

<b>Meeting:</b>	NuLeAF Steering Group, 7 September 2016
<b>Agenda Item:</b>	5
<b>Subject:</b>	Update on developments in NDA strategy and operations
<b>Author:</b>	Philip Matthews
<b>Purpose:</b>	To update on developments in NDA Strategy and Operations

### **Introduction:**

This paper provides a report on recent developments in NDA strategy and operations. It covers:

- Report from Theme Overview Groups (TOGs) and other related meetings;
- Low level waste update;
- Guidance on Requirements for Release of Nuclear Sites from Radioactive Substances Regulation (GRR);
- John Clarke announces retirement;
- Magnox Update; and
- ONR annual report

### **Recommendation:**

This report is for noting.

## **1. Report from Theme Overview Groups (TOGs) and related meetings**

NuLeAF's Executive Director took part, via phone, in the first meeting of a new **National Integrated Waste Management Forum**, held on the 17<sup>th</sup> June. The IWM Forum has been convened by DECC (now BEIS) and is intended to support an integrated approach to waste management and infrastructure. The first meeting focussed on the terms of reference and remit of the group and where it would sit in relation to existing bodies. Three different models for the role of the forum emerged during the discussion:

- An expert group drawing together information and work from various fora flagging any gaps to various groups and suggesting how they should be resolved. NDA could use it as a sounding board to align future strategies.
- A forum that built a case for change for a single UK radioactive waste policy, setting out what would be required and the potential benefits.
- A group that develops a "National Programme" for radioactive waste management, building on the model of the LLW Programme and taking

as part of its evidence base the UK's National Programme under the Spent Fuel and Radioactive Waste Directive.

Further thought would be given to these over the coming months, and agreement reached at the next Forum meeting in October 2016.

## **2. Low Level Waste (LLW) update**

It was announced in July that the Low Level Waste Repository (LLWR) had secured planning approval from Cumbria County Council for the extension of facilities on the site.

This will enable the phased construction of two new vaults, and the extension of a third, for the disposal of LLW in specially grouted containers. It also allows for the construction of a final cap over existing and new vaults, and on seven clay lined trenches where waste was disposed of prior to 1988. Planning approval follows on from the acceptance by the Environment Agency of the revised site Environmental Safety Case (ESC). It is expected that work on the new vaults will begin in 2017.

The Executive Director also attended the **LLW National Waste Programme Regulatory Meeting** in Penrith on the 21<sup>st</sup> June. In addition to updating members on progress with the National LLW programme, LLWR reported that they will be undertaking work this year on a range of projects, including on short-lived Intermediate Level Waste (ILW) and international approaches to radioactive waste classification. These will help inform the preparation by NDA of an integrated waste strategy.

There have also been changes within LLWR, with Craig Ashton taking over from Martin Walkingshaw as the Head of Waste Management Services. Martin will continue to have responsibility for the Nuclear Waste Partners office and will also be leading in developing proposals for a new contract for LLWR.

LLWR also hosted a workshop on **International Approaches to Radwaste Classification** on the 20<sup>th</sup> July. NuLeAF's Executive Director was unable to attend as it coincided with a meeting of the Radioactive Waste Planning Group.

## **3. Guidance on Requirements for Release of Nuclear Sites from Radioactive Substances Regulation (GRR)**

NuLeAF's Executive Director, along with Charlotte Rushmere of Dorset County Council, attended a meeting on administrative controls for protecting people and the environment from residual contamination on a decommissioning site, held in Warrington on the 3<sup>rd</sup> August. Charlotte, a principal planning officer, was able to offer an expert opinion on the planning implications of the options being considered.

The workshop was part of ongoing work to identify the range of possible controls that could be applied to any residual hazards left on site up until the point of final decommissioning and remediation.

The 3<sup>rd</sup> August meeting involved representatives of a wide range of organisations and considered four key questions:

- Have all recognised administrative control mechanisms been identified?
- What could work on decommissioned nuclear sites?
- What improvements would be beneficial?
- What issues are unresolved?

The morning session considered the different types of administrative controls in use in the UK, namely those applied through the planning system, property law and through ownership by a Non-Departmental Public Body (NDPB), trust, person or company. The group then explored how these could work in conjunction with physical barriers such as fences, and also the knowledge management and information requirements to ensure any such controls are delivered effectively. A range of case studies were presented to illustrate the different potential approaches.

Many present at the workshop believed that the planning system did offer a viable way of ensuring administrative controls on sites, but that there was a need to strengthen the process for handing over controls from regulators to the planning regime. NuLeAF representatives continued to stress the concerns that planning authorities had over some aspects of what is proposed.

Charlotte Rushmere and others highlighted the limitation of some of the case studies used in illustrating the issues for local planning authorities. For example; the case studies were all from areas that fell within the contaminated land regime which added to the complexity of managing sites; also they used examples such as the Olympic Park which was overseen by a body with different powers than a local planning authority. Charlotte has provided detailed feedback to the consultants preparing the report which it is hoped will ensure that there is a clear appreciation of what the planning system can and cannot do. NuLeAF is very grateful to Charlotte for her involvement in this work.

Looking forward, a draft project report was submitted by the consultants to NDA at the end of August and a final project report is expected to be issued at the end of September.

In parallel work, the newly formed BEIS has taken ownership of the **Proportionate Regulatory Control (PRC)** workstream and is considering how the Nuclear Installations Act 1965 could be amended to enable the licencing regime to be ended earlier and allow for gradual handover to other controls. A key challenge has been to get a slot in the parliamentary timetable, and the earliest expected date for this is 2019. A public consultation on this work is planned towards the end of 2016.

#### **4. John Clarke announces retirement**

On the 5<sup>th</sup> August John Clarke announced his plan to retire as Chief Executive of NDA. The exact timing of his departure is not yet clear, but will be at some point within the next year. NuLeAF Chair Cllr Brendan Sweeney has written to John to wish him well, and to thank him for his support for NuLeAF and his willingness to meet with and engage with our members, as he did at our last Steering Group meeting.

#### **5. Magnox Update**

Some members have expressed concern at Magnox's lack of engagement around recent changes to the proposals for management of Intermediate Level Waste (ILW) and Fuel Element Debris (FED). Concern has also been raised by Suffolk County Council at plans to move material by road rather than rail. NuLeAF is in the process of drafting a letter on this issue, and will circulate to members for comment before sending to Magnox.

In early August a court ruled that the NDA had failed to treat all bidders equally when awarding the contract for the clear up of the Magnox fleet to Cavendish Fluor Partnership (CFP). The challenge was launched by failed bidder Energy Solutions which may now be in line to receive compensation of up to £200 million. It is not yet clear whether NDA plans to appeal the decision.

Finally, Magnox published its **Socio-economic Plan 2016-19** on the 27<sup>th</sup> June 2016<sup>1</sup>. The plan sets out how Magnox intends to develop socio-economic plans and initiatives that will help mitigate the impact of decommissioning. It covers areas including skills development, workforce transition, engagement with local education providers, the development of apprenticeships, and work in supporting the supply chain and local SMEs. NuLeAF submitted a response to a consultation on the draft plan<sup>2</sup>.

#### **6. Office of Nuclear Regulation (ONR) Annual Report**

ONR has published its annual report 2015/16<sup>3</sup>. It provides an update on progress against its 4 Strategic Priorities, including in addressing hazard reduction at Sellafield. It also notes that an increasing amount of the ONR's work in future will be in providing regulation and oversight to new nuclear stations.

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<sup>1</sup> <https://magnoxsocioeconomic.com/news.php?v=9>

<sup>2</sup> <http://www.nuleaf.org.uk/wp-content/uploads/2016/02/NuLeAF-response-Magnox-Socio-economic-Plan.pdf>

<sup>3</sup> <http://www.onr.org.uk/documents/2016/annual-report-2015-16.pdf>