

## **Minutes of the Radioactive Waste Planning Group meeting, 6<sup>th</sup> November 2024 10.00 – 12.30, online.**

### **Attendees**

Heather Morrison	Cumberland Council
Trevor Bradley	Dorset Council
Eleanor Godesar	Dorset Council
Bethany Rance	East Suffolk Council
Terry Burns	Essex County Council
Claire Bromley	Gloucestershire County Council
Amartya Deb	Gloucestershire County Council
Bryan Geake	Kent County Council
Edward Wright	Lincolnshire County Council
Richard Sharples	Lancashire County Council
Richard Outram	Manchester City Council
Matthew Winslow	Maldon District Council
Sion Roberts	Snowdonia/Eyri National Park Authority
Louise Martin	Somerset Council
John Burton	Somerset Council
Paul Hickson	Somerset Council
Tom Rice	South Oxfordshire/ Vale of White Horse
Gillian Ellis-King	South Gloucestershire Council
Ross Walker	Suffolk County Council
Charlotte Brinkley	Suffolk County Council
Rachel Whaley	Westmorland and Furness Council
Philip Matthews	Nuleaf
Chloe Atkinson	Nuleaf

## **Speakers**

Trevor Howard	Environmental agency
Matthew Meldrum	NRS
Peter Howden	ONR
Doug Bamsey	Nuleaf Consultant
Steve Smith	Nuleaf Consultant

## **1. Welcome and apologies**

1.1 The Chair (Philip Matthews) opened the meeting and welcomed members and guest speakers.

1.2 Apologies were received from Marianne Keen (Maldon Council), Matthew Winslow (Maldon Council), and Jonathan Holland (North Wales Councils).

## **2. Minutes held on the 30<sup>th</sup> April 2024**

2.1 The minutes were agreed to be an accurate record and will be posted on Nuleaf's website.

**ACTION: CA**

## **3. Matters arising**

3.1 An action was noted for Louise Martin to speak with Matthew Meldrum regarding Biodiversity Net Gain (BNG) work.

**ACTION: LM/MM**

3.2 Matthew Meldrum updated the group on an action to establish contacts with local authorities on BNG. Detailed discussions have begun for specific sites, particularly at Dungeness and Oldbury.

With Nuleaf support, Matthew aims to identify key contacts in other local authorities. Because of GDPR this will take the form of a letter from NRS inviting contact. Members were also invited to email Chloe if they were interested in a conversation with NRS on BNG.

**ACTION:MM/All**

3.3 It was noted that the minutes of the special meeting on Permitted Development Rights, held on 6th September has been included in the meeting papers.

## 4. Update from Nuclear Restoration Services (NRS)

4.1 The Chair formally welcomed Matthew Meldrum from Nuclear Restoration Services and invited him to provide his update to the Group.

Matt and his team had been taking forward their work to embed the consideration of land use planning across NRS. His work on this has involved site and project level briefings all the way up to engagement with the NRS at Executive level to highlight the importance of planning. This work is ongoing.

Also continuing is work to provide guidance and support on various projects and around individual planning applications.

4.2 Matthew highlighted major ongoing activities, including:

- Pre-application consultation for the demolition of the ponds complex at Trawsfynydd.
- Progress on the Winfrith end state application.
- The boilers project at Dungeness.

4.3 Mike Southall from Avison Young has transitioned into a new consultancy role, with Owen Griffiths now taking over his responsibilities. Matthew stated that for issues related to biodiversity net gain (BNG), land use planning, or policy development management, he is the primary point of contact to facilitate and guide discussions.

**Question:** At Oldbury we have recently provided comments on a prior notification which was later withdrawn. If there had been some pre-submission engagement it might have ironed out the issues and avoided withdrawal. Would you consider this?

*Answer: It is something we are working on. I am stressing to NRS colleagues the benefits to everyone of early engagement.*

**Question:** Some of us attend the Site Stakeholder Group (SSG) meetings. My experience is that they are often not focussed on planning matters and so they aren't always helpful in understanding what is coming up in terms of planning applications. Should we see you as the point of contact for applications and local plan development?

*Answer: Yes, please do use me and also Avison Young. I am determined that we get better at engaging and having these conversations at the right time.*

**Comment:** I would echo the points made in the previous question. I also wanted to note that sometimes there have been challenges in engaging with consultants, in particular that they don't always understand the connection with planned new nuclear development or in reusing assets.

*Answer: Noted – I will continue to push for better engagement by NRS and our consultants.*

4.4 The Chair thanked Matthew for his updates.

## **5. Update on proportionate regulatory control (PRC) – Peter Howden, ONR**

5.1 The Chair welcomed Peter Howden Peter, a Principal Inspector specializing in Nuclear Liabilities Regulation at the Office for Nuclear Regulation (ONR).

5.2 Peter delivered a presentation regarding Proportionate Regulatory Control (PRC) and its development.

PRC is aimed at providing a more proportionate regulatory framework for nuclear sites in the later stages of decommissioning. The concept acknowledges that as decommissioning progresses, the risks and hazards are significantly reduced compared to operational stages. This shift in risk profile should be reflected in the regulatory regime.

PRC was introduced in the early 2010s. Its development involved key stakeholders, including BEIS (now DESNZ), the Environment Agency, the Nuclear Decommissioning Authority (NDA), and the Health and Safety Executive (HSE). A public consultation took place in 2018, and changes were incorporated into the Nuclear Installations Act through legislative amendments, representing over a decade of collaborative work.

The rationale for PRC is that, while the early stages of decommissioning involve high nuclear and radiological hazards, necessitating strict nuclear licensing, in later stages, hazards and risks significantly diminish, shifting regulatory needs towards conventional health and safety frameworks.

The benefits of PRC are that it:

- Allows for earlier de-licensing of sites, providing a regulatory framework more aligned with the site's reduced risks and hazards.
- Simplifies site management and regulatory compliance, leading to potential cost efficiencies.
- Enhances options for site end states, including the removal of unused portions of nuclear sites from licensing.
- Facilitates on-site disposals under the Guidance on Requirements for Release (GRR).

5.3 There have been delays in PRC implementation due to legal complexities around historical contamination – these are being addressed by DESNZ.

5.4 The Chair thanked Peter for his presentation and asked if it could be shared with members. Peter agreed.

### **ACTION: PH**

The Chair invited comments and questions.

**Comment:** Trevor Howard (Environment Agency) noted that the team has a clear understanding of issues related to radioactive and historic contamination. They are in the early stages of exploring options to address these. The process will take time due to ongoing legal consultations.

**Question:** On behalf of Nuleaf, I'm involved in the group advising on the development of NDA Strategy 5. It seems that the NDA is considering the use of in situ and on-site disposal at a larger scale than was previously understood. Do you have any comment on that?

*Answer: It is an optimised way of dealing with many types of waste but the full extent of how it will be used is still not clear. That said, there does appear an intent to use in situ disposal more. Winfrith is the Lead and Learn site for this and they are the first site to put in a permit request for such disposals.*

**Question:** Has anyone done any assessment of the resource implications for local authorities and others of transitioning to the PRC regime?

*Answer: While the resource implications were considered in earlier impact assessments, current detailed analysis is limited.*

**Question:** Does PRC apply only to nuclear installations within a licensed site? Is there a process to define the applicable area for PRC?

*Answer: The definition of a nuclear installation is based on the Nuclear Installations Act and the Nuclear Installation Regulations (1971). These specify facilities like nuclear reactors and prescribed installations. Questions may arise about the extent of the site included under PRC and what portions might be removed from licensing. It is a complex issue.*

The Chair thanked Peter for the insightful session.

## **6. Presentation on the GRA – Environment Agency**

### **6.1 Introduction**

PM introduced Trevor Howard from the Environment Agency, who provided an update on the forthcoming consultation regarding Guidance on Requirements for Authorisation (GRA) for radioactive waste disposal.

Trevor explained that the consultation was delayed but is expected to be launched in the next week. There would be two parallel consultations: one on the GRA which covers guidance for disposal facilities, including landfills, repositories, and the Geological Disposal Facility (GDF); and separately on the staged regulation of GDFs.

Scotland will undertake its own consultation due to the different policy framework there.

Guidance was last updated in 2009 and practice, legislation, and policy have since evolved. The updated guidance consolidates four previous documents into one, providing clearer, more accessible content. Changes also reflect feedback from the International Atomic Energy Agency (IAEA) and align with modern publishing standards post-Brexit. The guidance includes new chapters on groundwater protection and international compliance.

If launched next week as hoped the consultation will run until late February 2025.

**Question:** There is an ongoing discussion between the Committee on Radioactive Waste Management (CoRWM) and NWS on whether the UK needs to develop a separate rock laboratory as part of the GDF process. Will the Guidance cover that issue?

*Answer: The staged regulation guidance will cover that issue. The need for such a facility will be considered as part of the permitting process.*

**Question:** Does in situ disposal, mentioned in the PRC discussion, fall under the GRA?

*Answer: No, in situ disposals are excluded from the GRA. GRA focuses on dedicated waste disposal facilities, such as landfills and low-level waste repositories. The GRR covers smaller-scale, on-site disposals of radioactive waste.*

The Chair thanked Trevor for his presentation and the members for their comments. He confirmed that Nuleaf will draft a response to the consultation and share it with members for further input.

## **7. Presentation of draft findings- Steve Smith and Doug Bamsey**

7.1 Steve Smith and Doug Bamsey were introduced and invited to speak on their consultancy work which is:

- Evaluating the NDA's current approach to community and stakeholder engagement.
- Assessing how local authorities are represented and engaged with on nuclear legacy issues, and how effective these interactions have been.
- Comparing the NDA's approach to similar efforts in other regions, both within the UK and internationally, to identify strengths and areas for improvement.

The purpose of today's presentation is to solicit input from this group before finalizing the study. Next Monday they would be meeting with a group of councillors to present their findings and gather their feedback.

In drafting their final report, the conclusions of two NDA commissioned studies, one on the Site Stakeholder Groups (SSGs) and one on deliberative democracy, would also be taken on board.

Following presentation of their emerging findings, PM thanked both Doug and Steve for their work. This would be a very useful report, and he was pleased by how members had been engaged throughout the process. Phil also commented that he would like to see Nuleaf undertake more work that supported fresh thinking and helped establish a leadership role in the debate.

**Question:** In your presentation you mentioned a member area of the website. I wasn't aware of that – can you say more?

*Answer: This was launched about a year ago, but we haven't highlighted the members area recently. It is less well used than it was at the start and so we need to think of ways of encouraging awareness and use of it.*

**Question:** There was meant to be an update on the SSG review at Hinkley SSG last week, but it was then dropped. Can you say more about what stage this study is at? it is clearly an important piece of work, but I heard that it may not propose much in the way of significant reform? If the SSG research doesn't not propose change then is this something Nuleaf could do?

*Answer: We have been asking for sight of the SSG review and the study on deliberative democracy. One challenge in reaching conclusions on the way forward for SSGs is how variable views on SSGs are. As part of this research, we have spoken to people who think they are fine as they are: whereas others do not share that view.*

**Question:** Community Hosting Agreements sound really interesting in defining roles and expectations and potentially funding. The relationships that local authorities have with NDA is very variable. How much will you be saying about Hosting Agreements in the report as this would seem like a critical issue?

*Answer: We won't be setting out expectations of a Hosting Agreement line by line but we will be emphasising the value that they could bring, based on the international experience.*

**Question:** On the SSGs, there must be a document that sets out what they are supposed to do. Within that, does it say anything about the relationship with the local authority? From my perspective the SSG isn't the place to talk about e.g. planning applications – there needs to be a separate space for this, both through Nuleaf and locally.

*Answer: As I understand it the aim is for the SSG review to set some basic standards and ways of working for SSGs which are very diverse at present. But as we haven't*

*seen the report, we don't know what it will say. There may be scope for Nuleaf to set out some further changes that we feel would enhance the SSGs.*

The Chair thanked Doug and Steve and noted that comments and feedback on the presentation slides should be submitted by November 13th.

## **8. Update on developments in radioactive waste management**

As the meeting was over-running, the paper was presented for noting.

**Question:** I was interested in the issue of how Hinkley Point C might impact on fish in the area and what is being done to mitigate that. Can you explain the current situation?

*Answer: The water intake at Hinkley C will draw in fish and harm them. The usual way to protect against this is with an acoustic deterrent. However, EDF are looking at alternatives such as creating salt marsh which would support higher fish numbers and offset the fish loss. That's what they are trying to achieve but there is a debate about whether it is the correct approach.*

## **9. Update on the GDF Sitting process**

As the meeting was over-running, the paper was presented for noting.

## **10. Local Site Updates**

The Chair invited local site updates:

### **Hinkley Point**

The Office for Nuclear Regulation (ONR) paused EDF's consultation on decommissioning plans at Hinkley Point B due to inadequate habitat regulation assessments. EDF must provide more information, and the consultation is now expected in early 2024. Reactor defueling at B Station is progressing, with Reactor 4 completed and Reactor 3 underway. The site transition to the Nuclear Decommissioning Authority (NDA) is planned for 2026.

Concerns were raised about Site Stakeholder Group (SSG) meetings being reduced from quarterly to biannual without consultation, as this may affect reporting regularity.

The A Station has a new site director following a short tenure of the previous one. Concerns were noted about staff turnover.

## **Sizewell**

Planning permission for the demolition of the turbine hall and electrical annex at Sizewell A was granted in August, although it is slightly behind schedule. Work is expected to start soon and be completed by next year. Additionally, Sizewell B is on planned outage, but both reactors are set to return to service by early December. Sizewell C is ramping up towards the construction phase.

## **Oldbury**

As noted earlier a prior notification was withdrawn following concerns about inadequate biodiversity and habitat assessments. Also, we are working on our local plan policy. Discussions with GBN on new nuclear proposals are ongoing.

## **Dungeness**

There were no significant policy changes following hearings and consultations on the local minerals and waste plan.

## **Lincolnshire**

The environmental and economic scrutiny committee has been briefed on ongoing work for the GDF. This includes collaboration with the community partnership to develop a vision, which is central to testing public support and securing additional government investment. Work is also underway on a hosting agreement based on the Canadian model.

## **Winfrith**

The planning application for Winfrith has been delayed to the end of the year. The focus for NRS is on permitting, with a submission to the Environment Agency (EA) planned.

## **Cumberland**

Sellafield: Significant pre-planning applications include for demolition of the turbine hall, new railheads and laydown areas. A new travel plan is in development. Offsite boreholes have also been approved to help better understand the leaks from the high hazard facilities.

One key issue at a recent SSG meeting concerns about NDA's intentions regarding Moorside land originally intended for new nuclear development.

On the GDF there has been recent discussions on progressing the PPA for the first DCO for the very deep boreholes in the sea and other boreholes on land.

Regarding the Cumberland local plan, they are developing issues and options and will be seeking to engage in 2025.

## Other

Steve Smith noted that he is working with Assystem consultancy, conducting a landfill capacity study for the NDA. There are plans for consultations with interested parties, including local authorities with responsibilities in waste and minerals planning. Steve is hoping to organise a workshop with the Radioactive Waste Planning Group in 2025 to discuss waste and minerals planning, with a focus on radioactive waste planning.

## 11. Date of Next Meeting

The next RWPG would be held via Teams on the 29<sup>th</sup> of January 2025.

## 12. Any other Business

No items of AOB were raised.

## Action List

6 <sup>th</sup> November 2024			
Item	Action		Outcome
2.1	Upload previous minute to Nuleaf website	CA	Done
3.1	Louise Martin to speak with Matthew Meldrum regarding Biodiversity Net Gain (BNG) work.	LM/MM	
3.2	NRS and Nuleaf members to share contact information to enable site level discussions on biodiversity	All	
5.4	ONR to circulate PRC presentation	PH	Done