

## **THIRTY NINTH MEETING OF THE SCOTTISH NON-NUCLEAR INDUSTRIES LIAISON GROUP (SNNILG) – MINUTES**

**Date:** Wednesday 15th March 2023

**Time:** 10am – 12pm

**Location:** Videoconference

**Attendees:** SEPA – chair & secretariate, Scottish Schools Education Research Centre (SSERC), Environment Agency (EA), Office for Nuclear Regulation ONR Safeguards, Offshore Energies UK (OEUK), Institute of Physics and Engineering in Medicine (IPEM), National Health Service GGC (NHS GGC), ONR Transport, Ministry of Defence (MOD), Association of University Radiation Protection Officers (AURPO), Northern Ireland Environment Agency (NIEA), Health and Safety Executive (HSE), Scottish Government (SG), Society of Radiological Protection (SRP), Scottish Radiation Protection Advisers (SRPA)

**Apologies:** NHS Tayside, UK Health Security Agency (UKHSA)

### **1. Welcome, introduction and apologies**

As noted above

### **2. Actions arising**

Action: SEPA to update the Terms of reference and circulate to the group. CLOSED agenda item 6.

Action: SEPA to update at next meeting the plans for replacement of Compliance Assessment Scheme (CAS). CLOSED SEPA has yet to develop a full CAS scheme, however we continue to record and report the number of inspections and compliant sites.

Action: SEPA to organise a discussion between SEPA, EA and Offshore Energies. CLOSED meeting was held January 2023.

**New action: SEPA to arrange a demonstration to SNNILG of their Dose Assessment Tool.**

**New action: SEPA to look into whether the SPRI data returns can be used as the EASR data returns.**

**New Action: SEPA to invite CTSA to give an update at the next SNNILG meeting in September.**

**New Action: SEPA to provide an Operation Fieldfare update to SNNILG**

### **3. SEPA update**

#### **Operations**

SEPA's interpretation of our remit in the offshore area are set out in our Regulatory position statement on the scope of SEPA's regulation of radioactive substances in the offshore area, which was published in December 2020 and is available on our website. One of the clarifications made in the statement is in relation to platforms that are beyond 500 metres of the main authorised place. In some of the current permits such platforms maybe listed or alluded to via the term "wells and tie-backs". These

platforms now require their own permit. This will not be provided by the current offshore transition exercise. Therefore, you must apply for appropriate registration or permit as soon as possible and **no later than 1 October 2023** and pay the relevant application fee. If you fail to do so by this date, SEPA will consider taking appropriate enforcement action, including the imposition of a new authorisation and a surcharge 25% higher than the application fee. Should you have any queries, please contact [radioactivesubstance@sepa.org.uk](mailto:radioactivesubstance@sepa.org.uk).

The transition of the offshore deemed permits to EASR style is progressing well. Since the last meeting we have been out to operator consultation, and we are working through all the comments received. The process has been challenging, it has highlighted issues to be resolved and we have required legal input on several occasions. It has been a lengthy process but we are committed to ensuring consistency and will only issue the new certificates once we are confident we have met this goal. Our intention is to issue the new permits at the same time.

We are making amendments to our application forms and supporting guidance documents. These changes are primarily concerned with offshore applications, for example details of vessels and the requirements for a dose assessment. The changes should be uploaded to our website in the coming weeks.

Annual data returns for onshore and offshore authorisations were due at the end of February. For onshore sites just over half were received by the Feb 28<sup>th</sup> deadline. A reminder was issued on 7<sup>th</sup> March and that has generated a good response. For offshore, the majority of returns were made by the deadline and only a couple of operators required to be sent reminders and these have now been submitted.

The HASS guidance has been updated to change the address where HASS forms should be sent from our Aberdeen Office to now be sent to out Angus Smith Building.

We have been working more closely with our partners in the CTSA and have restarted our meetings between CTSA officers and SEPA site inspectors.

## Science

**SEPA Dose Assessment Tool:** [Environmental monitoring and assessment | Scottish Environment Protection Agency \(SEPA\)](#)

The radiological dose assessment tool details an assessment methodology which may be used by SEPA to assess the impact of single or multiple releases to a single sewage treatment works. It may also be used to estimate doses from different departments as part of a single site dose assessment.

This tool is provided openly for use by the non-nuclear user community to provide a common assessment framework to assist with the dose assessment requirements of application. Whilst it is provided freely, there are a series of conditions on its use and an exclusion of liability. Dose assessments are relatively basic, with no options on consumption and occupancy rates. This is deliberate to ensure that assessments are suitably cautious and provide enough protection of the public that a basic tool can be offered for open use. Should any assessment be modified, then SEPA cannot support the results that are generated as the underlying code may have been modified. A user guide is also provided on the same webpage to enable users to follow a simple assessment.

At the current time, the tool is being updated to add more treatment works and more nuclides. Should any SNNILG members have any requests, be it new nuclides or new treatment works, please contact through the Secretariat.

*SNNILG would like a demonstration of the tool from SEPA.*

**New action: SEPA to arrange a demonstration to SNNILG of their Dose Assessment Tool.**

## **Policy**

SEPA's consultation on our implementation of The Environmental Authorisations (Scotland) Regulations for radioactive substances activities closes on 22nd March. If you have not already responded, we would urge you to do so.

[Consultation on the implementation of the Environmental Authorisations \(Scotland\) Regulations 2018 for radioactive substances activities - Scottish Environment Protection Agency - Citizen Space \(sepa.org.uk\)](https://sepa.org.uk/consultation-on-the-implementation-of-the-environmental-authorisations-scotland-regulations-2018-for-radioactive-substances-activities-scottish-environment-protection-agency-citizen-space)

UK Government and the devolved administrations are consulting on their Draft UK policy framework for managing radioactive substances and nuclear decommissioning. The consultation is in two parts. Part I is seeking views on the policies being proposed to change. Part II provides a draft of the proposed UK-wide policy framework as it would appear if the policy changes proposed in Part I were implemented. The consultation closes on 24th May. Areas of interest to SNNILG include chapters on managing radioactive sources, managing liquid and gaseous discharges, managing solid radioactive waste from nuclear and non-nuclear sectors and import & export of radioactive substances.

[Managing radioactive substances and nuclear decommissioning - GOV.UK \(www.gov.uk\)](https://www.gov.uk/government/consultations/managing-radioactive-substances-and-nuclear-decommissioning)

The UK department of Business Energy and Industrial Strategy (BEIS) has become the Department for Energy Security and Net Zero (DESNZ).

## **Staff Changes**

Angela Wright in the Policy and Guidance Team has left SEPA after 20 years of service. We thank Angela for her contributions to SNNILG over the many years and wish her well for the future.

Rebecca Butler in the Operations Team has also left SEPA.

We are currently going through a recruitment process to backfill these roles. Any enquiries can be directed to [rsenquiries@sepa.org.uk](mailto:rsenquiries@sepa.org.uk)

## **4. Scottish Government update**

Four Nations Policy Consultation on UK Radioactive Substances and Nuclear Decommissioning Policy Framework

Scottish Government is part of the Four Nations Policy work to develop the UK Radioactive Substances and Nuclear Decommissioning Policy Framework. This framework update clarifies and consolidates a number of policies into a single UK-wide policy framework, whilst respecting the different policy positions that exist across the separate administrations, particularly for radioactive waste management. For Scotland, the work is a refresh of the policy and strategy that's in place but

England has a lot more work to do, bringing their policies more in line with Scotland's. This update is long overdue as Command paper 2919 was created in 1995.

The consultation is now open to written responses until 24 May. We would be grateful for views from the non-nuclear industry.

#### New First Minister

Once we have a new First Minister in place, there may be a cabinet reshuffle and our current Minister, Ms McAllan, may be moved to another area. We will keep the group updated on any developments. But for the moment, everything is business as usual.

## **5. Updates from Regulators**

### **HSE update**

HSE Staffing – Claire Hooker has left HSE. Stephanie Slater has joined HSE radiation team. Will likely run further recruitment campaign for a new radiation Specialist Inspector.

Inspection work - Coming towards end of current work year. Radiation specialists will have done approx. 100 inspections from new consents, industrial radiography, NHS Trusts, university lasers. Will run RPA workshop event(s) in June to give feedback on inspection findings and will feedback to specific sectors through SRP and IPEM committees and at conferences etc. IRRIs: school inspections coming to an end and were found to have a reasonably poor level of IRR17 compliance. Will feedback to education sectors and professional bodies.

RPA feedback workshop(s) – this will be in person in HSE HQ in Bootle in June 23. Communication on this event will come out through HSE radiation e-bulletin. Can sign up to it by doing an internet search for HSE email eBulletins and select radiation.

Investigation work – a number of investigations progressing to prosecution stage at the moment so I will update on these as they complete. Where a prosecution takes place HSE will issue a press release then the radiation team will be able to discuss it at meetings and events to cover lessons learned and sector expectations. Upcoming prosecutions involve industrial radiography, instrument testing and radon.

Next work year – radiation specialists will continue with new consent inspections up to end September 23. New authorisation system will start 1 October 23. New consents will follow the new process. Consent backlog will be invited to adopt the new system to submit a safety assessment. Will also continue to inspect a sample of high-power laser work across education and industry sectors. IRRIs will be inspecting the use of radioactive materials in industrial gauging.

Guidance being produced for new consent authorisation system and its likely workshops and meetings will be held. SRP ran a workshop in Birmingham last month and 180 delegates attended – HSE and ONR made presentations.

*SSERC - complimented the HSE inspector working with schools.*

*AURPO – queried the progress of the new consent templates being available on the SRP website. HSE will progress.*

*IPEM – queried the timescales involved with being invited to re-apply for new consent and re-applying. HSE expect approximately 3 months however timescales can be agreed on case by case basis.*

## **ONR Transport Update**

ONR have undertaken a number of transport compliance inspection this past year, recent enforcement action undertaken are the following:

Improvement notice was issued due to the dutyholder not having a suitable and sufficient transport Radiation Risk Assessments for all of its transport activities.

Prohibition notice was issued due to the dutyholder having a number of regulatory non-compliances with the Ionising Radiation Regulations 2017, regarding the transport of radioactive dangerous goods.

Currently planning inspections for the next financial year, have sent questionnaires for Q1 inspections.

ONR TCA stakeholder event is planned for end of March 2023.

SRP conference in April 2023 in Aberdeen which ONR TCA will be attending

*OEUK queried whether there is a review of activity limits for A1/A2. ONR responded with the A1/A2 limits are changing some only by a little whilst other by a factor of 10, however the new information has not been published yet, so until this information is available, please use the current A1/A2 values within the 2023 ADR.*

## **ONR – Safeguards Update**

The QNFLO – existing and new

ONR currently have 128 QNFLO of which:

- 122 have submitted their application and annual reports under NSR19 and have been granted Regulation 31 regime.
- 3 are in the process of review (granting date by 30 September 2022)
- 2 are in initial discussions with ONR Safeguards.
- 1 are looking to withdraw from reporting under NSR19 as they will no longer hold qualifying nuclear material.
- 3 of the 122 full report under NSR19.
  - Two operators due to the quantity of qualifying nuclear material e.g. more than an effective kg therefore Safeguards require better regulatory oversight
  - One operator chose to full report for operational reasons.

Listed below are updated links to relevant guidance documents for the QNFLO

- [ONR Nuclear Material Accountancy, Control, and Safeguards Assessment Principles](#) (ONMACS)
- [Nuclear Material Accountancy](#) (onr.org.uk)
- [Notifying and Reporting Incidents and Events to ONR](#)

The QNFLO - links to other ONR purposes

The QNFLO are also involved with or carryout work with other purposes within ONR, which the site lead has oversight of:

- Import and Export licences – CNSS Transport

- Annual Review of Safety, Security and Environmental reviews (AROSSE) – three of the QNFLO participate in the annual reviews which include ONR Safety , ONR Security and other regulators. The above provides additional regulatory intelligence and assists in contacting possible new QNFLO. Three of the QNFLO are also involved in the Withdrawal notifications allowing Safeguarded material to be withdrawn from safeguards reporting and used outside the civil nuclear industry i.e. MOD establishments

#### QNFLO enforcement 2022

Enforcement action took place in 2022 after 42 QNFLO had failed to comply with the requirements of a QNF (those who had not applied for Regulation 31 regime) or QNFLO (granted Regulation 31 regime) under the Nuclear Safeguards (EU Exit) Regulation 2019 (NSR19).

This enforcement action included:

- Advisory letters, which set deadlines for the missing documents below:
- 30 days from receipt of the advisory letter for the PIL and MBR
- Initial Inventory
- Updated BTC
- 60 days from receipt of the advisory letter for their ACP
- Virtual meetings to discuss templates and guidance available
- Extended deadlines if necessary to enable and regain compliance

There has been no requirement for enforcement action to date following this years annual report submission by 15 January 2023. This is most likely due to the outreach and guidance provided prior to and during the reporting period of December 2022 to January 2023. The QNFLO Strategy will focus among other areas, on Enforcement action with non-compliance moving forward and continue to promote continued compliance within the QNFLO community.

#### Regulatory Strategy for QNFLO

QNFLO assessment and inspection will be carried out in a proportionate manner as part of the ONR safeguards regulatory framework.

Assessment:

- Ten QNFLO assessments are scheduled for 2023/2024 and may lead to level 4 meetings/site visit or inspection on a reactive basis by ONR safeguards.
- The assessment will be informed by regulatory intelligence from ONR QNFLO inspections, reporting and intelligence gained from the activities of other ONR purposes (e.g. security and transport).

Inspection:

- Two QNFLO safeguards compliance inspections and one joint inspection with Transport are scheduled for 2023/2024 to sample and inspect the implementation of arrangements for Nuclear Material Accountancy, Control and Safeguards (NMACS) as described within the ACP and includes:
- the Annex I-H (BTC),
- sample of their inventory items
- sample documentation including processes or local rules.

#### Current strategic thinking

The QNFLO Strategy targets the largest QNM inventories in 2022/2023 and 2023/2024 and concentrates on intelligence led reactive inspections or assessments from accounts, INF1s and information from Transport & EA

There are 3 types of QNFLO to be prioritised in this order

- Those with significant quantities on the facilities list - Visit once in 3 years & assess ACP (carried out in 2022/2023\*)
- Those with significant quantities and full reporting - Visit once in 3 years (carried out in 2022/2023\*)
- All others concentrating on those holding HEU, then LEU then DU.- Visit or assess accounts once in 10 years or intelligence led. (2023/2024)

- ONR will focus on operations with the largest amounts of QNF and those where the material is mobile and could easily be diverted.
- ONR will group smaller QNFLOs geographically and undertake inspections on that basis.

*\* Four Safeguards compliance inspections are taking place in 2022/2023, three have been completed and rated green and the last at the end of this month.*

#### The QNFLO ten year strategy

The QNFLO strategy also includes:

- Continued discussions with external regulators EA, SEPA, NRW, and Counter Terrorism & Security Advisor (CTSA ) relating to the QNFLO and investigate the need moving forward to set-up an MOU or amend existing MOU's to incorporate.
- Enforcement action with non-compliance moving forward to ensure the risks and financial implications of missing deadlines are understood.
- Continued outreach and support to enable sustained regulation

## **NIEA Update**

We are coming to the end of our inspection year cycle. This has been the first on-site inspection cycle since Covid pandemic. We are having ongoing issues with disused brachytherapy sources from the Netherlands. Two team members have now left. The joint Draft UK policy framework for managing radioactive substances and nuclear decommissioning is out for consultation as is the HSE REPIR Code of Practice.

*Post meeting note: the Chief Radiochemical Inspector has moved temporarily to another position within NIEA and appointment of a temporary Chief Inspector is expected this month.*

## **EA Update**

IRAT 2 Guidance

- Initial Radiological Assessment Methodology 2
- New underpinning guidance
  - Summary
  - Part 1 – user guide
  - Part 2 – methods and input data
  - [Initial radiological assessment methodology 2](#)
  - [- GOV.UK \(www.gov.uk\)](http://www.gov.uk)

Lu-177 – Fate & Behaviour

- IRAT2 - Lu-177 increased use/elevated doses
- Scoping project
- Fate & Behaviour – Urban Wastewater
- Lu-177 (PSMA)
- 3 Hospitals
- STWs
- Partitioning in freshwater environment
- How much persists
- Literature review
- SEPA, NRW, NIEA engaged

Compliance Inspection Findings

- Radioactive Waste Management
- Incorrect waste disposals
- Record keeping errors

- Root cause
- Human factors dominate
- Response
- Refresher & awareness training
- Prevention – access/lockable bins?
- Review & test contingency arrangements
- EA Inspection theme?

#### RSR Application Handling & Support

- RSR staff at PSC Sheffield retiring
- Duties migrated to TSOs in Area RSR Teams
- Application Queries
- Application admin, receipt and duly made checks
- Card payments and billing queries
- Same service as PSC
- Same e-mail
- New phone number
- Some minor disruption/delays as we train staff

## 6. Terms of Reference

SNNILG agreed to the draft 2023 Terms of Reference which have been updated to incorporate the minute publishing and outdated references to the organisations represented. The updated ToR will be published on our website.

## 7. AOCB

OEUK asked if there are plans for registration/permit fast track options for offshore. SEPA will consider. We suggest responding to the Implementation of EASR consultation with this item.

SNNILG would like an update from the CTSA at the next meeting.

**New Action: SEPA to invite CTSA to give an update at the next SNNILG meeting in September.**

Query on whether the SPRI data return be used as the EASR data return. We believe so assuming all the correct data is reported but will confirm.

**New action: SEPA to look into whether the SPRI data returns can be used as the EASR data returns.**

Discussion took place around operation Fieldfare and disposal capacity concerns. SEPA does not have an update on the program but will find out and report to SNNILG.

**New Action: SEPA to provide an Operation Fieldfare update to SNNILG**

## 8. Date of next meeting

Provisionally Wednesday 13<sup>th</sup> September and face to face / hybrid option will be explored.