

ITEM 4: DISCUSSION WITH NDA ON ADMINISTRATIVE CONTROLS FOR PROTECTING PEOPLE AND THE ENVIRONMENT FROM RESIDUAL CONTAMINATION

Report to RWPG, 19th October 2016

1. Introduction

NuLeAF, and in particular the Radioactive Waste Planning Group, has been involved in a dialogue with the Environment Agencies and the NDA on the options for management of any residual contamination left on nuclear licensed sites after the license had been revoked.

As part of this on-going work, the NDA initiated a research project on Administrative Controls for Protecting People and the Environment from Residual Contamination on a Decommissioning Site. The technical lead for this work was Shelly Mobbs of Eden Nuclear and Environment Ltd, supported by colleagues from Cavendish, Tessella and Environmental Health Advisory Services Ltd.

The report was due to be published at the end of September and it documents how administrative controls, knowledge management and information governance are implemented currently in the UK, supported by examples/case studies. The work has drawn on knowledge and experience from current and past industries with a similar scale of challenge to the nuclear industry. At time of writing the report is still with NDA for comment, but we have been provided with a summary.

Dr. Anna Clark of NDA and Hannah Pooley of BEIS will attend the RWPG to outline the findings of the report and discuss their implications with local authorities.

2. Report on Administrative Controls meeting on 3rd August

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 3rd 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 held to inform the research project outlined above.

The 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 and NDA are very grateful to Charlotte for her involvement in this work

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.