

SMALL USERS LIAISON GROUP

NOTES OF THE TWENTY-THIRD MEETING

Held At The Thompson Board Room, Savoy Place, London 9th December 2004

Present

Mr. R Russ (Chairman)	RR	Environment Agency, RSR Policy Manager (International)
Ms. F Shand	FS	DEFRA Radioactive Substances Division
Dr C Englefield	CE	Environment Agency, RSR Non-nuclear Process Manager
Mr. S Page	SP	Environment Agency, North East Region
Mr. R Harrison	RH	AURPO, John Innes Centre, Norwich
Mrs. C Griffiths	CG	SRP; Sheffield Health Authority
Mr. L Evans	LE	Health & Safety Executive
Dr P Marsden	PM	IPEM, UCL Hospitals.
Dr D J Morecombe	DM	PIRSDG; Thames Liaison Group; GlaxoSmithkline
Mrs. L Peake	LP	Environment and Heritage Service (Northern Ireland)
Mr. T J Moseley	TM	AURPO; University of Sheffield
Dr C E McDonnell	CM	National Radiological Protection Board
Mr. A John	AJ	Environment Agency, North East Region
Mr. B Moloney	BM	Safeguard International
Mrs. S Hayward (Secretary)	SH	Environment Agency, Thames Region
Mr. I Garden	IG	Environment Agency, Environment Protection Charges Programme Manager

1 Introductions and apologies for absence

Mr Russ welcomed those present to the twenty-third meeting of the group. Apologies had been received from:

Dr G Davies	BNMS; Hull & East Yorkshire NHS Trust
Mr. C Wilson	DEFRA Radioactive Substances Division
Mr. N Hgham	Health & Safety Executive
Dr M Sobanski	Cardiff University Safety Services
Mr. M Ramsey	SRP, Imperial College, London

2 Minutes of the twenty-second meeting, held on 10th June 2004

PM noted a correction in item 21.7. UCL University should be UCL Hospital.

Action 23.0 RR

DM noted a loose sentence in item 21.2 – delete

Action 23.1 RR

DM queried close of action 21.1. The Testing Instruments EO has been modified to allow exemption for mobile CAMS. Could another modification, to allow manufacturers and suppliers to lend testing instruments to customers for trial periods and exhibit them at trade fairs, be granted?

The group discussed the possibility of adding further changes to the TI EO. FS said that the TI EO was still under internal consultation and that changes requested by the SULG would be considered, however she could not commit DEFRA to accept them.

RR requested CM and any other member to e-mail him any proposed changes ASAP.

Action 23.2 CM/All

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3 Matters arising

The EA sent an Actions Update paper to the members, prior to the meeting, giving the progress on actions from SULG 22. RR explained the aim of this was to speed up this section of the meeting, however any of the sections in the Update could be expanded on if requested.

22.3 Disused Sources

DM asked for a clarification of the surplus source programme.

RR explained that:

- A questionnaire was in development which, when finalised, will go to all registered and authorised users.
- Collection will begin next financial year and will be phased according to sector.
- The Medical and University sectors will be first, followed by Industrial, MOD, Education and Museums.
- It may be 2 years before the later sectors were underway.
- Because of this, RR did not expect large quantities of radium waste until 2 years into the programme. He expected it to go to Windscale, although UKAEA may require changes to their authorisation.

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A discussion followed of what type of radium waste was in storage in hospitals and universities.

BM said that BNFL has changed their criterion for acceptance at the Drigg low level waste repository, BNFL will now accept up to 1MBq of radium (open source waste) averaged over the volume of waste sent. He thought that this change could overcome some of the problems experienced by users at the moment.

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RR requested a list of radium waste sources in the medical, university and industrial sectors. PM offered to use the IPEM e-mail base to obtain the data from the medical sector.

Action 23.3 PM

22.4 Review of Invoicing Procedures

DM questioned the Agency's decision to 'start the clock' once fees were received. Could the Agency accept credit card payments?

TM said It took time to raise cheques and that finance departments often required an invoice first.

IG said that credit cards were not accepted at the moment but BACS transmissions were. EA were considering credit cards payments, but it had to look at the handling costs involved. Applications should be accompanied by a cheque, if possible.

No Action

22.7 Qualified Experts

CG provided an update from Colin Partington, Chair of the SRP Qualifications and Professional Standards Committee. RPA 2000 has now established a Laser Protection Adviser certificate, the framework of which they believe will be a suitable model for a Qualified Expert/RWA Specialist Certificate. They are looking to the EA and SULG to put together a working group to decide the standards. Roll out was expected next year.

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CM commented that this fitted into the EA way of thinking, EA internal discussions are not complete.

CG said RPA 2000 would be seeking volunteer assessors.

Action 23.4 All

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22.8 **Uranium salts**

AJ had a response from EA Process. Users should follow the EO and comply with its conditions. Special Waste Regs do not apply to uranium salts discharged to drain, however a discharge consent will apply and the user must refer to the sewerage undertaker.

Action Complete

22.9 **Increasing activities from suppliers**

DM has asked Amersham to make the availability of smaller pack sizes clearer in their catalogue.

CG gave an example of managing larger pack sizes. Some hospitals, with permission from the Medicines Inspector, are able to split Cr51 radiopharmaceuticals, sterilise them and distribute them to other users. Without this permission, approximately 90% of the ordered material goes to waste.

TM commented that suppliers have rationalised the range of products available because use of radioactive materials has decreased. He felt that larger pack sizes could be shared amongst users to spread the cost.

RR has discussed pack size with NEN who have 250, 500 & 1000uCi quantities available.

RR has discussed pack size flexibility with Amersham. His main difficulty in negotiating for smaller pack sizes is that he can not give Amersham specific examples of the problem faced by users, from the withdrawal of smaller pack sizes. He requested good examples of the problems caused by large pack sizes, in particular for longer lived isotopes (e.g. remnant wastes that can not be decayed within a reasonable period). Please submit via e-mail.

Action 23.5 All

RR asked if the Actions Update paper had been useful.

Members agreed that it had.

Action updates from non-EA members can be sent to RR, who will add them to future Update papers.

Action 23.6 RR

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4 RSR Process Update - HASS Directive

CE gave a presentation on HASS and the impending new regulatory regime for the security of radioactive sources. EA are affording HASS and the security regime top priority, to ensure implementation in good time, expected Jan 2006. The Regulations have not been finalised yet however the following information was available:

- HASS will increase the inspection frequency for qualifying sources.
- Open sources complying with IAEA categories will be included in the security regime.
- In the first two years the EA expects to refine its initial regulatory and administrative provisions. It will have a database to track sources and record financial provision made for end disposal in accordance with guidance issued by Defra.
- Suppliers and manufacturers are likely to have a special permit, either an adaptation of the existing permits under RSA 93 or a new one. The Agency will try to keep the implementation of HASS clear and simple but it will need to add HASS requirements such as the condition for financial provision to existing arrangements where appropriate.

TM remarked that it would be simpler to adapt existing certificates by highlighting HASS sources from other sealed sources.

PM sought clarification on how the Self-advise and Support initiative would interact with HASS regarding inspection frequency. CE replied that HASS would take priority over Self-Support.

RASAG (Radioactive Substances Act Guidance) replaces the Non-nuclear Handbook (NNHB).

CE thanked SP for his hard work on this project.

SP has updated and reformatted 2 chapters of the NNHB; Generic Issues (including the new BPM paper), and Guidance for Authorisations. They are available on the Agency's web site. Matters of legal privilege and National Security have been removed from RASAG. The other 2 chapters, Registration Guidance and Exemption Orders were expected in the next 6 months, following legal approval.

Use the following steps to navigate from the home page:

- Home Page
- >Business and Industry
- >Business Sectors
- >Nuclear and Other Radioactive Substances
- >Regulations/Licences/Guidance
- >Radioactive Substances Act Guidance
- >Chapter 4 (icon on the left hand side)

The link below leads to the new BPM paper.

http://www.environment-agency.gov.uk/commondata/acrobat/rasag_4_generic_920000.pdf

This web-page will have a dedicated e-mail address for feedback on the usability and quality of the information provided. All comments will be considered as part of Agency's continuous improvement programme but the Agency can not answer individual e-mails.

6 Consultation on RSA 93 Charges

IG gave a presentation on the EA charging scheme and the current consultation. An electronic copy of his presentation will be sent out with these minutes.

Action 23.7 SH

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IG was asked to explain the difference between 4C and 4H tariffs.

His explanation is summarised as follows.

- The expected implementation date for HASS (Jan 2006) is part way through the financial year 2005-6.
- If a premises registered under a 4C tariff changes to a HASS registration in February 2006, subsistence will be charged pro-rata for each tariff type.
- In this example the user will pay 10 months on the 4C tariff and 2 months on the 4H tariff. In reality the user pays the difference between 4C and 4H which is 96p a day for the last 2 months.

TM reported a fault with the consultations weblink on the EA website.

RR said that the question of whether large tritium sources, such as GTLD Exit signs, should be included under HASS had been raised with Defra by MoD and others.

- 5 The EA Policy Update paper had been sent to the members prior to the meeting. RR asked for comments

OSPAR

PM questioned why Tc99 was in the medical sector grouping as it would only produce kBq quantities. Would the medical sector have to report Tc99 as well as Tc99m?

RR replied that the EA would convert Tc99m to Tc99 from Pollution Inventory data.

PM added that short-lived isotopes may not reach the estuary and asked if this factor was considered in the data sent to the EC.

RR responded that he believed that the EA contractor, NNC, had considered this issue. The OSPAR RSC had finalised the I131 and Tc99 reporting group for the medical sector but, if levels were very low, RSC may not request them in future. The University grouping was not finalised, although 6 radionuclides were proposed in the current OSPAR paper.

Surplus Source Disposal Programme (SSDP) CM asked if the EA would see all the information submitted on the questionnaire.

TM asked if users were committing themselves to disposing of the sources listed in the questionnaire.

RR said the EA would see all the information but does not expect to use it as a tool for future enforcement action.

CM asked to see a draft of the questionnaire and was concerned that late submissions will 'miss the boat'. He added that the SSDP may turn into a competition for funds. He expected his customers to ask his advice on how best to phrase their responses to secure an allocation. He would therefore like to see the questionnaire in advance of the mailing.

RR confirmed the draft questionnaire was at the approval stage and that he had hoped to show the group a copy at the meeting. He would forward the group the questionnaire electronically once he had it. Late returns ie. after 31 March 2005 may not qualify for subsidy.

Action 23.8 RR complete

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BR explained that the SSDP would be carried out in phases, according to sector. The first phase will include the medical and university sectors, followed by industry, the MOD and the rest of education and museums. He expected the last 2 sectors to start in a year or two, these later stages are expected to produce most of the radium waste collected.

There was £9 million allocated to the SSDP, which was based on the funds allocated in Scotland, but scaled up according to our population size and industrial capacity.

CM asked if the questionnaire included space for DU e.g. containers used for large sources.

BM thought there was a text box for this. The group discussed how the questionnaire would be distributed. BM said that it was mainly a postal distribution but there would be an option to do it electronically.

RR gave CM the e-mail address for Philip Burns for direct communication regarding the content of the questionnaire.

BR to check the questionnaire for a DU section and approach Philip Burns to include SULG feedback on the draft questionnaire. [post-meeting note – the questionnaire does include a DU text box]

Action 23.9 RR complete

7 Terms of Reference

RR explained that he added this item to the agenda because the ToRs were rather old and needing updating. He asked for any proposals or suggestions for change to the way SULG operates.

PM suggested:

- Terms of reference should state to whom SULG reports to in the Agency management framework.
- A members' list to show the organisations represented.
- State lines of communication between the members and the organisations they represent.

The group discussed the way information flowed. It is the responsibility of the members to collect views/issues from the organisations they represent and communicate back to them.

SH said that a regular schedule of pre-meeting milestones would assist members in collecting views from their organisations. The Draft agenda will be sent out 14 days before the final agenda. Members will have 10 days to submit papers and items for the agenda from issue of the draft.

RR informed the group that EA RSR Policy and Process resources dedicated to the non-nuclear sector are quite limited and amounts to less than 4 Full Time Members of Staff. This requires that the Agency is realistic in accepting actions at SULG.

AJ asked how new members were appointed as he had been approached by a consultant acting on behalf of secondary schools and CLEAPS.

Members felt that if CLEAPS wanted representation, they should approach the Chair. CLEAPS should make a case for representation and appoint a nominee. This would also be the way other organisations would gain membership.

CG suggested he could be a temporary member whilst schools were involved in the source amnesty.

RR to contact CLEAPS and ask if they want to be represented on SULG.

Action 23.10 RR

TM to check if the consultant is a member of AURPO.

Action 23.11 TM

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Terms of Reference to be modified and re-circulated

Action 23.12 BR/SH

8 Landfill Directive and VLLW

Under the Landfill Directive less waste will go to normal landfill because of the end of co-disposal and because the Directive promotes recycling and reuse. Landfill should only be used if the waste cannot go to any other route.

RH explained that after an annual review, their company Environment Management Team asked what would happen to VLLW as more inactive waste is being sent for incineration and recovery. He subsequently contacted the EA for a view.

RR explained that this issue is addressed in a SNIFFER project on VLLW, the project will review the impacts of VLLW sent to landfill. John Titley is leading for the EA on this project. The last review was performed by NRPB in 1995. The project scope also includes waste segregation. The radiological hazard assessment will compare dose to a 20uSv criterion.

CM commented that the project should also look at the fate of ash from incinerators. Scrubber residue (lime) and fly ash, consigned as VLLW, will be defined as hazardous waste and go to a limited number of hazardous waste landfills around the country. This will increase transportation impacts and costs. Bottom ash VLLW would be consigned to normal landfill.

CG was concerned that lime/fly ash VLLW may be turned away from hazardous waste landfills because of the radioactive content.

RR asked members to feedback their concerns to John Titley directly.

Action 23.13 All

RR asked CM to inform John Titley about his concerns regarding incinerator ash.

Action 23.14 CM

CG raised a question regarding NORM waste from China/Clay extraction. If analysis showed the waste as stabilised, could it be consigned to landfill under the Phosphatic and Rare Earths EO instead of going to Drigg?

RR and CE explained that the onus was on the operator to determine whether their waste qualified for exemption and to demonstrate compliance.

Possible complications with the Contaminated Land Regs were discussed.

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9 Members Feedback on Hierarchy of Guidance Paper

CE asked for feedback on the Hierarchy of Guidance paper circulated to members.

TM asked what the mechanism was for guidance written by users?

PM asked if the EA would turn away guidance made by users?

CE answered that user groups will have support from Process where possible, i.e. Process (or Process nominees) will input to such groups in order to provide regulatory advice. CE will nominate a representative, EA will not turn away user guidance unless resources are restricted. Resources will limit the guidance produced by the Agency, however, it had to provide support and guidance for category 1 and 2 issues.

CE asked for suggestions for a diagram to illustrate the principle of the paper, to show how the hierarchy should work.

It was suggested that the lung ventilation issue might be a suitable example or the Medical and Dental Guidance Notes could also be cited as examples.

There followed a discussion of category 4 guidance. The production of sector specific guidance should be lead by the sector. If it can be applied to other sectors it will change to category 2. EA Policy and Process will not give site/sector specific guidance. The EA site inspector will still give information and guidance to the operator as part of routine liaison.

The group discussed the dissemination of good practice via RPA meetings and by inspectors. The role of Agency's RSR Process Group to provide national consistency was emphasised.

10 Radiological Hazard Assessment

PM raised concern over the requirements the EA sought from users when assessing BPM statements and radiological impact. Some members of IPEM had been asked to sample specific species of fish. It was felt this was beyond the resources of operators. Was this a trend in the EA?

SH explained that there were a few very specific instances when fish/water sampling is appropriate. If the EA identifies consumption routes to man, verified by abstraction consents and fishing consents, it will pay particular attention to them. The EA has access to information on how particular water bodies are used from its licence databases and from field officers, who regularly visit the area. The EA also uses its contacts in the water companies and the FSA to provide site-specific information. If the assessment model shows medium-high doses the EA will seek to refine the dose assessment with sampling. This is more likely to happen when high, monthly limits are applied for, for discharges to low flow water bodies. e.g. cancer therapy hospitals discharging to effluent carriers via sewer.

RR explained this was in line with EA internal guidance on radiological hazard assessment.

CE added that operators were within their rights to challenge the EA, using the guidance on BPM, if they felt that they were being asked to commit resources disproportionate to radiological impact.

CM was concerned that operator staff may be involved with fish capture.

SH explained that the operator would need to use an EA licensed contractor to do the capture and that an EA fisheries team had been used in SE Thames for this purpose this year. She added that it may be possible to get FSA funding for the analysis of fish samples, although the FSA budget was restricted.

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11 RSR Website

EA has received feedback from members on the difficulty they experience in navigating the web site to get to non-nuclear matters. Users will still have to access non-nuclear information via Business and Industry. After that it is hoped there will be nuclear and non-nuclear home pages with interlinks between them. The structure and content of these pages is under review. Large documents such as the annual RIFE reports may be listed on a facility known as an E-catalogue, links will be provided if this approach is adopted.

12 AOB

Implanted sources

RR identified an issue in relation to an implanted source in the event of patient death. CG identified she had also been contacted over this issue by a lawyer who had reported a problem at the Leicester Royal Infirmary in removing a source implanted from a deceased patient. The source needed removal before the body could be passed to the undertaker. The lawyer had indicated that the relatives would not consent to its removal. It transpired this was not an incident but a theoretical question passed to her and the EA. The proposed solution was to ask patients to sign a removal consent form before the implant is made.

Thames Liaison Group

Don Morecombe was announced as the representative to SULG.

Foundation Hospitals

Hospitals changing their name on their certificates, as a result of foundation status, will not be charged. The Agency has decided to treat the variation as minor under its charging scheme. If there are other changes to the certificate, e.g. increases in limits, these will be subject to the normal charging criteria.

Organisation of SULG 23

BR explained why the agenda had been constructed by offering 2 slots to non-EA members. It was a way of speeding up the day and was not intended as a means to limit the input of represented organisations.

There may in future be a SULG page in the non-nuclear web site.

CG commented that the Actions Update paper was useful.

PM suggested that some issues could be dealt with/progressed outside the meeting. The outcome(s) could be reported at the next meeting. It may be appropriate to reflect such inter-sessional work in the ToRs.

CoWRM Representative

RR asked for volunteers to represent SULG at CoWRM. The group wanted to know if he/she would be representing small users or SULG?

RR explained that the request had come to him from CoRWM and had been for a representative from SULG. He had interpreted this as best dealt with by offering it to small-users rather than regulators or Departmental representatives. He will email SULG the name of the appointed representative. [post-meeting note. CG has agreed to represent SULG]

Action Complete 23.15 RR

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Containers for Accumulated Waste

RH asked what was meant by the term 'non-combustible materials' in RSA93 authorisations. His site uses steel drums but knows of others using plastic/acrylic burn-bins.

Members discussed the term 'as far as reasonably practicable' within this condition. CE commented that the choice of container would need a rationale and must be BPM, but that there may be scope for discussion of this matter with the site's EA RSR officer.

14 Date/venue of next meeting

Members could not attend the 15th June 2005 as this clashed with SRP. Next meeting will be the 6th of June 2005. Venue = Savoy Place.

S Hayward

Secretary Small Users Liaison Group