



Consultation Summary on Sellafield Radioactive Substances (RSA) Permit draft decision

Version 1.0 February 2020

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We help people and wildlife adapt to climate change and reduce its impacts, including flooding, drought, sea level rise and coastal erosion.

We improve the quality of our water, land and air by tackling pollution. We work with businesses to help them comply with environmental regulations. A healthy and diverse environment enhances people's lives and contributes to economic growth.

We can't do this alone. We work as part of the Defra group (Department for Environment, Food & Rural Affairs), with the rest of government, local councils, businesses, civil society groups and local communities to create a better place for people and wildlife.

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1. Introduction

The Sellafield site has historically reprocessed radioactive fuel in its THORP and Magnox reprocessing plants. However, fuel reprocessing came to an end at THORP in November 2018 and Magnox reprocessing is planned to end in 2020. This will mean that the site will see a significant reduction in radioactive discharges to the environment. Given these forecast reductions, the company will need to have a new RSA environmental permit that better reflects the new, lower discharge levels.

Following the end of fuel reprocessing, Sellafield Ltd's mission will focus on decommissioning and the safe and secure environmental remediation of the Sellafield site. The permit review is a good opportunity to build more flexibility into the permits to allow for post operational clean out and clean-up of the high hazard legacy facilities to reduce the risk to people and the environment.

This consultation was on the draft decision (Environment Agency, 2019) regarding the following main changes:

- significantly reducing site discharge limits and introducing a 2-tier (upper and lower) site discharge limit structure
- removing some site discharge limits where discharges have fallen below significant levels and they do not meet the Environment Agency criteria for setting limits
- replacing plant discharge limits with plant notification levels so that Sellafield Ltd can make most effective use of the available discharge routes and treatment plants
- removing discharge limits related to the rate of fuel reprocessing (throughput) to reflect the end of reprocessing operations
- introducing a specific tritium limit for solid waste disposals at the on-site landfill known as the Calder Landfill Extension Segregated Area (CLESA)
- updating the permit to the latest template so that it reflects recent guidance changes.

2. How we ran the consultation

We advertised and consulted upon our draft decision in accordance with our public participation statement. The way in which this has been carried out, the results of our consultation, and how we have taken consultation responses into account in reaching our decision are summarised in Appendix 6 of our final decision document. Copies of all consultation responses have been placed on our public register, except where the person making the response asked us not to do so.

The consultation on the draft decision was published on the Environment Agency's online consultation website at <https://consult.environment-agency.gov.uk/> from 7 October to 1 December 2019. The website provided details on why we were consulting, what could and could not be taken account of and provided a link to the draft decision document and draft permit. It had the facility to submit comments and provided contact details for the relevant Environment Agency team. Copies of the consultation documents were made available on our public register, which could be viewed at Ghyll Mount, Penrith and several other Environment Agency offices. We were able to provide copies of the documents by e-mail or other means, on request. We also publicised the consultation by discussing it with the West Cumbria Sites Stakeholder Group, issuing a press release, displaying posters in

local libraries, supermarkets and sports centres, posting on social media, and directly contacting a large number of organisations and individuals inviting them to participate.

2.1. Who we consulted

We sent copies of the decision document, summary decision document, draft variation notice and draft varied consolidated RSA permit to the following organisations, with whom we have 'working together agreements':

- Office for Nuclear Regulation
- Food Standards Agency
- Allerdale Borough Council
- Copeland Borough Council
- Cumbria County Council
- Public Health England

We also wrote to the following main interested groups, informing them of the consultation and inviting them to participate:

- National Decommissioning Authority (NDA)
- Committee on Medical Aspects of Radiation in the Environment (COMARE)
- Natural Resources Wales (NRW)
- Scottish Environment Protection Agency (SEPA)
- Northern Ireland Environment Agency (NIEPA)
- Ireland Environmental Protection Agency
- Isle of Man Department of Local Government and the Environment
- Marine Management Organisation (MMO)
- Natural England (NE)
- Inshore Fisheries & Conservation Authorities (IFCA)
- Department of Business, Energy and Industrial Strategy (BEIS)
- Department of Environment, Food and Rural Affairs (DEFRA)
- Department of Health and Social Care (DHSC)
- Copeland parish councils
- Allerdale coastal parish councils
- Sue Hayman MP
- Trudy Harrison MP
- John Woodcock MP
- Cumbria Wildlife Trust
- Royal Society for the Protection of Birds (RSPB)
- Rivers Trust
- Friends of the Lake District
- Low Level Waste Repository (LLWR)

- Existing operating reactors
- West Cumbria Site Stakeholder Group (WCSSG)
- Cumbrians Opposed to Radioactive Environment (CORE)
- Radiation Free Lakeland
- National Farmers Union (NFU)
- Individuals that have previously asked to be on our mailing list to receive updates

2.2. The questions we asked

Our on-line consultation asked for responses to the following questions:

- Do you understand the proposed structure of discharge limits and levels, and how it is intended to control discharges at the site? Does the new structure (site upper and lower limits, quarterly notification levels, annual plant notification levels and monthly triggers) raise any concerns for you? If so, what are those concerns?
- Do the values of the proposed site (upper and lower limits), quarterly notification levels and annual plant notification levels raise any concerns for you? If so, what are those concerns?
- Are you satisfied that the varied Sellafield permit aligns with government policy and guidance, in particular the UK strategy for radioactive discharges? If not, what are your concerns?
- Does the proposed tritium limit for disposals in CLESA raise any concerns for you? If so, what are these concerns?
- Is there anything that is inaccurate or missing in the draft decision document? If so, please provide details.
- Has any relevant information become available since we consulted on the application, or was any information missed last time that we have not provided as part of this consultation? If so, please provide details.
- Any other comments on the proposed permit change (variation)?

3. Responses to the questions and our responses to these

We received 18 responses from organisations and individuals. We published these on our consultation website.

We have summarised the points they raised into 80 topic areas, together with our consideration of them in Appendix 6 of our final decision document. Some of the consultation responses were very detailed, we have kept that detail in the document so that the extent of the issue we are responding to is clear.

4. Next steps

We have assessed the application, considered the responses we received and have made a decision to grant the application subject to the conditions in the varied permit. Our

decision and permit conditions are consistent with the relevant legislation, guidance on the regulation of radioactive discharges into the environment, and relevant government policy. We have also considered relevant wider social-economic duties, including contributing to sustainable development. This also promotes growth amongst legitimate operators because the standards applied to the operator are consistent across businesses in this sector and have been set to achieve the required legislative standards.

We have not varied the permit in relation to the introduction of a specific tritium limit for solid waste disposals at the on-site landfill known as the Calder Landfill Extension Segregated Area (CLESA), because we have not received the required confirmation from Department for Business Energy and Industrial Strategy (BEIS) that there are no implications from this proposal under Article 37 of the Euratom treaty, which concerns the assessment of trans-boundary impacts to other EU Member States from disposals of radioactive waste to the environment.

We will issue the variation notice (Environment Agency, 2020a), consolidated varied RSA permit (Environment Agency, 2020b), decision document (Environment Agency, 2020c) (explaining how we have reached our decision) and summary decision document (Environment Agency, 2020d) to Sellafield Ltd.

We will provide copies of these documents to:

- Department of Business, Energy and Industrial Strategy (BEIS)
- Public Health England as the nominated executive body regarding RSA permits for Department of Health and Social Care (DHSC)
- Office for Nuclear Regulation
- Food Standards Agency
- Allerdale Borough Council
- Copeland Borough Council
- Cumbria County Council

We will also put copies of these on our public register and publish them on the Environment Agency's online consultation website at <https://consult.environment-agency.gov.uk/>. We will provide a link to this webpage via an e-bulletin to these documents to people and organisations that responded to our consultation.

We will also issue Sellafield Ltd with a revised Compilation of Environment Agency Requirements (CEAR), which accompanies the RSA permit. This CEAR will be copied to the Office for Nuclear Regulation and the Food Standards Agency.

The effective date of the varied RSA permit will be 1 April 2020.

References

Environment Agency, 2019a Environment Agency, 2019. Draft decision document: Sellafield Ltd and Sellafield site. Environmental permitting: radioactive substances activities

Environment Agency, 2020a Environment Agency, 2020. Notice of variation with introductory note. Environmental Permitting (England & Wales) Regulations 2016. Sellafield Ltd Variation notice number EPR/KP3690SX/V009

Environment Agency, 2020b Environment Agency, 2020. Permit with introductory note. Environmental Permitting (England & Wales) Regulations 2016. Sellafield Ltd Variation notice number EPR/KP3690SX/V009

Environment Agency, 2020c Environment Agency, 2020. Decision document: Sellafield Ltd and Sellafield site. Environmental permitting: radioactive substances activities

Environment Agency, 2020d Environment Agency, 2020. Decision document: Sellafield Ltd and Sellafield site. Environmental permitting: radioactive substances activities. Executive summary.

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