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The Dounreay Stakeholder Group (DSG) is represented by over 20 organisations and therefore this response is one that is generally agreed by most organisations. However, there are some organisations, who may not agree entirely with this submission and therefore these organisations have been encouraged to provide their own response.

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Scottish Government (SG) has no plans for how to deal ultimately with Higher Activity Waste (HAW) in Scotland. The Scottish nuclear sites' Interim End States (IES), called "quiescent states" in the paper, are likely to be equivalent to the final end states or at least remain as IESs far very much longer than in the rest of the UK. It is hard to imagine a nuclear site with Intermediate level radioactive waste (ILW) stores being regulated by anybody other than ONR. The existing situation of joint regulation at Scottish nuclear sites is likely therefore to continue very far into the future. The reference to Dounreay being a "lead and learn" site might for this reason not have many parallels with other UK sites.

Para 1.17

- "risk" should be mentioned in conjunction with "hazard" as the paper is founded on future risk not hazard.
- In our metric era the paper should use "areas of land" not "acreage"
- In the last part of this paragraph cost and finance should be added to the other "needs"

Para 1.33

- In the paper up to here there are not enough examples to help the public understand the difference between a nuclear site and a non-nuclear site as a non-nuclear site might have radioactive contamination.
- A nuclear site becoming a non-nuclear site will still have radioactive contamination and radioactive waste so some clarification is needed.

Para 1.34 f)

- Engineered disposal facilities are sited for more important reasons than the glib remark made here. Performance Assessment studies have to be undertaken to consider the geology, water flows, sea level rise and flora and fauna. That is why the New LLW Facilities at Dounreay are sited outside the licensed site.

Para 1.41

- Surely the records from the nuclear sites will go to the Nuclear Archive in Wick, not the local planning authorities!

Para 1.60:

[Do you agree that the UK Government proposals set out in this paper should enable a more flexible approach to nuclear site clean-up that takes account of a range of possible site end states

and opportunities to optimise waste management? If not, why not?]

- Yes. The proposals represent a reasonable and sensible way forward. It should enable a more flexible approach to a range of possible site end states, i.e. it can be 'tailored' to specific sites.

What should the UK Government be mindful of when developing proposals to implement the changes discussed in this paper?

- Under the current arrangements the 'no danger' criterion is open to interpretation and debate. Similarly, the new criterion of deciding when 'residual hazards and risks are sufficiently low' is even potentially more open to interpretation. How is 'sufficiently low' to be defined so that it enables the flexibility for specific site end states and yet is not too open to differing interpretations thereby creating inconsistent regulation.
- Under the new proposals regulation of nuclear sites in the final stages of decommissioning and clean-up would pass to the environmental agencies. This would mean two different regulatory bodies covering these sites across the UK, that is, EA and SEPA. In the past EA and SEPA have had differing interpretation and standards in the application of the environmental regulations. For example, in the application of proportionality with regard to the level of risk to the public and the environment. If this is not addressed then this could lead to inconsistencies in the regulation of Scottish and English/Welsh sites.
- Care is also required that over-regulation by the Environmental agencies for political reasons does not over-complicate this.

Do you agree that legislative changes are likely to be needed to realise the opportunity set out in this paper? If not, what more could be done under the existing regulatory regime?

- Legislative changes are likely to be needed in order to adopt the proposals. In particular the NIA65 requirements to end the licensee's 'Period of Responsibility' will need to be changed. Currently this requires that ONR is satisfied that there has ceased to be 'any danger from ionising radiations'. As the proposals stand, this will need to be changed to 'ONR relinquishes regulation of a site once content that it is no longer needed'. It is proposed that this will be when the site has been decommissioned to the extent that any residual hazards and risks arising from the site are sufficiently low to warrant this.

What other changes could be made to realise the opportunity set out here?

Scottish Government should review its HAW policy and join the rest of the UK in progressing the deep geological disposal facility for HAW.

Para 1.65:

- The idea of LLW being disposed of in "basements and similar structures" is unrealistic when one considers the engineering complexity required for new LLW disposal facilities at Dounreay and the LLLWR, Drigg. To make this paragraph perhaps plausible the reference should be to "very low levels of radioactive contamination near to natural levels".