

Publication of guidance documents

“Near-surface Disposal Facilities on Land for Solid Radioactive Wastes: Guidance on Requirements for Authorisation”

“Geological Disposal Facilities on Land for Solid Radioactive Wastes: Guidance on Requirements for Authorisation”

Questions and answers

What is the purpose of the guidance?

The guidance sets out the principles and requirements we would expect a developer or operator of a radioactive waste disposal facility to meet, to ensure protection of people and the environment now and in the future. The environment agencies will refer to this guidance when we decide whether to grant authorisations for disposal.

Who has produced the guidance?

The near-surface guidance document has been produced jointly between the Environment Agency in England and Wales, the Scottish Environment Protection Agency (SEPA) and the Northern Ireland Environment Agency. The geological disposal guidance has been produced jointly by the Environment Agency and Northern Ireland Environment Agency. SEPA is not joint sponsor of the geological disposal document because the Scottish Government has decided on a policy of near-site, near-surface storage rather than geological disposal for higher-activity wastes. The environment agencies had support from specialist contractors in preparing the two documents.

Why publish it now?

In 1997, the environment agencies jointly published guidance on regulating the disposal of low- and intermediate-level radioactive waste to specialised facilities on land. We decided to update this guidance for a number of reasons. Firstly, because of developments in UK policy and revised international advice and recommendations. Secondly, specific guidance for near-surface facilities was required. Thirdly, the Nuclear Decommissioning Authority's (NDA's) decommissioning programme will create large amounts of radioactive waste that will need to be disposed of in near-surface facilities. Lastly, Government's *Managing Radioactive Waste Safely* programme is now underway to develop a geological disposal facility for higher-activity wastes.

What do you hope to achieve with this guidance?

We want to provide a clear understanding of the principles and requirements that a developer or operator of a radioactive waste disposal facility needs to satisfy before we can grant an authorisation for radioactive waste disposal. We have set high environmental standards in the guidance to ensure protection of people and the environment, now and in the future. Properly-managed disposal of radioactive waste is consistent with our aim of *creating a better place* – to provide a better quality of life for people and an enhanced environment for wildlife.

Who will use these documents, and how will they use them?

The documents are written for developers of new radioactive waste disposal facilities and operators of existing facilities such as the Low-Level Waste Repository near Drigg in Cumbria. The documents will inform a developer's or operator's approach to investigating and

characterising a potential site, and also the design and construction of a facility at the site. A developer or operator of a radioactive waste disposal facility will need to take account of the principles and requirements set out in the guidance.

The UK Government has given the task of developing a geological disposal facility to the NDA. NDA contractors may also be developers of near-surface facilities. Other companies, not necessarily within the nuclear industry, might also consider developing near-surface facilities for certain types of low-level wastes.

How have you engaged with stakeholders during the development of the guidance?

During late 2006 we held workshops with a range of stakeholders and consulted on the specifications for the two documents. The views given at the workshops helped guide the structure and content of the guidance documents. During 2007 we wrote the draft guidance in detail, and held further workshops with stakeholders on our developing proposals. Reports of the workshops are available from us on request.

We sought a broad range of views by inviting representatives from central and local government, non-government organisations and industry. Finally, we held a three-month public consultation on our draft guidance in summer 2008. Feedback from all these interactions has proved invaluable in helping us to improve our guidance.

How many responses did you get to your public consultation and how have you used the comments made to you?

There were 44 responses. We have taken account of all the points raised and made changes to the documents in response to a number of the comments received. We are preparing consultation reports, for publication by the end of March 2009, showing how consultees' responses are reflected in the final guidance.

Why do you need two versions of the guidance?

When we asked stakeholders about the specification for the revised guidance, they expressed a wish for separate versions of the guidance covering near-surface disposal facilities and geological disposal. Separate versions of the guidance allow us to provide more specific guidance where necessary, for example, on assessment criteria for near-surface facilities and on the regulatory process for geological disposal facilities.

Do you apply different environmental standards in the two versions of the guidance?

The standards we apply are the same in both versions of the guidance. We have included more specific assessment criteria for near-surface facilities. There is a wide range of low-level wastes that require disposal. We recognise that our near-surface guidance must be applied in a way that is proportionate to the hazard posed by a specific waste, to achieve the same environmental standards.

Have you chosen sufficiently high environmental standards to protect people and the environment in the future?

Yes. The environmental standards in our guidance take account of international and national advice on standards for the long-term protection of people and the environment. Our environmental standards are also consistent with those adopted in other countries with radioactive waste disposal programmes. We have set high standards for a developer or operator to meet, to ensure the environmental safety of radioactive waste disposal both during operation of a facility and in the long term after its closure.

How different are these documents from the previous guidance? What changes have you made?

We have updated the environmental standards, principles and requirements set out in the previous guidance. This reflects developments nationally and internationally and gives a clearer view of our expectations. We have also provided more information on what we expect in an environmental safety case, and have set out the procedure we would want a developer

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to follow so we can provide early advice and regulatory views. In the revised guidance we recognise the important role of dialogue with interested parties, including local communities and the wider public. We provide more specific technical guidance, for example on human intrusion. We have discussed the policy and regulatory framework and described the process for authorisation of radioactive waste disposal. We have used plain English wherever possible, to make the guidance more accessible to non-technical readers.

How often will you revise these documents, and how will you take account of national/international developments?

We expect these revised guidance documents to have a lifetime of about 10 years – the same as the previous documents. We may also provide supplementary guidance from time to time. When reviewing them in future, we will consider whether there are sufficient grounds for revising them to take account of national and international developments.

For the current guidance we have considered not only policy and legislation in the UK, but also a range of publications from the UN International Atomic Energy Agency, the Nuclear Energy Agency of the Organisation for Economic Cooperation and Development (OECD), and the International Commission on Radiological Protection. We have also considered European directives such as the Basic Safety Standards Directive and international treaties such as The Convention for the Protection of the Marine Environment of the North-East Atlantic (OSPAR) and the Joint Convention on the Safety of Spent Fuel Management and on the Safety of Radioactive Waste Management.

Why is HPA publishing separate advice?

The Health Protection Agency (HPA) has produced revised advice on the radiological protection objectives for solid radioactive waste disposal. HPA is not a regulator but it has a statutory function to provide radiological protection advice in the UK. We regulate disposals of radioactive waste and our guidance informs developers and operators about what we expect in an environmental safety case for radioactive waste disposal facilities. Where our guidance relates to the radiological protection of humans, our approach is informed by HPA's advice. We explain the relationship between our regulatory guidance and HPA's advice in annexes to our guidance.

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