

**REVISION OF SAFEGROUNDS GUIDANCE
FIRST CONSULTATION ON LMGv2
SUMMARY OF RESPONSES AND PSG DECISIONS**

General

There were 24 responses to the consultation. The responders are listed in the table at the end of this summary and referred to in the text by the letters in the table, eg [B]. The SAFEGROUNDS Project Steering Group discussed points arising from the responses at its meeting at the end of February 2007 and made decisions on the way forward.

Almost all the consultation responses were supportive of what was proposed for the second version of the SAFEGROUNDS land management guidance (LMGv2). In particular, there was support for:

- i) extending the guidance to all types of site on which there is radioactive contamination (only two people [F, G] favoured restricting LMGv2 to nuclear sites or nuclear and defence sites)
- ii) including all stages in the management of contaminated land (all agreed)
- iii) signposting guidance for non-radioactively contaminated land, rather than including details (only two people [D, T] opposed)
- iv) the functions proposed for LMGv2 (all agreed)
- v) retaining the five key principles (but some changes were suggested, see below)
- vi) advocating the adoption of safety, security, environmental protection and stakeholder engagement cultures (only four people [F, K, P, W] were completely opposed).

The main points made on specific topics and the PSG decisions are as follows.

Amount of Guidance for Various Types of Site

Most consultees (all but five [J, K, L, Q, Y]) favoured including the same amount of guidance for each type of site. The others requested more guidance for nuclear and defence sites that are more complex. The PSG was in favour of continuing to focus the LMG on nuclear-licensed sites and defence sites (non-nuclear), with limited guidance on non-licensed nuclear defence sites, other sites with long-standing contamination (industrial, research, medical) and sites contaminated with long-lived radionuclides as a result of accidents or emergencies. This is the approach that will be followed in producing the outline contents for LMGv2.

Non-Radioactively Contaminated Land

There was support for summarising the differences in approach for radioactively and non-radioactively contaminated land, and taking care to be consistent with the regulatory approach for the latter. Four consultees [K, M, X, Y] noted that the guidance should deal with the 'special' aspects of managing non-radioactive contamination on sites that are also radioactively contaminated (eg influences of non-radioactive contaminants on the movement of radioactive contaminants, synergistic effects). These points were agreed by the PSG.

Flow Diagrams

Six consultees [F, I, M, N, P, W] commented on the flow diagrams. The PSG agreed that the arrows from the central boxes in the diagrams to record-keeping should be two-way, because site owners/operators use records as well as make them. This change will be made.

Structure of LMGv2

Structure B was favoured by a small margin over structure A (12 people for B, 10 people for A). There did not seem to be any pattern in the preferences in terms of which type of

stakeholder favours which structure¹. One consultee commented that structure B is best because users do not have to decide whether their site is simple or complex. It was proposed to the PSG that structure B be adopted, mainly because this would lead to a shorter guidance document that is easier to write. The PSG agreed that structure B should be used.

Key Principles

Three consultees [K, N, Q] pointed out that the wording of Principle 1 might need changing to reflect the extension of the guidance to all types of site with radioactive contamination. (The principle is the only one that refers to 'nuclear-licensed sites and defence sites'.) The PSG felt that this change is unnecessary, given the continuing focus on nuclear-licensed sites and defence sites (see above).

One of the suggestions [K] was that Principle 2 should be amended to delete the reference to involving a broad range of stakeholders and to introduce the concept of 'proportionality' in stakeholder involvement. Some PSG members agreed with this suggestion but others did not. It was agreed that no change will be made at present and that the matter will be discussed again when draft text of the relevant section of the guidance is available. The planned workshop in October 2007 would be one opportunity for discussion.

Organisational Cultures

Most consultees favoured giving equal importance to the four organisational cultures (safety, security, environmental protection and stakeholder engagement). One consultee [L] expressed the view that environmental protection is the most important in this context, another [B] that safety and security always take priority. Two consultees [B, K] feel that stakeholder engagement is less important, especially on smaller, non-nuclear sites but also because few people respond to nuclear sites' consultations. There were also a few suggestions for adding other cultures (eg 'value for money', 'doing the work'). The PSG agreed with the proposal to include a short section of high-level guidance advocating the cultures of safety, security, environmental protection and stakeholder engagement.

Other Points

Some of the other points arising from the consultation that will be borne in mind in drafting LMGv2 are as follows.

- Explain why the term 'radioactively contaminated land' is used and what it means (and distinguish from terms with specific regulatory meanings, with cross-references to the regulatory framework paper, in which all such terms should be defined).
- Remember that LMGv2 will not apply to all non-nuclear defence sites, only those with radioactive contamination. Also note that, as in LMGv1, there will be no specific guidance on ordnance or other weapons-related non-radioactive contamination.
- Give enough emphasis to strategic, whole site approaches, and to integration of the contaminated land strategy with other strategies and objectives for a site.
- Make LMGv2 accessible to users who want more than the Citizens' Guide but are not experts on contaminated land.
- Do not be prescriptive but make it possible to demonstrate that LMGv2 has actually been used on a site. Avoid the impression that it needs to be followed to the letter.
- Take care when defining types of site. (Note that, in structure B there will be 5 types: nuclear-licensed, defence (non-nuclear), non-licensed nuclear defence, other with long-standing contamination, accidentally contaminated with long-lived radionuclides. The text will make distinctions within the types where necessary.)

¹ Those favouring structure A were: B, C, D, E, F, L, P, S, V, Y. The other responders favoured structure B, except U and X, who did not express a preference.

- Make good use of the flow diagrams to streamline the guidance and include tables and checklists where appropriate.

Marion Hill
11 April 2007

Responders to First Consultation on LMGv2

	<i>Name</i>	<i>Organisation</i>	<i>Responding as individual or organisation</i>
B	Alexander Lee	WSP Group	individual
C	A N Other (1)	Consultant	individual
D	Andy Dietzold	LLWR	individual
E	Andy Thomas	Future Solutions	organisation
F	Claire Gallery-Strong	Sellafield Ltd	organisation
G	A N Other (2)	Consultant	organisation
H	Doug Graham	UKAEA, Dounreay	individual
I	Kim Baines	RSK ENSR	individual
J	Mark Hill	Defence Estates	organisation
K	Mike Pearl	UKAEA	organisation
L	Peter Booth	Nexia	individual
M	Robert Murley	Nukem	individual
N	Steve Handsley	Scott Wilson	individual
O	Susan Crisp	Cumbria CC	organisation
P	A N Other (3)	Contractor	organisation
Q	Hugh Richards	Magnox South	individual
R	Alison McKay	BAE Systems	individual
S	Sean Amos	AWE	organisation
T	A N Other	CBO	organisation
U	Colette Grundy	Environment Agency*	organisation
V	Jack Armitage	Nukem	individual
W	Janet Young	Magnox North	individual
X	Paul Dorfman	University of Warwick	individual
Y	Richard Bramhall	LLRC	organisation

*The Environment Agency only made a few general points at this stage in the production of LMGv2.