

# Engagement Meetings with NDA, SLCs and Regulators

Note of the meetings held on 22 June 2011 at the Birmingham & Midland Institute, and 27 June 2011 at Local Government House, London.

## 1 Attendance

Representatives of local authorities (LAs) associated with Berkeley, Hinkley Point, Oldbury, Trawsfynydd and Wylfa sites were invited to the 22 June meeting. Representatives of LAs associated with Bradwell, Dungeness, Harwell, Sizewell and Winfrith sites were invited to the 27 June meeting. Attendance lists are attached as Annex A.

## 2 Objectives and Agenda

The meetings were convened by NuLeAF to enable representatives from LAs with or neighbouring NDA sites run by Magnox and RSRL to discuss the development and implementation of NDA Strategy, which is likely to lead to significant changes in the way the nuclear legacy is managed. The meeting objectives are attached as Annex B.

The agenda for each meeting was in three main parts:

- Presentations by NDA and SLC representatives on key aspects of strategy development and implementation (these are available on the NuLeAF website at [insert weblink])
- Discussion of strategy development and implementation and the implications for LAs
- Next Steps

This note records: (a) key points and actions for each of the main themes discussed in the meetings (site restoration, integrated waste management, socio-economic support, and engagement with local authorities); and (b) additional points on SLC presentations. The date that follows a key point indicates at which meeting the point was made (ie 22 or 27 June). The note also outlines proposed next steps and a summary of actions (Annex C).

## 3 Site Restoration

### *NDA presentation*

This covered key questions in the development of NDA strategy for site restoration:

- What level of restoration do we aim for? NDA's preference is to consider the ways in which a site is likely to be used in the future and to restore sites to a condition suitable for their *next planned* use. However, in order to de-license a site, it is necessary to reduce radioactive decontamination to a level suitable for *any foreseeable future use*. We need to decide whether the extra level of restoration required to de-license a site represents value to the UK taxpayer. Site 'end states' will be reviewed as necessary and will be determined by case-specific assessments. 'Interim states' (milestones or decision points in restoration programmes) will also be defined.
- How do we restore our sites? Restoring sites to a condition suitable for a next planned use may enable greater use to be made of in-situ management options (in contrast to removing all wastes from the site).
- When do we restore our sites? Where there are intolerable risks, continuous actions will be taken until the risks are at least tolerable. Where risks are broadly acceptable, a range

of factors have to be balanced and restoration will take place as soon as reasonably practicable.

Strategy development includes: discussing the implications of de-licensing with Government and the regulators; looking at forms of institutional control for managing residual contamination; further optioneering (eg in situ or ex situ); defining 'interim states'; and exploring opportunities for early re-use of a site or part of a site. NDA explained that the role of LAs could include input to NDA's Site Restoration Theme Overview Group (to provide planning expertise and knowledge of the contaminated land regime), and a role in defining 'interim states' (local development plans may be relevant).

### *Key Points from discussion*

These included:

- End states: a move to end states based on suitability for *next planned use* may be difficult where that use has not already been defined (22 June). How can *next planned use* be determined (27 June)? Where not defined, credible options could be identified through discussion with LAs, taking into account local development plans. The point was made that the implications of not de-licensing a site, or part of a site, need clarifying (27 June). Clarification was also sought on the role of a cost reduction driver in changing thinking about end states (27 June). In response, it was pointed out that, in the context of limits on spending, adherence to current end state assumptions could extend restoration programmes in time.
- Interim states: some policies in local development plans could be relevant, but it is unlikely that many such plans directly address milestones for restoration at nuclear legacy sites (22 June). **ACTION:** NuLeAF secretariat to check existing plans at sites with advanced restoration programmes (eg Harwell).
- Understanding of key terms: there is a need to ensure that clear and accessible information is available to LAs so that good understanding of decommissioning and restoration can be developed (22 June). For example, the nature of 'care and maintenance' was not necessarily well understood and needed to be explained. **ACTION:** NuLeAF secretariat to circulate links to appropriate material.
- LA input to NDA's Site Restoration Theme Overview Group: the invitation to identify a LA representative was welcomed (22 and 27 June). The representative would need to liaise with the NuLeAF secretariat and, preferably, attend relevant NuLeAF meetings (27 June). **ACTION:** NDA to send further details about the Group and NuLeAF secretariat to liaise with member LAs to identify a suitable person.
- Value framework: what is the value framework that informs NDA judgements about priorities and business cases (27 June)? This has been generated by the NDA and is consistent with Government guidance. **ACTION:** NuLeAF to circulate links to NDA website for information about its value framework.
- Interaction with new nuclear build: LA representatives were concerned that more consideration should be given to the interactions between site restoration on one site and new nuclear build on a neighbouring site (22 June). Interactions could impact on 'interim' and 'end states'. They could cover workforce and skills (where most discussion has taken place to date), development of joint facilities and use of legacy site land. Some

authorities think that maximum use should be made of legacy sites ('A' sites) to provide facilities for new build (27 June). With Government agreement, NDA can supply advice and information to utilities involved in the new build programme (NDA Strategy, p40).

## 4 Integrated Waste Management

### *NDA Presentation*

This covered:

- Past practices – these were based on each site looking after its own waste for treatment and storage, a limited range of approaches to disposal and inflexible waste category boundaries.
- Drivers for change - these include risk reduction as a priority, application of the waste hierarchy, consideration of the whole lifecycle, costs and opportunities, and the role of the supply chain and open market.
- Optimised waste management – will be based on driving waste down the categories, making best use of existing and planned facilities and shared use of facilities and waste routes.
- Strategy – will involve consolidation and co-location of facilities, integrated solutions ('taking the plant to the waste' or 'taking the waste to the plant'), waste specific approaches, and flexibility.

### *Key Points from Discussion*

These included:

- 'Driving waste down the categories': careful explanation will be needed of what this means if public confidence is to be sustained (27 June). There could be perceptions of tensions with a precautionary approach. This is recognised by the NDA.
- Consolidation and co-location: it is important to properly weigh the proximity principle in the balance when considering the potential for consolidation and co-location of waste management facilities (22 June). Many local stakeholders at legacy sites are happy for wastes that arise at their site to be managed at their site, but not for wastes to be 'imported' from other sites (27 June). This perspective is reflected in the way a number of Waste Planning Authorities (WPAs) have or are developing local waste planning policies (27 June). [Note that these policies will be a predominant material consideration in determining planning applications for waste management facilities.] The implications of NDA consolidation/co-location strategy for LA waste planning need further discussion. **ACTION:** NuLeAF secretariat to take this issue to its Radioactive Waste Planning Group. The point was also made that SLCs should always check whether the proposed use of treatment or storage facilities at another site fell within the scope of the planning permission for the facility in question (27 June). It was suggested that a proposed use is likely to fall outside the scope of a permission if not encompassed within the description of the facility that provided the basis for planning permission. **ACTION:** NDA is considering the implications and will be advising SLCs.
- Community benefits: some LAs may look more favourably on waste consolidation and co-location if the balance of disadvantages and benefits is favourable (June 27). The development of NDA thinking on its socio-economic strategy (see below) may provide some scope for addressing the question of benefit packages when specific planning

applications are proposed. NuLeAF is developing thinking in this area, drawing on the benefits protocol established by the wind power industry. **ACTION:** the NuLeAF secretariat to provide NDA with its paper on this issue.

- Specific waste routes: the point was made that many LAs are not happy with the reliance being placed on the disposal of VLLW to landfill (27 June). Clarification was provided on: new thermal treatments for ILW (which would involve development of new facilities (27 June); and on the treatment of exempt wastes (27 June).
- LA input to NDA's Integrated Waste Theme Overview Group: an invitation to identify a LA representative with planning expertise was made (27 June). The representative would need to liaise with the NuLeAF secretariat and, preferably, attend relevant NuLeAF meetings (27 June). **ACTION:** NDA to send further details about the Group and NuLeAF secretariat to liaise with member LAs to identify a suitable person.

## **5 Socio-Economic Support**

### *NDA Presentation*

This covered:

- New delivery model – currently under development, this will see an enhanced role for SLC contractors in initial assessment of applications for socio-economic support. Relevant applications will then be submitted to NDA and subject to a more stream-lined approval process.
- Magnox Ltd socio-economic impact assessment – this is considering the impact of the optimised work programme and should be completed in September.
- NDA socio-economic development plan – this should also be completed by late September.

### *Key Points from Discussion*

These included:

- Socio-economic impact assessment and development plan – LA representatives were interested in discussing the outcomes and implications, particularly for specific sites (22 and 27 June). It was explained that current work could lead to changes in NDA's four priority areas for economic support. Co-location of new plant could also change the way NDA views the case for particular areas to receive socio-economic support.
- Applications for socio-economic support – LA representatives were pointed towards their local site Directors if they wished to discuss potential applications (27 June).

## **6 Engagement with LAs**

### *NDA Presentation*

This covered:

- A National Engagement Plan 2011/12 has been published which indicates what engagement opportunities exist over the next year [weblink to be inserted].

- The plan is split into sections reflecting the strategic themes used in the strategy, including site restoration and integrated waste management.
- A national event is planned for 22 November 2011.

#### *Key Points from Discussion*

These included:

- **Role of Site Stakeholder Groups:** LA representatives highlighted that in their view SSG's do not provide an effective vehicle for engaging local authorities and seeking their views. They recognise that this is not the primary purpose of the SSGs (22 and 27 June).
- **Engagement with Sites:** LA representatives expressed a preference for direct engagement with sites (22 and 27 June). It was clear from discussion above that there were a range of developments that should be addressed through direct engagement with sites. Where that engagement had not recently taken place, efforts should be made to re-invigorate it (27 June).
- **Local Regulatory Fora:** the point was raised as to whether these local fora might provide an appropriate vehicle for engagement with local authorities (27 June). It was not clear, however, whether the fora exist around Magnox sites, and whether their terms of reference would be sufficiently wide to encompass all LA interests (ie in addition to development control). **ACTION:** NDA to check whether these fora exist across the NDA estate and whether terms of reference appropriate for LA engagement.

## **7 Magnox Approach to Implementing Strategy**

#### *Magnox Presentation*

This covered:

- Who we are and what are we doing? Including maximising the value of electricity generation at 2 sites, defueling at 3 sites, accelerated decommissioning at 2 sites and optimising decommissioning at 3 sites
- Magnox Optimised Decommissioning Plan and Integrated Waste Strategy
- Stakeholder engagement

#### *Key Points in Discussion*

The following points were made:

- **Site end states** – the sites for accelerated decommissioning (Bradwell and Trawsfynydd) are likely to provide the first sites where end states may be reconsidered (27 June).
- **Waste transfers** – Magnox is moving forward with consolidating waste treatment within its optimised programme. An early example will involve the transfer of fuel element debris from Trawsfynydd for treatment in existing plant at Dungeness. Engagement with local stakeholders has taken place to explain the proposal (22 and 27 June).
- **Interactions with new build** – if individual LAs wish to see more use made of legacy sites for facilities associated with new build sites, then this message should be conveyed to Site Directors (22 and 27 June).

- Engagement with local authorities – Magnox are happy to engage directly with local authorities as appropriate. **ACTION:** NuLeAF to check with contacts in the relevant LAs that they are happy for details to be passed to Magnox.

## 8 RSRL Approach to Implementing Strategy

### *RSRL Presentation (27 June)*

This covered:

- Consolidation of nuclear materials – RSRL is developing a case for moving a range of materials from Harwell to Sellafield ('Dragon fuels', low enriched uranium, plutonium contaminated materials and concrete lined drums). This would enable security arrangements at Harwell to be reduced.
- Winfrith closure and ILW transfer to Harwell – RSRL is developing a case for adopting a 6 year programme which would lead to closure of the Winfrith site. This would involve some transfer of wastes to other sites, including consolidation of ILW in a new store at Harwell.

### *Key Points in Discussion (27 June)*

The following points were made:

- Winfrith 'end state' – discussion is underway about the 'end state' that will be associated with site closure. Winfrith will provide a 'test case' for strategy development on site restoration (see discussion about 'end state' options in Section 3 above).
- Consolidated storage at Harwell – the proposal to store Winfrith ILW at Harwell will need to be considered by Oxfordshire CC in the current development of its waste planning policy (see further discussion above in Section 4).

## 9 Next Steps

The following next steps were proposed:

- Further meetings – it was agreed that further meetings should be held when there are substantive issues to discuss (22 and 27 June). NDA indicated that a meeting in early November would be timely in order to seek LA views on key aspects of strategy development. There was a suggestion that the two meetings (covering the SW/Wales and E/SE) should be combined (22 June), but concerns that the group should not become too big (27 June). **ACTION:** the NuLeAF secretariat and NDA to consider dates, topics and format for the next meeting/s.
- Between meetings – it was suggested that information could be circulated and comments sought electronically between meetings. **ACTION:** the NDA and SLCs to provide documentation on strategy development and implementation to the NuLeAF secretariat for circulation and comment as appropriate.
- Objectives – the objectives were reviewed briefly and confirmed as appropriate.
- Meeting report – **ACTION:** the NuLeAF secretariat to circulate a draft note of the meetings for comment.

## **Annex A: Attendance**

### **22 June**

Iwan Evans	Snowdonia National Park Authority
Gillian Ellis-King	South Gloucestershire Council
Barry James	Somerset County Council
Bill Hamilton	NDA
Anna Clark	NDA
James McKinney	NDA
Dave Wilson	Magnox
David Griffiths	Environment Agency
Bruce Archer	Officer for Nuclear Regulation
Fred Barker	NuLeAF
Catherine Draper	NuLeAF

#### *Apologies:*

Sasha Wynn-Davies	Anglesey Council
Martin Seaton	Bristol City Council
Doug Bamsey	Sedgemoor District Council
Claire Pearce	Sedgemoor District Council
Jon Beckett	Stroud District Council
Adrian Dyer	West Somerset District Council

### **27 June**

Mike Garrity	Dorset County Council
Lesley Stenhouse	Essex County Council
John Prosser	Kent County Council
Debi Bunkell	Maldon District Council
Peter Day	Oxfordshire County Council
John Hamilton	Oxfordshire County Council
Bob Chamberlain	Suffolk Coastal District Council
Cllr Andrew Nunn	Suffolk Coastal District Council
John Pitchford	Suffolk County Council
Bill Hamilton	NDA
Anna Clark	NDA
Chris McLauchlan	NDA
Dave Wilson	Magnox
Andy Staples	RSRL
Bruce Archer	Office for Nuclear Regulation
Phil Heaton	Environment Agency
Fred Barker	NuLeAF
Catherine Draper	NuLeAF

#### *Apologies*

Richard Conway	Purbeck District Council
Dave Illsley	Shepway District Council
Richard Smith	Suffolk County Council

## **Annex B: Objectives**

1. To brief local authorities with NDA sites on key issues and potential developments relating to restoration, radioactive waste management, decommissioning and clean-up at the sites in their areas.
2. To identify the implications of these issues and potential developments for development control, waste planning (Minerals and Waste Development Frameworks) and socio-economic strategies.
3. To ensure that the NDA, SLCs and EA are aware of the views and policies of the local authorities relevant to the development of site plans and programmes for site restoration, radioactive waste management, decommissioning and clean-up.
4. To ensure that representatives of the relevant local authorities have the opportunity to be appropriately involved in the development of site plans and programmes including, where appropriate, participation in assessments to identify preferred options.

## Annex C: Table of Actions

<b>TOPIC</b>	<b>ACTION</b>	<b>FOR</b>
Site restoration	1 Check existing local development plans at sites with advanced restoration programmes (eg Harwell) to see whether they address milestone for restoration.	NuLeAF
Site restoration	2 Circulate links to appropriate explanatory material about decommissioning and restoration to LA participants.	NuLeAF
Site restoration	3 Send further details about the Site Restoration Topic Overview Group to NuLeAF and liaise with member LAs to identify a suitable person.	NDA/NuLeAF
Site restoration	4 Circulate links to NDA website for information about its value framework.	NuLeAF
Integrated waste management	5 Take issue of addressing co-location/consolidation in waste planning to Radioactive Waste Planning Group.	NuLeAF
Integrated waste management	6 Consider implications for waste transfers of planning permissions at recipient sites and advise SLCs.	NDA
Integrated waste management	7 Provide NDA with paper on proposed Community Benefits Protocol.	NuLeAF
Integrated waste management	8 Send further details about the Integrated Waste Strategy Topic Overview Group to NuLeAF and liaise with member LAs to identify a suitable person.	NDA/NuLeAF
Engagement with LAs	9 Check whether local regulatory fora exist across the NDA estate and whether terms of reference appropriate for LA engagement.	NDA
Engagement with LAs	10 Check with contacts in the relevant LAs that they are happy for details to be passed to SLCs.	NuLeAF
Next steps	11 Consider dates, topics and format for the next meeting/s.	NDA/NuLeAF
Next steps	12 Provide documentation on strategy development and implementation to the NuLeAF secretariat for circulation and comment as appropriate.	NDA/Magnox/RSRL NuLeAF
Next steps	13 Circulate a draft note of the meetings for comment.	NuLeAF