



Environment Agency Update

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LLW Repository Sub-committee, WCSSG

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- ➔ Environmental Permitting Regulations
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Our role – Nuclear Regulation Group

- ➔ We regulate all nuclear licensed sites in England & Wales
- ➔ We have an objective, together with the HSE to ensure:
 - ➔ Effective and efficient regulation
 - ➔ Improved protection for people and the environment from ionising radiation
 - ➔ Wastes are managed safely in line with legislation, policy and obligations
- ➔ We regulate discharges to the environment and disposal of radioactive waste on or from nuclear licensed sites, and the associated organisational management arrangements
- ➔ HSE is responsible for regulating nuclear safety, including the safe management, conditioning and storage of radioactive waste on nuclear licensed sites

What we do

- ⇒ Inspection
- ⇒ Influence to improve standards
- ⇒ Assess applications for permits and variations
- ⇒ Review permits periodically
- ⇒ Investigate incidents and take enforcement action if necessary
- ⇒ Provide advice
- ⇒ Work with operators and our own monitoring team to make sure the environment is properly monitored around nuclear sites
- ⇒ Keep communities, organisations and interested bodies informed – seek views where appropriate
- ⇒ Work with our Agency colleagues and other regulators to ensure our regulation is consistent
- ⇒ Prepare for emergency response (UK and overseas)

Some LLWR regulatory activities

- ⇒ Inspection – e.g. maintenance, cap monitoring
- ⇒ Review monitoring activities and data
- ⇒ Vault 9 – quality assurance / inspection
- ⇒ Review and vary permit
- ⇒ Environmental Safety Case
- ⇒ Trench cap improvements
- ⇒ Respond to minor event – ensure learning
- ⇒ Waste assurance strategy
- ⇒ Seek application of the waste management hierarchy at LLWR and elsewhere. Work with and where appropriate support the UK Nuclear Industry LLW Strategy

Environmental Permitting Regulations

- ➔ Nuclear sites previously regulated under the Radioactive Substances Act 1993 (RSA93)
- ➔ The Environmental Permitting Regulations 2010 (EPR) came into effect 6 April 2010 after consultation
- ➔ RSA93 now largely subsumed into EPR along with some other environmental regulations
- ➔ With effect 6 April 2010 the old 'RSA93 authorisation' became an 'EPR permit'
- ➔ Overall intent is to simplify regulatory regimes and reduce regulatory burden & cost to industry in general

EPR – key changes

- ⇒ Largely a new ‘administrative wrapper’, few technical changes
- ⇒ But permit format significantly changed, new application forms etc
- ⇒ Changes to consultation processes:
 - ⇒ Where significant enough we consult on the application and our decision
 - ⇒ No consultation on waste transfers, but sites must notify the Local Authority
- ⇒ RASCARs
- ⇒ Environmental Case
- ⇒ Move in terminology from ‘BPM and BPEO’ to ‘BAT’
- ⇒ Other minor changes (e.g. map, specified activities)

- ⇒ Intent is to gradually migrate all sites to the new permit
- ⇒ LLWR move anticipated as part of a future permit variation

Ongoing variation of permit

- In September LLWR applied to transfer waste to some other sites for sorting, segregation, treatment and/or disposal
- Also, to continue transferring PCM to Sellafield for storage, as the current permit expires December 2010
- Under the new Environmental Permitting Regulations we assessed the application and consulted with HSE, placing information on the public register

Ongoing variation of permit

- ➔ We intend to issue a variation later this month which will:
 - ➔ Allow PCM transfer to Sellafield until 2022 (in line with planning permission)
 - ➔ Allow transfer of LLW to other sites permitted to receive and dispose of that waste (for metals recovery, combustion, sorting, segregation or alternative disposal)
 - NOTE 1: All transfers must be demonstrable as representing the BAT
 - NOTE2 : All nuclear sites in England and Wales will be similarly permitted as they move to the new EPR permit
 - ➔ Complete some administrative changes (e.g. align with EPR)

- ➔ We believe these changes will help facilitate better waste management and preserve LLWR capacity (e.g. recycling, re-use of PCM buildings)

WQCL – current situation

- ⇒ WQCL = Waste Quality Checking Laboratory
- ⇒ We operate the WQCL in Dorset to check LLW seized periodically from consignors and to test operators waste assay equipment
- ⇒ Since 1991 we have seized whole ISO containers of waste for non-destructive and destructive analytical tests
- ⇒ We check for compliance with permits and consignment information
- ⇒ To date we have found no major non-compliances
- ⇒ Annual costs are around £650,000
- ⇒ WQCL must move in the next few years



WQCL – changing situation

- ⇒ UK Nuclear Industry LLW Strategy
 - ⇒ New treatment processes (e.g. metal recycling)
 - ⇒ New packaging
 - ⇒ Landfill disposal
- ⇒ LLWR Waste Assurance developments
 - ⇒ Development of checks at consignor sites
 - ⇒ Continued assurance checks on receipt of waste (WAMAC and LLWR)
 - ⇒ Audits and other assurance processes
- ⇒ A review has been undertaken of the future for WQCL – it is no longer suited to the types of waste being handled
- ⇒ We have decided to re-focus our checking and save costs by closing our fixed laboratory in Dorset by August 2011, moving to the use of service providers for our ongoing checking programme

Proposals for independent verification

- ⇒ Increase flexibility and focus on verifying the application of BAT for characterisation by consignors:
 - ⇒ Audits
 - ⇒ Seize items/bags/drums for analysis & checking
 - ⇒ Use portable checking equipment at consignors and consignee sites
 - ⇒ Sample and analyse homogenous wastes
 - ⇒ Use reference packages to check operators instruments
- ⇒ 5-10 waste streams per year (currently 1-2)
- ⇒ Broaden target wastes (e.g. residues, landfills)
- ⇒ Phase in from 2011 using service providers (no fixed laboratory)
- ⇒ Seek to independently complement LLWR's programmes

WQCL – key benefits of changes

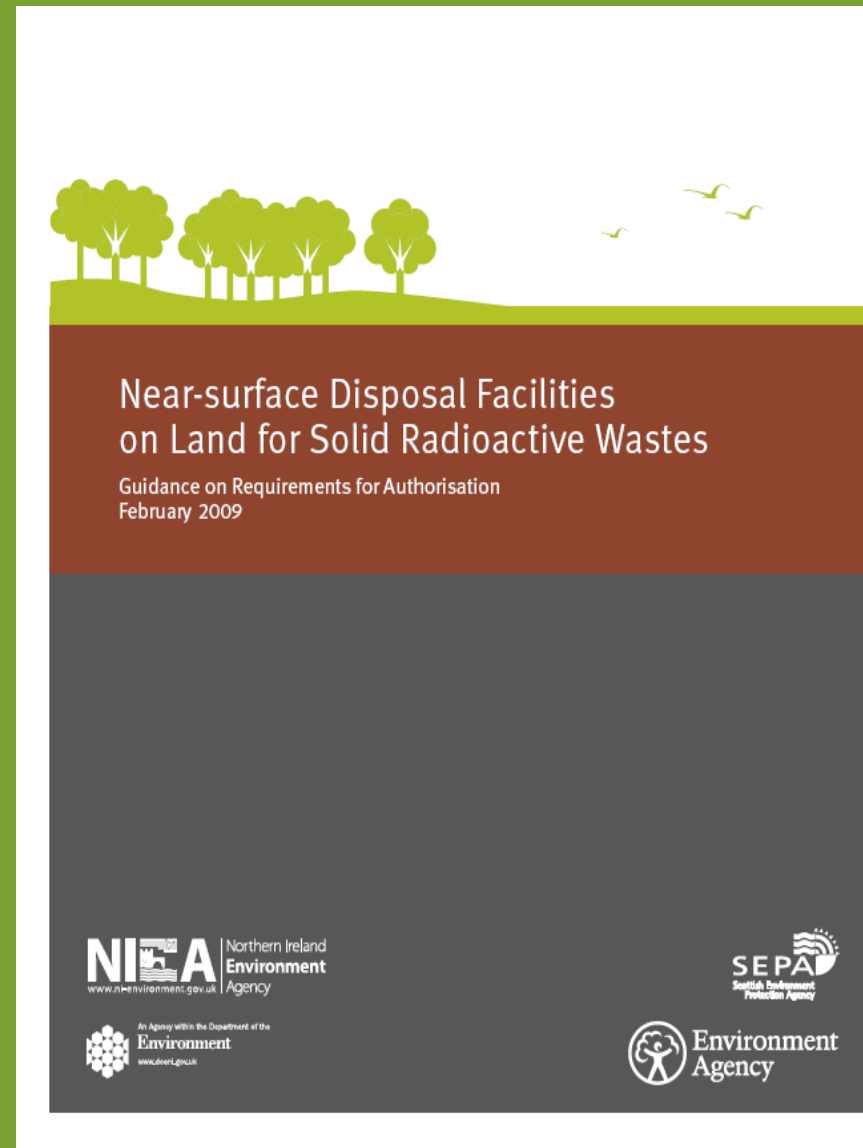
- ⇒ WQCL must relocate by 2013
- ⇒ Increased flexibility
- ⇒ Increased numbers of waste streams targeted
- ⇒ Cost savings (potentially around £400,000) can be re-focussed on risk reduction
- ⇒ Better sharing of compliance intelligence and good practice
- ⇒ Consistent with a better regulation approach

Environmental Safety Case review

- ⇒ *“A collection of arguments, data, assessments and information to demonstrate environmental safety now and into the long term future”*
- ⇒ Last Environmental Safety Case (ESC) submitted 2002
 - ⇒ Inadequate in several areas
 - ⇒ We only authorised disposals to Vault 8
 - ⇒ We did not allow capping of the site and required an updated case
- ⇒ Updated ESC due May 2011 - A major submission!

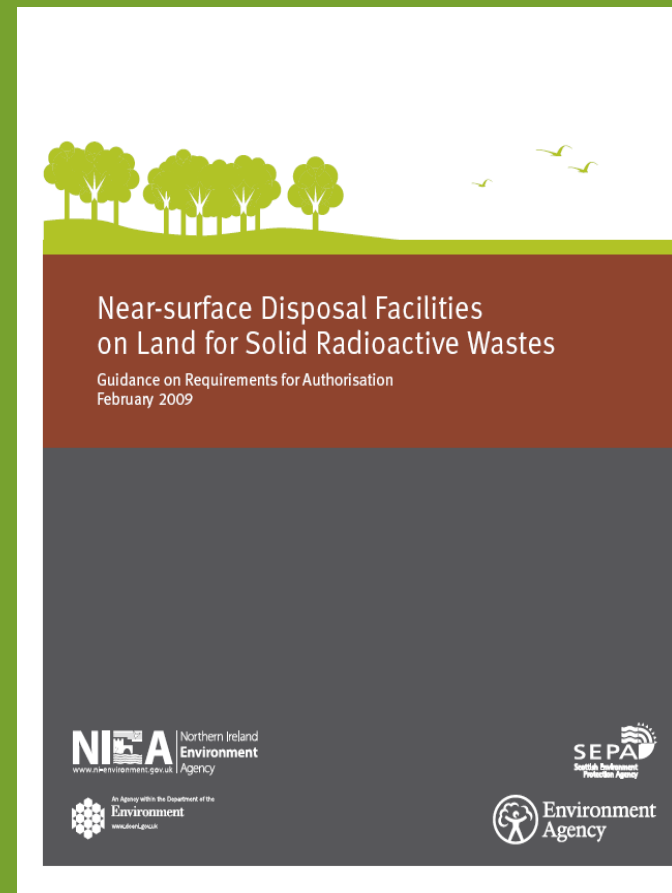
The ESC

- ⇒ We have worked closely with LLW Repository Ltd since 2006 to ensure our expectations and requirements for the ESC are understood
- ⇒ It must address principles and requirements laid out in the 'GRA'
- ⇒ Anticipate 100+ key documents



Our review of the ESC

- ⇒ Against the principles and requirements of the GRA
- ⇒ Quantitative and qualitative assessment
- ⇒ A technical assessment
- ⇒ We shall expect the case to reflect the maturity of the site
- ⇒ We expect sound science and engineering
- ⇒ Acceptability must be demonstrated in the short and long term
- ⇒ We must be convinced that disposals will be environmentally safe



Estimated ESC review timeline

Now to April '11	-	Preparatory work / resources
May '11	-	ESC submitted
May '11 – Aug '11	-	Initial review
		Request further information
Aug '11 – May '12	-	Detailed review
May '12 – Nov '12	-	Prepare conclusions
		Review publication
Mid to late '12	-	Application for disposal
Mid to late '12 – mid '13	-	Permit review & consultation

ESC review process

- ➔ Led by the Nuclear Regulation Group and supported by our Nuclear Waste Assessment Team, other Agency departments and external specialists
- ➔ Close liaison with HSE
- ➔ Oversight by EA Head of Business Performance and Regulation
- ➔ The review will reach technical conclusions on the adequacy of the ESC
- ➔ Review outcome will be published

Permit review process

- Our permit review will be based upon the technical review of the ESC and LLW Repository Limited's application for continued disposal
- We will consult on the application (and ESC)
 - Expected late 2012/early 2013
- We will consult on our draft decision made on the basis of our technical review and consultation comments
 - Expected 2013
- We anticipate a final decision being reached on how the LLWR can be permitted before the end of 2013

Consultation and Information

- ⇒ We would welcome suggestions on the scope of consultation and information provision throughout this process (for this and other interested groups):
 - ⇒ Updates to this meeting, WCSSG, councils, other groups?
 - ⇒ Open day / 'surgery' to explain the case and our review / decision?
 - ⇒ Access to application and review information?
 - ⇒ Other suggestions.....?

- ⇒ We will keep this meeting updated as the review proceeds



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