

26th October 2011

These notes are a summary of the Scottish Sites meeting. Full minutes will be circulated when available.

The Scottish Sites meeting was held on 26th October 2011 in Edinburgh. Representatives included Scottish Government, SEPA, ONR, SCCORS, CoRWM as well as NDA, site operators and SSGs from Dounreay, Chapelcross and Hunterston.

Chapelcross and Hunterston SLC provided presentations on site activities with verbal updates from Dounreay and the NDA.

Scottish Government update included:

- Elizabeth Gray had retired and the Radioactive Waste team had been reduced from 5 to 4 and had also lost their admin support. George Burgess is Deputy Director of Radioactive Waste Team.
- NDA Strategy II was published.
- Scottish government continues to have strong relationships with DECC on nuclear matters.
- The High Active Waste policy was published in January. Now moving into implementation phase which is a key piece of work. Stakeholder consultation will take place on how the waste policy will be implemented.

Project Board set up to take high active waste policy forward. Project Board has set up a Technical Group to look at the challenges posed by the policy. Lot of discussion on stakeholder involvement – response was that stakeholder involvement would take place at the appropriate time.

- Exemption Order Review – UK-wide review culminating in a new single exemption order which comes into effect in October. Transition period until April 2012. Guidance has been issued to Environment Agency and SEPA.
- MoD Nuclear liabilities strategy came out in September. *Scottish Government to provide link to document on website.*
- Waste substitution – results of consultation should be published soon. 12 responses received.
- MoD carrying out consultation from 28th October on decommissioning submarines.
- Paris and Brussels Convention – looking at 3rd party liability issues which bring in low level waste disposal into the liability regime.
- ONR consulting on bulk quantities of waste as an interim measure until DECC takes proposals to Paris and Brussels Convention.

- Scottish Government looking with UK Government at NORM wastes - naturally occurring materials, primarily in oil and gas.

SEPA update:

- SEPA and ONR working on RSA91 policy.
- Dounreay site competition – regulators looking at transition arrangements for RSA93, etc.
- RIFE report published last week.
- Exemption Order work – linking into DEFRA guidance.
- Dalgetty Bay – continues to be monitored with ~300 particles detected, some of which are significant.

Encs:

1. ONR update
2. SCCORS update
3. CoRWM update

This note provides information on key developments within ONR since the last meeting in October 2010. It does not deal with issues specific to individual sites that ONR have reported to the site liaison groups.

On 8th February 2011, a written ministerial statement by the Rt. Hon. Chris Grayling MP announced the Government's intention to bring forward legislation to create a new independent statutory body outside of the HSE to regulate the nuclear power industry.

The new statutory corporation will be known as the Office for Nuclear Regulation (ONR) and will take on the relevant functions that were carried out by the Health and Safety Executive and the Department for Transport.

The ONR will be a new independent regulator, formally responsible in law for delivering its regulatory functions. The creation of the ONR will consolidate civil nuclear and radioactive transport safety and security regulation in one place. Pending the legislation, and in the interim, the Health and Safety Executive has taken steps to establish the ONR as a non-statutory body from 1 April 2011, signalling the commitment to securing an appropriately resourced and responsive regulator for the future challenges of the nuclear sector. The Government will review the functions and processes of the interim body in order to inform its planned legislation.

Work is now underway to establish programme management principles within ONR. This way of working is closely aligned to industry and government programme management best practice and will enable ONR to meet the organisation's increasing demands.

This transformational change will re-organise ONR's current organisational structure into delivery-focussed and integrated programmes:

- Civil Nuclear Reactors Programme
- Defence Programme
- Sellafield Programme
- Decommissioning, Fuel and Waste Programme

This approach supports the establishment of ONR as a statutory corporation, signalling the ongoing commitment to securing an appropriately resourced and responsive regulator for the future.

Mike Weightman, Her Majesty's Chief Inspector of Nuclear Installations and Executive Head of the Office for Nuclear Regulation published a report on 11

October 2011 in which he points to Government, industry and regulators to review 38 areas where he concludes lessons can be learned in the UK from the nuclear crisis in Japan. These include: reliance on off-site infrastructure such as the electrical grid supply in extreme events, emergency response arrangements, layout of plant, risks associated with flooding, planning controls around nuclear facilities and prioritising safety reviews.

The report, requested by the UK Government, was published in interim form on 18 May. Since then, Dr Weightman has drawn on national and international expert opinion, and led a fact-finding mission to Japan in June - including a visit to the Fukushima Dai-ichi plant - to compile a thorough analysis of the evidence that has emerged to date.

ONR remain confident that our UK nuclear facilities have no fundamental safety weaknesses. We already require protection of nuclear sites against the worst-case scenarios that are predictable for the UK. But we are not complacent. Our philosophy is one of continuous improvement. No matter how high our standards, the quest for improvement must never stop. We will ensure lessons are learned from Fukushima. Action has already been taken in many cases, with work under way to further enhance safety at UK sites.

Following the nuclear accident at Fukushima in Japan, every nuclear power generating country in Europe agreed in May to undertake relevant tests to an agreed timetable. The tests, carried out by licensees, involve targeted reassessment of each station's safety margins in the light of extreme natural events, such as earthquake and tsunami.

ONR will independently review the results of the tests. ONR's review of the tests must be sent to Europe by 31 December.

'Stress tests' have been initiated at all UK nuclear power stations, as required. To date, none of the stress test work by the licensees, or other work and reviews undertaken in the UK, has indicated any fundamental weaknesses in design and resilience at UK nuclear power plants - but, in line with the continuous improvement culture we adopt in this country, lessons are being learnt from Fukushima to improve safety.

ONR, is now making available, via its website, the executive summaries of Project Assessment Reports (PARs).

The documents describe, in largely non-technical and 'Plain English' language, many ways in which ONR brings about regulatory control at nuclear sites in the UK. Publication of such reports is a significant move by ONR and is part of the regulator's commitment to being more open and transparent in its work.

ONR have amended two of their 36 standard licence conditions attached to nuclear site licences. The changes to licence condition 17 and 36 allow the obligations of the Nuclear Safety Directive (NSD) 2009/71/Euratom, to be fully implemented in relation to Great Britain.

Article 6(4) of the NSD requires member states to ensure that licensees establish and implement management systems that give due priority to nuclear safety and that the regulator subject these systems to regular verification.

A change to Licence Condition 17, retitled “Management Systems” makes explicit reference to what ONR believes to be already in place.

Article 6(5) of the NSD requires member states to ensure that licensees are required to provide and maintain adequate financial and human resources to ensure the licensees can fulfil their obligations in respect of nuclear safety as laid down in paragraphs 1 to 4 of Article 6.

The changes to licence condition 36 will explicitly require licensees to provide for and maintain the financial and human resources to ensure nuclear safety.

A consultation is currently under way that outlines ONR's proposed approach to the definition of 'bulk quantities' of radioactive matter.

The nuclear site-licensing regime currently applies to a set of defined activities, which include the storage of bulk quantities of radioactive matter.

ONR is conscious that a number of interested parties are seeking clarity as to whether a storage facility may require a nuclear site license, depending how bulk quantities of radioactive matter is defined.

The consultation runs until 12 December.

Mick Bacon:
HM Principal Inspector
ONR - Decommissioning, Fuel & Waste Programmes
21st October 2011

The past months have been difficult ones for SCCORS. In the early part of the year the focus in Scottish Councils had to be the severe budget cuts Councils were grappling with, and the run up to the Scottish Government elections. It was therefore reluctantly decided not to run a spring seminar as has been the SCCORS practice in the last year or two. The difficulty in getting members to attend events and meetings in person meant that most of the liaison and communication has been via e-mail.

SCCORS Chairman Cllr George Regan has suffered from ill-health for part of this year and indeed, he is currently recovering from a lengthy stay in hospital. He has asked that his apologies be passed on to this meeting.

SCCORS maintains its involvement in the Higher Activity Waste Project and is also represented on its associated Technical Advisory Group by David Mudie of Highland Council's Planning Department. David also represents SCCORS on the NORM Strategy Project Board.

Other areas in which SCCORS continues to be represented are the Low Level Waste Group, the Dismantling of Nuclear Submarines Group, and of course the Scottish Sites Meeting.

Dounreay SSG invited SCCORS to nominate a representative to join it, and it is a matter of regret that so far it has not proved possible to find a volunteer who can make the necessary time commitment due to travel constraints. Highland Council has been asked if its representative to the SSG would consider wearing two hats, and a response is awaited. It is still the Chairman's hope that SCCORS visits to all of Scotland's nuclear sites can be arranged and it is a matter of regret that a variety of circumstances have conspired to frustrate that plan to date.

Earlier in the summer, SCCORS submitted observations on the NDA paper on "Preferred and Credible Options for Managing of Dounreay FBR Exotic Fuels". If any one is interested in that response, arrangements can be made to e-mail it to anyone who wants a copy.

Due to the chairman's ill-health, the SCCORS autumn seminar has been delayed, and now looks like taking place sometime early in the new year.

CoRWM's Role.

1. CoRWM's remit is to provide independent scrutiny and advice on the long-term management of radioactive wastes. It focuses on higher activity wastes (HAW), *i.e.* intermediate level waste (ILW) and high level waste (HLW). Its work also includes spent nuclear fuels, plutonium and uranic materials that are not considered to be wastes at present but may be in the future.
2. The Committee scrutinises the work of Government (UK and devolved administrations) and the Nuclear Decommissioning Authority (NDA) on all the steps necessary for the long-term management of HAW in the UK. These steps will typically include treatment, storage, transport and disposal. One of its main tasks is to scrutinise UK Government and NDA plans and programmes for geological disposal of HAW. It also scrutinises the work of the Scottish Government on developing and implementing its policy of near-surface, near-site storage and disposal of HAW. Much of the work that the Committee scrutinises is within the Government's Managing Radioactive Waste Safely (MRWS) programme.
3. CoRWM has a set of five guiding principles that it applies in its work. These principles are about:
 - ☐ openness and transparency
 - ☐ upholding the public interest
 - ☐ fairness
 - ☐ a safe and sustainable environment
 - ☐ working efficiently and effectively.
4. CoRWM carries out its scrutiny by holding meetings with NDA, Government officials, regulators and various groups of stakeholders, and by reviewing documents that these organisations produce. It visits one or more nuclear sites each year, where it sees radioactive waste management facilities, has discussions with site staff and holds a public meeting.
5. The Committee provides both formal and informal advice to Government. In the case of formal advice it usually consults its stakeholders to gather and check evidence, to inform itself of their views and to obtain their comments on its proposed advice. Such consultations are part of the public and stakeholder engagement (PSE) that CoRWM carries out to support its work programme. Members give informal advice verbally and in writing, not only to Government but also to NDA and others. Informal advice is given on draft documents where there is a need for urgency and an opportunity to influence content before ideas become too fixed. This does not preclude CoRWM from commenting formally at a later stage. Experience during 2010-11 has shown that the need for informal advice is likely to increase.

Scrutiny and Advice on Scottish Government HAW Policy

6. The Committee's work during 2010-11 on Scottish Government HAW policy was a continuation of that in 2009-10, when CoRWM advised Scottish Government during its preparation for a public consultation on its proposed policy, scrutinised the conduct of that consultation and responded to it.

7. During 2009 the Scottish Government developed a proposed Detailed Statement of Policy for Scotland's HAW. In 2010 it consulted the public about the proposed policy and then finalised it. The policy was published in January 2011. Throughout the policy development process CoRWM scrutinised the work of Scottish Government and provided advice (CoRWM docs. 2515.2, 2800). It also responded to the main SG consultation (CoRWM doc. 2795) and to the supplementary consultation (CoRWM doc. 2865). These documents and others referred to in this paper are available on CoRWM's website (<http://corwm.decc.gov.uk/>).
8. Summaries of CoRWM's work on Scottish Government policy are also contained in its annual reports (CoRWM docs. 2807, 2922).
9. CoRWM published its comprehensive review (CoRWM doc. 2818) in September 2011 of Scottish Government's policy development process and the process by which Scottish Government developed its consultation programme and finalised its HAW policy from 2009 to 2011.
10. CoRWM considers that Scottish Government carried out a committed and comprehensive programme of stakeholder engagement in the process of developing its HAW policy. It commends SG for acknowledging the contribution made by stakeholders and for publishing a detailed analysis of consultees' comments and a response to these comments.
11. On the policy itself, CoRWM takes the view that near-surface disposal is a feasible and potentially attractive option for some types of HAW. The Committee notes, however, that there is much work to be done to determine whether, where, how and for which wastes the option should be implemented. CoRWM also notes that the policy is silent on a final end point for HAW that cannot be disposed of in near surface near site facilities. These issues will need to be addressed in the Strategy Implementation programme.

Current CoRWM Involvement

12. CoRWM has a Scottish Government Task Group (TG2) and this group had an updating meeting with Scottish Government in July 2011 and two are planned for November 2011 and February 2012.
13. On a rotating basis a member of TG2 attends the Strategy Implementation Board as an observer. Also on a rotating basis a member of TG2 attends the Technical Advisory Group as a participating member.

CoRWM Plenary Meetings 2011 – 2012

14. CoRWM Plenary meetings are not public meetings but are held in public and members of the public are invited to ask questions at the end of meetings and join CoRWM members in discussions at break periods. CoRWM would like more members of the public to attend its meetings. Future Plenary dates are:
 - 15/16 November 2011 – Cardiff
 - 17/18 January 2012 – London
 - 6/7 March 2012 – Warrington
 - 12/13 June 2012
 - 4/5 September 2012
 - 17/18 October 2012
15. One of the 2012 meetings will be held in Scotland.

Current CoRWM Activities

16. CoRWM's workplan for 2011-2012 (CoRWM doc. 2957) gives details of all the UK wide activities to be undertaken within a budget of £460K. The tasks involve scrutiny and advice in the following areas and each has a Task Group to lead and undertake the work.

- Treatment, Packaging, Storage and Transport
- Scottish Government Policy
- Government and NDA Plans for Implementing Geological Disposal
- Research and Development
- Reversibility, Retrievability and Recoverability
- Public and Stakeholder Engagement