

Note of Radioactive Waste Planning Group, 12 April 2016

Local Government House, Smith Square, London

Present:

Sue Brett	Cumbria County Council
Lesley Stenhouse	Essex County Council
Bryan Geake	Kent County Council
Phil Watson	Northamptonshire County Council
Peter Day	Oxfordshire County Council
Doug Bamsey	Sedgemoor District Council
Dave Illsley	Shepway District Council
Gillian Ellis King	South Gloucestershire Council
Tess Bond	Somerset County Council
Andrew Morrow	West Berkshire Council

Catherine Draper	NuLeAF
Philip Matthews	NuLeAF

James McKinney	NDA
Bob Smith	Environment Agency
Helen Peters	CoRWM

1. Welcome and introductions

PM welcomed everybody to the meeting and there were round the table introductions.

2. Note of the meeting on 2 December 2015

2.1 GEK asked for 4.5 to reflect that it was also variations to the planning permissions which had proved difficult to locate and that these had been done at the time when the area was covered by a different iteration of local government, and not the current South Gloucestershire Council.

2.2 DB commented that the issue of communication between Magnox and EDF was one which had been raised frequently and yet felt there had been little progress made.

2.3 Subject to this amendment the Note of the Meeting was agreed as a true record and will be posted on the NuLeAF website.

Action: CD

3. Matters arising

3.1 All matters were in hand or completed.

4. Presentation by James McKinney, Head of Integrated Waste at NDA

4.1 PM welcomed James McKinney to the meeting.

4.2 JMCK gave an overview of NDA Strategy III which was published early April 2016 and covers the years 2016-2021. Key points were:

- It contains work plans which run into the 22nd century.
- NDA is looking for better ways to manage waste. There have already been notable successes in moving LLW waste treatment up the waste hierarchy and diverting around 90% of such wastes from LLWR
- Optimisation will enable NDA to deal with waste sooner, better and more cheaply.
- Current definition of waste bands is based on international standards, defined in terms of Becquerel count.
- NDA is looking at wastes at the boundaries of these definitions to see if they can be managed differently.
- Money saved in treat waste can be used to accelerate decommissioning elsewhere.
- NDA is planning on developing a single radioactive waste strategy for the whole NDA estate. It will then explain the lifecycle of a range of wastes to a broad range of stakeholders. It will engage with NuLeAF to confirm that the outputs are comprehensible to a local authority audience and meet its needs.

4.3 PM thanked JMCK for his presentation and opened the floor to questions.

Q: With regard to boundary wastes, is the definition a legal one?

A: There is no international standard for classification of waste with each country setting its own classifications. The current UK definitions are set by the regulators in this country. Waste producers are typically pessimistic in their characterisation, so closer examination of wastes can mean that they are re-categorised in a lower classification. Current classifications also do not take into consideration the half-life of the radionuclides present – the potential for these to do harm is important, but is currently not considered. Neither is the toxicity of materials – waste may have a low level of radioactive contamination but be highly toxic.

Q: Could you please clarify the role of the PBO in this process. There has been a state of flux since the change of PBO for the Magnox sites and this has led to confusion about their plans.

A: The PBO/SLC has a responsibility to ensure that local authorities and communities understand their plans, and I would hope that now they have settled into their contract period the picture would become more apparent shortly.

Q: Following on from that point, we are concerned about the lack of engagement from Magnox on their dismantling programme – interim states, end states and waste management. We have been told that plans are being reviewed because of the change of PBO. We have been asking for a meeting, but unsuccessfully.

A: I will take that back to Anna Clarke who is responsible for Site Remediation.

Q: Could you clarify what influence you have over EDFs decommissioning plans.

A: NDA has oversight of EDFs decommissioning plans – we test them to see if they are robust. Whilst it is up to them how they decommissioning they cannot put in actions which they are not in the position to deliver.

5. Presentation by Bob Smith, Environment Agency

5.1 PM welcome BS to the meeting. NuLeAF and particularly the RWPG had been involved in the early discussion with the regulators on the issue of controls for former nuclear licensed sites. NuLeAF had circulated its draft response to the consultation and would welcome comments from the RWPG following the presentation.

5.2 BS gave a presentation on the issues addressed in the consultation being undertaken by SEPA on behalf of the regulators on the requirement for the release of nuclear licensed sites from Radioactive Substances Regulation.

5.3 The aim of the guidance is to consider how nuclear site license holders can satisfy the regulators that the permit can be surrendered.

5.4 In the proposed guidance, the regulators require operators to produce a Waste Management Plan (WMP) for their site, and a Site Wide Environmental Safety Case (SWESC). Elements of these will already be in existence, but the aim is to produce comprehensive plans for each site.

5.4 The guidance contains possible routes for the disposal of radioactive waste from the site which cover the range from total clearance to a variety of methods for disposal of some wastes on site. There is also a diagram which shows the timescale in the decommissioning over which an operator could apply for surrender of the license.

5.5 BS highlighted the following paragraphs from the guidance document:

8.2.4 When applying for release from RSR regulation, the operator will need to show through the SWESC that the site is either already suitable for unrestricted use, or that there are adequate controls in place to maintain any necessary restrictions after release until the site is suitable for unrestricted use.

8.2.5 The overall progression towards release, the relationship between the WMP and SWESC, and the potential timings of release are shown in Figures 2 and 4. These are indicative only. The timings for the preparation of the WMP/SWESC and planned works, etc., are site-specific and for existing sites will necessarily reflect their current position on the timeline shown in Figures 2 and 4. In addition, different parts of a site may be at different stages in the lifecycle, leading potentially to some parts of a site being released from RSR earlier than others.

5.6 PM opened up the meeting to questions.

Q: The latest date for surrender of the license is 300 years, can you indicate what the earliest date may be?

A: It cannot be before the work on site with radioactive waste is completed, and after a subsequent period of monitoring which will take 10 – 20 years. Once the guidance is completed and published we would expect operators to produce the WMP and SWESC fairly quickly.

Q: At what point might documentation relating to the site be passed to local authorities?

A: I would anticipate it will be held at the NDA National Nuclear Archive.

Q: I am concerned that if a site was delicensed whilst there was still radioactive waste in-situ, who would ensure that there was still compliance with the SWESC and who would undertake the monitoring.

A: We would only accept surrender of the license if there were adequate arrangements in place. If they were not the license and regulation would remain. The text is an enabling paragraph.

Q: What is the advantage to the operator in surrendering the license?

A: The operator may wish to cease to exist. We are talking about a long time scale. Liability could be transferred to the NDA which is a government body and therefore likely to have longevity.

Q: Although you don't refer to the site end state, future uses of the site needs to be considered. Surely, there are limited options for sites and they are most likely to be nuclear related.

A: We seek to cover all nuclear licensed sites and these vary in what future uses they might have.

Q: When you refer to regulation by other parties do you mean local authorities?

A: NDA is most likely, or if local authorities then NDA would provide the expertise.

Q: Can a site be partially delicensed?

A: Yes. This has already happened at Harwell.

5.7 HP noted that there were similarities between the proposals and the process for surrendering a contaminated land permit on an industrial site. The next use of the land is considered in order to establish the level of clean up necessary. The Regulatory Control Steering Group is looking at how radioactivity left in the ground would be controlled.

5.8 It was suggested that the diagram showing the period in which a permit could be surrendered could be amended to show the period as a shaded area rather than have a line run through it as a possible surrender point. It was also pointed out that the box marked 'Planning' was misleading and it should reflect that normal planning regime merely came into effect at this stage.

5.9 PM thanked BS for the presentation and people's contributions. NuLeAF would amend its draft response in light of the comments made today and recirculate to those at the meeting, and the wider membership, for further comment.

6. Update on Geological Disposal Facility (GDF)

6.1 PM introduced the paper which had been circulated prior to the meeting. Key points covered were:

- Work done by the Communities Representation Group on the community investment and test of public support;

- An update on the production of National Geological Screening Guidance; and
- The National Policy Statement on the GDF.

6.2 Concerns were raised that defining a community by the boundaries of a local authority could mean that some of those near the site had no voice in the process because they were in a neighbouring authority. PM said that if a site was located close to local authority boundaries then adjacent authorities would be included in the process.

6.3 There was discussion about the amount of money on the table for communities expressing an interest. In some instances it was felt that £1M per annum was insufficient, however, if the money could only be spent on local projects, and not on the delivery of wider ranging projects or services, then this would have more impact. However, it was felt that even then the money was probably insufficient to make local politicians wish to engage in the process because of the potential for adverse publicity for an area.

7. Update on national developments in radioactive waste management

7.1 PM introduced the paper which had been circulated prior to the meeting and covered:

- Reports from the Site Decommissioning and Restoration and Critical Enablers Theme Overview Group;
- Publication of NDA Strategy III, Business Plan and Value Framework; and ONR Strategic Plan;
- Changes in Sellafield management;
- LLW National Programme Regulatory meeting; and
- Low Activity Low Waste Asbestos Stakeholder workshop.

7.2 PM advised that NuLeAF would monitor developments in NDA's proposals for early decommissioning at selected sites.

7.3 PW gave a brief verbal report on the Asbestos workshop. This continued work on consideration of different options for dealing with asbestos including radioactively contaminated asbestos. The aim is to treat the material in order that it can be diverted from disposal at the LLWR. Chemical and thermal treatment options are being considered. BS advised that there would be other contaminants such as mercury and lead which would need similar consideration. Disposal routes are limited – King's Cliffe is only available until 2026 and no application for an extension of operating life has been received.

8. Local authority updates

Cumbria: LLWR planning application will now go to committee on 11 May as CCC requested further information. The Local Plan has passed through Cabinet and will now go to full council. Public consultation should take place May – June 2016.

Essex: Pre-submission document is out for consultation which closes on Thursday 14 April. The document contains policies on radioactive waste and NDA and Magnox made representations at the last consultation. 2 applications have been received for the Bradwell site: to remove the current prohibition for the import of waste to the site, and for the importation of waste to the ILW store. Magnox are planning stakeholder engagement events for the local community.

Kent: Currently waiting for the Planning Inspectorates report into Minerals and Waste Plan. There were no issues raised about nuclear waste during the hearing process.

Northamptonshire: King's Cliffe received just over 3000 te of LLW in 2015 which is a relatively small amount against that permitted. Plans are still for the site to close by 2026, no extension of operating life has been proposed. The Minerals and Waste Plan will be reviewed in the next 2 years.

Oxfordshire: Examination hearings will take place in September. Planning permission on the ILW store at Harwell requires work to start by July 2016 and details have now been submitted. Pre-application discussions are taking place about varying a condition the waste encapsulation plant at Harwell which will allow it to take wastes from Winfrith.

Shepway: CRWG had contacted SDC as they were interested in the mechanism for paying the Marsh Million funding.

Sedgemoor: Magnox had contacted SDC prior to the last SSG meeting. They seem to take a slow drip approach to providing information.

Somerset: The Radioactive Waste Topic Paper is now available online. TB thanked RWPG members for their comments. Following earlier discussions with Magnox regarding their decommissioning plans nothing had been heard of late.

South Gloucestershire: Magnox has advised SGC that they do not require planning permission to import Ionsivs for treatment at Oldbury: SGC has written back asking what their basis is for this assertion. SGC has also asked to be included in the consultation on transport arrangements.

West Berks: Consultation on Preferred Options for Minerals and Waste Plan will take place in 2017.

9. Date of next meeting

The next meeting will be held at Local Government House on 20 July 2016.

10. AOB

10.1 HP advised that a meeting is planned for 17 May to discuss guidance for release from radioactive substances regulation and other issues.

Action List

Item	Action	By	Outcome
2	Post note of meeting on 2 December 2015 on website	CD	Done
5.9	Circulate revised version of EA/SEPA consultation response	PM	Done