

**Preliminary Outline of the SD:SPUR Information Paper on
the UK Regulatory Framework for the Management of
Decommissioning Wastes**

VERSION CONTROL

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1 KEY FEATURES OF THE REGULATORY FRAMEWORK

1.1 Types of Site, Facility and Wastes Included

The paper will cover:

- nuclear-licensed sites, non-licensed nuclear sites (ie MoD operated nuclear sites), nuclear-powered submarines
- other sites and facilities where radioactive wastes may arise during decommissioning (non-nuclear defence sites, on-shore gas and oil terminals, off-shore oil and gas facilities, factories, laboratories, hospitals)
- solid low level radioactive wastes
- solid non-radioactive wastes.

1.2 Summaries of Regulatory Regimes

Tables showing for England, Scotland, Wales and Northern Ireland:

- current regulatory regimes for decommissioning, by type of site
- current regulatory regimes for waste management, by type of waste and site
- key features of the regulatory regimes
- principal regulators for each type of site and waste
- list of relevant legislation
- list of acronyms (see Table 1 below for partial list).

2 DEFINITIONS

2.1 Decommissioning

- definition of decommissioning for nuclear sites
- definitions of corresponding terms for other sites and facilities.

2.2 Categories of Solid Radioactive Waste¹

- LLW and its sub-categories (excluded from RSA93, exempt under RSA93, VLLW, other)
- 'clean' (not radioactive for any regulatory purpose)
- ILW and HLW (for completeness).

¹ Definitions will be consistent with government policy, regulatory guidance and nuclear industry clearance and exemption code of practice.

2.3 Categories of Non-Radioactive Waste

- 'waste' (cf resource or recovered product)
- controlled waste
- inert waste
- non-hazardous waste and its sub-categories
- hazardous waste and its sub-categories.

3 DECOMMISSIONING OF NUCLEAR-LICENSED SITES

3.1 Government Policy

- DTI 2004 policy statement
- Energy Act 2004 and the role of the NDA.

3.2 Nuclear Safety

- NIA65 and HSE role
- HSE guidance on decommissioning, including new SAPs, delicensing policy.

3.3 Environmental Protection

- EIADR, other EIAs, SEA
- Environment Agency role and new REPs.

4 DECOMMISSIONING OF OTHER SITES

- MoD operated nuclear sites (similar to nuclear-licensed sites but MoD set policy and regulate with HSE and EA/SEPA advice).
- Off-shore oil and gas facilities (government policy, regulatory involvement in its implementation)
- Other sites (government and regulatory guidance on demolition and redevelopment).

5 MANAGEMENT OF RADIOACTIVE WASTES

5.1 Government Policy

- LLW policy (when new one is available)
- ILW and HLW (when government response to CoRWM recommendations issued).

5.2 Radioactive Substances Act and Exemption Orders

- RSA93 and role of environment agencies
- content of relevant Exemption Orders
- Environment Agency guidance on LLW management, including REPs and RASAG (will cover IWS, BPEO, BPM).

5.3 Safety of Radioactive Waste Management Operations

- HSE role and guidance for radioactive waste management on nuclear-licensed sites (including new SAPs, delicensing and management of waste exempt under RSA93)
- HSE role on other sites (IRRs).

5.4 Transport of Radioactive Wastes

- transport regulations and RMTD (DfT) role.

6 MANAGEMENT OF NON-RADIOACTIVE WASTES

6.1 Government Policy

- waste strategies in England, Scotland, Wales and Northern Ireland (latest available)

6.2 Waste Legislation and Licensing

- duty of care (EPA90, regulations, Defra guidance)
- waste management licensing (EPA90, regulations, exemptions and their time limits, Defra guidance)
- inert wastes (use for landscaping and in-filling of voids)
- hazardous wastes (regulations, Defra guidance).

6.3 Regulators' Roles and Guidance

- environment agencies
- local authorities
- HSE
- DfT.

6.4 Interfaces with Radioactive Waste Regimes

- wastes that are radioactive and chemically hazardous
- excluded and exempt radioactive wastes (non-hazardous).

7 RE-USE OF ASSETS ON NUCLEAR SITES

- sites that will continue to be licensed
- sites to be delicensed.

8 POSSIBLE FUTURE DEVELOPMENTS

- review and revision of Exemption Orders (and Schedule 1 of RSA93)
- replacement of Cm 2919
- further reviews of waste strategies (non-radioactive wastes)
- regulations on site waste management plans.

9 REFERENCES

APPENDIX – DIFFERENCES IN SCOTLAND, WALES AND NORTHERN IRELAND

A1 – Scotland

A2 – Wales

A3 – Northern Ireland

Table 1 Key to Acronyms

<i>Acronym</i>	<i>Meaning</i>
BPEO	best practicable environmental option
BPM	best practicable means
C&EWG	Clearance and Exemption Working Group
CIRIA	Construction Industry Research and Information Organisation
CoP	code of practice
DE	Defence Estates
Defra	Department for Environment, Food and Rural Affairs

<i>Acronym</i>	<i>Meaning</i>
DfT	Department for Transport
DTI	Department of Trade and Industry
EA	Environment Agency
EIA	environmental impact assessment
EIADR	Nuclear Reactors (Environmental Impact Assessments for Decommissioning) Regulations
EPA90	Environmental Protection Act 1990
HLW	high level (radioactive) waste
HSE	Health and Safety Executive
ICE	Institution of Civil Engineers
ILW	intermediate level (radioactive) waste
IRRs	ionising Radiations Regulations
IWS	integrated waste strategy
LA	local authority
LLW	low level (radioactive) waste
MoD	Ministry of Defence
NDA	Nuclear Decommissioning Authority
NIA65	Nuclear Installations Act 1965
RASAG	Radioactive Substances Act guidance
REPs	radioactive substances regulation environmental principles
RMTD	Radioactive Materials Transport Division (of DfT)
RSA93	Radioactive Substances Act 1993
SAPs	safety assessment principles (for nuclear facilities)
SEA	strategic environmental assessment
SEPA	Scottish Environment Protection Agency
SWMP	site waste management plan
VLLW	very low level (radioactive) waste
WRAP	Waste and Resources Action Programme