

**Minutes of the ONR NGO Engagement meeting
21 September 2017
Mercure Manchester Picadilly**

Office for Nuclear Regulation (ONR) present:

Adrienne Kelbie (AK) – Chief Executive
Dr Richard Savage (RS) – Chief Nuclear Inspector (CNI)
Michael Finnerty (MF) – Deputy Chief Inspector, New Reactors
Dr Susan McCready-Shea (SMc) – Professional Lead, Radiological Protection
Suzanne Halliwell (SH) - Interim Head of Communications
Julie Wareing (JW) - Senior Communications Manager

NGO Representatives present:

Richard Bramhall (RB) - Low Level Radiation Campaign
Peter Burt (PB) - Nuclear Awareness Group
Neil Crumpton (NC) - People Against Wylfa B
David Cullen (DC) - Nuclear Information Service
Phil Davies (PD) - Nuclear Waste Advisory Associates
Rod Donington-Smith (RDS) - Cumbria Trust
Rita Holmes (RH) – Ayrshire Radiation Monitoring Group
Allan Jeffrey (AJ) - Stop Hinkley
Dr David Lowry (DL) - Nuclear Waste Advisory Associates
Sean Morris (SM) - Nuclear Free Local Authorities
Ian Ralls (IR) - Friends of the Earth Nuclear Network
Tom Griffith-Jones (TGJ) - Together Against Sizewell C

Other attendees:

Dave Griffiths (DG) – Independent facilitator
Alan McGoff (AMc) – Environment Agency, Head of New Build

Secretariat: Daniel Jones, ONR Communications Officer

1 WELCOME AND APOLOGIES

- 1.1 Dave Griffiths (DG) opened the meeting and thanked everyone for their time. Apologies were noted from Professor Andy Blowers and Ruth Balogh.
- 1.2 Following feedback from previous meetings that a representative from the Environment Agency should be invited to aide discussion around key topics, ONR invited Alan McGoff, Head of New Build to join the meeting. ONR thanked Alan for representing the Environment Agency.

2 INTRODUCTION, MINUTES AND ACTIONS

- 2.1 Suzanne Halliwell (SH) introduced herself to NGOs. ONR regretted the delay since the last meeting in November 2016 due to the general election. ONR is keen to maintain contact and engagement with NGOs by agreeing dates for the next meeting

in March/April 2018 and subsequent meetings.

- 2.3 Two meetings of the working group (Pete Wilkinson, Peter Burt, Sean Morris and Dan Grice, Julie Wareing and Chris Hannaway) took place in February and July to agree the priority topic for the meeting. Other topics on Brexit and SMRs were added to the priority list of future discussion topics.
- 2.3 SH thanked NGOs for submitting topics for the emerging issues agenda item.

MINUTES AND ACTIONS

- 2.4 Minutes of the 30 November 2016 meeting were circulated for comment on 20 December 2016. No comments were received and the minutes were published on the ONR website on 12 January 2017.
- 2.5 SH drew attention to the list of priority topics in NGO meeting packs and asked all to note any additional items to the allocated flip chart, or to propose through a member of the working group.
- 2.6 SH informed NGOs that in October, ONR will conduct its first stakeholder survey. She provided an overview of the purpose of the survey, to measure our performance and help us to understand how we are viewed and perceived by our external stakeholders, which will shape our future strategic engagement activity.
- 2.7 NGOs were encouraged to participate in the survey and be open and honest.
- 2.8 David Lowry (DL) expressed disappointment that additional late papers and documents were not circulated and printed for NGOs following his request, particularly in relation to the emerging issues item on Brexit/Euratom. He felt it would have been beneficial for other NGOs to have sight of the documents.
- 2.9 SH explained that the preparation for the meeting had already been completed prior to his request and actioning would have taken additional time and resource for ONR which they were struggling to meet given the tight turnaround. She confirmed that paper copies were available and that in future for emerging issues, ONR will email late papers in future.

ACTION 1 – ONR to circulate associated papers for emerging issues submitted by NGOs, even if received late (SH).

3 EMERGING ISSUES – BREXIT/EURATOM IMPLICATIONS – ONR POSITION

- 3.1 Dr Richard Savage (RS) provided an update on the UK's exit from the Euratom treaty as part of wider Brexit.
- 3.2 On 13 September, ONR (Mina Golshan, Deputy Chief Nuclear Inspector) gave evidence before the House of Lords EU Energy and Environment Sub-Committee inquiry on Brexit.
- 3.3 The [Ministerial Statement](#) laid on 14 September from the Secretary of State for

Business, Energy and Industrial Strategy confirmed that the Government intended to establish a domestic safeguards regime seeking to deliver to existing Euratom standards, going beyond what is required to achieve compliance with international obligations.

- 3.4 RS noted that ONR's ability to establish a full UK State System of Accountancy Control by March 2019 was challenging and depended on the scope of future domestic arrangements. This in turn was dependent on the exact outcomes of negotiations with both Euratom and the International Atomic Energy Agency (IAEA).
- 3.5 Developing a system that seeks to meet international reporting obligations, and which can then be further developed to achieve EURATOM equivalent standards over time would be a more realistic starting point and is what the Government was aiming to achieve.
- 3.6 ONR is also re-evaluating international engagement in light of the UK's intention to withdraw from the EURATOM Treaty to assess how best to learn from others and share experience to influence across Europe and the global nuclear industry.
- 3.7 ONR is working with regulators from other countries (including Canada and the USA) and the IAEA to gain understanding and benchmark against international standards.
- 3.8 ONR will enhance its current safeguards capacity and capability to deliver a UK domestic system of accounting and control of nuclear material, including recruiting and training safeguards specialists. Four extra safeguards staff are being trained by ten experienced specialists and more recruitment is planned. Training new staff will take between 12 and 24 months.
- 3.9 DL raised concern that some countries may find it unacceptable for a nuclear weapons state to manage its own safeguards regime, given the 1977 agreement was a highly contentious involuntary agreement. He questioned whether the IAEA would still do unannounced safeguards inspections and argued that Government should have consulted with other countries.
- 3.10 RS responded that those are matters for Government. ONR's role is to ensure that effective controls are put in place.
- 3.11 Ian Ralls (IR) asked for assurance that there will be no conflict of interest with the people employed and asked for assurance that staff won't be employed from industry/military. RS explained that the recruitment will follow the same process as any other positions in ONR. All ONR employees must declare potential conflicts of interests.
- 3.12 Neil Crumpton (NC) asked how ONR discussions with Government had been progressing. RS explained that there was a need for increased engagement with Government and IAEA to develop the domestic regime, but discussions are only in early stages.
- 3.13 Peter Burt (PB) referred to his recent FOI request about the risks of departing from the current regime. RS confirmed that it is a matter for Government. ONR's role is to

advise on how best to adopt a new domestic regime.

- 3.14 Sean Morris (SM) commented on ONR's heavy work programme and felt that staffing levels were a concern. He asked if ONR would advise government if it were unable to deliver regulatory obligations.
- 3.15 AK recognised capacity and capability to be of concern and has already formally recognised this as a strategic risk. The project governance – in ONR and government – requires transparency and so any concerns about inability to deliver would be reported within ONR and BEIS. This said, recruitment is on track so far, with a 'little and often' approach ensuring ONR balances current safeguarding commitments with building a new capacity.
- 3.16 Rita Holmes (RH) challenged ONR's capacity to continue normal regulatory activity, citing ONR's attendance at site stakeholder groups as an example. She reported that a site inspector had reported receiving instruction to attend only one meeting per year. There was a feeling that ONR was less interested in decommissioning sites, which she felt was a big risk and could lead to ONR losing trust. RH also observed that site inspectors were not staying as long in post, noting a recent example of Hunterston B inspector being in post for just three months.
- 3.17 AK responded, confirming that no instruction had been issued to site inspectors, advising that ONR is establishing a corporate insight group to draw together stakeholder group feedback to inform our engagement and communications. AK apologised personally for the recent short change in site inspector at Hunterston, citing an internal promotion opportunity for the previous site inspector. RS advised that site inspectors are usually assigned sites on a three to five year basis. He emphasised that resourcing reflected priorities in decommissioning.

4 LOW-LEVEL RADIATION

- 4.1 Dr Susan McCready-Shea (SMc), ONR Superintending Inspector and Professional Lead for Radiological Protection, provided a detailed overview of ONR's regulation of low-level ionising radiation doses.
- 4.2 Her presentation included background to legislation and an overview of the Ionising Radiations Regulations 1999 (IRR99), focusing on two of the main principles, limitation and optimisation. She provided detail on ONR's enforcement, UK doses for workers and members of the public and work to improve standards.
- 4.3 The regulatory framework requires doses reduced so far as is reasonably practicable for both workers and members of the public and provides a robust approach to radiological protection.
- 4.4 Phil Davies (PD) questioned why the third principle of justification was not included in the presentation. SMc explained that the third principle was a matter for Government, and ONR focused on ensuring the safety of whatever was directed.
- 4.5 DL questioned whether ONR felt standards should be reviewed. SMc explained that she had different roles at a number of international meetings representing UK or

ONR, and sometimes representing radiological protection, rather than ONR or the UK as in her membership of the Article 31 Group of Experts.

- 4.6 If the standards were to change within the EU, the European Commission would have to consult the Article 31 Group of Experts, citing as an example, the decision some years ago to reduce the dose limits for workers and the public.
- 4.7 Richard Bramhall (RB) disagreed that the assumption of no safe dose is supported by linear no-threshold hypothesis and asserted that radiation through the body caused damage. He stated it didn't require evidence to disprove and there was evidence of high effects at very low doses. There were many studies, and risks were under-estimated. He reported that at the BEIS NGO meeting, the Committee on Medical Aspects of Radiation on the Environment (COMARE) ignored requests for discussion with Low-Level Radiation Campaign group.
- 4.8 SMC agreed that there were many studies and some data was conflicting. Advances in modern medicine meant that a greater proportion of people were dying from cancer or cardiovascular diseases. This meant that any small increases in the incidence of cancer or cardiovascular diseases which may have been caused by exposure to ionising radiation would be very difficult if not impossible to identify. Therefore regulators assumed that there was no safe dose of ionising radiation and exposures should be restricted so far as is reasonably practicable.
- 4.9 IR questioned if any lab-based studies had been carried out under controlled conditions given the uncertainty. SMC confirmed that there have been lots of studies on both animals and cell cultures.

5 GENERIC DESIGN ASSESSMENT (GDA) / NEW BUILD – RADIOACTIVE WASTE MANAGEMENT

- 5.1 Michael Finnerty (MF), ONR Deputy Chief Inspector and Director of New Reactors opened the discussion by referring to the priority questions that NGOs had raised in advance of the meeting.
- 5.2 He explained that GDA was only one part of the new build process and was introduced to ensure that the design of any new reactor meets regulatory requirements. Licensing and site-specific aspects were where full regulatory control comes into effect.
- 5.3 MF led the discussion through the questions put forward by NGOs, the first concerning how spent fuel management was taken forward in GDA and licensing. He informed the group that radioactive waste, spent fuel and decommissioning were all considered as part of the GDA process, which considered the plant's entire lifetime. Requesting parties must demonstrate through its pre-construction safety report that risks were as low as reasonably practicable in all of these areas.
- 5.4 **Question/comment:** Tom Griffiths-Jones (TGJ) referred to Sizewell B where the amount of radioactive waste and spent fuel was higher than ever intended, resulting in a separate fuel store facility needing to be built. Allan Jeffrey (AJ) also questioned if dry fuel stores were part of the strategy for new build. Both questions were in

relation to the absence of a geological disposal facility (GDF).

- 5.5 **Response:** and Alan McGoff (AMc) responded by explaining that reactor designers and regulators must consider this in both GDA and site-specific elements of the new build process. Licensees are required by law to minimise waste and it is for them to determine how waste is stored, even at the early GDA stage through to licensing. The regulators' role was to ensure that any proposals for storage of waste were as safe as they can be and met regulatory requirements. In the absence of a GDF, any waste or spent fuel storage facilities would require regulatory consent.
- 5.6 **Question/comment:** NC raised concern in relation to the security of stores and the amount of spent fuel contained.
- 5.7 **Response:** MF provided an overview of ONR's focus on security as equal priority to safety, citing the security assessment principles published earlier this year. He informed the group that the new reactor programme had security assessors and inspectors working alongside safety specialists emphasising that prospective licensees had to demonstrate they met security standards like they would safety.
- 5.8 The discussion moved on to ONR's ability to influence government with several NGOs voicing the opinion that ONR could be more proactive in advising on technical and ethical implications to policy decisions. MF and AMc explained that as independent regulators, both parties do regularly provide advice and guidance to government on safety, security and environmental aspects of policy.
- 5.9 **Question/comment:** DL referred to his recent FOI request regarding security information being published as part of the GDA of the UK Advanced Boiling Water Reactor. He stated that Westinghouse published a short security report as part of its GDA submission for the AP1000 reactor design, yet Hitachi-GE had confirmed that it would not publish detail on plant security measures. He questioned why ONR would not require the same publication for different reactor designs and stressed that it would be helpful if ONR could influence Hitachi-GE to publish information in the interests of transparency and engagement.
- 5.10 **Response:** MF explained that the decision to publish security information is one for the requesting party, there was no regulatory requirement to make the information public. However, as part of the GDA process, ONR does require licensees to demonstrate to ONR that the reactors meet security standards required. ONR's regulatory assessment report in relation to security of the UK ABWR will be published on the ONR website.

ACTION 2 – ONR to discuss publication of security information with Hitachi-GE in the interests of transparency and engagement with interested parties (MF).

- 5.11 **Question/comment:** DL requested information on the timing of a recently reported transport of materials from Dounreay the day after a terrorist attack in London.
- 5.12 **Response:** RS reported that ONR was aware the vested authority's decision to proceed with the transport but due to the sensitive nature of the movement, could not give a full account. ONR had assessed and approved the security arrangements

- 5.13 associated with this transport. ONR had an embedded member of staff within the Joint Terrorism Analysis Centre, the independent body that sets threat levels, and ONR was fully aware of the reasons behind the raise in the National Threat Level. These had no bearing on the civil nuclear industry in general or this movement in particular – there was no increased threat in relation to this transport.
- 5.14 **Question/comment:** Rod Donington-Smith (RDS) asked for ONR’s position on the Chinese seeking a stake in the Moorside project and PD asked if the public had any opportunity to provide its views.
- 5.15 **Response:** MF explained that ONR continued to engage with NuGen on commercial developments of the Moorside project and was aware of the interest from different countries. It was a commercial decision for Toshiba to make. However, it was too early to speculate and ONR awaits the decision. If another GDA was required for a different reactor design, ONR would await the formal request from government.
- 5.16 **Question/comment:** PB asked ONR how broad the risk-assessment was for long-term storage of waste and if ONR considered different scenarios such as societal collapse and climate change.
- 5.17 **Response:** MF explained that ONR did consider climate change in respect of extreme weather events and carried out reviews of safety every ten years where emerging risks were taken into account. RS added that ONR was also benchmarked against international standards, which was important in considering wider implications of climate change.
- 5.18 **Question/comment:** PD expressed his view that the Environment Agency consultation on GDA was too late in the process (step 4) and did not provide sufficient opportunity for the public to provide its views on the reactors.
- 5.19 **Response:** AMc explained that the Environment Agency undertook its consultation after the detailed assessment phase, allowing the public to give views on its proposed decision. MF added that the GDA comments process for any reactor design is open throughout the GDA process from step 2 onwards.
- 5.20 **Question/comment:** PD requested an update on his ongoing request for a change in process which removed the requirement for an individual to submit personal details to the requesting party.
- 5.21 **Response:** AMc confirmed that both regulators were considering an alternative solution, potentially allowing individuals the opportunity to submit comments to the regulators directly.
- 5.22 MF asked the group divide into two smaller break-out groups to consider ‘What more/different would you like to see from ONR?’

6 FEEDBACK SESSION AND PLENARY DISCUSSION

- 6.1 Attendees divided into two groups and to agree three things that they would like to see from ONR.

6.2 Group 1:

- 1) ONR to take a more influential/proactive approach with Government. ONR needed to consider ethical aspects around regulatory implications and inter-generational / security issues.
- 2) ONR to commission a review of radiation risk models and implications of alternative models.
- 3) ONR to have a more joined-up approach to Small Modular Reactors and – early thinking around sites and security.

6.3 Group 2:

- 1) ONR to demonstrate publicly how it was considering long-term issues.
- 2) ONR to embed nuclear ethics into regulatory culture.
- 3) ONR to express how it asserts its independence – feeling this would build trust. Further information in what circumstances ONR would say ‘no’

6.4 Group 2 also raised an additional point around there being ‘actions and follow up’ rather than simply reassuring.

6.5 ONR agreed to consider these suggestions as some of the work may be around how it communicates its work and influence.

6.6 All agreed that the working group should refine asks to inform progress against the feedback.

ACTION 3 – Working group to refine asks to inform progress against the feedback.

ACTION 4 – ONR to reflect NGO feedback in proposals to Executive Management Team (EMT) for future engagement with NGOs and feedback by next meeting (SH).

6.7 RB made a specific request for ONR to commission a review of different radiation risk models and implications of alternative models.

ACTION 5 – Low level radiation campaign to make a written proposal to ONR to commission a review of different radiation risk models and implications of alternative models, explaining perceived current safety risk (RB).

7 REVIEW OF MEETING

7.1 AK thanked everyone for their time and contributions during the meeting, expressing gratitude for the level of constructive challenge.

7.2 Despite some administrative niggles, all agreed that it had been a useful and constructive meeting. While it was recognised that much of the NGO frustration related to government policy rather regulation, ONR was interested in doing more to promote transparency than required in its regulatory vices. As an example, ONR

intended to discuss with the NFLA, its reflections on site stakeholder group best practice.

- 7.3 Looking ahead, the forward plan suggested a capacity issue. 14 sub-topics have already been shortlisted, with an additional six items suggested today (also SSG effectiveness, MDEP progress). At a rate of two substantive items per meeting, and two meetings per year, it could take several years to address all issues.
- 7.4 AK suggested that it could be helpful to plan three or four meetings in advance, to consider one longer meeting a year (with an overnight allowance to support an early start), and/or to use webinars for some topics so that information could be shared without travel being incurred. It was agreed that the working group would consider this.

ACTION 6 – Working group to consider proposals for different opportunities to make progress in addressing the priority interest topics and discuss with working group.

- 7.5 DL thanked ONR for taking the time to engage with NGOs and thanked the CNI for his open engagement during his time with ONR.
- 7.6 DL asked ONR if there would be any consideration of paying NGOs for their attendance and expertise. AK advised that in line with all other engagement channels, ONR was content to pay for travel and subsistence but not an attendance allowance.
- 7.7 NGOs requested that further meetings are arranged in advance and in consultation with BEIS and the Nuclear Decommissioning Authority to avoid multiple meetings in a short period.

ACTION 7 – ONR to confirm date of next two meetings by November (SH).