

UPDATE ON RADIOACTIVE SUBSTANCES REGULATION POLICY MATTERS

Small Users Liaison Group Meeting 11 December 2003

High Activity Sealed Sources Directive.

The European Parliament has now provided its opinion on the draft Directive to the Commission; it is expected that it will be published in the Official Journal during January. It is largely unaltered from the version promulgated in June. There is a new requirement on Member States to provide a transposition table, but this will not affect HAS source users. Defra have established a HASS Directive Implementation Group, membership includes EA, SEPA, HSE, SE, WAG, DfT, and DfT. This group is establishing the optimum means of transposition of the Directive in the UK.

The Agency will be working towards a register of all high activity radioactive sources in England and Wales. Some changes in the charging scheme for Band 4 premises are foreseen from 2006 onwards, to reflect the increased regulatory effort involved in the registration of HAS source premises – all changes to the charging scheme will be subject to a consultation process.

Delivering for the Environment and modernising the regulation of Bands 3 and 4 premises

The Agency has recently published its Delivering for the Environment document. This is a 33 page summary of the Agency's approach to the task of modernising the regulation of all of the industry sectors the Agency regulates. It sets out the principles of modern regulation the Agency is adopting, these are outcome-focused and risk-based. It also addresses matters relating to permits and other regulatory instruments as well as compliance assessment and enforcement. Comments on the document would be appreciated.

The legislative and regulatory changes required by the HASS Directive provide an opportunity to review the regulation of RSR Bands 3 and 4 premises. A range of options is being explored, with a view to adopting a more risk-based approach to the regulation of the non-nuclear sector. The Agency is also working towards an OPRA (Operator Pollution Risk Appraisal) scheme for radioactive substances regulation, again this is likely to impact on small-users in the middle-term. SULG will be consulted on the proposals to adopt a more risk based approach to Band 3 and 4 regulation., when these are further advanced

Support to Government on CBRN issues.

The Agency have continued to take part in discussions led by Cabinet Office on the security of radioactive sources. This work was given an added impetus by the TV programme "Kenyon Confronts – Shopping for Terror", screened by BBC2 on 1 October, alleging that there are security concerns around some firms in the supply chain for radioactive sources. The programme showed visits by its investigators to two companies involved in supplying industrial radiography sources. They focused particularly on security during transport.

The Agency remains engaged with the police and counter-terrorism staff over security of radioactive sources. In addition, the Agency has been working with HSE and the radiopharmaceuticals suppliers to look at delivery and security at hospitals.

Radium Waste.

The Agency is convening a meeting, in January, of Government Departments, regulators and relevant companies with the aim of resolving the current impasse that is preventing the disposal of radium wastes in the UK.

Agency R&D Programme.

Clive Williams took part in an IAEA conference on environmental radiation protection held in Stockholm, followed by the management workshops for the Euratom FASSET project and its successor ERICA. Following the work of a first ICRP Task Group that made proposals for a radiological protection framework for animals and plants (now published as ICRP Publication 91), the Main Commission's 2005 Recommendations will include this area. A further ICRP Task Group is developing Reference Animals and Plants, and the associated derived environmental guidelines for regulatory purposes. The membership of the ICRP Main Commission is expected to broaden, to reflect ICRP's expanded role. In regard to the underpinning science, it is becoming very clear that there is a fundamental lack of data on the effects of radiation on entire families of animals and plants. Moreover, at the European Commission's insistence, the ERICA project will include little work in this area. We therefore need to consider funding such work separately (either EA alone, or in partnership with other bodies), particularly to meet our needs under the Habitats Regulations.

Decommissioning and clean-up of nuclear sites

The Agency has provided comments on the draft Nuclear Sites and Radioactive Substances Bill, which will set up the Nuclear Decommissioning Authority (NDA), and has been engaged in detailed discussions with DTI on various clauses. The draft Bill was included in the Queen's Speech, which set out the programme of legislation for the 2003-04 Parliamentary session, as part of a wider Energy Bill.

OSPAR

The UK has been tasked by OSPAR's Radioactive Substances Committee (RSC) to make proposals for the collection of data on discharges from non-nuclear industry sectors into the North-East Atlantic maritime area. The Environment Agency engaged NNC Ltd to develop proposals relating to the off-shore oil and gas industry and the medical sector, as these were identified as the two most significant of the non-nuclear sectors. These proposals were subject to national and international consultation with experts. The NNC work will be the basis for a UK paper to OSPAR covering the reporting of discharges from the principal non-nuclear industry sectors across all of the OSPAR region. For England and Wales the reports made to the Agency's Pollution Inventory would be used to compile any report to OSPAR, no additional reporting burden on small-users is foreseen.

CoRWM (Committee on Radioactive Waste Management).

The Government has now appointed the chair and members of its new Committee on Radioactive Waste Management. The names of the members are posted on the Defra website. The first task for the Committee is to determine its work plan for the next 2 years.

Regulation of ILW.

HSE, Nirex, Defra and the Agencies have agreed a new approach to the regulation of the management of ILW in the UK. The Agencies now have a formal role in the assessment of

proposals relating to the management and conditioning of ILW; their primary interest being the disposability of waste forms generated. Whilst this is principally a matter for the nuclear operators it was thought to be of potential interest to small-users. The Agency has recently established a Nuclear Waste Assessment Team – it is based at Penrith.

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