

**Nuclear Decommissioning workshop – Edinburgh 6<sup>th</sup> June 2018****Aide Memoire****Attendees**

Name	Organisation	
David Key	Edinburgh City Council	Apologies
Roger Saxon	Dounreay Stakeholder Group	
Peter Roche	Nuclear Free Local Authorities	Apologies
Ewan Young	Scottish Government	
Jim McEleny	Inverclyde Council	Apologies
Rita Holmes	Hunterston SSG	
Robert Gibson	Scottish Government	
Ian Warner	Magnox Ltd.	
Sean Marshall	Dumfries & Galloway council	
John Lamb	Hunterston SSG	
Jill Callander	Magnox Ltd.	

Staff attendances	
Jonathan Jenkin	NDA
Simon Morgan	ONR – presenter
Richard Macleod	SEPA
Richard Harris	3kQ – facilitator
Emily James	BEIS
Penny Dunbabin	BEIS – presenter
Stewart Robinson	HSE
Simon Boniface	NDA – presenter

**Question** – Have any examples of which types of site/which types of material been considered for the consultation?

**Answer** – yes. Refer to the case studies in the consultation document and impact assessment.

Priorities activity discussion

**Question** – What SEPA’s involvement: will they require a landfill license for the rubble? What about space for material disposed of/stored off site? What about situations where there is contaminated soil – who deals with it? How will monitoring and inspection regimes be developed to assure the community?

**Answer** – While the site is still licensed it will be inspected by ONR. Under these proposals new guidance will be developed for how clean-up decisions are taken in the final stages of decommissioning when radiological risks diminish and conventional risks dominate.

It is the operator's responsibility to ensure monitoring takes place. In the care and maintenance period, the monitoring regime has to be agreed by ONR and the relevant environment agency (an example of this is Bradwell). When Bradwell was de-manned, the responsibility for monitoring was passed to another Magnox site. The operator still needs to consider IRR17 requirements, including possible registration, in which case they would be subject to HSE inspection also.

Operators still have duties in the care and maintenance period under their licence conditions. Physical monitoring of the site would be undertaken periodically. ONR would publish on their website the series of assessments they undertake when looking at delicensing a nuclear licensed site so that information is publicly available.

It is recognised that there are landfill regulation issues. If waste needed to be stored on-site the operator would need to comply with their nuclear license and/or permit/authorisation. Authorisations are within SEPA's remit as it is an environmental issue.

**Question** – If the site has a ILW store will it come under ONR licence?

**Answer** – yes, if it exceeds the “bulk quantities” definition. NIA requires a licence for storage of bulk quantities of radioactive matter that is still on the premises.

**Question** – what's the logic behind the new proposals to apply to ONR for licence surrender?

**Answer** – Under the new proposals, operators will be obliged to apply to surrender the nuclear licence rather than just surrendering it whenever they wish. This proposal is a tightening of the regime. When this aspect of the regime was originally devised in the late 1950s, there was a view by some MPs that the regulator might unfairly force operators to retain their site licence longer than necessary. Very few, if any, licensees have ever sought to surrender the licence in this way, and ONR's view therefore is that the proposals should not represent any significant detriment to the licensee and will strengthen regulation.

**Question** – Is there a distinction between nuclear and radiological risk?

**Answer** (ONR) – these risks are defined in IAEA guidance. In the event that the proposals are enacted, ONR will consider this further in the development of guidance on when it is appropriate for the licence to be removed.

**Question** – Types of waste: who would decide if waste is left on the site and how safe is a safe level – eg. is it safe to walk across the site?

**Answer** – in the context of in-situ disposal during the final stages of decommissioning, we are primarily considering low and very low level wastes the likes of which might be disposed of in landfill. The dose received from this material would be significantly lower than the dose from background levels. The operator is obliged to write a site-wide safety case to demonstrate that the relevant standards are met. The ALARA principle is used and therefore implementation arrangements may vary from site to site. At present NIA65, sites must meet the ‘no danger’ criterion before the site can exit the requirement for nuclear third party liability and before the nuclear licence can be surrendered. Under these new proposals, the site would be able to exit the nuclear third party liability regime when the OECD Nuclear Energy Agency's “Decommissioning Exclusion” criteria were met. The site operator would subsequently be able to apply to ONR to surrender the

site licence. ONR would develop criteria for determining when the licence could be surrendered. The environment agencies would then be responsible for permitting any remaining radioactive substances regulation issues until such time as regulation is no longer required.

**Question** – Is there a publicly available register of where VLLW and LLW is stored? Suggestion that there are examples where there has been disposal without local community being told.

**Answer** – disposal permits endure as long as the risk from that waste warrants its regulation (as judged by SEPA). While there is a permit in place there will always be appropriate controls in place, and the site will be regulated. Waste policy does not consider indefinite storage, so waste disposal solutions will be sought. Permits and authorisations are on a publicly available register, and the environment agencies consult with local stakeholders and local authorities on applications for RSR permits/authorisations (permits/authorisations under the radioactive substances regulations), including disposal.

**Question** – What role do local authorities have in RCL and are they capable of overseeing sites with radiological hazards?

**Answer** – There is guidance on releasing a site from environmental permitting. This won't be until it could be demonstrated that the land could be used for any foreseeable use. The level of clean-up required under the environmental regime that will apply to nuclear sites (the Radioactive Substances Regulation) is more stringent than the level of clean-up required under the Radioactive Contaminated Land regime. The Radioactive Contaminated Land Regime will not apply to these sites.

**Question** – Do EDF or others, if their generation ends, have to hand over responsibility to NDA? Could they decide to decommission by themselves without involving the NDA at all?

**Answer** – The operator would have to oversee decommissioning including defueling etc. They are qualified to undertake the whole process, so they do not necessarily need to involve the NDA. NDA does have a team that advises EDF on things like making financial provision for the costs of clean up to help make sure decommissioning is done on a consistent basis.

**Question** – Question about Vulcan next to Dounreay – will it come under NDA control?

**NDA answer** – very site-specific issue and we don't know yet.

**Question** – Has this been done anywhere else in the world?

**BEIS answer** – Germany are consulting on this issue (i.e. they are consulting on adopting the OECD Nuclear Energy Agency's Steering Committee decision on excluding sites in the final stages of decommissioning and clean-up from the requirement for nuclear third party liability under the Paris Brussels convention). Japan has expressed interest in this approach.

**Question** – The local community might be concerned that this is just a money saving exercise. With regards to higher activity waste (that can't be buried or stored in ILW) who will take it, and who will pay for it to be transported?

**Answer** – We are specifically talking about LLW on this issue, so this is out of scope of the consultation.

**Question** – Is the decision to remove material or leave it in situ all based on conventional risks rather than radiological, or is it a radiological perspective only? Will there be other opportunities in accelerated decommissioning from cost saving in this area (if so will there be a funding cut as a result?)

**BEIS Answer** – The relevant environment agency will assess the clean-up plans submitted by the site operator and weighs up the risks and benefits to approve or reject the proposed way forward. The environmental permit/authorisation of nuclear site operators relates to both radiological and non-radiological activities. Optimisation of the waste management plans and site end state requires consideration of both radiological and non-radiological implications – including demonstration of the adequacy of arrangements through a site wide environmental safety case. As regards the accelerated decommissioning proposals, no decisions have yet been taken. These proposals will need to be assessed by the NDA and HM Treasury.

Similarly, BEIS can't comment on how government funding to the NDA will change as a result of any significant cost savings.

**Question** – Will the operators look for compensation if there are decommissioning cost savings?

**Answer NDA** – The operator work out a lifetime plan with the NDA and associated costs so it won't necessarily be a case of 'compensation' but the lifetime plan will change.

**Question** – If there is a breach of regulation, how is responsibility divided between SEPA, ONR etc?

**Answer ONR** – there is an MOU detailing how they work together and what they expect of each other. If there is overlap in regulatory control the enforcing authorities will liaise early to avoid any conflict.

**Question** – In situ disposal: who decides the criteria about whether there is a designed and engineered structure/waste storage facility, or if it is just left in the ground?

**Answer** – In situ disposal means leaving something which is already there (for example, foundations or pipes). In some cases, it may also be appropriate to construct engineered disposal facilities and in some cases, it may be appropriate to use waste material (demolition rubble etc) to fill in voids. The relevant environment agency will assess the proposals put forward by the site operator and will determine the proposals for each site.

**Question** – Have specific cost savings per site been considered?

**Answer** – Yes. The impact assessment shows specific cost savings from Winfrith and Dounreay and a generalised estimate for the Magnox sites.