

Comments log for consultation on draft 4 of the SAFEGROUNDS record-keeping guidance

Organisation	Sub-section	Sub-section paragraph	Page	Comment
PRELIMINARIES (preface, acknowledgements, executive summary, abbreviations)				
Independent Consultant	Title	Cover	Cover (1)	Have the PSG agreed the change of title? It reads oddly, uses the term 'management' in a sense other than that in the LMG, and does not mention that the document is specific to nuclear and defence sites. I'd suggest 'Good Practice Guidance for Land Quality Records for Nuclear-Licensed Sites and Defence Sites'.
British Nuclear Group Magnox Electric Ltd	Title	Cover	Cover (1)	I agree that the title of the document should in indeed be "Good Practice Guidance for Land Quality Records Management". I think it was me who suggested this.
Parents Concerned About Hinkley	Acknowledgements	Acknowledgements	2	There is a stakeholder missing - 'Colin Rogers, PCAH'.
British Nuclear Group Magnox Electric Ltd	Acknowledgements	Acknowledgements	2	My affiliation in the Acknowledgements should be 'British Nuclear Group, Magnox Electric Ltd'.
HSE	Abbreviations	Abbreviations	4	Under "Abbreviations" NIA65 = Nuclear Installations Act 1965(as amended).
Parents Concerned About Hinkley	Abbreviations	Abbreviations	4	Under the list of abbreviations, addition of 'P.C.A.H - Parents Concerned About Hinkley' is needed.
SECTION 1 – INTRODUCTION & BACKGROUND				
Defence Estates	1.2	para 2	5	At paragraph 2 please consider replacing 'project' with 'guide'.
SECTION 2 – THE REQUIREMENTS FOR LAND QUALITY RECORDS				
British Nuclear Group Magnox Electric Ltd	2.1	para 2	7	I suggest replacing the word 'project' with 'document' or 'report'.
Parents Concerned About Hinkley	2.1	para 2	7	The first couple of sentences could be made shorter.
British Nuclear Group Magnox Electric Ltd	2.2	1st sentence	7	Insert 'new' before 'Site Licence Companies' (BNFL and UKAEA are existing SLCs).
Parents Concerned About Hinkley	2.2	para 3	7	Ditto. The first sentence is unnecessary chat.
Defence Estates	2.2	Key Stakeholder Box	8	Reference to 'Defence Estates, etc' is potentially confusing. Better to refer to 'MOD Budget Holders, Agencies, Trading Funds and Contractors etc' or alternatively 'MOD Organisations and Contractors etc'. Also it is better to say: ' Within MOD there is a need to maintain and update records to provide an on-going picture.....site. There is also a need to inform...time and there may be a need to hand over....'
Future Solutions	2.2	para 2	8	This para mentions the "Environmental Regulations Information Act". I believe this is a typo as no such act exists. This should be the Environmental Information Regulations (which is correctly referenced throughout the rest of the document).

HSE	2.2	Key Stakeholder Box	8	Under "Regulators" replace existing parts with: "HSE (including NII and OCNS), EA, SEPA and LAs" [explanation: since 1st April OCNS has joined HSE as a part of its Nuclear Directorate].
Independent Consultant	2.2	para 2	9	The term 'stakeholder' is used in two ways here, only one of which is consistent with the LMG. (The correct sense is 'anyone with an interest in contaminated land', as in the table. The wrong sense is 'the public' (or some section of it) as in the text.)
HSE	2.3.1	para 2	9	I do not believe the US DOE list should part of the current document in this form.
Defence Estates	2.3.3	LCR Box	12	Quality File concept based on an adapted LCR the reference to current DE policy concerning LCRs should be deleted.
HSE	2.3.3	onwards	12+	Under section 2: the reference to Part IIA needs reviewing following the introduction of the RCL Regs and last weeks new government policy on radioactive waste and decommissioning.
British Nuclear Group Magnox Electric Ltd	2.4	para 3	14	There is something not quite right about the grammar of the sentence beginning " There are other relevant " - perhaps a missing comma after " Licence Conditions"?
British Nuclear Group Magnox Electric Ltd	2.4	para 4	14	Please give the summary headings of the cited LCs (to avoid having to look them up separately).
British Nuclear Group Magnox Electric Ltd	2.4	para 5	14	Please ensure that the quotations from the SAPs are consistent with the published version rather than the April consultation draft (perhaps this has already been done).
British Nuclear Group Magnox Electric Ltd	2.4	para 5	15	<u>At the end of Section 2.4, the reference to Appendix C should be to Appendix D</u>
Defence Estates	2.5	para 6	16	Overall as a practitioner all I am concerned with is whether the good practice proposed by the guide is consistent with JSP 441. I don't need to be reminded of the detail. Consequently at the very least the last 3 sentences starting with 'Each Directorate/Agency...' should be deleted.
SECTION 3 – GUIDANCE ON THE RECORDING OF INFORMATION				
Parents Concerned About Hinkley	3.1	para 1	17	Clarification about items outside & inside scope would be helpful - e.g. what of Hospital /University/Mining - Industrial - even domestic monitoring equipment with radioactive material?
Independent Consultant	3.1	Figure 1 (Flow Diagram)	18	Presumably we can finalise the flow diagram now (with double-headed arrows to record keeping if this is what the PSG agreed).
British Nuclear Group Magnox Electric Ltd	3.1	Figure 1 (Flow Diagram)	18	Figure 1 should use the latest available flow diagram. Have these been finalised yet.
Defence Estates	3.1		18	Could references to the relevant sections and annexes etc within the guide be incorporated into the figure?
Independent Consultant	3.1	6	19	It is not appropriate to quote CLR11 for decision-making procedures when there are pages of guidance in the LMG, which has been agreed by a much wider range of stakeholders than was involved in CLR11.
Independent Consultant	3.2	Point 6	20 (&39)	Note that the term 'controlled waters' does not now appear in Part 2A in Scotland, nor will it in Northern Ireland when they introduce their Part 2A. I would strongly suggest that the relevant section in the Land Quality File is called 'Surface Waters and Groundwater', rather than 'Controlled Waters'.
Independent Consultant	3.2	Point 12	20 (& elsewhere)	Here 'management of contaminated land' is used in a different sense from that proposed for LMGv2 and from that in LMGv1. I cannot see an easy way to sort this out, so perhaps we should live with it.

British Nuclear Group Magnox Electric Ltd	3.2	para 2	19	I would recommend including a live index of land quality documents, perhaps included in Section 2 of the LQF (or as an 'Annex' to the LQF).
British Nuclear Group Magnox Electric Ltd	3.2	para 2+	19	It would be helpful to have more detail in the LQF structure as to where different categories of photographs (aerial/ground level), maps, plans and drawings should be filed – e.g. historic, current and photos taken specifically for LQ purposes.
British Nuclear Group Magnox Electric Ltd	3.2	point 8.6	20	Item 8.6 in the LQF structure should be split into LQ information from pre-use surveys and LQ information on current non-contaminated areas (e.g. previous clearance/delicensing surveys). One category represents historic information whereas the other should represent current conditions.
British Nuclear Group Magnox Electric Ltd	3.2	point 12.10	21	Should item 12.10 contain the word 'validation' at all? Why not just 'verification'?
UKAEA	3.2	point 12.13	21	I've spotted just one very minor tweak in the main doc p21 12.13 - PPC isn't defined in the abbreviations. As it's only used in this section, it might be easier to spell it out in full in Section 12.13
British Nuclear Group Magnox Electric Ltd	3.2	point 12.13	21	I suggest item 12.13 should be 'Termination documents, such as documentation of delicensing, revocation of RSA waste disposal authorisation, landfill completion and PPC Permit surrender.'
British Nuclear Group Magnox Electric Ltd	3.2	para 3 onwards	21	There is a major gap in the text following the structure of the LQF as far as Section 11 of the LQF is concerned. Inclusion of interpretations and assessments is a major difference from the LCR, which should be highlighted, and some discussion is needed as to the types of information that can be expected to be stored here.
SECTION 4 – RECORD KEEPING SYSTEMS AND ASSOCIATED PROTOCOLS				
Parents Concerned About Hinkley	4.1.2	Figure 3	24	Visually ambiguous. Jigsaw pieces/pistons? Simplify SHAPES to avoid misinterpretation of images.
Defence Estates	4.1.3		25	Are there any conflicts with JSP 441? Annual Audit – Are there any specific requirements in JSP 441'
British Nuclear Group Magnox Electric Ltd	4.1.3	para 4	25	Some other term than 'contaminated land team' should be used. Not every site will have such a team.
HSE	4.3	para 1	29	The "Active Records Management" section is useful. I would like to add a reminder here to build in a protection of the "base" record whilst giving access to a "working copy", the need to ensure that record-version management is maintained, and if "active record management" implies correcting or updating records, that a suitable authorization arrangement is enforced to maintain the integrity of the records whilst allowing appropriate updates
HSE	4.3.2	3	30	At the foot of page 30 is a statement that operators need to consider the legal and commercial risks of record destruction. This should be accompanied with a firm reminder that many records are a legal obligation e.g. as HSE "specification" or licence condition requirements. It is not acceptable to transgress the legal requirement by simply considering the "risks" (of for example being found out!)
British Nuclear Group Magnox Electric Ltd	4.5	Title of section	31	The heading of Section 4.5 should include the word 'Destruction'
Parents Concerned About Hinkley	4.6	After first para	32	I take this example to repeat the comment I made at the dialogue, that referencing would be easier with a,b,c or I ii iii etc.

Parents Concerned About Hinkley	4.6	para 2-6	33	Many solutions have been offered at stakeholder dialogues I recall the 'gist' being : (1) The 'Default' of transparency is only interrupted by an explanation. The sensitive parts can then be indirectly accessed through a mechanism- such as mentor from the stakeholder or similar who may only operate under guidelines.
British Nuclear Group Magnox Electric Ltd	4.6	2	32	In Section 4.6, the second sentence after the 'physical security' bulleted list is lacking a word ('of' or 'for?') between 'feature' and 'any'.
Parents Concerned About Hinkley	4.7	Ending	35	I do not recall being present for such a discussion. However, there are examples that lawyers are familiar with. Due to the way a script is written, difficult punctuation & short - lived terminology, makes some old documents very obscure.
British Nuclear Group Magnox Electric Ltd	4.7	para 8	35	Reference to Appendix E should be to Appendix F.
HSE	4.6	para 5	33	On page 34 the description of the Office of Civil Nuclear Security should be reworded in lines with the comments given above in respect of page 8.
END PAGES (references, glossary)				
Independent Consultant	References	3	36-37	The references to CLR11 and CIRIA 2004 publication should be deleted. (The comment for CLR11 above about lack of wide stakeholder agreement also applies to the CIRIA 2004 publication.)
British Nuclear Group Magnox Electric Ltd	Contaminated land glossary	item 3	38	The Glossary definition of 'contaminated land' should be explicitly be stated to the working definition used in the SAFEGROUNDS guidance documents.
Independent Consultant	Glossary	15	39	The general definition of 'remediation' is not consistent with the definition for nuclear sites (see the SAPs), nor with the proposed definition for LMGv2. I also suspect it is inconsistent with common usage. It should be replaced by the LMGv2 definition, as agreed by the PSG.
APPENDICES				
Parents Concerned About Hinkley	Appendix A	Box 2		Seems to have omitted the emphasis on openness & transparency as a main duty.
Parents Concerned About Hinkley	Appendix A	para 4+		I do not recall this discussion. In other parts of our stakeholder dialogues there is a duty of care expressed for future generations. This implies a period well over 30 yrs.
Parents Concerned About Hinkley	Appendix A	para 5+ (point number 7)		The phraseology downplays the primary function of openness. As I recall :- Provision for discretion over a minority of the information is the only part of the information that requires "authorised persons"
Parents Concerned About Hinkley	Appendix B	first 3 bullet arrows		To aid discussions, perhaps 'bullets points' of various species could be replaced by a,b,c & I, ii, iii, etc. If necessary, you could always put in brackets: (the numbers or letters may vary in subsequent editions).
Parents Concerned About Hinkley	Appendix B	Last bullet arrow		Again, this is a skewed emphasis that could be seen as departing from the spirit of openness. A better word here could be to replace 'controlled' by 'monitored', or replaced with " to be kept safe but not to deny the information to the public".
Parents Concerned About Hinkley	Appendix C	Box 1 (point 2.1)		In all this proof - reading exercises, there is excessive verbiage. This is particularly prevalent in the section 2.1 'Purge of Office Records' . However, there lacks a straightforward statement to the effect that "the emphasis is to preserve all references relevant to the safety, & health of future generations and the environment."
Parents Concerned About Hinkley	Appendix G	Box 2		Need to have easy access of electronic information. Some charitable organisations are already experiencing difficulty with C.I.R.I.A (pdf files a problem locally).
Parents Concerned About Hinkley	Appendix I	general		Lack of referencing codes, e.g. 'Appendix I of what?' & what page or section?
British Nuclear Group Magnox Electric Ltd	Appendices	General	44+	With the possible exception of Appendix G, I think the Appendices are all potentially useful. In my view, neither the main report nor the appendices should contain explicit identification of proprietary products (e.g. Appendix G) or specific vendors (e.g. Appendix F).

GENERAL COMMENTS				
British Nuclear Group Magnox Electric Ltd	General comments across the guidance			I think the initial references to 'SAFEGROUNDS' (e.g. in the Preface and Executive Summary) should be to 'the SAFEGROUNDS Learning Network'
British Nuclear Group Magnox Electric Ltd	General comments across the guidance			The referencing of appendices is not yet internally consistent;
British Nuclear Group Magnox Electric Ltd	General comments across the guidance			Page numbers are needed;
British Nuclear Group Magnox Electric Ltd	General comments across the guidance			The order of the appendices appears somewhat random;
British Nuclear Group Magnox Electric Ltd	General comments across the guidance			The Executive Summary states that the term 'land quality' is generally to be used in the main report in preference to 'contaminated land' (again, a suggestion of mine), but in fact this is not the case. I suggest explanation of the term 'land quality' given in the Executive Summary should be inserted into Section 1.1 after the box stating the document objective. Thereafter, a search on the term 'contaminated land' should be done and each occurrence reviewed so see whether it should be 'land quality'.
British Nuclear Group Magnox Electric Ltd	General comments across the guidance			A definition of 'land quality' is needed in the Glossary.
British Nuclear Group Magnox Electric Ltd	General comments across the guidance			As previously stated, I don't understand why the Land Quality File (LQF) needs to have 'Annexes'. However, I understand this derives from the Land Condition Record, so I suggest that the report should be explicit about the fact that people have the option to subsume the Annexes into the main LQF – to avoid the risk that people may feel they have to follow the exact numbering system in this guidance document.
British Nuclear Group Magnox Electric Ltd	General comments across the guidance			In relation to the authors' comments, I agree that Draft 4 is much improved with respect to Draft
British Nuclear Group Magnox Electric Ltd	General comments across the guidance			
British Nuclear Group Magnox Electric Ltd	General comments across the guidance			In relation to the CIRIA review comments, I am happy for the proposed amendments to be made.
British Nuclear Group Magnox Electric Ltd	General comments across the guidance			I agree that the title of the document should in indeed be "Good Practice Guidance for Land Quality Records Management". I think it was me who suggested this.
British Nuclear Group Magnox Electric Ltd	General comments across the guidance			With the possible exception of Appendix G, I think the Appendices are all potentially useful. In my view, neither the main report nor the appendices should contain explicit identification of proprietary products (e.g. Appendix G) or specific vendors (e.g. Appendix F).
Future Solutions				No problem with the above. Not really my area of expertise but seems sensible and comprehensive documents (s). I endorse your suggestions for CIRIA improvements
Environmental Agency	General comments			I support all the CIRIA review. Comments (1-6) and the proposed changes in title to Good Practice Guidance for Land Quality Records Management.

Nexia Solutions				<p>Wrt the CIRIA review questions I am happy with the suggested change of title and am also happy with the suggested changes listed in Points 1-6.</p> <p>I did have two minor questions on the main report for minor consideration (these do not contradict me being happy to sign it off).</p> <p>1) Is Figure 1 still draft or has it now been officially endorsed?</p> <p>2) Unless I have missed it, the report does not mention records transfer, my question is should it?</p>
HPA				I am happy to sign these documents off, subject to the changes specified in Mark's email of 15th march. I am not convinced that the screen grabs are useful. I am happy with the proposed title change.
Defence Estates	Annexes		23+	Ensure consistent with text within the guide and any amendments
HSE				I consider that this is a well written and well throughout document. It is however rather detailed and is rather more a handbook than a set of guidance. It might be worth giving it a trial use and obtaining operator comments, and revising accordingly, before issuing it as definitive guidance.
HSE				The comments I have made in my response to the Summary document apply equally to the main records guidance document - except the comment about the title. I am happy with the title of the main document.
NDA	General comments			The guidance does not seem to identify the potential risks of proprietary electronic tools and data formats if these become no longer available in the future. This would seem worthwhile. The same is also potentially an issue for GIS systems if these do not allow data export using standard formats.
NDA	General comments			Also Appendix G is signed as a list or proprietary document management tools – I am nervous about the guidance being seen to encourage the use of specific proprietary records management solutions especially as this appendix only appears to describe a single tool of many on the market (it appears We EA, NII, Nirex all use different tools for this so that's at least 4 systems for electronic records management).
Defence Estates				Whilst the guide is a marked improvement on version 3.1 I feel it still requires some work before it can be signed off. Overall we need to be clear whether this is a practitioners' guide. If it is then the text could and should be more succinct and to the point avoiding unnecessary comments and questions such as that presented at the start of Para 2, Section 2.1. Greater use of sub-headings and bullet points is required combined with referencing to the relevant details within the annexes/appendixes. For instance, in the 'Drivers and Expectations' section, I would expect to see a very brief overview followed by a bullet point summary of the key drivers and expectations.
Defence Estates				The key element and innovation within the guide is the Land Quality File.
Defence Estates				Personally, I don't generally have the time to read through paragraph after paragraph to locate and extract the key points. Hence, I favour documents such as CLR 11 and feel that we have missed a trick by not emulating the structure of CLR 11 more closely.
Defence Estates				Also the various Tables and Boxes need to be numbered and referenced for ease of reference.
HSE	Summary Document			<p>It is well written and clear and a credit to the authors</p> <p>I do have some comments however that will need correction. It is essential to make the point early on in the document that this is good practice guidance only. I.e. that following this process is not a guarantee of acceptability to the regulatory inspector: the UK regime for health and safety and the regime on nuclear licensed sites requires the operator to satisfy specific duties but is in general not prescriptive in the manner in which the operator achieves these requirements. The document should reflect this. The section on knowledge requirements overlooks the RCL Regulations. These can be expected to become a significant record management driver on both nuclear licensed sites and non-licensed sites. The final point: the topic is actually records management (not just record keeping). I recommend it is re-titled.</p>

Scottish Executive				The drafting has been going on a long time, which explains my first comment. In the record keeping guidance draft 4 OCNS is now part of HSE and not of DTI. The reference appears on page 34. In both the record keeping guidance draft 4 and the appendices document, there is reference to controlled waters. That remains OK for England and Wales, but in Scotland our transposition of the Water Framework Directive has led to the replacement of the term controlled waters with the term water environment. That extends to our new Radioactively Contaminated Land regime also, where we have retained reference to water as the water environment but in England and Wales references to controlled waters have been dropped from the regime. I do not think it is a big issue and I suggest that a neat way of dealing with it would be a footnote or a reference in brackets to the definition of controlled waters along the lines "In Scotland, transposition of the Water Framework Directive has led to the replacement of the term controlled waters by the term water environment".
Future Solutions	General comments			"Controlled waters" are referenced several times in the document. This term is no longer applicable in Scotland due to changes in legislation.(As an aside I would expect that 'Controlled Waters' will eventually disappear from England and Wales legislation too as government fully implement the requirements of the Water Framework Directive). Rather than change the main text in the draft I would suggest that the following text is added to definition of controlled waters in the Glossary. In Scotland the term "Controlled Waters" is no longer used as it was effectively replaced by the Water Environment Water Services (Scotland) Act 2003 been by the term "The Water Environment". The Water Environment means all surface water, groundwater and wetlands.
SUMMARY				
British Nuclear Group Magnox Electric Ltd				Overall, the level of information presented in the summary appears appropriate.
British Nuclear Group Magnox Electric Ltd				I think the initial reference to 'SAFEGROUNDS' should be to 'the SAFEGROUNDS Learning Network'.
British Nuclear Group Magnox Electric Ltd				Why is there a statement of what types of site the guidance applies to, limiting it to "nuclear-licensed sites and defence sites for which change of use and/or ownership is planned"? I do not recall this being stated in the main document. This could add further to current ambiguity about the precise definition of the scope of SAFEGROUNDS.
British Nuclear Group Magnox Electric Ltd				Again, the phrase 'land quality' needs to be used more consistently than 'contaminated land'
British Nuclear Group Magnox Electric Ltd				I would like to see a statement (e.g. in Section 3) that the guidance is not intended to be highly prescriptive, e.g. as far as the distinction between main and 'annexe' sections of the LQF are concerned.
British Nuclear Group Magnox Electric Ltd				As a general principle, the Summary document needs to be cross-checked against the final version of the main document to ensure that late revisions to the latter are picked up in the Summary.
Defence Estates	Summary			I would prefer it to state that the guidance can be applied to rather than 'applies to'. Annual Audit – See above
Parents Concerned About Hinkley	Overall			The report lacks the safegrounds stakeholder Colin Rogers (P.C.A.H) - parents concerned about Hinkley.