

**TEXT OF A LETTER TO MICHAEL MEACHER FROM THE CHAIRMAN OF
RWMAC, PROFESSOR CHARLES CURTIS, DATED 12 APRIL 2003**

Similar letters were sent to:

Ross Finnie MSP, Minister for Environment and Rural Development, the
Scottish Executive

Sue Essex AM, Minister for the Environment, Welsh Assembly Government

Dr Lewis Moonie, Minister for the Armed Forces

Brian Wilson, Minister for Energy

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The Rt Hon Michael Meacher MP
Minister for the Environment
Department for Environment, Food and Rural Affairs
Room 605
Nobel House
17 Smith Square
London SW1P 3HX

Dear Minister,

Thank you for your letter of April 8th agreeing to a meeting. The
RWMAC secretariat will be in contact with your office to arrange a time.

On Friday last, RWMAC members first had opportunity to discuss
Departmental thinking on the future structure for advisory bodies in the
radioactive waste management area; as revealed to myself by Defra officials
and commented on in my letter to you of March 27th last. I think it fair to say
that members shared fully the concerns that I originally outlined to you.

At the meeting, members felt strongly that their concerns should be
transmitted to you for discussion at our forthcoming meeting and also that
they should be forwarded to our other sponsoring Ministers because of
significant RWMAC work in both Wales and Scotland.

The unanimous view of the current members of RWMAC is that Government
would be ill advised to lose the advisory functions of the committee at this
time. We also believe that there are particular issues regarding radioactive
waste management in Scotland and Wales as well as more generic issues
that you might wish to take into consideration before deciding the outcome of
your deliberations.

We are now entering a period of unparalleled institutional change in the field
of radioactive waste management. The Nuclear Reform Bill, which will create
the NDA to take over ownership and liability for civil nuclear sites with an aim

of achieving substantial progress on decommissioning, is about to be published. Within the next few months CoRWM, will be set up with the specific remit of “to oversee a review of options for managing solid radioactive waste in the UK and to recommend the option, or continuation of options, that can provide a long-term solution”.

These bodies are charged with advisory and executive functions to deliver solutions to specific problems. By contrast, RWMAC offers independent advice on a broad range of issues by drawing on a breadth of experience and expertise across its membership. Therefore, we do not believe that the functions presently covered by RWMAC will be adequately covered by these bodies. Nor do we believe that these functions should be set aside.

RWMAC has a long established position in the provision of advice on radioactive waste management issues with involvement and interactions with the key stakeholder groups within the field. Plenary sessions of the committee have been held in Scotland and Wales as well as in England. I am attaching a list of issues covered by RWMAC over the last three years to indicate the breadth and depth of our advice and illustrate those areas that would no longer be covered if the Committee were to be abolished. *With the exception of two items relating to the way in which long term radioactive waste management policy is developed, we would expect none of these items in future to be covered by CoRWM.* I would particularly draw your attention to our work on the need for a policy on low level waste, on conditioning, packaging and storage of ILW and on the limitations of the current UK radioactive waste inventory.

In Scotland, ongoing issues of particular concern include the Dounreay Site Restoration Plan in general and, within this, the shaft, management of LLW, particles and fuel management. The Dounreay Particles Advisory Group (DPAG) of SEPA currently relies on the advice of RWMAC on technical areas relating to the Dounreay particles. Outwith Dounreay, there are continued functions dealing with nuclear site interim waste storage, authorisations for disposal/discharge, MoD activity as well as non-nuclear waste streams from the health and oil and gas sectors.

In Wales, the need for independent advice is clear given concerns over discharges from Amersham International in Cardiff, interim storage of waste at Trawsfynydd and, in the future at Wylfa. There are continued functions in relation to authorisations for disposal/discharge, as well as non-nuclear waste issues such as those in the health sector.

In summary, these are the key points that need to be considered in reaching any conclusions on the advisory functions currently fulfilled by the committee.

- CoRWM and the NDA cannot replace RWMAC. There are few overlaps between the functions of these bodies and those of RWMAC.
- There would no longer be an independent advisory body with a broad remit covering all aspects of radioactive waste management.

- This broad ranging advice needs to draw on a breadth of experience and range of disciplines working together.
- There is a need for ongoing independent advice on current waste management and regulatory practices in the short term, such as discharges, authorisations, re-licensing and transport of waste.
- There will be a continuing need for advice on the development and implementation of policy on issues including low level waste management, passive safe storage and site restoration.
- There are important, substantial areas of radioactive waste management policy that are likely to be overlooked under the new arrangements, notably, the non-nuclear establishments, including small users, and MoD wastes.
- The attached list of work carried out by RWMAC over recent years illustrates the substantial number of areas, on which advice would no longer be available.

Members are also particularly concerned about the absence of consultation over the proposal to abolish RWMAC. Given that, under the MRWS process, the Government is committed to an open, transparent and fully consultative approach to the development of radioactive waste management policy, we are surprised and disappointed that the views of stakeholders and the public have not yet been canvassed.

In light of these concerns, there may be value in initiating a formal review to identify the best way of fulfilling the independent advisory functions presently undertaken by RWMAC. The committee is, in any event, due for a Financial Management and Policy Review.

As suggested earlier, RWMAC members' concerns will be similarly transmitted to our other sponsoring Ministers, Ross Finnie and Sue Essex. I shall also write similarly to Dr Lewis Moonie at the Ministry of Defence and Brian Wilson at the Department of Trade and Industry in light of RWMAC's substantial work in areas relevant to their responsibilities.

Yours sincerely,

Professor Charles Curtis OBE
Chairman of RWMAC

**RADIOACTIVE WASTE MANAGEMENT ADVISORY COMMITTEE
SUMMARY OF DELIVERED ITEMS 1 APRIL 2000 TO 31 MARCH 2001**

Reports

1. Review of small user problems (advice submitted to Ministers on 13 June 2000, published 5 September 2000).
2. Advice on MoD arrangements for dealing with radioactively contaminated land (advice submitted to Ministers on 14 June 2000, published 3 August 2000).
3. Review of the waste implications of reprocessing (advice submitted to Ministers on 8 August 2000, published 15 November 2000).
4. Main review of MoD radioactive waste management practices (final draft provided to MoD for factual comment on 8 March 2001).

Annual Report

5. 2000 Annual Report (reported delivered to Ministers on 6 November 2000, published 30 November 2000).

Responses to Government consultations

6. UK National Radioactive Discharge Strategy 2001-2020 (Response submitted on 29 September 2000, published in 2000 Annual Report).
7. Statutory Guidance on the Regulation of Radioactive Discharges into the Environment from Nuclear Licensed Sites (Response submitted on 26 January 2001).
8. "Making the Right Choice", DTI consultation on the management of PFR fuel at UKAEA, Dounreay (Response submitted 7 June 2000, supplementary comments provided on 27 June 2000 and 7 August 2000, published in 2000 Annual Report).
9. DETR Environment Agency FMPR consultation (response submitted on 7 March 2001).

Response to regulatory body consultations

10. Draft NII/HSE inspector guidance (response submitted on 19 May 2000, discussed in 2000 Annual Report).
11. EA consultation on dose assessment methodology (response submitted on 26 January 2001).
12. EA Sellafield review consultation (response submitted on 12 April 2000, discussed in 2000 Annual Report).

13. EA Magnox station reauthorisation consultation (response submitted on 14 September 2000, discussed in 2000 Annual Report).

14. SEPA Vulcan Naval Reactor Test Establishment consultation (response submitted on 8 December 2000).

15. EA consultation on technetium-99 regulation (response submitted on 7 March 2001).

16. NNRP/MoD HMS Renown Environmental Statement consultation (response submitted on 13 February 2001, linked to ISOLUS laid-up submarine programme).

Other item

17. Response to RCEP Enquiry into Environmental Planning (response submitted on 13 July 2000, discussed in 2000 Annual Report).

**RADIOACTIVE WASTE MANAGEMENT ADVISORY COMMITTEE
SUMMARY OF DELIVERED ITEMS 1 APRIL 2001 TO 31 MARCH 2002**

Reports

1. Advice on MoD radioactive waste management practices (delivered to Ministers on 9 May 2001; published in July 2001).
2. Advice on the Dounreay Site Restoration Plan (delivered to Ministers on 27 July 2001; published in September 2001).
3. Advice to Ministers on the process for formulating policy on the long-term management of long-lived solid radioactive waste (delivered to Ministers on 2 July 2001; published in September 2001).
4. Annual Report for 2000-2001, published 21 October 2001.

Responses to Government consultations

5. DETR consultation on the administration of RSA93 - draft guidance for non-nuclear users (response submitted on 17 May 2001).
6. Government Sellafield MOX plant consultation – dated March 2001 (response submitted on 23 May 2001).
7. Government Sellafield MOX plant consultation – dated July 2001 (response submitted on 31 August 2001).
8. Food Standards Agency consultation on Maximum Permitted Levels (response submitted on 28 September 2001).
9. DETR consultation on proposals for a Natural Gas Exemption Order (response submitted in December 2001).
10. DTLR consultation on Major Infrastructure Projects (response submitted on 22 March 2002).

Responses to regulatory body consultations

11. Environment Agency consultation on draft guidance for the remediation of contaminated land (response submitted on 16 July 2001).
12. Environment Agency consultation on application for revised RSA93 Authorisations for Devonport Royal Dockyard (response submitted on 26 June 2001).
13. SEPA consultation on application to vary RSA93 authorisation for the discharge of gaseous wastes from UKAEA Dounreay (response submitted on 31 July 2001).

14. Environment Agency consultation on the review of RSA93 Authorisations at Sellafield (response submitted on 3 December 2001).

15. SEPA review of RSA93 Authorisations for BEG Ltd Torness (response submitted on 11 March 2002).

Other work

16. Written and oral evidence to the House of Common EFRA Select Committee enquiry into the Government's Radioactive Waste Policy Process (December 2001).

**RADIOACTIVE WASTE MANAGEMENT ADVISORY COMMITTEE
SUMMARY OF DELIVERED ITEMS 1 APRIL 2002 TO 31 MARCH 2003**

Committee studies and advice

1. Advice on the Management of Low Activity Solid Radioactive Wastes (delivered to Ministers on 10 January 2003, published 24 March 2003).
2. Advice on the UK Radioactive Waste Inventory (delivered to Ministers on 10 January 2003, published on 24 March 2003).
3. Advice on preparation of guidance on the application of BPM/BPEO to discharge authorisation (delivered to the environment agencies and circulated within UK Government and the devolved administrations on 7 November 2002).
4. RWMAC/NuSAC study of the conditioning, packaging and storage of ILW (delivered to Ministers on 19 April 2002, published on 27 June 2002).
5. NuSAC/RWMAC joint regulatory review (preliminary conclusions published in the "Managing the Nuclear Legacy" White Paper on 4 July 2002, publication of final report by HSE awaited).
6. Advice to the environment agencies on model consultation documents (delivered to the agencies on 11 October 2002, published in the 2002 Annual Report on 1 November 2002).
7. RWMAC 2002 Annual Report (published on 1 November 2002).

Response Government consultations

8. Response to the "Managing Radioactive Waste Safely" consultation (response delivered on 12 March 2002, published on 27 June 2002).
9. Response to the "Managing the Nuclear Legacy" White Paper consultation (response submitted on 18 October 2002, published in 2002 Annual Report on 1 November 2002).
10. Response to SEPA PFMR consultation (response submitted on 9 September 2002).
11. Response to DoH consultation on Health Protection Agency (HPA) arrangements (response submitted on 21 August 2002).
12. Response to SE consultation on HPA arrangements (response submitted on 23 January 2003).
13. Response to NAW consultation on statutory guidance to the Environment Agency (response submitted on 3 December 2002).

Response to regulatory body consultations

14. Dounreay sodium removal plant consultation (response submitted on 31 January 2002).
15. Amersham plc, Grove Centre consultation (response submitted on 1 September 2002).
16. RRDL, Rosyth consultation (response submitted on 30 January 2003).

Other consultation responses and work

17. Response to Safegrounds project consultation on remediation of radioactively contaminated land (response submitted on 29 May 2002, details published in 2002 Annual Report on 1 November 2002).
18. Input to DTI radioactive waste substitution study (the Policy Review Working Group met with the DTI's contractor, NAC International, on 31 January 2002 and provided informal advice to them, via the RWMAC Secretariat, on 18 February 2003).
19. Delivery of keynote presentation to BNES radioactively contaminated land remediation seminar on 22 January 2003.