescales for activities are aligned with what regulators expect, thus ensuring there is clarity on the roadmap should regulators be required to support potential communities.

RWM is engaging with regulators in a more structured process and at multiple levels. Senior level meetings between RWM's CEO and the EA and ONR have taken place and a further Senior Level Meeting is planned in the coming months. The Terms of Reference for Senior Level Meetings have been produced. The Terms of Reference for RIM will be updated and there is an open Action to address this (Action 2018/02). The company aims

to change the current model for engaging with regulators. Engagement at the levels below RIM will continue to be coordinated by the HSSEQ Directorate in RWM, however more responsibility will be transferred to the those leading the relevant work areas.

Scrutiny of RWM's development of the GDF is continuing in the Pre-Application and Advice Scrutiny Programme. The programme for this financial year was agreed and covers development of the safety case, R&D, plans for design of the GDF, waste management and disposability assessments. There is additional focus on Organisational Development and the progress of RWM's growing programme management directorate. Regulator involvement in the programme for Siting Support and Regulatory Permitting is moving positively and regular engagement has been ongoing since the last meeting of RIM.

RWM's plans for wider stakeholder engagement were affected by Covid-19 measures. Events planned for March, April and May were cancelled. This included a planned Parliamentary reception. Virtual events have been held to raise awareness about the GDF, including an NGO forum that was held jointly with the NDA. There are plans for webinars with Trade Unions for the same purpose.

RWM held two sessions with the Committee on Radioactive Waste Management (CoRWM) to update them on progress. There are sessions planned with parliamentarians by videoconference in July and RWM is also currently arranging a briefing for the Nuclear Energy All Party Parliamentary Group before the Summer Recess. Future engagement plans also include hosting virtual exhibitions for stakeholders using technology successfully used by other industries. RWM has communicated with regulators on plans around a communication strategy that could be implemented if Working Groups are launched; this includes plans for community websites and press releases.

The OneNDA programme is progressing and the intention is to look at closer collaboration between NDA and the subsidiaries. There are plans to rationalise subsidiaries in order to look for efficiencies and improvements that it can bring. There have been improvements across the Estate, with increasing learning and sharing.

RWM want to talk to the Planning Inspectorate about the potential different scenarios and the roadmap for applying. It was noted that it would be important to discuss this with the MMO as well. RWM is developing a high-level plan showing the sequence of activities and their expected dates, this will be shared with stakeholders.

7. Planning Inspectorate update

There have been no significant organisational changes at the Planning Inspectorate since the last meeting. The Planning Inspectorate is continuing examination of existing National Infrastructure project applications and ensuring that Pre-Application projects continue. The process has moved from face to face hearings and examination to virtual hearings.

Recently three new applications were accepted for examination, this includes Sizewell C. There have been recent changes to some of the regulations to take into account Covid-19 measures, this include the Town and Country Planning Act; and for development and listed buildings. There is a relaxation in providing a hard copy of the Environmental Impact Assessment, which can now be provided electronically. Advice Note 7 has been updated to reflect these changes.

The PI is also introducing other measures so that no one is disadvantaged when engaging with the process during this period of Covid-19 special measures. Applicants have been

encouraged to make alternative arrangements so that the public will not be detrimentally affected. The Planning Inspectorate is looking at this on a case by case basis.

8. Natural Resources Wales

Organisational changes have been ongoing, there has been recent recruitment to the non-nuclear Radioactive Substances Regulation department. NRW staff have been working from home and conducting remote inspections during the Covid-19 pandemic.

9. Environment Agency

EA staff have been working from home and will return to office working gradually over a few months. Resources have been diverted from EA work areas to support 'Dry weather response' with the possible issuing of drought orders. There have also been incidences of high rain in some areas of the country which have caused other parts of EA to be busy.

The EA has been working on the update to the Guidance on Requirements for Authorisation (GRA), with the aim of completing this work at the end of 2020, this has been affected by Covid-19 measures. EA is developing plans for consultation.

The EA has also been engaging in PAAS and SSRP as planned in the programme albeit doing this remotely rather than face to face as originally intended.

Post meeting note (29/07/20): EA provided further updates to RIM

- NDA's 'Strategy 4' includes "NDA's disposal capability vision", this mentions RWM and GDF. RIM members are welcome to respond to the consultation.
- An organisational update - the EA Director of Regulated Industry is retiring from their role; interim cover has been arranged.

10. ONR update

The ONR has been resilient in responding to the Covid-19 measures with almost 600 staff working from home. Communication with licensed sites has been continuing though at a lower frequency. In May, ONR inspectors started remote site inspections, however there are now some physical inspections being carried out at certain sites. ONR has coordinated the reporting of safety and security issues during the Covid-19 pandemic on behalf of BEIS. ONR will gradually build up its physical presence on sites as sites themselves build up their own work and move back towards full operations. It is expected that ONR will not be returning to the office for a further 6-12months.

The planned consultation on the updated interpretation of 'bulk quantities' was due to take place at the end of financial year 19/20, however this has been postponed until October due to resource pressures.

Other developments include;

- The ONR Deputy Chief Inspector met with CoRWM in May and GDF was on the agenda at the discussion.
- The Generic Design Assessment of the UK HPR10000 design has progressed to the next stage of the assessment (Stage 4). The approach used for this may be translated to the GDF (i.e. using a staged approach and applying increasing level of technical scrutiny at each stage).

11. Other Business

None

12. Date of Next Meeting

The next RIM Group meeting will be on September 23rd 2020. It will be held remotely.

13. Summary of ongoing actions

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.
RIM2019/13	RWM Representative	RWM will share with RIM Group members a list of assumptions of the permits and consents that would be applicable if a location for GDF is determined.
RIM2019/14	RIM Group	RIM Group members to advise on how/if RWM could attend their engagements with external stakeholders (mainly statutory consultees) for opportunities to raise awareness on the GDF.
RIM2019/15	RWM Representative	RWM to determine if it is necessary to have made recommendations of suitable sites to government before it can formally enter pre-application phase with Planning Inspectorate.
RIM2019/16	MMO Representative	MMO will present at a future RIM Group meeting to provide an overview of the organisation.
RIM2020/01	BEIS	BEIS to share progress on the update to the NPS for Nuclear New Build with RIM members.
RIM2020/02	RWM Representative	RWM to determine if regulators have been invited to attend GDPB meetings as observers.