

**MINUTES OF THE 9th SCRUTINY MEETING OF THE  
WEST CUMBRIA SITES STAKEHOLDER GROUP  
HELD AT CLEATOR MOOR CIVIC AND MASONIC CENTRE  
ON THURSDAY 1<sup>ST</sup> OCTOBER 2009**

**Present:**

Mr D Humphreys	-	Cumbria County Council Emergency Planning
Mr L Naylor	-	Civil Nuclear Constabulary
Dr S Ashraf	-	Cumbria and Lancs Health Protection Unit
Cllr P Connolly	-	Copeland Borough Council
Mr R Wright	-	Gosforth Parish Council
Mr R Hargreaves	-	Community representative
Mr P Shawcross	-	Prospect Union
Cllr T Knowles	-	Cumbria County Council
Ms S Brett	-	Cumbria County Council
Mr Ranald Stewart	-	Ponsonby Parish Council
Cllr N Clarkson	-	Cumbria County Council
Prof J Haywood	-	Chairman, Environmental Health sub committee
Mr P Milne	-	Nuclear Decommissioning Authority
Mr M Foy	-	Nuclear Installations Inspectorate
Mr A Mayall	-	Environment Agency
Ms S Williams	-	WCSSG Secretariat
Mr David Moore	-	Chairman
Mr W G Poulson	-	Sellafield Limited
Mr I Irving	-	Sellafield Limited
Mr R Raaz	-	LLWR
Mr D Weatherburn	-	Nuclear Decommissioning Authority
Dr I Tait	-	Nuclear Installations Inspectorate
Lindsay Gray	-	Churches Forum
Cllr M Davidson	-	Allerdale Borough Council
Mr J Kane	-	Whitehaven & District Trades Council
Mr A Holliday	-	Copeland Borough Council
Ms P Lees	-	WCBC
Mr P Daley	-	Allerdale Borough Council
Mr M McMullen	-	Studs vik UK
Dr P McKenna	-	Isle of Man Government
Mr P Mann	-	Sellafield Ltd
Mrs R Robinson	-	WCSSG Secretariat

**CHAIRMAN'S INTRODUCTORY REMARKS**

1. The Chairman welcomed everyone to the scrutiny meeting of the West Cumbria Sites Stakeholder Group, he pointed out that there were no planned fire drills and explained that should the alarm sound, the roll call area was in the car park.

2. He asked everyone to sign the register at the back of the room that was provided to account for everyone in the event of a role call. He also asked that members sign the register that was circulating around the table.

#### **AGENDA ITEM 1 – APOLOGIES FOR ABSENCE**

3. The Chairman reported that a number of members were unable to attend, some of which had sent along representatives, the Chairman welcomed the representatives to the meeting.

#### **AGENDA ITEM 2 – MINUTES OF MEETING HELD ON 02 APRIL 09**

4. The Chairman asked if there were any amendments or matters arising from the minutes of the meeting held on 02 April 09. There were no amendments.

#### **AGENDA ITEM 3 – MATTERS ARISING FROM MINUTES OF 8<sup>th</sup> MEETING**

5. There were no matters arising.

#### **AGENDA ITEM 4 – REPORT FROM SELLAFIELD LTD – BILL POULSON**

6. Mr Poulson began his report with a safety share, a lot of studies have shown, bikes, car and pedestrian accidents typically spike when the time of year changes with the sudden onset of darker conditions and he encouraged people to be extra vigilant during this time.
7. He wished to start with a couple of items post the report on the website. He reported that the Oscar 9 exercise conducted on 24<sup>th</sup> September 09 had generated a lot of media coverage. He thanked the extensive amount of people who had been involved in it. Exercises are designed to simulate an actual event and look to see how well all the different agencies across the entire county react. The exercises simulate everything including moving people out of homes, setting up centres in schools, setting up centres for press and emergency response off site which people then play act through. It involves a lot of people, and Mr Poulson re-iterated his thanks to those involved.
8. Mr Poulson continued that the clear intention behind exercises is that they are designed to find the things that work well and the things that need to be improved. The de-brief has yet to occur which will go through all the in-depth particulars that worked or didn't as noted by the observers stationed all over the various aspects of it from the outside control centres to Summergrove to the decontamination centre set up at Yottenfews to the reception areas at schools. Mr Poulson thought that a lot had been learned and more would be learned once the de-brief is concluded.
9. Early on it was found that communications is always a challenge and remained so in this exercise in terms of getting the timeliest information to the right places as quickly as you can. There is always an insatiable desire to

know what is going on, sometimes before it has even gone on. These things in real terms may often be progressed a little bit slower than they do in the exercise and you have to try and get through it, but there is always a tremendous interest in knowing everything about everything, even when everything isn't yet known.

10. Mr Poulson continued that clearly the protocols for relations with the press, both electronic and written are things that the site wants to ensure it takes full advantage of and improve to ensure it is as crisp, accurate and timely as possible.
11. Another factor to be taken into account is that everyone is playing a role that is somewhat scripted and that sometimes people will know more but they have to rely on the flow of information as provided by the arrangements. Whether they might know more of what is going to happen or not, they can't utilise that, they have to play it as if it's real recognising that it is an arranged exercise to test and find out how all these things come together.
12. Mr Poulson said that the site can learn and build on it and he was looking forward to the dissection of the event. He reported that you don't like to read about it publicly before it is all concluded, but at the same time he and the site would take full advantage of that input too. The idea is to be transparent, to get input from wherever, utilise it and improve things, whatever it is so that it is better the next time.
13. Mr Poulson turned to Sellafield sites activities since the committee last met. He reported that an absolute clear and present theme currently is a tremendous interest in accelerated high hazard risk reduction represented at Sellafield. That has become the focus on events, activities, planning and all the things surrounding it. Mr Poulson wished to cover some of the things that relate to that and touch on six broad areas. He started with what he described as the 'physical and hardware' kind of things. There had been good success earlier this year in emptying the sea tanks, the sea tanks are covered by a nicely new skinned building but they were still the old sea tanks inside that building. Mr Poulson reported that it was tough but it was conducted very thoughtfully and carefully with people working their way through the difficulties to empty the tanks. It is a major risk reduction for the site in total and for the areas involved, he praised those people that designed, engineered and executed the work.
14. Mr Poulson reported that in terms of vitrification the site had celebrated the 5000<sup>th</sup> canister which Mr Poulson said was no small accomplishment. He also felt it was important to note that the canisters have more waste packed into them than they did in previous years. The teams and operators of the Vitrification lines have continued to refine and improve upon the waste loading so that measurements are not just about cans produced, but how much waste is being put into each one relative to waste loading.
15. Mr Poulson continued that recently the site was able to isolate the ponds B30 and B31 which were connected by old pipe work that provided a means for draining out a pond, this was a significant event given its age and the length

of time it has been in situ. The site was able to successfully plug a third line which significantly reduces the risk of inadvertent draining almost from a siphon effect when you go from high to low. The first two had gone quickly and relatively easily, the third one was a much bigger line and much more problematic to place the plug. Mr Poulson commented that Russ Mellor and his teams worked hard on the third one which was successfully completed about three weeks ago, so that is another major improvement.

16. In terms of asset and infrastructure, Mr Poulson reported that clearly the site has a lot of things that have to run for a long time, which are in varying states from good to not so good and getting that upgrade accomplished getting prioritised rebuild of the steams lines and things that are critical to maintain operations is ongoing. A key piece looking forward is evaporator D, it is a long term project for supporting high active liquor concentrations, it receives a lot of interest because it has a sea landing envision. The evaporator is being built in modules off site so it has a much more sure construction in controlled surroundings. Once delivered it will be bolted together on site. The delivery requires access from the sea across the beach, across the rail line into the site. Mr Poulson assured the committee that the site is working closely with the various planning and other authorities to ensure it is done thoughtfully and carefully and that all the permits are in place. The access point will be restored to its original state upon completion as the planning and permitting require the site to do. Mr Poulson stated that it is a significant project that is important for the site going forward because it will be a workhorse in the evaporative capacity that the site needs to have.
17. Mr Poulson congratulated the teams working on the Sellafield Product Residue Store; (SPRS) project which is nominated for the UK safe project award. The team has gone 26 man months since the last day's away case, which is 1.6 million man hours. Mr Poulson felt it was testament to the project teams on SPRS which is undergoing commissioning he reported a fine performance by the teams and individuals working on it to stay attentive to each other and to ensure they returned home as they had arrived ie: in one piece. He hoped they received the award as it would be a real complement to the teams.
18. Moving onto culture, Mr Poulson reported that to make the changes in the plants and achieve improvements you have to have people's hearts and minds and a number of things are happening in that arena, in terms of mobility, currently thorp is on a planned outage and the site has 31 operators from thorp relocated in legacy ponds and silos while the outage is ongoing. They are conducting productive, deliverable work in legacy ponds and silos in terms of hazard risk reduction, it is a small number but it reflects the mobility and flexibility that can only help going forward, because the more of that the site does, the more it moves to the work faces that are appropriate at that moment in time. The operator will then move back to the work face the he or she came from if that is appropriate.
19. Moving onto Conduct of operations and conduct of maintenance, Mr Poulson reported these are two key themes to drive consistent and standard world class performance and execution in operations and the same in

maintenance. The site has two councils in place headed up by the head of manufacturing and the head of the maintenance facility to look at areas of good practice and to ensure it is instilled across the site, to drive best practices and ensure that operations and maintenance are being supported in the right way to enable good crisp operations and good operational protocols.

20. To help that, a number of individuals were taken over to the US to view projects and plants to see examples of how that has been achieved before and are perhaps a little more mature. It really helps people see where some things have been done and what can come from it. A group went out to Idaho national laboratory to the Idaho closure / clean up project and a group went to the Savannah river liquid waste site to see first hand how the projects are integrated with the people who are operating the facility and how at the same time you integrate change. Mr Poulson thought it was fair to say that people were motivated to see some of the things in practice versus talking about it. Physically seeing it and talking to people there that have lived through it and done it gives you a different perspective, plus you then have some colleagues to enlist as you see fit to get extra support. Mr Poulson said he wanted to continue that and do more of it.
21. Continuing on the theme of culture, Mr Poulson reported that a lot of effort had been put into getting the leadership team out on the shop floor touring the plants every week, going to different places, talking to people, seeing what is going on and being accessible to the workforce rather than parked in some meeting room somewhere.
22. The last point Mr Poulson touched on with regards to culture is a drive for not accepting the status quo, really supporting people who question things that they don't feel comfortable with but maybe didn't quite feel empowered to go and tackle. If you walk by it and don't like it you can question it.
23. Mr Poulson reported that the site brought in a team called 'grey beards' a team of mature people from different companies and from a number of walks of life, who have lived it, seen it and done it all over the world. The team came in to give their view on opportunities to tackle things perhaps differently to how it has been done previously or just the same as it is because it is an example of good practice.
24. The next step was to take the global ideas from the grey beards to then look at some actual delivery ideas, ways and concepts of delivery perhaps from areas where there has already been proven delivery for example from Rocky Flatts, the Hanford site, or other places to give the site the ability to jump start some projects with tools that are already proven to work; like vacuum drying the fuel out at Hanford and various ways they have immobilised and dealt with the sludges and ponds at Idaho and Hanford. These are not always new to what has already been tried here but in some cases it is a slick off the shelf idea that can be imported in the knowledge that it has been tried and tested and proven elsewhere. There are also a lot of enhancers on site from the three parent companies URS, Areva and Amec they are serving the role of coaches, project controls experts, project managers to come in and coach, mentor and in some cases help do different things on site but

incorporate one of those best practices from wherever they might have come from ie; from Areva or from the people who worked and run la Hague to come in and join the Vitrification team and to bring what they have seen and found works.

25. Mr Poulson continued that the site cannot do this alone; he explained the importance of partnership with the regulators working closely to improve ability to deal with the high hazards on site and get a real results drive going. Mr Poulson felt that there had been good strides made informing that relationship he said it was not where either is co-opted by the other it is that both sides decide and agree on the end points and figure out how getting there is better for both of them. The regulators maintain their propriety as a regulator and the site is the deliverer and those aren't violated.
26. A partnership charter with the unions has also be signed again, Mr Poulson said that was a launch pad, a starting point committing each side to agree to talk and hammer out issues, recognising that there will be lots of them but you decide you are going to sort them out rather than leave them to fester.
27. The site is also trying to ensure performance targets for the NDA and Sellafield Ltd are matched up, so that both are heading in the same direction and striving to achieve the same targets. Part of that is utilising Sellafield Ltd's parent companies, Areva, Amec and URS to provide help which Mr Poulson reported was good for all.
28. Mr Poulson reported that the site needs to build that support for the Sellafield mission also, a lot of time has been spent hosting, there is a big need to explain and illustrate what Sellafield is and does to those outside of the area who are instrumental in supporting the site or not whether it be in funding, legislation space whatever, so a lot of time has been spent explaining the intricacies of the site, letting people see it to get a feel and a flavour for both the physical plant and the people in it so they make decisions based on knowledge of the site.
29. One other element in that is the remediation forum and high hazard programme group formed with the regulators which is a senior group of people, Chaired by Bill Poulson aimed at knocking down any barriers to getting the work done, to drive decisions down as low as possible but at the same time be there to interject when necessary.
30. Mr Poulson continued his report by reporting that local community support is equally important, whether it be the energy coast or looking at it from a socio economic development perspective partnership has to be there as well.
31. In conclusion, Mr Poulson reported that the site is building a base to ensure sustainable success; it has to build a base that can ensure it gets the high hazard risk reduction behind it and stay on that track with the right degree of focus, attention and energy. The site intends to publish an annual report for stakeholders that shows key milestones that it can be held accountable to. In doing so the site will be honest in its achievements or non-achievements,

which will give the stakeholder group absolute clarity on what the site is attempting to do and track progress against that.

32. **Q: Mike Davidson:** felt the contents of the report was impressive and welcomed that, however he was concerned about some of the language used in the report particularly referring to 'the B30 projectisation pilot structure' he asked for an explanation and requested the reports were in simpler language in the future?
33. **A: Bill Poulson:** I agree with you, projectisation is the term used to describe converting a large group of people into discreet projects, the Project Manager (PM) will assign tasks to the people that are needed there accountable for that work, when it is completed they will disband and are relocated. He agreed the site suffers a lot of the time from less than clear language.
34. **Q: Paul McKenna:** Referring to page 5 of the report, concerning the integrated change programme and the life time plan 10 the site is currently working on, Dr McKenna commented that there was some curious wording on the last sentence about previous versions of the plan were now deemed to have been 'pressured' and perhaps over optimistic in terms of how much can be done in the timescales. Dr McKenna asked if the new plan was going to be different, was it not going to be as comprehensive and would it cover right to the end date of the site 2100 with a view of a brown field site?
35. **Bill Poulson:** Mr Poulson responded that previous plans sometimes included a degree of optimism regarding what could be delivered in a particular timescale. Our intent is to develop a plan based on all the current norms - for example, when can you complete a building project based on actual, current concrete pour rates.
36. It is difficult to talk about the total contract period of 17 years in great detail, so the site will look carefully at the first five years and will build a deliverability model, a plan that is underpinned with steps that are clearly identified, they are resource loaded, and they are costed so that you get a picture of what it is really going to take to deliver, as opposed to an optimistic estimate.
37. There has been about 65 to 100 people working on the plan since Spring - round the clock; we call it the 80 hour week team - it is a major process. The 2008 plan was never approved so it is very important that the site gets this right. The Sellafield site is very complex and many of the activities run "nose to tail" - you have to be sure that all your various operating systems connect and if one has to run 10 years, then the pieces that feed it had better be in there for 10 years. You cannot assume things will be available, you have to plan to make sure they will be. All elements of the plan need to be put in place correctly, thoroughly and completely underpinned with the estimates of people and the cost basis for them. That is what it is trying to say, but we need to look at saying it in simple, plain English..

38. **Q: Martin Forwood:** wished to ask a couple of serious questions and then make one slightly more light hearted comment. In the Sellafield Ltd report SMP was mentioned and the number of assemblies ready for transport to European customers. He asked for confirmation that the site has actually made, completed ready for transport eight MOX fuel assemblies?
39. **A: Bill Poulson:** confirmed that there are eight MOX assemblies loaded ready for transport waiting for the utilities request or approval to ship to them. They are waiting to go.
40. **Q: Martin Forwood:** asked, given that Sellafield has been broadcasting for months in advance that the shipment would take place in September of eight assemblies, he wondered why with eight assemblies ready, a ship ready and waiting at Workington, the shipment never took place. He had only learnt from the German press that there had been a two month delay and asked why there had been the delay?
41. **A: Bill Poulson:** responded that the hold up was 100% at the receivers end, they have chosen to hold off because they are not yet ready to receive. From the site's point of view the assemblies are ready to go. The couple of months delay is nothing to do with the fuel produced, there are some issues to receive it.
42. **Q: Martin Forwood:** asked whether the department for transports prohibition notice in terms of plutonium shipments is still in force or whether that had been sorted out?
43. **A: Bill Poulson:** was unable to give a definitive answer and endeavoured to provide an answer through the secretariat.
44. **ACTION: response to be provided to Martin Forwood through the secretariat**
45. **NOTE FROM SECRETARIAT: Response sourced as follows:**

In June 2008, Sellafield Ltd received a Prohibition Notice from the Department for Transport (DfT) relating to a shipment of plutonium from the site made in May 2008.

During such transports, the primary concern of both Sellafield Ltd and the transport specialist, International Nuclear Services, is the safety and security of their employees, cargo, the public and the environment and together they have a 40-year history of completing successfully nuclear shipments. It was, and remains our position, that there was no risk of serious person injury posed by the shipment.

Sellafield Ltd takes the issuing of this notice extremely seriously and throughout the process we have worked closely with DfT to find an acceptable way forward with the issue. This has resulted in all parties agreeing to a revised schedule of actions aimed at gaining a clear understanding of the circumstances surrounding the issuing of the notice and removing the likelihood of such a situation arising again. The last of these actions has now been completed in accordance with the revised schedule.

Sellafield Ltd and International Nuclear Services will then look forward to continuing the safe, secure and successful transportation of nuclear materials in support of its valuable fuel recycling, fuel manufacturing and radioactive waste management business, in accordance with all necessary approvals.

46. **Q: Martin Forwood:** commented that like some of the other attendees he had some difficulty in understanding some of the language in the presentation document and re-iterated the previous suggestion for simpler language.

#### **AGENDA ITEM 5 – REPORT FROM THE LOW LEVEL WASTE REPOSITORY LIMITED – DICK RAAZ**

47. The Chairman welcomed Dick Raaz to give the report.
48. Mr Raaz commented that his report focused on the major objectives undertaken at LLWR starting just a little over a year ago. He reported that LLWR is committed to integrating with the host communities in particular Drigg and Carlton parish. The LLWR invited them to tour the LLWR site to see the facilities first hand, about a quarter of the village population over 100 people went to see what was going on most of whom had never been inside the fence before. That kind of integration with the host community is how LLWR is intending to operate. Mr Raaz thought it was very important that the broader West Cumbria community understands what happens at LLWR and that there be no mystery about it. In addressing any issues a first hand look is always the best way to get that information.
49. Mr Raaz reported that vault 9 is the main focus to solve the short term capacity gap. When he had first started at the site the remaining capacity in Vault 8 was likely to be inadequate to supply the needs of the decommissioning activities both in the NDA and waste generation activities across the rest of the UK. He stated that LLWR is not ever going to deny a waste shipment a place to go, if there is anything that can be done about it and he was very pleased to report that the Island component of the vault 9 construction was completed on time and turned over to operations ensuring there is now quite adequate storage capacity for Low Level waste in excess of the vault 8 capacity, ensuring continued operations whilst concluding the construction of vault 9. Vault 9 is the key to solving the short term capacity gap.
50. In terms of the longer term capacity issue Mr Raaz explained in his first meeting of the WCSSG that the capacity of the design of LLWR will not accommodate the waste believed to be generated as part of the decommissioning agenda across the country. Mr Raaz explained that a number of things could and should be done such that the need for an additional low level waste repository will not come any time soon, he said it is very important to leverage the existing resource to the optimum solution ie: the LLWR has to ensure that every cubic metre of waste headed for the vaults belongs there and there isn't a better solution available. It is called

implementing the waste hierarchy it is coded in the national low level waste strategy that the NDA published for consultation last June, that comment period has just come to a conclusion and the comments are being dealt with. Mr Raaz stated that in general the response was pretty positive although it is the NDA's task legally with issuing the strategy and it has been quite an effort and LLWR has been very pleased to help, he thought that it would come out in the end with a Government endorsement but the strategy is to treat the waste, minimise the creation of the waste and find appropriate disposal routes and use the LLWR when there is no other reasonable solution.

51. Mr Raaz continued his report by explaining that the first segregated waste service has just come on line, LLWR had some metal waste that it collected, packaged and sent to the new metal recycling facility that Studsvik operates up in Lillyhall, that is the first segregated waste service implementation, Mr Raaz was very pleased that it is happening and there would be lots more to follow in the next year. He reported that LLWR wanted to bring on incineration or other thermal treatments where appropriate, also they want to bring on very low level alternative disposals not to LLWR but to other facilities fit for purpose for that waste, Mr Raaz thought that was the most important piece of segregated waste services because it represents the largest volume of waste that is to be dealt with in the coming decades, it is a very large portion of the volume and a very small portion of the radioactivity, it is a fraction of 1% of the limit for low level waste. Mr Raaz stated that it is really important to ascertain the most cost effective way to safely deal with the disposal of that waste and it is not the vaults at LLWR.
52. Mr Raaz continued that implementation of all of those schemes should produce net savings of over £1 billion pounds for the decommissioning projects, LLWR want those solutions available and offered to the consigners in the next couple of years, metals were first and the others will follow.
53. Moving on to discuss the environmental safety case Mr Raaz reported that it is a very important project, it is how LLWR show that the facility will be safe for the workers, the public, the environment and future generations, how the facility will be adequately safe for all of those groups moving forward into the rest of the mission from about 2013 onwards. There are many capital projects LLWR hopes to bring on line following the completion of that authorisation. LLWR is working very closely with the Environment Agency to ensure that they receive a good product in 2011.
54. Mr Raaz re-iterated that it is very important that the safety case be very good, it is the future of LLWR and if LLWR is not the disposal path there is still work to be done in terms of any other solution so it is very important. He asked the committee members if they heard of any rumours or concerns about the safety case that they forward them to him.
55. Mr Raaz continued that there are still some serious challenges to the safety case that are occupying LLWR minds right now. The Environment Agency issued the GRA, the guides for radioactive waste disposal last January and there are some regulatory requirements in that document which differ

slightly from other regulatory requirements against other hazards. It is not just the radioactive hazard LLWR must accommodate in the safety case and Mr Raaz stated it is going to be quite an art to put it all together and will require some very close liaison with the Environment Agency through the next couple of years.

56. In conclusion Mr Raaz reported that LLWR has completed the transition process, all of the moving about of people who wanted to go back to Sellafield is complete, the hiring of new staff to accommodate the element two national strategy work is complete as is the consigner support activity needed to integrate LLWR with all the consigners across the country. LLWR is fully hired and fully staffed to undertake the mission hired to do.
57. **Q: Allan Holliday:** Cllr Holliday had deep concerns reading the LLWR report and having heard Mr Raaz's report it highlighted his concern more. The report mentions incineration and alternative disposals which immediately brings to mind the Lillyhall and Keekle Head sites which are causing great concern both in the local community and the borough council. Cllr Holliday needed to be assured that not only full consultation but support from the County, the Borough and the Parish Councils would be sought before any other alternative disposal route is considered. He also wished for it to be highlighted to the Cumbria waste strategic partnership which has a long term plan for its landfill sites where if they are going to put high volume very low level waste into these landfill sites then it will have a knock on effect on their long term plans for landfill sites. He wanted some reassurances that local people, the county and the borough will be on board before any action is taken on this particular route?
58. **Chairman:** The Chairman felt it was a little unfair to put the question to Mr Raaz as it is not an issue for LLWR. LLWR is just stating the case as part of what was set out in the low level waste strategy. The Chairman stated the consultation process which the NDA has just completed has received inputs from Copeland, County and various organisations and he thought that the decision will have to be taken by the council routes and certainly not by LLWR.
59. **Allan Holliday:** Cllr Holliday offered to wait and put the question to the NDA later on in the meeting.
60. **A: Dick Raaz:** Mr Raaz endorsed that it is not a LLWR decision but added that if you look at what is needed to make VLLW adequately protected for the workers, the public and future generations there are a number of alternatives and LLWR is not in a position to dictate the specific alternate disposal routes. LLWR is quite emphatically saying it is very important that such facilities be identified and sited sooner rather than later and that is the objective. Mr Raaz re-iterated that it was up to other authorities to answer the question when and where those routes will be.
61. **Q: Tim Knowles:** Cllr Knowles accepted that perhaps it is a little bit unfair on Mr Raaz, however he had put in his report the ultimate cost of disposal and made reference about 'cost effective' and Cllr Knowles continued that of

course there are significantly more costs than just the simple cost of dealing with the waste stream. The implications of proliferation into other currently unused sites could have significant impact in economic terms and the County Council's policy didn't need to be re-stated because Cllr Knowles thought it was pretty clear it opposes the proliferation and asks for proximity disposal. Cllr Knowles wished to make a comment on something that wasn't included in the report but relates to LLWR and that is the related issue of bringing in aggregate for the vault 9 project. He thought there has been a ground breaking approach by bringing in the aggregate by rail, opening up new sidings facilities in Millom reducing truck miles which is just as valid taking the LLW out as it is taking aggregate in. In terms of overall impact Cllr Knowles hoped that the LLWR approach which is to concentrate on the impact of transport will be continued as the much larger projects at Sellafield develop. He felt that LLWR should be congratulated on how it has managed the transport aspects, because carbon reduction has got to be a major plank of future movements. Cllr Knowles wanted to record the appreciation of that whilst making the comment that cost effective has to be looked at in the broader way than just for the project itself.

62. **Chairman:** The Chairman thanked Cllr Knowles. He also felt that Cllr Holliday's question would be better asked again to the NDA.
63. **Q: John Kane:** asked Mr Raaz for clarity in terms of the LLWR being used for the disposal of medical waste from across the UK as it had in the past. Mr Kane wondered if that was still the case?
64. **A: Dick Raaz:** Confirmed that is still the case. LLWR has a number of non NDA consigners, the MOD, hospitals and universities which are part of the contract and NDA's charter is nationally to provide that service to the country. He continued that when you look at the volumes involved they are trivially small and the bulk of the waste comes from the NDA's decommissioning efforts and will remain that way for a very long time, even if new build goes that statement still applies. Sellafield is more than half of LLWR's total consignments.

#### **AGENDA ITEM 6 – REPORT FROM NUCLEAR DECOMMISSIONING AUTHORITY (NDA) – Brian Hough, Paul Milne & Dave Weatherburn**

65. The Chairman invited Brian Hough to present the NDA report
66. Mr Hough began with a couple of apologies. NDA's Sellafield Programme Director Dr Ian Hudson would normally have been at the meeting but he was attending the NDA board meeting which was meeting the same day at Chapelcross. Dr Hudson was presenting some important reports to that board about ongoing work at Sellafield. Mr Hough reported that also at the board meeting for the first time was the NDA's new Chief Executive Tony Fontane who joined the NDA on 30<sup>th</sup> September 09. Mr Fountain joined the NDA from BP where he headed up a major part of their business running a multi million pound budget in charge of something like 15,000 staff. Mr Hough felt sure that arrangements would be put in place soon for Mr

Fountain to meet with members of the committee and also attend a future meeting.

67. Mr Hough also personally apologised that the NDA report was placed late on the website, he explained that when NDA was drafting the report a couple of weeks ago it became evident that it looked likely NDA would be making a statement on the Vitrified residues return programme which had been often discussed at the WCSSG meetings and at the Commercial sub committee. Mr Hough felt it was important at that time that the report was held so that the statement could be referred to in full within the report which it was, unfortunately it had taken longer than hoped to release the statement and it hadn't gone out until earlier in the week of the WCSSG meeting hence the late arrival of the NDA report. Mr Hough apologised and stated that the decision was taken with all good intentions at the time but with hindsight it proved to be the wrong decision. Mr Hough was joined by Paul Milne from the deputy programme directorate in NDA's Sellafield team and Dave Weatherburn, Site Programme Manager for the LLW team.
68. Mr Hough picked up on Cllr Holliday's point as regard the LLW strategy consultation. Mr Hough reported that the public consultation came to an end recently and NDA had received something like 40 detailed written responses. The LLW strategy team and others including himself had been to a number of public meetings across the country and particularly in Cumbria. He felt it was fair to say that the position expressed by Councillor Holliday which is shared by the County Council had been made in very strong terms to the NDA who is very conscious of that decision both within the strategy team and at the most senior level within the NDA. The responses will be looked at in great detail and will be considered extremely seriously before moving forward with the next version of the strategy. Mr Hough expected that there would be some continuing engagement on some of the issues during that period. He hoped that had clarified and answered the question, he then handed over to Mr Milne.
69. Mr Milne intended to highlight a few issues contained in the report and provide a little oversight.
70. Referring to the statement about Sellafield performance in section 2.1, Mr Milne explained that NDA like most organisations is subject to measurement and its measurement comes in the form of departmental strategic objectives which are agreed with NDA's sponsoring department, the Department of Energy and Climate Change on a yearly basis. When the NDA receives the strategic objectives they are few in number and to try and make them manageable they are broken into a much greater number.
71. Some of the objectives are delivered by the NDA or in other words self performed and some are passed out to the SLC's and given Sellafield's strategic importance to the NDA it is inevitable that many of them fall on Sellafield. This year 39 are placed on Sellafield and they are incentivised through the contract that the NDA hold with Sellafield Ltd in the form of performance based incentives, so each time one of the objectives is achieved fee is paid to the Sellafield SLC.

72. Mr Milne continued that of 39 objectives 32 on a traffic light system are sitting at green, six at amber and one is at red, so given that the current accounting period is six that indicates a pretty good performance. The 39 strategic objectives are spread right across the elements of Sellafield and reflect what NDA consider to be the important things that need delivered. Mr Milne wanted to emphasis that the performance this year, the first year that the new PBO is in charge looks promising.
73. The other area Mr Milne wished to highlight is the effort going into the creation of the Life Time Plan 10 (LTP10), it is a key document for NDA. A question had been asked earlier in the meeting about the comments that were contained within the Sellafield report and Mr Milne wanted to remind people that the LTP that was submitted in 2008 was not accepted by the NDA principally because it did not look like it could be delivered emphasising the need LTP10 has to be something that can be delivered it needs to be meaningful but it must be delivered first and foremost.
74. Mr Milne continued that the process of developing LTP10 is certainly one of the key objectives that NDA has with the SLC currently. Mr Milne stated that it remains a challenging target and at the moment delivery of LTP10 is still aimed at 1<sup>st</sup> April 2010 in line with the start of the new financial year. NDA is concentrating efforts on LTP10 on the key strategic high hazard areas like the legacy ponds and silos. NDA is getting a lot of support from different stakeholders, the regulators and government departments are informed and participating in many cases in the development of the plan. LTP10 also provides the contract baseline, the baseline which NDA will measure the Sellafield SLC for the years going forward from now so it is a key strategic document.
75. Mr Milne continued his report by explaining that NDA is also involved in what is called the public value programme, something that has been brought about by Government as a way of intending to improve the efficiency and effectiveness within the public sector which could be likened to a comprehensive spending review. It is not called that but it does look very like one.
76. The element that really will inform NDA's submission into the public value programme will be the work that is being done under the LTP10 creation and also the integrated change plan which is something that has been developed by the Sellafield SLC, that will look at the contract baseline and then deliver improvements against it. It is a mechanism that is contained within the contract to deliver fee, so those two elements will be very crucial in NDA's submission to the PVP programme which has been around for about a month.
77. In terms of the timescale for the PVP, NDA's submission to Government will be expected around the end of November/early December so Mr Milne stated that NDA is very focused on it. That concluded Mr Milne's part of the report. He handed over to Mr Weatherburn his colleague at LLWR.

78. Mr Weatherburn reported that the last six months has been a hive of activity down at the repository and it was pleasing to note that there is a lot of good progress being made on many fronts. He felt it was generally acknowledged that whilst there are still improvements still required as part of the day to day business, 'the ship has well and truly been stabilised within the perimeter fence down at the repository'.
79. Mr Weatherburn though it was worthwhile reminding the committee where the repository was back in 2005 when the NDA came on board, he thought they had a site in considerable disarray. In his view at the time there was little senior management attention from Sellafield, the Sellafield Directors had other considerations which was one of the reasons why the NDA decided to separate the repository from the Sellafield site. He continued that there was no national policy or strategy for management of low level waste, there were 20 diverse consigners all working in silos. He reported that there was a lot of excellent work going on but a lot of duplication and unnecessary repartition in certain areas, he reported there was low confidence back in 2005 at the prospect of securing planning permission for vault 9 and vault 8 was filling up at pace with a very real dilemma facing LLWR in the short term. Mr Weatherburn continued that the Environmental safety case in 2005 was in disarray there wasn't a project team in charge at that point in time, the site had scientists driving the work where LLWR just needed to projectise that area of work and clearly there was a lot of work that was required to do.
80. Mr Weatherburn thought the site had come a long way since then and firmly believed that LLWR has 'well and truly stabilised the ship' down at the repository. He continued that now there is a far more focussed parent body in charge under Mr Raaz's leadership which is making excellent progress. Vault 9 is now available for first receipts of waste and remains on schedule for completion within the financial year. The Environmental Safety case is now in good shape it has a project team delivering that work to cost and programme, EA feedback of the various interim submissions continues to be good. LLW remains on schedule for government endorsement in quarter four of this year, the consultation period has just closed, NDA is responding to the 48 responses that were received and the Studsvik facility at Lillyhall has now started to do its first low level metal waste treatments.
81. Mr Weatherburn stated that there is clearly a lot of work ahead. Collectively NDA and UK Nuclear Waste Management need to look at ensuring delivery. What LLWR is striving to achieve is service delivery excellence across the UK estates so what has happened to date is the efforts have been focused within the perimeter fence but part of the aspirations of the new M&O contract is to deliver a UK wide service so efforts are collectively now focusing on working with the other consigner sites to ensure LLWR can strive to do a more efficient streamlined service.
82. A major focus looking forward addressing funding issues in terms of delivering more for less funding and the site has to work with that.
83. Mr Weatherburn reported that new consigner contracts are required to be signed off on the 1<sup>st</sup> April 2010. There is a big work stream looking at the

accuracy of forecast waste arisings across the estates, so collectively NDA and UKNWM will be working with the other consigner sites to try and improve the accuracy of those figures so that informed decisions can be made against infrastructure upgrades.

84. In conclusion Mr Weatherburn reported that the site also needs to implement the innovations that are coming out of the strategy. Mr Weatherburn thought the strategy in itself is a fantastic piece of work and there are many good ideas, but the site now needs to try and turn those ideas into reality and work through implementable plans. That process will involve a lot of key players, the regulators, stakeholders, communities, LLWR and the consigners, so LLWR firmly believe that given the continuing support of the various stakeholders, the SLC is in a very good position now to deliver in line with the life time plan that it has contractually signed up to.
85. **Q: Allan Holliday:** referring to the response earlier from Brian Hough noted the comments that were made and would wait for the final report before saying he was satisfied, because there are still deep concerns over that particular site.
86. Referring to page 7, 5.1 ‘Sellafield Land Disposal’, Cllr Holliday asked if it had been considered that if landfill or incineration be entered into would sufficient land be retained by the NDA in order to build an incinerator or to build a landfill site adjacent to the present site which would alleviate the public concerns?
87. **A: Brian Hough:** Mr Hough thought it was fair to say that the land the NDA has nominated into the strategic siting assessment is sufficient for those needs but there is additional NDA land around the site that could be used for a range of other things. He didn’t think it would be right for him to predict what those uses would be, that would be part of considering the responses within the LLWR strategy. But yes there is additional land owned by the NDA close to the Sellafield site.
88. **Q: Mike Davidson:** Cllr Davidson wished to put forward the views of Allerdale Borough Council which closely mirror that of County and of Copeland on the dispersal of LLW beyond the current disposal sites. It is something that greatly disturbs colleagues and residents in Allerdale.
89. **Q: Peter Connelly:** Cllr Connelly commented that the main worry for the people in his ward was the use of the roads and the transportation through his ward to the Keekle Head site. There is a school and a nursery on that site. It is the transport for 50 years through that area that he hopes the NDA will look at, not just the site and the radioactivity but the transport for 50 years from Sellafield to Keekle head site.
90. **Q: Paul Shawcross:** Mr Shawcross referred to the NDA report page 2 – 2.5 entitled ‘office of government commerce’ which reported that there would be some initial feedback this morning from the review?

91. **A: Paul Milne:** Mr Milne clarified that the feedback either has to come to himself or Ian Hudson. Dr Hudson was at the board report meeting and Mr Milne was at this meeting. The feedback was not going to be ready before the morning, so whichever one of them is released first will take the feedback, Mr Milne endeavoured to report the feedback from that at the next meeting or append it to the minutes.
92. **Action – Paul Milne to provide feedback either at next meeting or appended to the minutes – NOTE: Mr Milne to cover in a future meeting.**
93. **Q: Paul Shawcross:** Mr Shawcross asked what the NDA was going to do if the review was bad given that a contract is in place?
94. **A: Paul Milne:** Responded that all major government projects and procurements are subject to OGC gateway review, it is a review that treasury apply across the government departments. Each project or programme will go through a process that will determine whether it is a low, medium or high risk. If it is designated high risk it is subject to a review by another government department so therefore you cannot be reviewed by your own department. This review is conducted by people outside of DECC, it is called for by the senior responsible office for the programme or project in this case it is Ian Hudson. Dr Hudson has asked the reviewers to come in and have a look at what is being done and give an appreciation or otherwise as to whether things are heading in the right direction. He explained that a lot of tax payers money was expended on the Sellafield competition and it was only fair that you get the value that the competition was expected to achieve. The contract was awarded on 24<sup>th</sup> November which is 10 months ago and April 1<sup>st</sup> 2010 is a key date in terms of setting a new baseline and setting a new contract mechanism for Sellafield so in answer to the second part of the question Mr Milne commented that if something wasn't considered right it would give NDA some opportunity between now and April to take some of the recommendations on board. He concluded that it was very much NDA using this service to provide a better product at the end of the day.
95. **Dave Weatherburn:** Mr Weatherburn added that an action plan would have to be implemented to address any issues that come out from an OGC review.
96. **Q: Paul Shawcross:** Referred to page 2 – 2.6 and 2.7 'life time plan build' and LTP10 and applauded EA and NII for raising serious concerns that work has been deferred both in LTP 07 and LTP 08 and continued that there was no reference to the deferred work being included in LTP10. Mr Shawcross wondered how much effort was being put into the make up of LTP10 to ensure that the work, some of which is running at least three years late is going to be carried out?
97. **A: Paul Milne:** Responded that in terms of LTP10 NDA has to get what it considers to be the best plan for Sellafield and that takes a number of things into account. It takes into account the amount of work that can be executed, it takes into account prioritising where you execute that work based on the operability and the executable nature of what you've got, so all those

elements need to feed into the process. He was very pleased with the level of engagement NDA has had with all different organisations because ultimately the measure of success for LTP10 is that the major players and the major organisations support it. That has not been the case for a number of years. Mr Shawcross had made reference to LTP07 and LTP08 neither of which the NDA felt were ever going to be delivered and Mr Milne thought subsequent years since then have proved that. LTP10 has to take account of what has gone on before but has to set off with something that is forward thinking but ultimately achievable.

98. **Q: Paul Shawcross:** Mr Shawcross suggested that for the next meeting the NDA can provide a bit of detail in terms of once LTP10 is completed what actually has still been deferred from LTP07 and LTP08 with an explanation of why they are being deferred?

99. **A: Paul Milne:** Mr Milne thought that was entirely appropriate, in terms of NDA's stakeholder management plan telling people what has happened in terms of LTP10. Mr Milne agreed with Mr Shawcross that it was a really good idea.

100. **Action:** Mr Milne/NDA to provide detailed report of what has been deferred from LTP07 and LTP08 with an explanation of why. NOTE: Mr Milne to cover at a future meeting.

101. **Q: Paul Shawcross:** Mr Shawcross referred to page 6 'addressing the funding challenge' he felt that ever since the NDA has been formed all he had heard is 'funding challenge' and as a 'hacked off' tax payer he asked what is the NDA doing, in its offices and with its staff to save money and 'trim the fat'

102. **A: Paul Milne:** responded that everyone is subject to the same situation and as such NDA has a number of programmes running internal at the NDA to look at these things. He assured the committee that the same pressures exist within the NDA, within the SLC and really right across the public sector.

103. **Q: Tim Knowles:** Cllr Knowles stressed his concern that NDA continually in meetings both WCSSG and the NSG meetings refer to a slightly Orwellian approach to the way things in the nuclear industry in West Cumbria used to be run. He wanted to make clear that previous managements were under pressures and directives from Government and everything that went before was not all bad. As somebody who left the industry in 1996 he knows the efforts that people at the LLWR then put in, so he thought people should be careful about describing things as inadequate across the board in previous times because they weren't.

104. Moving on Cllr Knowles stated that the LTP is crucially important and felt the community had been starved of information in terms of its ability to plan the way the economy is going to be impacted on, especially in terms of employment. Cllr Knowles stated that it is crucial that the LTP is created and he looked forward to seeing it so that it gives some certainty particularly so that issues related to increasing the local spend from the supply chain

opportunities can be identified, which in Cllr Knowles' view is far lower as a percentage than it should be to ensure the health of the local economy. Cllr Knowles complemented the NDA on the very constructive way it has engaged in socio economic work.

105. In terms of land, Cllr Knowles thought it would be very helpful to understand and perhaps have available a map which shows the NDA's land ownership portfolio in and around the existing licensed sites in West Cumbria. He believed that the ownership unallocated to other activities even to new nuclear is something in excess of 1000 acres and he thought the community should understand what that is and where it is located.

106. Regarding the details in the report relating to the future role of Richard Waite, Cllr Knowles stated that he hugely valued Richard Waite's role and the contribution he has made to the development of the NDA. He thought Mr Waite had instilled some behavioural values some corporate strength in terms of how the NDA behaved in relation to local stakeholders and Cllr Knowles was very encouraged to see that Mr Waite was in this role.

107. **A: Paul Milne:** Referring to Cllr Knowles first point he made in terms of 'what had been before' Mr Milne responded that the LTP10 although it is the first life time plan delivered under Mr Poulson's new executive team, the team that are working on LTP10 are very much the people that have been at Sellafield for a long time and will continue to be at Sellafield for a long time so NDA is certainly not discounting the efforts and the knowledge that is coming from that group of people that is actually making LTP10 the credible document that it will hopefully turn out to be. He thanked Cllr Knowles for his comments regarding Richard Waite and endeavoured to pass them onto him.

108. **Action: Brian Hough:** I'll take the action to locate or produce if it is not available the map of NDA land in the area – to follow.

109. **Q: Martin Forwood:** Asked if Mr Hough could try and get NDA board meeting minutes up on the website much quicker than they are. Mr Forwood has asked many times when he can expect these minutes and is assured that they will appear within 3 months of the board meeting, he reported that never happens and thought the last minutes reflect a meeting in May. He said if something could be done about that it would be great.

110. That remark related specifically to Mr Forwood's interest in the boards view in the Sellafield MOX plant's future which was his next question. Referring back to the Commercial sub committee meeting in June this year. John Clarke of the NDA gave a detailed update on what the position of the MOX plant was and he said that all the previous reviews on SMP had been put together, joined up and were about to be presented to the NDA board for a decision on what was going to happen to the MOX plant and that decision would be made public by September this year. A member of the committee even questioned that by saying 'do you mean that will be in September or by September' and John Clarke very clearly said, by September. Mr Forwood continued that we are now in October and there is still no decision, he

wondered whether NDA could answer the question, has the board considered SMP's future has it made a decision and when is the community likely to hear about the plants future?

111. **A: Paul Milne:** Confirmed that he had been at the same Commercial sub committee meeting and he stated that John had given an aspirational date which hasn't been achieved, so at the moment NDA has no further information to make Martin and the committee aware of on SMP other than what is in the report.

112. **Q: Martin Forwood:** But has the board actually considered it yet?

113. **A: Paul Milne:** Confirmed that the board has considered it but NDA will not be making any public statements until it has gone through Government.

114. **NOTE FROM SECRETARIAT:** the following announcement was released on 28<sup>th</sup> October 2009

The NDA has a duty to monitor the performance of all plants within its ownership and the performance of the Sellafield MOX Plant (SMP) has been of concern to the NDA since its formation in 2005. The plant first went into production in 2002 and to date has failed to meet its throughput targets.

In considering options for the plant the NDA's primary consideration is to achieve the best value for money for the taxpayer in the future. In this regard, we have had to consider recent performance, future potential capability and the views of customers.

Given recent improvements in plant performance and positive discussions with customers, NDA has concluded that, at this stage, the best course of action is the continued operation of SMP in pursuance of completing the current campaign of fuel manufacture.

The NDA has today written to Sellafield Ltd to advise them of our position and asking them to continue to deliver the current manufacturing campaign whilst seeking to improve operational performance. In parallel, International Nuclear Services, the commercial subsidiary of the NDA, is continuing to explore new commercial arrangements that would make the continuing operation of the plant economically acceptable to the NDA in the longer term.

115. **Q: Martin Forwood:** Mr Forwood referred to the NDA land and the expressions of interest in terms of new build. He asked what the latest position was, He understood there was one expression of interest which was from a Spanish company. He asked if there were any more expressions of interest.

116. **A: Brian Hough:** Responded that there have been a number of expressions of interest but because of commercial reasons he was not at liberty to go into any detail about particular interested parties. The actual process at the minute now that those expressions have been made, is that NDA now does more work with those individual organisations or bidders so they gain a greater knowledge of the actual detail of the land in question, the kind of

form the ultimate contract will take and there is also some due diligence work done on those individual bidders. The idea of that is that you get to a stage in a very short space of time where all of the potential bidders are at exactly the same place in terms of the extent of information they have about the land in question and again the confidence that they will be able to go through the process if they secured the actual land. The next phase would then be to enter into a competitive process, NDA hasn't yet made a final decision on what the precise terms of that competitive process will be, Mr Hough thought it could well be similar to the process that NDA used for the other parcels of NDA land sold recently in other areas of the country which was a bidding process given the extent of market interest in that land. That is where NDA is at the moment, Mr Hough could not give any firm timescales except that NDA has made statements before that it expects to complete that sale before the end of this calendar year and NDA still feels at this moment in time that it is on target to achieve that.

**117. Note from Secretariat** – the following NDA announcement was issued on 28<sup>th</sup> October:

The Nuclear Decommissioning Authority (NDA) is pleased to announce that today, following a period of market engagement and negotiation with interested parties, it has sold an area of land comprising 190 ha (470 acres) lying to the north of the existing site at Sellafield in Cumbria for a value of at least £70 million. The winning consortium comprises Iberdrola S.A, GdF Suez S.A and Scottish and Southern Energy plc.

The sale will result in an upfront payment of £19.5 million for the NDA, followed by a further payment of at least £50.5 million in the next six years. The sale represents further continuation of the NDA's programme of asset disposals, all raising funds which the NDA can put towards its core mission of decommissioning the UK's fleet of existing nuclear power stations.

The consortium will now progress with detailed site investigations to determine the exact location for its proposed nuclear development and then apply for the necessary planning and licensing permissions. Land surplus to requirements will be returned to the NDA.

John Clarke, NDA Commercial Director said: "The sale of this land is a significant milestone in our asset disposal programme and follows on from the successful sale of land at three of our sites earlier this year. The £450 million generated from these sales will be utilised to support the NDA's clean-up mission and is good news for the UK taxpayer."

**118. Q: Martin Forwood:** Referred to the life time plan and stated that for different reasons those outside of the industry really suffer from a lack of information provided by these plans. He thought the last one that was officially available to the public was 2005/06 yet his understanding was that regulators and other people are using a much more updated version of that. He wondered why these more updated versions whether its 7, 8 or 9 cannot also now be put in the public domain?

119. **A: Brian Hough:** Responded that as Paul Milne had explained the positions on the earlier plans were that they were not endorsed by all parties or agreed certainly from an NDA perspective as a plan that had credibility, however there will be elements of the plan that people can work around so that we can continue to work in partnership with the regulators and the site. On a more general point on life time plans Mr Hough reported that the NDA has made a commitment once the new life time plan is built and a strategy for the site is actually proved to produce a public facing document that is easily understandable, that has within it the targets and milestones expected to be achieved through that process and that would be something that would be regularly reviewed at WCSSG meetings and elsewhere and it will be something that stakeholders can hold the SLC, NDA and NMP to account on.
120. Mr Hough had given a short presentation on that process to the July meeting of the WCSSG and endeavoured to keep the committee updated with the development of that document. He stated that he would be more than happy to meet people separately to gain an understanding of the kind of level of information stakeholders would like in the document so that NDA can provide the kind of detail so that stakeholders can have confidence that they have the ability to see that NDA is carrying out what it said it would.
121. **Q: Martin Forwood:** Thanked Mr Hough but suspected that all the information he would want would be commercially confidential.
122. **Chairman:** stated that the committee does endeavour to get as much information as possible into the public domain and the committee would also expect the NDA wherever possible to give us as much information. He thought it was good to remember that information comes in lots of different levels and people in West Cumbria that the committee represented deserved access to both. He stated that some members would just want the front facing level information, some would require a lot more detail to assist them in the work they do and he felt wherever possible we must try to achieve that. The Chairman accepted Mr Hough's apology for the late report but did highlight that the constitution does dictate that the committee has reports on the website 10 working days before the meeting and in future he would prefer if reports could be delivered on time and if there are any items to add to it on the day then please do. But in order to meet constitutional requirements he asked for all reports to be issued in time.
123. **AGENDA ITEM 7 – REPORT FROM STUDSVIK – MIKE MCMULLEN**
124. The Chairman invited Mr McMullen to present the report.
125. Mr McMullen reported that the period since the last meeting had been a very significant period for the studsvik Metal Recycling Facility (MRF) from the completion of construction and clearing all the regulatory hurdles to enable them to bring radioactive materials on site. As Mr Raaz had already alluded to the first delivery of shipments from LLWR for the treatment of the waste had been received and had given lots of satisfaction because it gave the

opportunity to test one of the strategic drivers for the MRF which was the reduction in volume going into the LLWR and also one of the local community concerns was the transport and it also gave Studsvik the ability to test transport links between LLWR and the MRF via the Workington rail port head.

126. Giving an update on the report, Mr McMullen reported that Studsvik took delivery of 12 containers. To date seven of those have been processed which has resulted in a 99% reduction in volume of waste going back to LLWR. Studsvik profess to trying to achieve 95% volume reduction, on this set of waste received from LLWR it is actually 99%.
127. Mr McMullen reported that in terms of Health, safety Environment and security, since the report was produced, the site has been subject to assessment by LRQA for ISO9001 and ISO14001 and OHSAS18001 and has been recommended for accreditation by inspectors subject to internal review by LRQA.
128. **Q: Ron Hargreaves:** Mr Hargreaves thought it is a really important stage for Studsvik because it has now demonstrated that it is perfectly possible to take material which would normally have gone into a container and stored at the repository and 99% of it is now available for free release, ie: a reduction in activity by 99% or at least released to a much lower level of storage and he thought that is an extremely important development for the industry and thought Studsvik should be congratulated.
129. **A: Mike McMullen:** Confirmed that the 99% is total exempt waste going out into the free release market at present, obviously as the different types of waste come in, Studsvik won't meet that level of achievement but will be striving to meet the 95%. He continued that even when Studsvik cannot decontaminate at the facility it has the opportunity to send that to Sweden for smelting. Every opportunity will be taken to ensure that whatever goes into the site that cannot go out as exempt and free release will go to Sweden and not be returned back to the repository.
130. **Q: Mike Davidson:** Cllr Davidson asked of the 1% remaining radioactive material, is that still low level waste or has it moved up into the intermediate level waste category.
131. **A: Mike McMullen:** Confirmed that is still low level waste and the waste acceptance criteria that Studsvik employ and the checks that it carries out on the site ensures that it will never reach ILW proportions.
132. **AGENDA ITEM 8 – REPORT FROM THE NUCLEAR INSTALLATIONS INSPECTORATE – MARK FOY**
133. Mr Foy wished to take the opportunity to inform the meeting about some of the developments that have occurred in the intervening period from the end date of NII's last report, particularly areas which he believed members would have specific interest.

134. Mr Foy reported that along with the Environment Agency, NII has continued to maintain oversight of the development of the life time plan build process and has provided advice and looked to confirm that safety is not being compromised by the life time plan as it is built up.
135. Mr Foy reported that Sellafield has produced 10 safety, security and environmental impact reports and a summary document covering all of these. The reports record the detrimental effects of the deferrals of high hazard facilities between the plans made back in 2007 to the revised plan in 2009 and these have been produced at the request of the regulators.
136. NII has completed its assessment of the impact reports and has subsequently advised the licensee of its conclusion, which in the main is that NII is concerned that the risk of a major event caused by further degradation of the legacy plants or increase time at risk due to deferrals is far too high. NII has written to Sellafield to advise that every effort should be given to reduce the risk at the earliest opportunity. NII is currently in discussions with the licensee about how this will be achieved within the confines of life time plan 10. That is recognising NII's concerns on previous performance regarding repeated programme slippages.
137. As has already been mentioned by Mr Milne, Mr Foy reported that the public value programme process is beginning. NII as a regulator is also participating in that process at a senior level to ensure that it is fully informed about nuclear safety concerns and the impact of any funding decisions and any spending decisions particularly in the high hazard and high risk areas.
138. In terms of the integrated change programme, Mr Foy stated that NII see it as an important initiative pulling together all the improvements that have been taken forward on the site. The various regulators, EA, NII, DfT etc, are monitoring Sellafield's efforts in this area with interest, as the licensee itself is looking for the work streams in the programme to deliver a more effective and efficient organisation. NII's focus is obviously continued safety on the site whilst the changes are implemented and the potential programme acceleration that may be achieved in the major hazard and risk reduction projects.
139. Mr Foy had previously informed the stakeholder group about the three intermediate level waste specifications that NII put in place on Sellafield back in the year 2000. This was to address issues associated with certain high hazard facilities on the site and the likelihood that Sellafield would not comply with certain aspects of those specifications. Mr Foy advised the stakeholder group that Sellafield failed to comply with specification 325a on 1<sup>st</sup> August 09. This specification required that at least 90% of the total volume of potential mobile intermediate level waste accumulated as sludge in the piles fuel storage pond should be stored in modern stainless steel containment by the required date, ie: 1<sup>st</sup> August 2009.
140. The specifications goals and timing were based on what the licensee stated was reasonable at the time and it is NII's belief that the specification has

been effective in focusing attention on the importance of remediating high hazard facilities and programmes have been developed and funding of resources have been made available.

141. Mr Foy continued that the specification dates have proved challenging, not least because they failed to account for the inherent uncertainties associated with the high hazard legacy facilities at Sellafield and that includes the scope and complexity of the challenges that the site faced.
142. Consequently NII has reviewed the licensee's progress against specification 325a and the associated evidence to determine the future regulatory strategy in light of the breach of the specification and also what enforcement action should be taken to address the breach of law.
143. NII has decided to utilise its powers under licence condition 35 which relates to decommissioning and is looking to formally approve Sellafield's arrangements to determine how decommissioning milestones are set and which define the associated change control procedures for changing those milestone dates.
144. It is NII's belief that this provides NII with sufficient control whilst providing flexibility regarding progressing the high hazard and risk reduction projects in this area.
145. NII has also concluded that on balance to pursue punitive action against Sellafield for the breach of the specification in this instance is not appropriate.
146. Mr Foy informed the meeting that some of the evidential and public interest factors that NII considered in reaching this decision included, the efforts of the licensee on whether it has done all that is reasonably practicable to comply with the specification date, NII has also looked at the basis of the original compliance date and how it was based on immature programmes with limited underpinning. NII also considered the potential to divert effort and attention from the remediation programmes and hinder the delivery of the strategic goal of safe, secure and timely hazard and risk reduction. NII has also considered the significantly changed environment, in that there was recognition by all parties, Governmental, Regulatory and licensee that remediation of legacy ponds and silos is now a national priority, it is not just something for the site it is a national priority and all now working together to address this.
147. Mr Foy reported that NII has also agreed a series of short term milestones with Sellafield for the piles fuel storage pond, which is the facility that this specific specification relates to and these will be used to confirm progress over the next 18 months.
148. NII has spoken with the licensee about it providing an annual report or statement on progress of legacy, ponds and silos projects for public consumption, which it has agreed to in principal and Mr Foy recommended to the stakeholder group that the licensee be asked to report the content of

this to the stakeholder meeting each year so that they are being held publicly accountable.

149. Moving on, Mr Foy reported that the NII is undertaking a prosecution of Sellafield Ltd for a contamination event in the central waste handling facility that occurred back in July 2007. This involved the inadvertent contamination of workers undertaking a drilling task in the facility, the details of which Mr Foy had previously advised the stakeholder group about.
150. The initial hearing was held in Whitehaven Magistrates Court on the 24<sup>th</sup> July when Sellafield pleaded guilty to the offences under the health and safety at work act. The case was adjourned for sentencing at Carlisle Crown Court and a date has been set for the 4<sup>th</sup> December. Mr Foy will endeavour to arrange for the outcome of that hearing to be reported at the next meeting.
151. NII's investigation into the loss of water incident that occurred in high level waste plants on the 1<sup>st</sup> April 2009 and was mentioned at the last scrutiny meeting is still ongoing. Mr Foy was unable to add a great deal of information to that which has already been provided in the written report, but looked to provide an update to the stakeholder group at the earliest opportunity.
152. Referring to the addendum to the written report, as stated NII's in the report its biannual review of the HAL stocks specification has been concluded. The licensee has continued to work within the limits set within the specification and HAL stock levels are now below the 1000 cubic metres, this is the lowest level since the 1980's, however the review is likely to result in replacing the current total volumetric limit with equivalent limits based on the mass of tonne of Uranium, this more accurately reflects the hazard potential, and the total volume limit will then be aligned with the oxide limits, which is already expressed in tonnes of Uranium.
153. Mr Foy reported there was likely to be a relaxation of the steady state limit to allow efficient operation of waste vitrification plant, this is because operational experiences indicated that more HAST's was needed than the originally envisaged 2 HAST's to store oxide derived liquors, magnox derived liquors and then undertake some blending.
154. NII also believe that it will not be tightening the specification limits because it isn't felt appropriate at this moment in time, NII need to give the licensee some volumes to work within.
155. Some further analysis has yet to be completed by Sellafield in relation to the HAL stocks specification and the associated limits. Once that has been completed NII will be in a position to revise the specifications accordingly.
156. With regards to the leak within the condensate pipe, which was mentioned in paragraph 2.26 of the report, Mr Foy reported this has been declared as an INES 2 event, which is the International Nuclear Event scale used internationally to try and categorise events that occur throughout the world. It has been classified 2 by the licensee due to the quantity of radioactive

material estimated by the licensee to be involved because of the duration of the leak occurring and the material that came out through the leak.

157. NII has concluded its investigation in close consultation with the Environment Agency and is content that the enforcement notice served by the Environment Agency covers the areas that require improvement within the licensee's organisation.
158. Notable events that have occurred during the quarter ending September 2009 include within the Magnox Swarf facility an increase in some sump liquor arisings. Mr Foy reported that NII is content with the licensee's response to this and that levels have stabilised and continue to be monitored and detailed investigations are still ongoing.
159. A recent event occurred with the Redundant Effluent Sludge Pipe work system. A piece of pipe work has suffered some 'through wall' corrosion, there has been no significant leakage and Sellafield is currently looking to isolate the pipe of concern. NII will look to provide further updates on these as appropriate in the next report.
160. Turning to OSCAR 9, the level 3 emergency exercise that was held on 24<sup>th</sup> September and looks to test the county's off site emergency response plan. One of the issues identified during the exercise was that reference to the NII and Government Technical Advisor had been removed from the latest revision of the plan. Mr Foy believed that revision was undertaken in response to developing the civil contingency arrangements and NII is looking to take this up in due course because both those bodies, the NII and the Government Technical Advisor have important roles to play in responding to a nuclear incident.
161. Confirming what had been mentioned earlier on, during the last quarter, NII did issue a Consent to Studsvik Metal recycling facility to receive nuclear matter on the site.
162. Mr Foy concluded his report by informing the committee it would be the last time he sat on the stakeholder group meeting and introduced Ian Tait who will be the new nominated site inspector for Sellafield and will report in future at the WCSSG.
163. **Q: Dick Raaz:** Recognising above average interest and understanding of the nuclear regulatory regime in this country that this committee represents, Mr Raaz observed in 1.1 under 'discussion to the changes to HSE's nuclear directorate', those in the licensed sites are watching with great interest. He suggested that the members of the committee take advantage of that section and paragraph 3 to understand the changes and motivations that are coming about. Mr Raaz personally agreed with the conclusion, there is not likely to be a major change in focus, but because of West Cumbria's special situation with so much nuclear regulatory work going on he would encourage the committee members to take advantage of that information as the changes come forward over the next several months so that people are not surprised something was going on.

164. **A: Mark Foy:** Mr Foy added that HSE is moving towards a statutory corporation and the information is readily available to anyone that wants to have a look at it. The website references mentioned include a lot of information about what the intentions are behind the move towards a statutory corporation and how it is likely to impact on nuclear regulation in the future.
165. **Q: Tim Knowles:** Cllr Knowles was interested to read that the activity was being led by Tim Stone. He questioned the fact that somebody who is the eminence grise on nuclear policy is also the eminence grise on looking at the regulatory structure.
166. **A: Mark Foy:** Mr Foy responded that just over 12 months ago perhaps about 18 months ago there was a requirement to undertake an independent review of the nuclear regulator within the UK and Tim Stone was commissioned to undertake that review. He came up with a number of recommendations which have been considered by Government and by NII and some of those recommendations are what have resulted in this move towards the statutory corporation. Mr Stone is not actually leading the move towards it, it resulted from his recommendations as part of his independent review.
167. **Q: Martin Forwood:** Mr Forwood wondered whether it was possible to get a more updated version of NII quarterly reports, Mr Foy had done some updating today but the last report distributed ends in June which is quite a long time ago in terms of the way things move on at Sellafield?
168. **A: Mark Foy:** Mr Foy explained that when he first took over the role he did try and speed up NII's due process in terms of pulling the report together and its approval procedure, but he hadn't found it possible. He suggested his replacement may find it possible to actually produce a report that is more up to date, but it falls into line with all the other licensed sites in the UK that produce quarterly reports and dictates the date and timings of the report. Mr Foy endeavoured to take the comment back and try to do something about it.
169. **Q: Martin Forwood:** Mr Forwood asked in terms of the residue export facility (page 13 of NII report) were there any circumstances whatsoever under which the export of high level waste to overseas customers could take place before the NII issues a licence to operate the plant?
170. **Mark Foy:** Mr Foy confirmed that the facility would not be able to export material before NII had issued a Licence Instrument for active operation of the plant. NII has the licensing process and the licensee is required to approach NII to seek permission at various stages, the residues export facility hasn't gone past commissioning yet so has not got a consent to operate.
171. **Q: Martin Forwood:** Mr Forwood was disappointed to read about the NII's intended loosening of the high level waste reduction specification issued in 2001 and he wondered why the NII report on page 11 'the review concludes that some loosening of this aspect of the specification' and that was the long

term steady state post 2015. He asked if that was a reference to the original idea to reach a buffer stock of High level waste liquid or 200 cubic metres by 2015. His interpretation of why it has to be loosened now is simply because when NII made that specification originally Thorp was due to close in 2010/11 now it is going to rumble on until 2015,16,17 or later, there is no way that 200 cubic metre buffer stock by 2015 can be reached. He asked if that was the real reason why it has to be loosened now?

172. **A: Mark Foy:** responded that there is a requirement to blend liquors to make the vitrification process more effective and more efficient in terms of the volumes of treated waste that is generated and there is a requirement to blend Magnox and Oxide liquors. It was originally envisaged that two tanks would be sufficient, one for Magnox liquors and one for Oxide liquors but operating experience in terms of the requirement to blend etc. has led to the need to reconsider that strategy and the potential for additional tanks for storage and the blending process.

173. **Q: Martin Forwood:** Mr Forwood didn't quite understand and asked if Thorp had closed in 2010/11 would NII now be looking at that same loosening of the specification?

174. **A: Mark Foy:** Mr Foy confirmed that yes, there would still be a need to revisit that, obviously if you are not reprocessing you won't be generating the Oxide liquors but in terms of effectiveness and efficiencies and heat quantities and such like that would still exist in tanks you would still have to revisit the specification.

175. **Chairman:** The Chairman thanked Mark for his commitment and time that he has given to the stakeholder group. He acknowledged that with all the sub committees that are set up it is a difficult task attending them all and he knew Mark made every endeavour to attend and provide anybody with whatever information they were looking for. The Chairman thanked him for the open and hard work he has done.

176. **ITEM 9 – REPORT FROM THE ENVIRONMENT AGENCY – ANDY MAYALL**

177. The Chairman invited Andy Mayall to present the report.

178. Mr Mayall began by explaining that the packs members had received should contain EA's latest two reports to the committee bringing things up to date until the end of September. As usual Mr Mayall intended to take the reports as read and highlight a few issues from them.

179. Mr Mayall wished to build on a few things Mr Foy had said in relation to joint working areas where the regulators work very closely together.

180. In terms of life time plan 10 development, Mr Mayall reported it is a piece of work EA is heavily involved with and he reiterated Mr Foy's point about regulatory concerns about deferrals and the safety and environmental impacts of those deferrals.

181. Mentioning the work on the NDA strategy Mr Mayall explained that NDA is engaged at the moment on revising the original strategy put out a few years ago and that is another work area in which EA is involved to ensure EA concerns are built in as far as possible into the new strategy.
182. The integrated change programme that Mr Foy had mentioned is in broad terms the mechanism by which Sellafield Ltd is going to improve operations on the site over the forthcoming years. EA is engaged with the other regulators in ensuring that the changes brought about by that programme do not adversely impact on environmental, safety and security performance at the site.
183. Mr Mayall moved on to report that EA carry out an annual review of the radioactive substances act authorisation, and is expecting the annual submission from the site any time now for this year. EA will consider the issues presented in that review document over the next few months together with some issues that were carried over from last year. As part of that submission there will be an application to change some of the authorised site discharge limits, some down and one that is being proposed to go up.
184. Mr Mayall had previously reported to WCSSG some six months ago about a steady increase in the release of one particular substance to atmosphere - this was an unavoidable increase in discharge of a radioactive substance with a minor impact.
185. Mr Mayall reported at the last meeting that EA issued a briefing note in June and had updated it again the day prior to this meeting and put a copy on the WCSSG website, there were also hard copies on the table at the back of the room.
186. In summary the briefing note set out EA's position on the issue and Mr Mayall highlighted a few of the key points from the note and re-emphasised that this particular substance, Antimony 125, compared to most of the radioactive substances on the site is of relatively low impact and therefore not a significant contributor to the overall impact from the site. EA agree currently with the operator's assessment that to continue prompt reprocessing of spent Magnox fuel is the best practicable environmental option at the current time and to restrict it because of this particular issue would be disproportionate. Mr Mayall continued that the EA will consult on any proposals to change the site limits and that should hopefully take place within the next few months. He felt it was important to put the issue into context against the great reductions that have occurred from the site in radioactive discharges over the last couple of decades or so particularly in the case of the more significant radionuclides.
187. Moving onto the inspection work that EA has carried out over the last six months Mr Mayall explained that team inspections are inspections that EA does in addition to the programme of individual inspections. EA carried out a fairly major team inspection back in June looking in detail again at the way the site manages its liquid wastes or specifically its aqueous wastes, this was joint with colleagues in the NII and for the first time there had been some

observers from the Radiological Protection Institute of Ireland, EA's regulatory colleagues from the Republic of Ireland which was good a step forward, no major compliance issues were identified but as usual there were a number of recommendations for how things could be improved even further in that area.

188. Mr Mayall reported that very recently EA carried out another joint inspection with the NII looking at the way that leaks from the old legacy ponds and silos facilities are prevented or mitigated or indeed detected. EA is still putting together final conclusions from that inspection but was impressed by the great strides that have occurred on site in recent years to better categorise first of all the existing contamination from various leakages in the past and also to prevent any additional increase in that contamination. There will be as always a number of recommendations to improve things further. Leak detection and prevention is particularly important bearing in mind that as these facilities are preparing for waste retrievals it is very important that the process does not cause any increase in the leakage from these facilities.
189. Mr Foy had already mentioned the enforcement action taken in relation to the leak from the condensate drain line that was reported back in January by the Company. EA issued an enforcement notice in August that requires a number of steps to be taken related to, for example better understanding of those particular kinds of system across the site, putting in place standards of maintenance in relation to those particular pieces of kit and to make improvements to those areas where necessary across the whole site. Mr Mayall was pleased to say that work is progressing well in that area. As far as punitive measures are concerned, EA is still carrying out investigations into the incident.
190. The Environment Agency Board visited the site back in May principally to view the legacy ponds and silos facilities. Mr Mayall reported EA is pleased with the fact that the need to reduce the risk from these facilities is now recognised as a national priority and the committee had already heard about the fact that regulators want to put the programmes associated with risk reduction in those facilities on a more public facing footing, EA believe that will hopefully enhance accountability of all the various players involved in reducing those risks not just the operator, so that is a good step forward.
191. Moving on Mr Mayall reported that a new set of asset management principles were published by the Company back in the Summer that was a culmination of another piece of joint working which involved the regulators and the NDA. That was in recognition of the fact that asset management and asset care across the estate was in need of improvement and Mr Mayall was pleased to say that the new parent body so far has instigated a number of positive changes in relation to that, particularly in relation to improving the way that maintenance is carried out across the site so hopefully that will lead to some real benefits over the next few years and the regulators will be monitoring that very closely.

192. In terms of beach monitoring, Mr Mayall has reported extensively on that issue at previous meetings, so he didn't go into detail other than to say that it continues to programme there has been no significant change in the trend in results from that monitoring and no change from the advice that EA has received from the Health Protection Agency.
193. In terms of developments over the last few months Mr Mayall reported that there has been another improvement to the monitoring technique implemented in August so that will improve its capability to detect alpha emitters and pure beta emitters, so another positive step forward there in the capability.
194. Mr Mayall explained that EA is still in talks with the operator and other stakeholders about putting in place a seabed monitoring programme to supplement the beach monitoring programme, the aim of this will be to ascertain whether there is a continuing source of these radioactive particles off the pipe line area to give an indication of how long the beach monitoring and how the beach monitoring should progress in the future, so it is seen as an additional piece of the overall picture.
195. In terms of LLWR Mr Mayall thought the operational side had been well covered by Mr Raaz and Mr Weatherburn but in terms of the Environment Agency's engagements it has completed its assessment of the interim environmental safety case and was broadly satisfied with that. EA has issued a few recommendations on ways of improving that to ensure that the final version in May 2011 it will be fit for purpose and meet all of EA's requirements so some good work going on there.
196. EA issued a variation notice to the LLWR authorisation to allow onward transfer of metals to the Metal recycling facility and as already mentioned that has already started.
197. Concluding his report Mr Mayall stated that EA continues to inspect the construction phase of vault 9 to ensure that during that phase the quality assurance aspects are being fully addressed. Mr Mayall was pleased to say there are no significant issues arising from that inspection programme.
198. **Q: Paul Shawcross:** Referring to page 13 of the EA report, regarding the possible disruption of Magnox operating programme. He wondered if EA had considered given that the reality is there is a high risk of disruption in terms of getting Magnox fuel to site at the moment starting to defuel Calder early and running that fuel through while facilities are waiting?
199. **A: Andy Mayall:** Mr Mayall felt sure that option had been talked about in the MOP regulatory forum, He couldn't quite remember the details of that but was sure that option had been considered. He was uncertain on the conclusions of that deliberation.
200. **A: Mark Foy:** Mr Foy was aware that next year they are looking to commission the de-fuel route on Calder to actually prove that it works and

functions such that if it is needed it is available to put fuel into the MOP programme.

201. **Q: Alan Holliday:** questioned the wording on both EA reports - April to June mentioned the LLWR near Drigg and on the July to September the wording was LLWR at Drigg. He asked which one was correct?
202. **A: Dick Raaz:** Responded that he would prefer that all references to Drigg are dropped we are in West Cumbria and we are the Low Level Waste Repository.
203. **Q: Paul McKenna:** Referred to the July – September report on page 10 the fifth piece of text on the page mentions the interestingly named equipment known as pond furniture which he thought meant the equipment and pieces of storage vessels and such. Two-thirds of this equipment has to stay in the pond for shielding reasons for a number of half lives of cobalt 6 to decay, so the question would be must that material that equipment have to stay in the pond for maybe 5, 10 or 15 years because there is nowhere else to put it is that that case?
204. **A: Andy Mayall:** Mr Mayall confirmed that these are redundant pieces of kit, one third of which are classed as low level waste but the remainder are not, so various options are being looked at as to how they can become low level waste status and decay storage is one of them but that will take a number of years to achieve, so yes.
205. **Q: Paul McKenna:** Dr McKenna asked if that meant the pond at Thorp would be needed for 10,15 20 years?
206. **A: Andy Mayall:** responded that potentially that is one of the options yes.
207. **Q: Paul McKenna:** referred to page 11. The top section of text mentions SIXEP and the statement that it could life expire at some point if it wasn't rebuilt or modified?
208. **A: Andy Mayall:** responded that the facility does have a finite lifetime, it is available currently to support treatment of pond water from the site, in the future it may play a role as part of decommissioning of the site so there is quite a lot of work going into something called the SIXEP operating strategy to ensure that its use to support decommissioning is realistic, so yes, SIXEP lifetime is one of those factors taken into account to support the site decommissioning strategy.
209. **Q: Paul McKenna:** Is there any time scale to that?
210. **A: Andy Mayall:** Mr Mayall wasn't certain of the date but endeavoured to provide it if Dr McKenna so wished.
211. **A: Bill Poulson:** Mr Poulson interjected and explained that was one of the examples back in the Sellafield LTP development where there are a lot of facilities on site that can play different roles that were first envisaged and there is an option to better utilise facilities with capability than build a new

one next to it. SIXEP's connection to decommissioning activities and its ability to process is a major building block in that and part of the LTP build is looking at is the right strategy in place for how you envisage long term and what investment that would require.

212. **Andy Mayall:** Mr Mayall asked Mr Poulson if he would be happy to take the action about a SIXEP lifetime date?

213. **A: Bill Poulson:** Yes.

214. **Action:** Mr Poulson to provide timescales in terms of SIXEP lifetime.

**Response sourced as follows:** A recent review of the SIXEP Operating Plan (SIXOP) carried out in support of the development of LTP10, has identified the requirement for a low active liquid effluent abatement process potentially to as far as 2045.

This date is driven by support to decommissioning activities rather than production operations.

Independent assessments of SIXEP plant longevity have supported structural life consistent with these dates, but have identified an increasing risk profile for some key process vessels and as a result a programme of enhanced asset care and potential standby capacity provision has been identified with LTP10.

215. **Q: Martin Forwood:** Mr Forwood referred to Antimony, the release and the prospect that the site discharge limit for that particular material is likely to be breached or has already been breached simply because Magnox reprocessing is continuing. As Mr Forwood understood it, the EA is taking a view that is the best option, the other option being that you stop the reprocessing and you therefore will be building up further and probably greater problems by raising radiation levels in storage ponds. Mr Forwood stated there would be a lot of people out in the wider public whom will be unhappy with the decision that the EA is allowing Sellafield to break discharge limits and he thought it would be really helpful if the Agency could produce some document that shows some kind of figures to verify that if you were to stop reprocessing, the levels of radiation in the storage ponds would in fact be much higher and sufficiently high to make it worth while not going down that route. He continued that a lot of people won't take it at face value they would like to see some more hard thinking and hard figures behind the Agency's decision.

216. **A: Andy Mayall:** Mr Mayall confirmed that work has been done on looking at the relative impacts of stopping the reprocessing versus carrying on. A lot of work has been done on that, not all of it is in a quantitative fashion, as well as the factor Mr Forwood mentioned there are other factors involved in terms of EA wishing to avoid creating another legacy of corroded fuel in storage ponds when there is no alternative for that, Everyone has seen what has happened with the B30 ponds already, EA don't want a repeat of that situation, there are also the potential knock on effects to Magnox power

generation so in addition to the relative impacts there is also other factors that have to be taken into account, so as part of the deliberations Mr Mayall assured Mr Forwood that all those factors are taken into account. One of the difficulties about doing the comparison Mr Forwood mentioned is difficulty of getting accurate information for some of the radionuclides involved but some work has been done and it can be shown that the trivial impact of increasing Antimony discharges is a lot less than the increase in liquid discharges that would occur for prolonging storage of fuel in ponds.

217. **Action:** Mr Mayall to produce information at next meeting or in next EA report to show the trivial impact of increasing Antimony discharges is a lot less than the increase in liquid discharges that would occur for prolonging storage of fuel in ponds.
218. **Q: Martin Forwood:** Wished to comment and register some general concern because in the presentations today particularly from the regulators there have been three instances in his view, one is the Antimony situation, the second is the loosening of the high level waste reduction specification and another one mentioned by the NII is a permission to allow the Vitrification plant line 3 to continue that hasn't been discussed but it is in the presentation. Mr Forwood felt that what was coming out of that is the fact that commercial operations are being given preference now over health and safety issues, in other words the regulators are having to make decisions that under normal circumstances they wouldn't have to make and to him seemed to be not only wrong but dangerous as well. He hoped the committee would actually look into that kind of thing. Three very clear instances today and he thought something should be done about it.
219. **A: Mark Foy:** Mr Foy did not think Mr Forwood was correct in what he was saying and that operational considerations do not come into regulatory decisions at all. In each one of the instances that Mr Forwood mentioned, nuclear safety and environmental safety was at the forefront of minds at all instances, regulators do not consider the requirement for throughput in terms of money at the end of the day, but do consider all the implications in terms of safety and environmental and it is not the operational imperative that they take on board.
220. **Q: Martin Forwood:** Mr Forwood responded that it seemed to him certainly reading the reports and reading even between the lines that regulators are making decisions that under normal circumstances if there were not the pressures to go on reducing high level waste stocks or whatever, they wouldn't actually be making the decisions today that you are making, there is this pressure to carry on with the high level waste reduction which Mr Forwood would certainly agree with.
221. **A: Mark Foy:** responded that in terms of the high level waste, the purpose of going to vitrification is to actually put the waste in a form where it is inherently safe, it is a volatile nasty liquor as a highly active liquor and he didn't think anyone around the table would wish that to remain in the tanks for perpetuity so one of the reasons for actually going through the vitrification process is to put it into a passively safe state which is a much

better waste form than it bubbly and boiling away in a highly active storage tank.

222. **Q: Martin Forwood:** Mr Forwood responded saying it did raise this extra question taking it on one stage why the regulators issue specifications which as he understood it are legally binding instruments, he asked why the Agency set strict discharge limits when in fact it can just be brushed aside one way or the other because it doesn't happen to fit in with what is going on with the commercial operations on site. He wasn't sure what the point of having limits was for?
223. **A: Mark Foy:** Mr Foy again disputed Mr Forwood's position, he explained that the purpose behind revisiting the limits within the specifications and again in the authorisation limits is to build up on operational practice which in the long term looks at the effectiveness and efficiency of reducing risks and hazards on the site. He stated that everyone wants to get the HAL stocks down but to get to that goal there is a need to look at what is the effective way of doing it and one way of doing that is to blend the liquors which allows you to increase the activity incorporation rates within the canisters thus reducing the number of canisters that you need and reducing the overall volumes of the passively conditioned highly active waste. Mr Foy continued that this does come into the thought process within the specification, it is always what is the best way forward in terms of addressing the risk and the hazards on the site, it is not driven in terms of operational requirements. Regulators are looking at how they can best address that issue in terms of the highly active liquors, getting it into the solid waste form, which can be placed into the vitrified product store and stay there passively safe, ideally you want to get as few containers as possible you don't want to generate containers that don't contain the maximum amount of inventory.
224. **A: Andy Mayall:** Mr Mayall added that in terms of the Antimony issue, taking that as an example just to make the point that the authorised limit in the authorisation are not set at safety levels, they are set at a very low level down at what the Agency refer to as the level of optimisation and as part of the process of setting those levels EA does have a duty to take into account justified operational needs, it has a duty to do that under its legislation, but having said that Mr Mayall continued that if discharges were a threat to human health or the environment then EA would obviously limit those discharges, EA would not be increasing the limit on Antimony if it felt that it would lead to an unacceptable impact in terms of human health or environment, just to make that clear.
225. **Paul Shawcross:** Mr Shawcross infuriated at Mr Forwood's comments responded that the reality is he represents prospect staff side union on site with 4,000 plus members who carry out the duties Mr Forwood had talked about. Mr Shawcross stated that in no uncertain terms if the union had seen what Mr Forwood was making allegations about then it would be here in massive numbers marching the streets. He continued that he had asked numerous times to join CORE because he also is opposed to an uncontrolled radioactive environment in West Cumbria and he is still waiting for the forms which he will fund himself. You are totally wrong.

226. **A: Bill Poulson:** Mr Poulson offered to explain the situation from a Sellafeld Ltd perspective, as said by everybody, each one of the initiatives is to remove waste out of volatile, risky situations, if it is vitrified it doesn't migrate into the environment if it is in a high level liquor storage tank it can dribble away. Fuel doesn't get better with age, fuel sitting in the ponds as seen is presenting one of the major challenges going forward, reprocessing it removes it out of that condition.
227. In terms of Antimony Mr Poulson stated that when the site saw the potential breach coming it shut down and pursued it with the regulators rather than continue it on any production operation mandate. The site knew there was a limit, it stopped, evaluated and pursued the right approach with the regulators before proceeding. The site took the action to stop until it could be resolved in the correct appropriate way. Mr Poulson thought from the audiences perspective the increase is 1/2000<sup>th</sup> of what is naturally received you would like to minimise it, however keeping things in perspective, risk reduction requires taking action on things and he thought as had been said already the limits are set very aspirationally, very well below any safety limits and they have to be looked at practically when they actually cause you a risk increase via blind adherence.
228. **Martin Forwood:** Mr Forwood stated that he was not blaming the regulator at all, he was blaming circumstances and the fact that in his view purely his view the regulators are being made to make decisions that perhaps under normal circumstances they wouldn't.
229. **AGENDA ITEM 10 – REPORT ON THE SUB COMMITTEE REPORTS**
230. The Chairman explained that the first sub committee report was the Decommissioning sub committee he asked Councillor Clarkson if he wished to add anything to his written report.
231. **Norman Clarkson:** Cllr Clarkson had nothing to add to the report other than the committee did concur with the comments Mike and Martin had brought up in terms of simple language. He joked that Councillor Connelly taught English for about 50 years and he had certainly gone into deep decline because he no longer understood the language that he taught!
232. The Chairman asked Mike Davidson as Chair of the Commercial sub committee if he had anything to add to the written report.
233. **Mike Davidson:** Cllr Davidson wished to thank the reporters that had attended the Commercial sub committee meeting, the reports were excellent and in considerable depth. He especially wished to thank Mark Foy for his contributions to the sub committee over the last few years.
234. The Chairman asked Professor Haywood as Chair of the Environmental Health sub committee if he had anything to add to the written report.

235. **John Haywood:** Professor Haywood apologised because his action had fallen off the end of the report, so he wished to bring the committees' attention to the action that was placed on him arising from the last item on the report. It referred to the German study of childhood leukaemia close to German nuclear power stations. He had an action to obtain approval from WCSSG for an additional public meeting for the purpose of presenting and discussing the current scientific position on childhood leukaemia rates near nuclear sites.
236. In terms of why that would be needed he explained that it is a moving target every time evidence becomes available and is published it has to be absorbed into the body of other evidence and a view formed and we consider whether we are changing our minds, so if you have a public presentation on this it needs to be by someone who is aware of all the evidence that has gone previously. Professor Haywood stated that he certainly didn't fall into that category and he couldn't give it and not only does this person have to know anything he also has to be able to present it in a space of less than one hour in terms that will be accessible to the man in the street this may be too big an assignment for any person. Professor Haywood has asked the Chairman of the committee on medical aspects of radiation in the environment to see whether they will nominate a presenter for this purpose and that is the current position. Professor Haywood observed that they might decline to make that nomination.
237. **Chairman:** The Chairman clarified that it is the view of the committee that the EHSC should try to get a special meeting to look into the report. He thanked Professor Haywood for his efforts to date and asked him to keep the committee up to date.
238. The Chairman asked Sue Brown as Chair of the Low Level Waste sub committee if she had anything to add to the written report
239. **Sue Brown:** Cllr Brown wanted the public to note that Richard Evans from Cumbria County Council had confirmed that the HGV movements to the Low Level Waste Repository site are much lower than anticipated and she felt the public might be interested in that fact.
240. Cllr E Woodburn was not present at the meeting and the Chairman explained that Shirley Williams would endeavour to answer any questions on the Socio Economic sub committee. He asked if Shirley had anything to add to the written report.
241. **Shirley Williams,** Ms Williams added that the key action that came out of the sub committee was to look more in depth at the local labour situation and how local resources are being used in support of activities in the nuclear estate in West Cumbria.
242. **Q: John Kane,** Mr Kane, marrying this report with the NDA report where it says that the NDA has appointed a project officer to work with the disadvantaged wards in West Cumbria to help them prepare for suitable employment opportunities. Mr Kane wondered where the suitable

employment opportunities are, he added that in his opinion we still appear to be in the nuclear industry walking towards a cliff edge, we have the energy coast master plan with no time frame around it, reprocessing is due to stop in a few years which amounts to five or six thousand jobs, he asked what the situation was in terms of moving things forward. He continued that he was supportive and represented people in the disadvantaged wards, some of them are in second and third generation unemployment, he asked where the employment opportunities talked about are going to be created.

243. **A: Brian Hough:** Mr Hough responded that the worklessness project is specifically targeted at the ten most disadvantaged wards in West Cumbria and the hope is that the project worker can work direct with individuals and families that face the kind of problems that have just been outlined.
244. There is a second part of the project, for the project to work with local firms and particularly those in the nuclear supply chain to try and identify vacancies and opportunities as they appear so that those individuals and families can have opportunities available.
245. On the more general point regarding socio economic activity Mr Hough stated that NDA, NMP and Sellafield Ltd a little while ago entered into a socio economic partnering agreement which will see them targeting resources through the energy coast initiative and through West Cumbria Vision. Worked has started already working very closely with the emerging West Cumbria Vision board on that plan and it is hoped that will go a long way to addressing some of those concerns. He thought that the potential impacts of the work that the NDA is statutory required to do are not lost as it has clear socio economic obligations and is taking best endeavours to ensure that they are met.
246. **Q: John Kane:** Mr Kane responded that this situation was faced many years ago in the nuclear industry down in the Merseyside area at the Capenhurst site. What they did there was started manufacturing stainless steel containers for Sellafield. The area is currently going through a process of decommissioning where there is going to be masses amounts of work created. Mr Kane asked why manufacturing plants could not be moved to West Cumbria. It is things like this that need to be taken forward. He felt the area was sitting waiting to implode and that there were lots of good words being spoken but he hoped they would be delivered. He stressed that action needed to be taken now and the lack of it was worrying him.
247. **A: Brian Hough:** Mr Hough reported that he had attended a meeting the night before this meeting where those kinds of issues were discussed and it had been raised earlier about the actual need to increase the benefit of the local supply chain from the work that comes out of Sellafield and that was certainly something that was discussed and raised at the previous nights meeting. He felt that amongst those people who are working on West Cumbria's socio economic agenda that is one of the key priorities for that group.

248. **Tim Knowles:** Cllr Knowles explained that a considerable amount of time has been spent putting together the new body, West Cumbria Vision and he was delighted as the interim chair that set it up handed over to Brian Wilson the former Energy Minister who is performing very well indeed, the board is coming together. He stated that the support of the NDA, NMP and Sellafield Ltd in agreeing to co-ordinate their funding activities along with the North West Development Agency's funding for the area makes it a very powerful body indeed. He continued that the life time plan is still needed so that we can understand the likely employment trends but the sort of work that is being done in terms of attempting to attract new nuclear build to focus on the supply chain, the reachback programmes and so on are extremely important. He continued that the new organisation is at the formative stage, but he believed it has the leadership, the partnership arrangements and the resources to deliver the Energy Coast Master plan. He agreed it is a bit of a list of projects but the board and those involved with it are committed to delivering Britain's energy coast brand based in West Cumbria and the regeneration programmes of the North West Development Agency and once it gets the information about the timing of employment patterns in the area that obviously will help a great deal. Cllr Knowles personally has a lot of confidence in the organisation that has been set up, people on the ground do need to be shown exactly what that means and what the plans are going to deliver. He agreed with Mr Kane and concluded that it is an issue for everyone around the table but that is recognised and people are committed to solve the problems.

249. **Q: John Kane:** Did not wish to labour the point but referred to a question that Henry Wormstrup asked at the last meeting and he didn't like the answer which was basically that we cannot be prescriptive or give preference to local suppliers and that is what worries Mr Kane. Mr Kane continued that if we are going to take this forward in the nuclear industry, preference to local labour and local suppliers has got to be given. There has got to be some mechanism around this where the needs of the local community can be looked at.

250. **A: Tim Knowles:** Cllr Knowles re-iterated that everybody recognises that. It is recognised that European regulations exist but in other areas this sort of thing has been achieved and he believed there are ways of dealing with this and everybody is committed to increase the local spend from the Sellafield supply chain, that is one of the major objectives, precisely how that is done is not known but everybody is committed to finding a way to solve that problem.

251. **Bill Poulson:** Mr Poulson commented that one aspect of that is that relations with the supply chain on site can be improved which relates to developing strategy relationships with suppliers, getting a long term picture of what is going to be needed and that discussion can include the degree of what needs to be done locally in part of fulfilling that partnership too; Incentives in the contracting of people who can cover over a long period of time can also include some teeth in terms of what needs to be a locally procuring source part of what they do; What they need to bring ie: teaching and coaching and

helping the local supply chain. Mr Poulson continued there is a lot of that in the sites supply chain improvements that relate to this because some things required today are not always found locally, but you could have the companies that provide it encouraged as part of their process to include local development and hopefully more sustaining than just that job at the moment.

252. **Iain Irving:** Mr Irving added that clearly there is a short to medium term gain in helping the supply chain where the site can legally do so, but he thought that the site needed to look at the supply chain long term in terms of if the local supply chain is always focused in on work at Sellafield then we will end up in a position further down the line where we don't want to be. The site needs to get the balance right between medium and long term such that it can start to turn around and use the capability of Sellafield as a strength behind the supply chain to look for work outside the area, not necessarily moving outside the area but gaining work from outside the area, so there is a short term issue and a longer term issue and it is essential that the balance is right between them.
253. **Q: Norman Clarkson:** added that the area needs top class labour and top class products if we can supply that locally that's fine if not we have to go further afield and that is the reality of it.
254. **Q: Paul Shawcross:** added to the discussion that the reality is we also look at the Council who are members of the committee to take back to Government also because it is a Government issue. He threw in the challenge 'When did you ever see a nuclear piece of work being tendered from France in the EU market.'
255. The Chairman reported on the Emergency Planning sub committee saying that the OSCAR 9 exercise had taken place since then and he was sure there will be lots of reports and learning to come forward from that, it is very early days yet.
256. The Chairman reported that one of the issues raised again at the meeting is the issue of the A595 between Calderbridge and Gosforth. It was closed again some time ago with another unfortunate fatal road accident it is also due to be closed again later in the month for a period of time. There was a view at the meeting that the County Council was going to look at an alternative route which the Chairman assumed would have been in the Church House through to Calder Gate road. The committee had not heard anything further and the Chairman felt it was a good opportunity to raise it at today's meeting given the level of attendance of County Councillor.
257. **Sue Brown:** Cllr Brown had been at the highways working group this morning. The announcement was that the road closure will be from midnight until six in the morning on the 22<sup>nd</sup> and 23<sup>rd</sup> October. Cllr Brown's impression was that there had been agreement made with the site that emergency cases could be escorted though the site, but she was not absolutely sure, there certainly had been no other option put forward. Cllr Brown had asked about the consultation because the last time there had been a road closure she had a lot of negative feedback from people, Seascale

particularly about communication. She believed that emergency services had been notified and there was a multi agency meeting held, however very few people had turned up which led the others to believe that perhaps there weren't the concerns there had been last time.

258. **Norman Clarkson:** Cllr Clarkson reported that the subject had been brought up on a number of occasions at local committee, he thought now was the time that it was going to have to go to a higher level at County in an attempt to getting it sorted out, because it has been going on for years and was totally unacceptable that it was the one road almost certainly in Cumbria and he thought almost the one road in the whole of Great Britain that creates a black lock with no way round unless it is a 100 mile diversion. Cllr Clarkson said it was not good enough.
259. **Tim Knowles:** Made the point that he did not believe that the green lane solution has been achieved yet but it clearly needed to be and if there are any issues related to outcomes from the OSCAR9 exercise which relate to that then they may give some greater urgency but the problem with this sort of thing is it has to be achieved with agreement by all the parties concerned it isn't something that can be achieved by dictat unless there is an emergency priority which overrides personal abilities to obstruct things.
260. **Chairman:** Thanked Cllr Knowles and stressed it is a concern of the emergency planning sub committee and perhaps a letter from the committee could be sent to country expressing again the concerns of the committee on this and on the recent notice that had gone out which includes at the very bottom a line which says, 'please be aware there is no alternative route'. He felt the fact the road was closed with no alternative route highlights it again as an emergency issue.
261. **David Humphreys:** Mr Humphreys clarified that in the OSCAR9 scenario there was a release of radiation towards Gosforth which causes the road to be closed, in most of the scenarios that are looked at in major incidents around Sellafield, the A595 is closed because the public cannot be expected to drive into a radiation cloud, the provision of another road very close to it makes no difference to that scenario and a lot of the training for the emergency services etc, is that it is assumed that the road will be closed and it has to be worked around. Mr Humphreys was making the point that it is more of a road traffic accident not a major incident problem because a slight diversion will make no difference in a major incident.
262. **Chairman:** responded that it is an issue that has raised its head many times and he did know that the County looked at the green lane situation and what he was trying to do from the emergency planning point of view is move it back up the agenda.
263. **Paul Shawcross:** Mentioned another point in the EPSC report regarding a representative needed from Copeland Borough Council. He asked whether a Councillor had been secured for the membership yet?

264. **Chairman:** The Chairman apologised but the wording in the report had been incorrect and it was actually a Copeland officer they were looking for to replace the late Alan Southward. One of the reasons that membership had been requested from Copeland was that the sub committee is going to hold a special meeting to discuss the emergency planning implications in terms of new build and the thinking behind that was that it is known from the public meeting that was held in Whitehaven that there was some grave concerns around emergency planning. It was discussed at the last EPSC meeting and it was felt it was such an important issue the committee may want to feed a view into the consultation that will be starting soon on the nominated sites and therefore it was thought important to get all the information of what implications there would be for emergency planning around the three nominated sites in the Copeland area. The Chairman continued that when a date is set for that meeting it will be sent out to everyone as it will probably be of interest to others as well as committee members.

265. **Chairman:** The Chairman reminded members that the website is now up and running and if members hadn't registered they should in order to receive web alerts. He was hopeful that it would become the tool mainly used rather than having to send lots of paperwork out to everyone. All the information members require will be on the website quickly it can be put on the same day as it is received now. Anyone with any views or concerns can send e-mails in via the system for a response. He asked members to feel free to contact the secretariat if there were any issue with the website or anything that members thought could be run better.

**266. AGENDA ITEM 16 – DATE AND VENUE OF NEXT MEETING**

267. The Chairman concluded the proceedings and explained that the next WCSSG event is scheduled for Thursday 7<sup>th</sup> January 2010 and the next WCSSG scrutiny meeting will be Thursday 1<sup>st</sup> April 2010.

268. He thanked members and observers for their attendance and wished them a safe journey home.