

LEGAL AND CONSTITUTIONAL AFFAIRS LEGISLATION  
COMMITTEE  
National Radioactive Waste Management Bill 2010 30 March 2010

ANSWERS TO QUESTIONS ON NOTICE

HEALTH AND AGEING PORTFOLIO

Question no: Z10000773

OUTCOME 1: Population Health

Topic: National Radioactive Waste Management Bill 2010 30 March 2010

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Senator Barnett asked:

- (a) What steps do you take and will you plan to take to ensure, and satisfy yourself as an agency, that protection and safety and health and safety requirements are properly met.
- (b) Could you advise us of the latest sources or latest developments where improvements have been made so that we can assure ourselves that, yes, this is going to be first-class, best practice, and also point us to some of those areas where those facilities have been built and successfully proven so.

Answer:

- (a) The object of the *Australian Radiation Protection and Nuclear Safety Act 1998* is to protect the health and safety of people and to protect the environment from the harmful effects of radiation. One key function of the CEO is to receive and consider applications for facility licence under the Act including those relating to any proposed national radioactive waste management facility. In particular the CEO may receive an application for licence to prepare a site for, construct and operate a facility. It is a requirement that the CEO of ARPANSA take into account international best practice in radiation protection and nuclear safety as it relates to the application in front of him, and inter alia, public submissions related to the application for a facility licence.

The CEO of ARPANSA intends to continue the practice undertaken by the former CEO of ARPANSA, Dr Loy, whereby the CEO informed himself as to current international best practice in radiation protection in nuclear safety by referring to relevant international Conventions, International Atomic Energy Agency (IAEA) Safety Standards Series including Safety Fundamentals, Safety Requirement and Safety Guides as well as other safety related publications from the IAEA and OECD Nuclear Energy Agency (NEA), the work of the International Commission on Radiological Protection (ICRP) as well as well as relevant actual practice, in order to review the application before him.

In addition, ARPANSA will also invite an international peer review mission

comprised of key experts in radioactive waste management to review any application, as it did in the case of the consideration of the OPAL research reactor licence applications and as it did when it considered the previous application for a repository and store.

In relation to the taking of public submissions, there is significant information and literature in relation to best practice by regulatory bodies for involving and engaging stakeholders in the assessment and decision making process. This literature recognises that stakeholders have a key contribution to make to the decision making process. As a corollary to this, the success of the consultation process requires recognition that stakeholders are a positive part of the decision making process. ARPANSA will work with stakeholders to arrive at the most informed decision. Stakeholder engagement will be facilitated by the provision of information to the public about the application through electronic and other means; the conduct of public information and awareness campaigns and the convening of relevant fora, including public hearings. Key guidance documents are available from the NEA and ARPANSA participates in key NEA fora where these principles and the strategies for realising them are discussed and developed, in particular the Forum of Stakeholder Confidence. Examples of important guidance documents from such fora are "Learning and adapting to societal requirements for radioactive waste management (2004) and "Stepwise approach to decision making for long term radioactive waste management" (2004).

- (b) In keeping abreast of international best practice in radiation protection and nuclear safety as it pertains to particular types of facilities, to prepare for any future application which ARPANSA may receive under the ARPANS Act, ARPANSA currently participates in a number of meetings and fora related to radioactive waste management. For example, Australia is a signatory to the Joint Convention on the Safety of Spent Fuel Management and the Safety of Radioactive Waste Management and ARPANSA presented the Australian report to the Third Review Meeting of the contracting parties and participated in the review meeting. At that meeting each Contracting Party progress in relation to the safe management of radioactive waste is discussed. Through this convention process and other international fora convened by such organisations as the international Atomic Energy Agency and the OECD Nuclear Energy Agency, ARPANSA keeps abreast of all international developments including the progress of other countries toward siting, constructing and operating similar facilities for example:

- The Central Organisation for Radioactive Waste (COVRA), the Netherlands is a treatment and storage facility for all radioactive waste produced in the Netherlands
- El Cabril, Disposal facility for Low and Intermediate Level Waste, Spain
- La Manche, near surface repository in Brittany, France
- Centre de l'Aube, near surface repository in Champagne, France
- DRIGG, Low Level waste repository in Cumbria, UK
- SFR, Sweden Final Repository for Radioactive Operational Waste (SFR) for the disposal of low-level short-lived radioactive waste - which is in granite rock 50 meters below the Baltic Sea
- Himdalen, repository that is designed to accommodate LLW and ILW arising from activities in Norway, including waste generated from two research reactors.

In all of these countries the regulator has a vital role in the consultation and decision making process, as ARPANSA will in the context of any future application.