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NUCLEAR SAFETY ADVISORY COMMITTEE

Task Force 2 – Regulatory Framework Progress Report April – June 2008

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on behalf of TF2

1. Task Force 2 is currently working on three topics:

- the operation of the regulatory framework for *sites that are being decommissioned*, including whether licensees are making appropriate use of the flexibility in licence conditions and of decommissioning safety cases
- the regulatory framework for *low level waste (LLW) disposal facilities*, including the definition of “bulk quantities” of radioactive waste and criteria for deciding whether to regulate new LLW disposal facilities under nuclear site licences
- the regulatory framework for a *geological disposal facility*, including the approach to licensing and delicensing, the possible need for additional safety assessment principles, and interactions between HSE and the Environment Agency.

Progress on these topics is as follows.

Sites being decommissioned

2. We have been gathering licensees’ views on how the regulatory framework for decommissioning operates during site visits for other purposes. There seems to be agreement that it is worth reviewing licensees’ approach to complying with site licence conditions for low hazard sites. In 2007 we noted that several licensees favoured the use of safety cases specific to decommissioning sites. While this topic is still of interest to licensees, the slow down in decommissioning caused by reductions in NDA funding seems to have diminished enthusiasm for it. Of greater concern to licensees are delays in approving delicensing safety cases, which mean that land cannot be released from regulatory control and sold or used for other purposes.

3. The next steps in our work on this topic are to accept the invitation to hold discussions with the NDA, and to hold discussions with ND. We will also seek information from BERR about the review of the efficiency of the regulatory system by Dr Tim Stone.

LLW

4. The ND management board discussed the definition of “bulk quantities” at its meeting in June. In the coming months, ND will be working towards a policy statement on the issue and intends to ask NuSAC for advice prior to a public consultation.

5. We will be examining the environment agencies’ draft “guidance on requirements for authorisation” (GRA) document for near-surface disposal facilities, which is currently out for consultation. Unless HSE requests NuSAC to comment formally, the aim will be to identify any issues that NuSAC as whole should be aware of.

Geological disposal

6. Our work on this topic is being carried out in liaison with CoRWM. We understand that the ND management board will discuss the licensing of a disposal facility at its meeting in July. NuSAC expects to be asked for advice during the next stage of the work, when proposals are being prepared for public consultation.

7. We will be examining the environment agencies’ draft “guidance on requirements for authorisation” (GRA) document for geological disposal facilities, which is currently out for consultation. Unless HSE requests NuSAC to comment formally, the aim will be to identify any issues that NuSAC as whole should be aware of.

Other consultations

8. The Environment Agency began a public consultation on its “radioactive substance regulation environmental principles” (REPs) in June. HSE will probably not require NuSAC advice on its response.

9. Also in June, Defra began public consultations on statutory guidance to the Environment Agency on radioactive discharges and on a revised UK Discharges Strategy. It is not anticipated that NuSAC will comment on these documents.
