

NUCLEAR SAFETY DIRECTORATE - BUSINESS MANAGEMENT SYSTEM

SITE INSPECTION AND ENFORCEMENT

GUIDANCE: LC 33 Disposal of Radioactive Waste

T/INS/033

ISSUE 001

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1. Purpose and Scope

1.1 The purpose of this guidance is to facilitate a consistent approach to LC 33 compliance inspection and to provide assistance to inspectors while carrying out their duties in this area. The guidance should not be regarded as either comprehensive or mandatory.

1.2 The guidance does not indicate when or to what extent these compliance inspections should be made as these matters are covered in individual inspectors inspection programmes.

1.3 The guidance provided is split into four main elements:

- 1) Purpose of the Licence Condition
- 2) Guidance on procedures for LC 33.
- 3) Guidance on inspection of procedures.
- 4) Guidance on inspection of implementation of procedures.

1.4 This guidance should be read in conjunction with T/AST/024 - Management of Radioactive Materials and Radioactive Waste on Nuclear Licensed Sites. All Site Inspectors should be familiar with the general introductory material and those at sites with significant radioactive waste issues should be familiar with the whole document.

2. Licence Condition

2.1 LICENCE CONDITION 33 - DISPOSAL OF RADIOACTIVE WASTE

The licensee shall, if so **directed** by the Executive, ensure that radioactive waste accumulated or stored on the site is disposed of as the Executive may **specify** and in accordance with an Authorisation granted under the Radioactive Substances Act 1993

3. Purpose of Licence Condition

3.1 The purpose of this condition is to give discretionary powers to the Executive to direct that radioactive waste be disposed of by the licensee in a specified manner. This is related to the powers available to the Environment Agencies under section 30 of the Radioactive Substances Act 1993. At present, certain types of radioactive waste have to be stored on licensed sites because authorised disposal routes for them do not exist. Once such disposal routes are authorised, they should be used at the earliest opportunity commensurate with the safe handling of the radioactive waste. This license condition may be used by the Executive (after consultation with the Environment Agencies) to control the manner of disposal and specify its timescale once routes are established.

3.2 Nuclear Licensed sites are exempt from registration under the Radioactive Substances Act (1993) in respect of the keeping and use of radioactive materials of any description (including radioactive waste). In recognition of this exemption, this licence condition, and LCs 32 and 34 are intended to ensure that an "equivalent regime" exists on licensed sites. Inspectors should note that nuclear matter can only be identified and declared as radioactive waste by its owners who may not be the licensee for the site on which the waste is situated.

3.3 Inspectors are also reminded that on matters concerning radioactive waste the site licence is administered in conjunction with the Environment Agencies (EA & SEPA) in accordance with memoranda of understanding which exist to provide a framework for inter regulatory liaison.

3.4 LC33 gives the power to the Executive specify waste to be disposed of to an Authorised disposal site. This power has never been used.

4. Guidance on procedures for LC 33.

4.1 The following list of elements of procedures provide NSD's views on what the Licensee's procedures might be expected to contain to comply with the LC. The list is neither exclusive nor exhaustive and will be subject to review and revision in light of operational experience. If licensees have generic model(s) for procedures then it is for the site to justify any deviation from the model(s). **[note: not all licensees use generic models].**

4.2 Procedures should be provided to comply with LC 33.

4.3 Procedures shall address the licence condition requirements.

4.4 The procedures can be defined as a single document or suite of linked documents which provide the procedures and instructions to ensure that regular and systematic examination, inspection, maintenance and testing of all plant items and systems that may affect safety takes place.

4.5 The procedures should recognise that the Executive may at any time issue a Direction for the disposal of any radioactive waste stored on the site.

4.6 The procedures should include a definition of radioactive waste in accordance with the Radioactive Substances Act 1993.

4.7 The procedures should identify the person(s) responsible for ensuring compliance with this condition.

4.8 Reference should be made to in the procedures as to how any Direction or Specification issued by the Executive under this Condition will be met. The person responsible for responding to the Direction should be clearly identified in the procedures. The said person should be suitably qualified and at a sufficient level of seniority in the licensee's organisation to ensure this is done.

4.9 Document control procedures should ensure that any Direction is routed to the responsible person. They should also incorporate a checking system to ensure whether an authorisation is in force and, if not state that one should be sought together with the means for doing so.

5. Guidance on inspection of procedures

5.1 Part 5 of this guidance is to assist inspectors in judging the adequacy of the licensee's procedures. The following list is neither exclusive or exhaustive and will be subject to review and revision in light of operational experience. It does however, provide a hit list of aspects of LC 33 that can be examined during routine inspections

5.2 Check that procedures have been made to demonstrate compliance with the LC.

5.3 Examine the procedures layout and check that it is consistent. Review the procedures to establish validity, whether any changes have been made since the last review and whether the identified responsible persons are correct. Note whether instructions, methods and quality assurance rules claimed in procedures have been followed and whether any changes have been incorporated and validated.

5.4 Check that the procedures include a definition of radioactive waste in accordance with the Radioactive Substances Act 1993. Confirm also that the procedures identify the person(s) responsible for compliance with this condition.

5.5 Check the procedures recognise that the Executive may direct at any time the licensee to dispose of any radioactive waste stored on the site. Confirm they state how the licensee will respond to a Direction and Specification issued under this Condition, including consideration of the need for a new safety case to meet the needs of condition 23(1).

5.6 Check the procedures state that on receipt of a Direction from the Executive regarding the disposal of stored or accumulated radioactive waste, an authorisation for disposal, if not already in force, shall be sought (under the Radioactive Substances Act 1993) from the Authorising Departments.

5.7 The person responsible for responding to the Direction must be clearly identified in the licensee's procedures. The said person should be suitably qualified and at a sufficient level of seniority in the licensee's organisation to ensure this is done.

5.8 Check that document control procedures ensure that any Direction is routed to the responsible person. Confirm that they also incorporate a checking system to ensure whether an authorisation is in force and, if not state that one will be sought together with a route for doing so

6. Guidance on inspection of implementation of procedures

6.1 Part 6 of this guidance is to assist inspectors in judging the adequacy of the Licensee's implementation of their procedures i.e. is the licensee doing what their procedures say they should be. The following list is neither exclusive or exhaustive and will be subject to review and revision in light of operational experience. It does however, provide a hit list of aspects of LC 33 that can be examined during routine inspections.

6.2 In the event that the Executive has directed that waste should be disposed of,

check that there has been compliance with the conditions of the Direction. If there are any shortcomings, discuss with the responsible person identified in the compliance procedures.

6.3 Check the records for any disposal directions to ensure that the requirements of LCs 4 and LC 32 have been met and that the requirements of the Authorising Departments and the Department of Transport have been complied with as appropriate. Discuss as necessary with the responsible person identified in the procedures.