



Nuclear Safety Committee

Minutes

Date	12-13 June 2024
Time	3:30 PM – 6:00 PM (Day 1) 8:00 AM – 11:00 AM (Day 2)
Location	Unit 1/8, Pakenham St, Fremantle WA 6160
Members Present	Dr Tamie Weaver (Chair), Dr Gillian Hirth, AO (CEO of ARPANSA), Dr Joanna Wriedt, Mr Michael Parker, Dr Peter Karamoskos, Ms Jasmin Diab, CSC, Mr Tony Irwin, Dr Peta Miller, Mr Stuart Parr (day 2 only), Mr Brent Rogers
Apologies	Mr Cameron MacPhail, Mr Peter Wilkinson
Secretariat	Mr John Ward, Mr Lachlan Whittle
Invitees	ARPANSA: Mr Jim Scott, Mr Ryan Hemsley, Ms Fran Wigney, Ms Mary Rajinsz NPSRD: RADM Kath Richards, AM, CSC, LCDR Sean Dowling, Ms Kelly Daniell ASA: Mr Tim Fry, COL Len Rouwhorst

1 - Introduction

1.1 - Opening

The chair opened the meeting, with Mr Michael Parker giving an acknowledgement of the Traditional Owners of the land, paying respect to Elders past and present. The chair also congratulated Dr Gillian Hirth on her being appointed an Officer of the Order of Australia.

1.2 - Attendance and Apologies

Mr Peter Wilkinson provided an apology for this meeting. Mr Cameron MacPhail intended to attend the second day of the meeting virtually but was unable to due to technical difficulties. Mr Stuart Parr recused himself from the first day of the meeting due to a conflict of interest.

1.3 - Declarations of Conflicts of Interest

Mr Stuart Parr declared a conflict of interest arising from consultancy work he was performing relating to contracts at HMAS Stirling. No other members declared any additional conflicts of interest. The chair and the CEO indicated that further discussions would need to take place regarding any ongoing conflicts of interest and the impact this may have, or be perceived to have, on functions of the Committee.

1.4 - Introductions

Members of the NSC and all invitees introduced themselves and described their role within their respective organisation.

1.5 - Minutes of the previous meeting

Draft minutes of the previous NSC meeting on the 5th of March 2024 had been distributed to, and accepted by, NSC members out of session. All comments regarding the minutes raised by members were addressed and the minutes are published on the ARPANSA website.

1.6 - Business Arising

No additional business was raised.

2 - ASA Licence application

ASA presented to the NSC committee on ASA's current siting application for a prescribed radiation facility (PRF) known as the 'Controlled Industrial Facility' (CIF). This included an overview on the proposed receipt, processing and storage of low-level waste within the facility. NSC members had also received the ARPANSA draft regulatory assessment report for this application to provide feedback on as well as attending a tour of the proposed facility location at HMAS *Stirling* earlier in the day.

NSC members made comments and raised questions on the detailed predisposal management of low-level radioactive waste (LLW), categories of waste, maintenance activities, baseline monitoring, ongoing environmental monitoring, security arrangements, emergency scenarios and plans for final disposal of the waste. The ASA confirmed there would be no high level waste or intermediate level waste (ILW) removed from the submarines. ASA noted procedures will be implemented with the intent to eliminate the possibility of LLW residues becoming concentrated to form small quantities of ILW. ASA plans to engage with the public were also discussed.

The CEO addressed the NSC comments with respect to the final disposal plan for waste and noted that developing a new plan for final disposal of radioactive waste remained a high priority for the Federal government (following the decision to not proceed with the Napandee site at Kimba in August 2023). This is a matter for the Australian Radioactive Waste Agency and the Department of Industry, Science and Resources as the lead portfolio. Any announcements related to the future plans will be made once agreed by government. The NSC noted that they had no significant issues with the ARPANSA assessment of the ASA licence application.

3 - Overview of public submissions on ASA licence application

The committee was provided with an overview of the public submissions received by ARPANSA in the consultation process on the ASA siting application for the CIF.

The NSC members were encouraged by the participation in the consultation process. ARPANSA received 165 submissions from interest groups, businesses and individuals, the majority of whom reported their location as within the local community in Western Australia.

ARPANSA noted that they had analysed the issues and concerns raised during the consultation and were providing responses to demonstrate, where applicable, how the submissions were considered in the assessment of the licence application. This analysis was presented to the committee noting that the

submissions had been grouped into themes and that some of the themes fell outside of the scope of licence application/ARPANSA's jurisdiction. Key themes included concerns regarding the final disposal pathway for the waste, the radiological safety of the proposed facility, the potential for transport of waste, criticisms that the nature of information in the ASA facility overview document released for public comment was too promotional and requests for the licence application to be published.

Submission themes that fell outside of the scope of the licence application included safety of visiting submarines, non-radiological safety issues, concerns re the area becoming a target for military attack and the AUKUS program. This was seen as evidence by NSC members that communication could be improved surrounding ARPANSA's role as a regulator. Many submissions also indicated a lack of awareness of the history of visiting nuclear-powered vessels in Australia. Members also noted that ARPANSA should encourage ASA to take note of the topics of feedback in the consultation and take appropriate action to address public concern as part of their ongoing stakeholder engagement.

The NSC commended ARPANSA for undertaking public consultation despite it not being a requirement and encouraged the CEO to continue to do so for ASA Facility licences whilst ARPANSA remains the regulatory authority. The NSC noted that there was opportunity for ARPANSA to actively engage with the community as appropriate for future ASA licence applications.

NSC members raised concerns regarding ASA public consultation to date. This application is the first from ASA that relates to AUKUS, and so is the first opportunity for ASA and Defence more generally to engage with the public on these issues. The proposed facility, which is relatively simple and only handling low-level waste, may represent a missed opportunity for public engagement and to build trust. The committee acknowledged the sensitive nature of defence information but concluded that a principle of providing information where you can, in a non-promotional style, will build trust and public understanding that certain information is right to withhold for national security. Member of public update

Dr Peter Karamoskos gave a member of the public update. Dr Karamoskos indicated that the majority of his feedback was raised during discussions within other agenda items. This included comments on consultation generally, specific international documents which could be useful in consultation (see item 5.1), and systems of regulatory review for the future Australian Naval Nuclear-powered Submarine Regulator (see item 5.3).

4 - Main items for discussion

4.1 - SRF – West – Application for waste management facility licence

Mr Michael Parker commented on the application in relation to the city of Rockingham. Mr Parker detailed the demographics and interests of Rockingham, including its young aspirational population (median of 36 years old), with strong connections to Defence (2.1% being ADF personnel, 4.4% having previously served). The city of Rockingham recognises the challenges and opportunities that AUKUS presents, noting that development is occurring in parallel to several other major industrial projects in the city. Considerations include the overall impacts on housing, transport and education.

Mr Parker reported that Rockingham is a city that is generally supportive of Defence but that its support should not be taken for granted. He thought that many people in Rockingham were not sufficiently aware of the nature of developments, suggesting that the public engagement and consultation could have been improved. He stated that little information was provided surrounding the volume of waste expected or its radioactivity. He noted, provided information drew comparisons with medical/scientific radioactive waste, but that this assumed people understood

that medical/scientific radioactive waste existed. He raised that a more direct and quantitative comparison would have been of more value.

Mr Parker also raised concerns surrounding waste disposal and the limited road access to and from the site. Regarding a current lack of long-term disposal pathway, Mr Parker identified the need for greater clarity on whether higher level waste would be accepted, and the storage capacity of the site.

Other NSC members commented on approaches that may improve the consultation process and community engagement. There was discussion of international documents that focus on public communication and consultation and may be of some relevance. This included IAEA GSG-6, the Rio Declaration, the Aarhus Convention, and the Eurotom 2011 'Waste Directive'.

The CEO thanked NSC members for their feedback, and Mr Parker for his input from the perspective of Rockingham city as it provides great insight into how ARPANSA can improve future consultations, particularly with new council areas that may not know about ARPANSA's role and responsibilities.

4.2 - Update on the draft code for the safety of reactor facilities

The draft code was reviewed out of session. The draft code is now with the Australian Safeguards and Non-Proliferation Office (ASNO), Nuclear Powered Submarine Regulatory Design (NPSRD) and the Australian Submarine Agency for their pre-consultation review, with a plan for public consultation after those reviews are complete.

4.3 - Update on Australian Naval Nuclear Powered Safety Regulator (ANNPSR)/NPSRD

Head Nuclear Powered Submarine Regulatory Design (NPSRD) provided the committee with an outline of current progress and future trajectory in establishing the ANNPSR and developing its required capabilities.

NPSRD described that international best practice and consistency with the civilian regulator, ARPANSA, have been considered in regulatory design. NPSRD is currently developing the first tranche of regulations which will cover nuclear facilities and handling of nuclear material. The development of these regulations has been done in a manner that is consistent with international regulations and in consultation with ARPANSA and international naval nuclear regulators (i.e. AUKUS partners). Subsequent tranches of regulations will cover the full operational lifecycle of nuclear-powered submarines.

The Australian Naval Nuclear Power Safety Bill 2023 (the Bill), which upon being passed would establish ANNPSR, is still progressing to be re-read to parliament following consideration for recommended amendments provided by the Senate Inquiry.

NPSRD also highlighted their identification of stakeholders with whom to engage moving forward. This includes communities of place and communities of practice.

The committee engaged NPSRD in discussions surrounding security regulation, and differences from the civilian sphere as ASNO, not ARPANSA, regulates nuclear security. Questions around regulator transparency were also raised, including the identification of no military equivalent to the Integrated Regulatory Review Service (IRRS). The difficulty of maintaining transparency and public trust with the security and sensitivity considerations of military operations was acknowledged.

5 - Update on major facilities and inspections

ARPANSA informed the committee of ongoing work with nuclear safety significance. This included:

- Current work being done during the shutdown of ANSTO's OPAL reactor
- Decommissioning of the HIFAR reactor
- The OPAL periodic safety and security review
- Periodic review of ANSTO Health building 23

ARPANSA also discussed recruitment challenges and strategies being developed to address them. ARPANSA's current turnover rate (as an agency) has been 6.5%, with this now approaching 8%. This is comparatively lower than similar government agencies, but a sizeable portion of regulatory staff are at or approaching retirement age.

6 - General Reports

6.1 - ARPANSA significant activities

ARPANSA is conducting regulatory work for both civilian operations and ASA for the time being, and will continue to do so until the ANNPSR is operational. This has included the CIF siting application review and engagement with AUKUS partners which has involved international trips to the UK and USA.

ARPANSA has engaged with Defence on port entry and whether nuclear arrangements would impact upon the Visiting Ships Panel (Nuclear). Port entry arrangements are being reviewed.

Members of ARPANSA's Defence Engagement Project Team attended Rosyth Dockyard and Sellafield in the UK, sites where decommissioning is underway. The project team also engaged with the UK's Office for Nuclear Regulation (ONR) and the UK's Defence Nuclear Safety Regulator (DNSR).

ARPANSA has also engaged with the broader international community via multiple engagements. Multiple ARPANSA staff attended the International Conference on Nuclear Security (ICONS) and another event in the same period regarding gender equity in nuclear security. Also, a member of ARPANSA's Communications team joined an educational tour of UK, Belgium and Sweden to better understand work around spent fuel and radioactive waste management and gaining and maintaining social licence. This included engaging with operators and local councils who provided useful insights on consultation and decision-making.

6.2 - Radiation Health and Safety Advisory Council

The committee was updated on the proceedings of the most recent meetings of the Radiation Health and Safety Advisory Council held in April 2024. The minutes of this meeting can be found on the ARPANSA website.

6.3 - Radiation Health Committee

The committee was updated on the proceedings of the most recent meetings of the Radiation Health Committee held in March 2024. The minutes of this meeting can be found on the ARPANSA website.

7 - Information on Nuclear Safety Matters and Regulatory Activities

Information was noted as read.

8 - Meeting Close

The next meeting of the NSC was confirmed for 12-13 November 2024. The Chair then brought the meeting to a close.