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**MINUTES OF THE NUCLEAR SAFETY ADVISORY COMMITTEE
(NUSAC) MAIN MEETING HELD ON THURSDAY, 17 MARCH 2005 AT
10.30 HRS IN THE GLOBE ROOM, ROSE COURT**

Chairman:	Mr Steve Vbranch	
Members:	Mrs Sheila Ashford	
	Mr John Billard	
	Mr Andrew Clarke	
	Mr Barry Cripwell	
	Prof Sue Cox	
	Dr Wynne Davies	
	Dr Bryan Edmondson	
	Dr Paul Haigh	
	Prof Bev Littlewood	
	Dr Rod McKenzie	
	Prof Susan Parry	
	Dr Jim Whiston	
Acting HM Chief Inspector of Nuclear Installations:	Dr Mike Weightman	HSE
Observers:	Dr Angela Jenkins	AWE
	Dr John Crofts	UKAEA
	Mr Peter Webster	BE
	Mrs Mary Morrey	NRPB
	Mr Gordon Munro	Magnox
	Mr Richard Mayson	BNFL
	Ms Louise Robson	DTI
	Cmdre Andrew McFarlane	MoD
Secretariat:	Mr Colin Potter	Secretary
	Mrs Joyce Boorman	Secretariat
	Mrs Alma Edwards	Secretariat

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Item 1: Welcome, Introduction and Apologies

- 1.1 Steve Vbranch welcomed:
 - (i) Dr Mike Weightman as Acting HM Chief Inspector of Nuclear Installations, following Laurence Williams' departure to the Nuclear Decommissioning Authority (NDA);
 - (ii) Gordon Munro (Magnox) representing Alan Brandwood; and
 - (iii) Louise Robson (DTI) who had replaced Charles Bridge.
- 1.2 Apologies were received from NuSAC Members John Knott, David Owens, Bill Heafield, Neville Moray, Steve Napier, prospective NuSAC Member Robin Bloomfield; Joe McHugh (EA); David Mason (BNG); Andrew Clark (DML); Robert Jackson (Defra); and Alan Brandwood (Magnox).
- 1.3 The two HSC 'nuclear champion' Commissioners, Margaret Burns and Judith Hackitt who have a standing invitation to the meeting, were both unable to attend.

Item 2: Minutes of the Main Meeting held on 5 November 2004

- 2.1 The minutes were approved.

Item 3: Matters arising from 'Main' meeting held on 5 November 2004

- 3.1 **Action 82/3/9: Invitation to the Site Director of the UKAEA, Dounreay, to address the Main meeting in July 2005.** This action is cleared. It is included in NuSAC's Work Plan and a paper is scheduled for July 2005 Main meeting.
- 3.2 **Action 82/3/10: British Energy to present a paper (with Magnox input) on the observations on plant availability of Sig Berg (of WANO), in 'Towards Operational Excellence' at July 2005 Main meeting.** This action is cleared. It is included in NuSAC's Work Plan and a paper is scheduled for July 2005 Main meeting.
- 3.3 **Action 82/3/11: Chief Inspector's NII Resources paper to be taken at July 2005 Main meeting.** This action is cleared. It is included in NuSAC's Work Plan and a paper is scheduled for July 2005 Main meeting.
- 3.4 **Action 82/3/12: Members to provide views on the Chair's suggestion that NuSAC considers the safety implications of MoD's strategy for management of laid up nuclear submarines by 4 March 2005.** This action is cleared. Members' comments were forwarded by the Secretariat to the NuSAC Chair for consideration on 7 March 2005.

APPROVED

Outstanding from July 2004 Main Meeting

- 3.5 Action 82/2/15: NII to consult NuSAC on revision to site Licence Conditions.** This item is outstanding. The Chief Inspector of NII reported at the Main meeting in November 2004 that the Nuclear Safety Directorate (NSD) would shortly be consulting NuSAC. NuSAC has yet to be consulted. In December 2004, HSE received additional legal advice about the LCs covering 'users' of the sites as well as the licensee. NII is revisiting the exercise before any consultation can take place. Therefore, the exercise is delayed.
- 3.6 Action 82/2/17: NII to consult with NuSAC (via RG1) before wider consultation is undertaken on the revision of the SAPs.** This item is outstanding. The appropriate Review Groups will be consulted on various sections to the revised SAPs with a final paper on the project scheduled for October 2005 Main meeting.

Item 4: Update on the Review of NuSAC

- 4.1 The Chair reported that the Consultants undertaking the review had presented the draft report to the HSC Chair and NuSAC Chair. Members had reviewed the 10-page draft summary at the Members Only meeting held the day before. He thanked all those who had contributed. He also reported that Members of NuSAC were to consider the report on the Review of the Committee at a separate meeting to be held in April, which would also be discussing NuSAC's Work Plan for 2005 to 2007. He indicated that the heart of NuSAC's work was in its Work Plan, so it was important to discuss and to consider strategic issues. At the same time Members would be looking at membership and observers. The consultant's Review Report would be included as background to a paper to HSC as part of NuSAC's re-constitution process.
- 4.2 The final version of the Consultant's Review Report would be available at a later date.
- 4.3 The Review Report makes recommendations regarding greater openness. The Chair informed the meeting that from April 2005 HSC's meetings would take place in public and it was therefore timely for NuSAC to be considering ways of making at least some of its meetings open.
- 4.4 The Chair updated the meeting on recent Freedom of Information Act (FoI) requests regarding NuSAC documents relating to correspondence between the HSC Chair and the Secretary of State for Trade and Industry. This correspondence emanated from a letter from members of NuSAC to the HSC Chair asking him to pass on to the SoS the Committee's concerns regarding the NDA PSA targets, and had become known to a journalist.
- 4.5 Steve Vranich said that both the HSC Chair and the Minister had been content for the correspondence to be released and it was now in the public domain. He

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commended the Committee on the fact that their letter to the HSC Chair had been well-written and supported by good technical arguments.

- 4.6 The Secretariat informed the meeting that it had been agreed that any information released under FoI from NuSAC in future will be placed on the NuSAC Website.
- 4.7 The Review Report had suggested that there might be scope for a less rigid application of the tripartite principle within the Committee when recruiting new Members. Members felt that it was vital to look into any proposals to change this principle. The Chair noted Members concerns but emphasised that, regardless of Members affiliations, it was of overriding importance to get the skills base right. The Secretary confirmed that both CBI and TUC would be consulted before any proposals were put to the HSC to move away from the current tripartite structure of the Committee.

Item 5: NII-related Business

- 5.1 Mike Weightman reported that he was Acting Chief Inspector of NII, following Laurence Williams' departure to the NDA. The post had been advertised and interviews were due to take place soon. He commented that in the interim NII would not stand still; business improvement processes and developments would continue to be taken forward.
- 5.2 He reported that NII was undertaking a recruitment exercise and about 40 candidates were due to be interviewed with the aim of bringing staff numbers to NII's cadre of 179. Regardless of any difficulties experienced in recruiting staff there was no question of dropping quality.
- 5.3 Because of resource limitations, the review of the Safety Assessment Principles had been delayed, resulting in the final conclusions being deferred from November 2005 to March 2006. Licence Conditions (LCs) have also had to be reviewed in because of issues raised by the formation of the NDA on which legal advice was sought. There has been a small change to LC3 (on lease Consents), but other LCs will be reviewed in the light of the legal advice. NII is also finalising its (re)licensing reports for the restructured BNFL.
- 5.4 Dr Weightman also commented on the following regulatory issues:
 - Graphite cracking at Oldbury and the difficulty of retaining specialist knowledge of graphite with the age profile of expertise etc
 - Sellafield issues - HAL problems with the current state of evaporators; SIXEP and demands on it for delivering processing of Magnox fuel; leak of Plutonium Nitrate (PuN)
 - Contamination events at Dounreay
 - High level meeting at Devonport on MoD naval sites
 - Dounreay newspaper articles about alleged past disposal malpractices.
- 5.5 Jim Whiston asked for Mike Weightman's views on the movement of staff, particularly technical staff to organisations such as the NDA and at what point should the Committee have significant concerns.

APPROVED

- 5.6 In reply Mike Weightman said that the loss of Laurence Williams to the NDA was greatly felt within NII. He said that to date, the numbers were small, being Laurence Williams and 3 NII specialist staff.
- 5.7 Steve Vranich asked Observers whether their organisations had any staff losses to the NDA. John Crofts and Richard Mayson said that although there were losses the numbers were not significant. Angela Jenkins said that there were no signs of people leaving AWE for the NDA.
- 5.8 With respect to the Dounreay newspaper article, John Billard commented on the desirability of companies maintaining contact with past employees.
- 5.9 Richard Mayson said that in the late 90s considerable discussions with past employees had taken place especially when the CoSAs were being developed in BNFL, as information was not as well documented as it is today. He said that this practice was continuing.
- 5.10 Peter Webster said that BE was in the early stages of developing a programme of knowledge transfer with regard to past employees. Gordon Munro said that a similar process was in train in Magnox and it had also sought out past employees for archive information.
- 5.11 With regard to the past Dounreay employee who had spoken to the Sunday Times on decommissioning, John Crofts said that he was due to meet the ex-employee (who had left the company in 1989) to try to establish exactly what information the person had.
- 5.12 Andrew Clarke asked the Acting Chief Inspector whether the formation of the NDA had led to any diminution in NII's ability to regulate. Mike Weightman said that NII regulates through criminal Law and this will always take precedence over any contractual requirements placed on licensees by the NDA. However a small change had been made to LC3 to ensure that HSE retained the same degree of regulatory control over NDA sites as at present. He was satisfied that the NII's powers were still as strong and the review of Licence Conditions should make this clear.
- 5.13 Mary Morrey asked whether the NII had regulatory powers over the NDA, to which Mike Weightman affirmed that the NDA is subject to the usual range of regulatory requirements, as any other employer would be. In addition, if the NDA could be construed as having duties on a licensed site, it would also be subject to the provisions of the Nuclear Installations Act. LC3 had been amended to make it clear that the NDA would be criminally liable if it granted a tenancy agreement on a licensed site without a Consent from HSE.

Item 6: Safety Performance Overview of the Major UK Nuclear Licensees Annual Update covering the period 2003/04 (NuSAC (2005)P1)

- 6.1 Andrew Clarke presented this item. He thanked the licensees for their help in compiling the report, in particular Frank Phillips at BNFL. The Safety

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Performance Overview was the sixth annual report examining the performance of major UK nuclear licensees.

- 6.2 Andrew Clarke said that, as NII did not have the resources to carry out such reviews NuSAC had taken on the task as it felt that it was important to monitor safety trends and compare the UK's safety performance with that in other countries. As with previous years, licensees had volunteered the information for the review from their health and safety performance statistics.
- 6.3 The substantial improvements noted over the last 10 years for civil licensees have been broadly maintained. Across all licensees dose rate data remains excellent and better than world average. On RIDDOR, BE figures remain stubbornly high. Likewise, AWE's RIDDOR figures remain at last year's high level. More generally on MoD related sites, the non-radiological parameters remain higher than at the civil nuclear sites.
- 6.4 Andrew Clarke commented that the safety performance information on licensees' websites was, however, disappointing. Up to mid-December 2004 the health and safety and environmental reports of several licensees were not accessible i.e nine months after the end of the reporting period. Also, there were no sickness absence rates. He questioned the licensees' strategy for putting data on their websites and wondered whether commercial pressures had distracted efforts.
- 6.5 Contractor safety performance was of great interest to NuSAC, particularly with the formation of the NDA who would be looking for increased value for money, which in turn may lead to an increase in the use of contractors. The data for contractors working on licensed sites is was noted to be significantly worse than for the employed workforce.
- 6.6 **ACTION 13/1/2005: NuSAC to ask the NDA to explain their policy on contractors' Best Practice.**
- 6.7 Dr Weightman commented that he had discussed the consequences of greater contractorisation with the CEOs of BNFL and UKAEA and had been assured by them that they will always put safety first – even if it means losing the contract. This is reassuring but the problem is how to ensure this attitude is put into action at middle management level. NII continues to look at a variety of measures to track performance rates and has a target for reducing potential major accident precursors by 5% over a 4-year period. However, headline figures are not the whole story and NII continues to 'dig below the surface' to ensure problems are not being stored up.
- 6.8 For Defence nuclear licensees dose statistics were good with only one employee receiving a dose of greater than 5 mSV. The rate of major injuries continued to be higher than in the civil sector, although at Devonport safety had improved since NuSAC's last visit. At that site the message of "leadership by example" was evident rather than "leadership by dictat". Generally, the numbers of employees on other defence nuclear sites was small and it was difficult to draw conclusions from the safety performance statistics.

APPROVED

Licensees' Reply to questions from NuSAC Members on the Report

- 6.9 The licensees agreed to take back the message about updating their websites and that there was general concern about the contractor figures. They said that they were striving for continuous improvement.
- 6.10 John Crofts commented on the pressure on the workforce to change ways of working with the formation of the NDA. Safety Performance parameters had not been met as people were not 'walking the plant' as they were involved in meetings and processes for NTW Plans for the NDA. He said that the National Nuclear Regulatory Forum had looked at this.
- 6.11 ACTION 14/1/2005: NuSAC to address with the NDA the planning processes which licensees have to undertake on its behalf.**
- 6.12 Jim Whiston commented that NuSAC was concerned about the potential divergence of management time and attention from operations to the formation of new entities as part of NDA set up. He reminded the Committee of Sig Berg's comments in his presentation to the Committee in 2004 regarding top management leading by example.
- 6.13 Steve Vranich asked what could NuSAC do to ameliorate the situation regarding the NDA and the effort the licensees were putting into planning for eventual competition; Patricia Hewitt's view was that contractorisation had the potential to improve safety.
- 6.14 A copy of NuSAC's detailed comments on the NDA was sent to DTI, which contained planning and safety issues, at the same time that the HSC Chair wrote to the SoS in December 2004. To date, a formal reply from DTI had not been received.
- 6.15 ACTION 15/1/2005: Louise Robson, DTI, to follow-up the letter sent to Peter Waller.**
- 6.16 Jim Whiston suggested that NuSAC should engage with the 'nuclear' HSC Commissioners on this issue to put forward views and to give them and the HSC a better understanding of NuSAC's concerns and possible implications.
- 6.17 ACTION 16/1/2005: NuSAC to initially write to 'nuclear' HSC Commissioners with views etc.**
- 6.18 Sue Cox enquired about whether the NDA should review the periodicity of their planning cycle and whether licensees need to undertake a major review each time or just look for changes during that cycle.
- 6.19 Richard Mayson said that the White Paper had raised the possibility of a 10-year planning cycle but that had been abandoned and the NDA was now

APPROVED

meshed into the normal Treasury planning rounds. John Crofts said that the level of detail requested by the NDA is unreasonable.

- 6.20 Steve Vbranch said this was important and the effort put into planning plan should be monitored and changed as necessary. The planning process was time consuming and it should be borne in mind that licensees had primarily to focus their attentions on managing their businesses.
- 6.21 Cmdre Andrew McFarlane said that he shared the concerns over the performance figures. He reported that the three sites (Devonport, Rosyth and BAE) attend HSE's Shipbuilding and Ship Repairing Consultative Committee and it might be useful to have dialogue with that Committee.
- 6.22 ACTION 17/1/2005: NuSAC Secretariat to investigate the possibility of dialogue with HSE's Shipbuilding and Ship Repairing Consultative Committee to discuss conventional safety record, share information and address any other relevant concerns.**
- 6.23 Peter Webster said that there was a flat safety performance in BE which was hard to shift; accidents were mainly slips, trips and falls. However, there was a high level of commitment by the BE Board to improve performance. He said that BE welcomed NuSAC's proposed visit to Torness later in the year, and was sure that the improvements made at the plant would be very evident. He also said that BE was in the process of updating the safety performance data on its website.
- 6.24 ACTION 18/1/2005: Licensees to give an assurance to NuSAC that the data provided on their websites are regularly updated.**
- 6.25 Steve Vbranch thanked Andrew Clarke and to all those who had been involved in the production of the paper and said that NuSAC looked forward to the update paper next year.

Item 7: Effectiveness of NII's use of EQFM Model (NuSAC(2005)P2)

- 7.1 Mike Weightman presented the paper on the European Foundation for Quality Management (EFQM) model and how NII uses it as a management tool, as an aid to improve and sustain regulatory excellence and to be more responsive to a changing environment and stakeholders. This paper was in response to Laurence Williams introducing the subject at the October 2003 NuSAC meeting.
- 7.2 Dr Weightman explained that NII had first used EQFM in the mid 1990s and had been developing its use since then. NII was currently focusing on three themes (people management, refocusing key business activities and performance management by facts) which will include full implementation of HSE's Integrated Enforcement System (IES).
- 7.3 Wynne Davies asked how the Model was monitored as its emphasis was clearly on outcomes and results. Mike Weightman said that NII keeps refining

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the system but had decided to change the metrics to ranges rather than absolute scores. Some of the NSD metrics are mentioned in the Strategic Plan.

- 7.4 Steve Vranich asked what the effect of NSD using EQFM was on the licensees, as they would wish to have consistency from the regulator, rather than one undergoing continual change. Mike Weightman replied that the Model helped to align the organisation to work in a more cohesive way. John Crofts said that the UKAEA welcomed it and that BNG was also looking into its use.
- 7.5 Andrew Clarke queried the impact at the inspector/assessor level, to which Mike Weightman responded that under the IES every inspection report would allocate marking (from 'inadequate' to 'world class') against Licence Conditions. It would also help in focusing attention and resources to look at specific safety issues on sites. The Inspectorate was also undertaking a series of "cross-inspections" to ensure that there is greater consistency across all NII inspection activities.
- 7.6 Steve Vranich thanked Dr Weightman for his presentation.

Item 8: NuSAC's Work Plan for 2005 to 2007

- 8.1 Steve Vranich circulated a copy of the Draft Work Plan for 2005 to 2007 to Observers. He said that the Work Plan was a fundamental part of the reconstitution process for NuSAC. It was essential that the strategic issues within the Plan were revised and discussed by the Members before it was submitted to the HSC.
- 8.2 He explained that the Plan helped to plan visits, tasks etc. Recently there had been little input to the plan from the HSC; comments were mostly from the licensees, NSD and other stakeholders.
- 8.3 Observers were asked to check through the Plan for completeness. They were asked to prioritise topics to distinguish between what was "urgent" and what was "important". He reiterated the importance of separating horizontal issues (such as training, education, ageing workforce) from vertical issues such as nuclear safety. This would help in deciding whether the issue to be discussed was one for a Review Group or "Task Group".
- 8.4 Steve Vranich said that the term "Observers" to describe non-members attendees at the Main meeting was inappropriate and a more appropriate description would be considered.
- 8.5 ACTION 19/1/2005: After checking through the Draft Plan for completeness Observers are to inform the Secretariat of additions/changes within two weeks of the Main meeting.**
- 8.6 Jim Whiston gave some examples from RG1, which might be helpful in considering the Plan (eg shared experiences on Safety Culture; performance of

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contractors; major changes in the industry with the formation of the NDA; interface of licensees, regulators and Government).

- 8.7 Rod McKenzie commented that NuSAC members brought a wide range of experience, which gives added value to their deliberations across the various RGs. He also said that NuSAC should not be hidebound by the Plan as new issues may occur and NuSAC may need to respond on a short timescale.

Item 9: Matters that the Sub Committee on Research and Review Group may wish to raise with licensees or observers

Sub-Committee on Research

- 9.1 The work plan for the Sub Committee on Research is contained in the draft NuSAC Work Plan.
- 9.2 The next meeting of the SCR will take place on 14 April 2005.

Review Group 1

- 9.3 Andrew Clarke commented on the improvements seen in the safety performance at Dounreay between the Committee's visit in 2002 and RG1's return visit in 2004. The improvements at Dounreay will be featured in a paper to be presented at the meeting in July 2005.
- 9.4 More generally, there was still insufficient data on contractor safety. At Torness, talks were taking place with contractors to find out their strengths and weaknesses. RG1 wanted to review safety and management performance at Amersham with regard to improvements made in recent years.
- 9.5 RG1 had met with the Acting Chief Inspector in February 2005 and discussed the effect the NDA recruitment programme had been having on NII staff numbers. Also discussed was the proposed paper on NII Resources for the next decade. Jim Whiston said that the paper on NII resources, which will include possible resources for new build, would hopefully be on the agenda of the NuSAC meeting in July 2005.
- 9.6 The BE decision to close its headquarters at Peel Park had also been discussed at the same meeting with the Chief Inspector. RG 1 was reassured by the response from the Acting CI regarding the Peel Park closure, in particular, regarding the loss of experienced staff and the effects on the morale of the remaining technical and engineering staff, as well as any knock-on effects on plant operations. RG1 was further reassured that key staff were only released when a fully trained replacement was available. Nevertheless, the overall reduction in technical staff numbers had led to some delays in responding to queries raised by NII and this needs to be addressed.
- 9.7 RG1 had met to discuss its 2005 work programme. As a result of this, RG1 recommended to the NuSAC Chair that the Committee visit Torness in October 2005 to learn at first hand of their change management programme and the

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consequences of the Peel Park closure on technical and engineering activities. This recommendation was accepted.

9.8 ACTION 20/1/2005: Review Group 1 and the Secretariat to meet BE Management to plan the details for the visit to Torness in October 2005.

Review Group 2

- 9.9 NuSAC had been consulted when the new HSE/EA/SEPA regulatory arrangements for ILW Conditioning were being developed a year or so ago. Following RG2 discussions with the EA, it had been agreed that the Agency would present a paper on the working of the new arrangements to the July 2005 NuSAC meeting.
- 9.10 A paper on Plutonium Contaminated Material (PCM) at Sellafield, Dounreay and AWE will be presented at the July 2005 NuSAC meeting. David Mason, Guy Owen and Angela Jenkins will work with RG2.
- 9.11 With regard to the Windscale Pile Decommissioning Project, RG1 and RG2 would be working together to review the situation as RG2 had recently received an update report from the UKAEA.

Review Group 3

- 9.12 Wynne Davies said that a report would be given at the July 2005 NuSAC meeting on the NDA Bill and close-out. Later in the year, there would be a paper about the setting-up of Memoranda of Understanding (MOU), which will show the links and working practices between various organisations following the formation of the NDA.
- 9.13 Steve Vbranch suggested that it was important that NuSAC had an Observer from the NDA. Following discussion, the suggestion was agreed.
- 9.14 ACTION 21/1/2005: The Secretariat to draft a letter asking NDA to nominate an Observer to NuSAC.**
- 9.15 He queried the reduction in information supplied in the latest pre-application opinion on the content for the EIADR statements for Calder Hall, Chapelcross, Sizewell A and Dungeness A NPPs. He expressed concern about the apparent drop in quality of the latest pre-application submissions and queried whether this process still added any value.

Review Group 4

- 9.16 Barry Cripwell received the minutes and papers from the Nuclear Emergency Planning Liaison Group (NEPLG) meeting. Under discussion at the meeting was a draft forward look paper containing future events and activities that might affect Civil Nuclear Emergency Planning. This was a positive initiative.

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- 9.17 It was noted that concerns over the adequacy of arrangements for warning and informing the public continue to be raised by NEPLG members. The NEPLG agreed to revisions to its Consolidated Guidance on changes to the roles and responsibilities of the Cabinet Office and the role of the Nuclear Decommissioning Authority.
- 9.18 In late November 2004, Rod McKenzie and Sheila Ashford observed the Grade A exercise at Devonport. They commented on the role of Military Coordinating Authority, which was somewhat different to that of the civil GTA. They are preparing a report on the visit, which will be sent to Andrew McFarlane.
- 9.19 Andrew McFarlane said that he was pleased that NuSAC was looking at defence emergency arrangements as well as at civil sites. He would welcome the opportunity to speak with RG 4.

Review Group 5

- 9.20 Bryan Edmondson reported on the excellent visit to BAE Systems at Barrow. He recorded his thanks to the BAE management for the visit. A draft report of the visit had been forwarded to BAE for comment and approval. The final report would be distributed to Members.

Item 10: Any Other Business

i) NRPB

- 10.1 Mary Morrey, NRPB, informed the Committee that from 1 April 2005, the National Radiological Protection Board will be brought under the umbrella of the Health Protection Agency and will become its 'Radiation Protection Division'.
- 10.2 Steve Vranich wished the organisation every success during the transitional period.

ii) NuSAC dedicated eMail address

- 10.3 Joyce Boorman told the meeting that the Secretariat had introduced a dedicated e-mail address for comments on minutes, consultations, notification of attendance at meetings, processing of travel arrangements et al. The address is 'NUSAC@hse.gsi.gov.uk'. This would hopefully streamline the secretariat's processes. Personal accounts should still be used for all other business (eg sensitive and more personal issues etc).

Item 11: Date of Next Meeting

- 11.1 The next meeting will be held on Thursday 14 July 2005 in Rose Court, London.

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