



# Update on REPPIR 2019 ACoP and Guidance

**Liz Thomas**

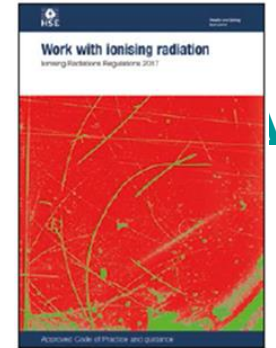
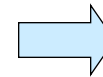
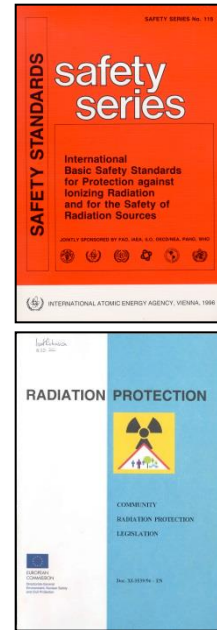
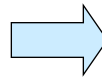
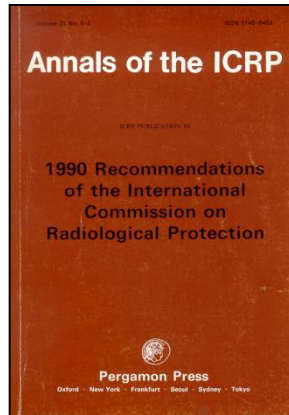
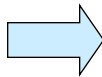
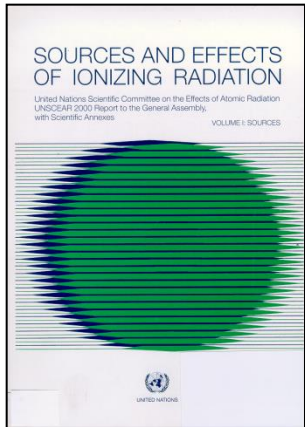
**Principal Inspector - Nuclear Safety**

**(Radiological Protection/ Emergency Preparedness and Response)**

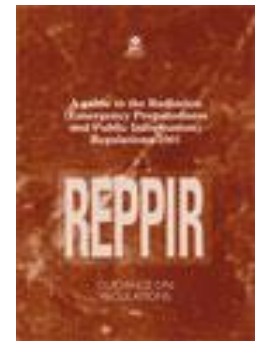


Member States - regulations, rules etc

IAEA - basic safety standards requirements



L121 (Second edition) Published 2018



EC - basic safety standards directive



# Development of REPPIR 19' and the Code of Practice

- BEIS consulted on the policy intents in autumn 2017
- BEIS developed the Regulations during 2018 and laid them in Parliament on 27 March 2019. They became law yesterday (22 May 2019)
- Apply to nuclear and radiological sectors (Not transport)
- Principle regulators are ONR and HSE
- All dutyholders have to comply within 12 months
- ONR are developing the ACoP and supporting Guidance.
  - Informed by a Guidance Development Steering Group with wide range of dutyholder and regulator representatives
  - Currently out to public Consultation (7<sup>th</sup> April – 6<sup>th</sup> June 2019)





# REPPIR 19 – Operator New Duties

## Key Changes -

- Consideration of a wider range of low probability events.
- Modified arrangements for Risk Assessment and Consequence Assessment
- Provision of a Detailed Emergency Planning technical distance to the Local Authority
- Modified reporting arrangements in terms of provision of information to the Regulator and the Local Authority.
- More explicit duties on cooperation
- Outline Planning distances to be defined in Consequence Report
- Consultation with an Radiological Protection Advisor (RPA)

*Note a number of duties in REPPIR01 are also in REPPIR 19 (Prevention of accidents, On-site planning, Exercising, Consultation etc.)*



# REPPIR 19 – Local Authority New Duties

Key new duties:

- Determination of DEPZ from technical distance provided by the operator
- Develop outline plans (taking advantage of the extendibility studies undertaken in recent years to inform these plans).
- Testing of outline plans
- Prior Information to public
- Setting Off-site Reference levels for public and inclusion of those for Emergency services

*Note existing duties in REPPIR01 still apply (Exercising, Consultation etc.)*

# Local Authorities Duties

## New responsibilities for DEPZ determinations and OPZ planning

- **DEPZ**
  - LAs determine
  - ACoP and guidance on defining the boundary based on geographic, demographic information, vulnerable groups etc.
  - Protective actions need not be applied equally across DEPZ
  - LA and operator must agree the case where no DEPZ is required
- **OPZ**
  - Introducing OPZ planning
  - OPZ's predetermined for nuclear and MoD sites (Schedule 5 for nuclear sites).
  - Planning within the OPZ should be limited to generic arrangements and are likely to build upon other arrangements

# REPPIR 01

----- 5 mSv contour  
——— DEPZ

Boundary marked by geographical landmarks, roads, postcodes, etc.

Vulnerable group

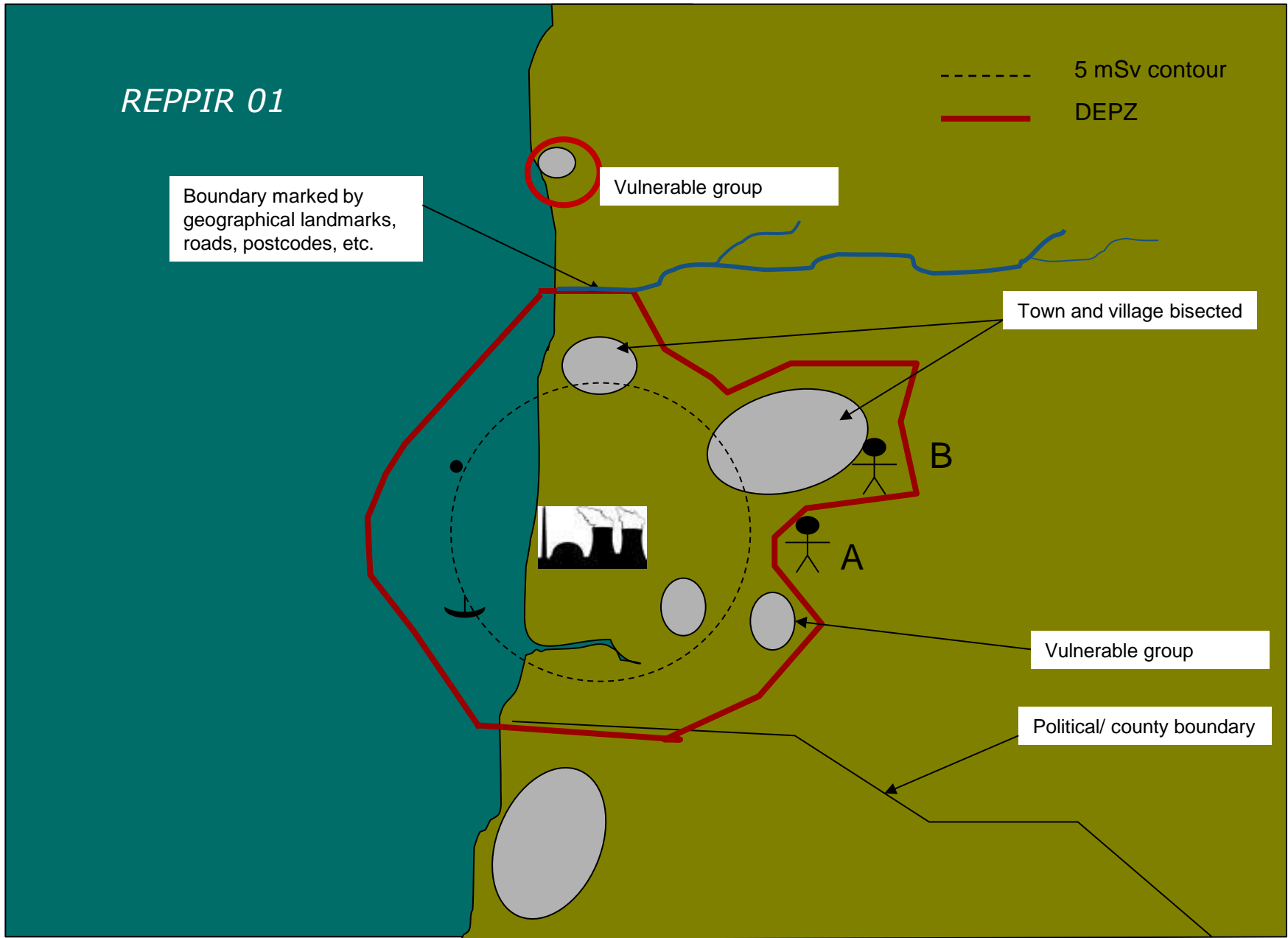
Town and village bisected

B

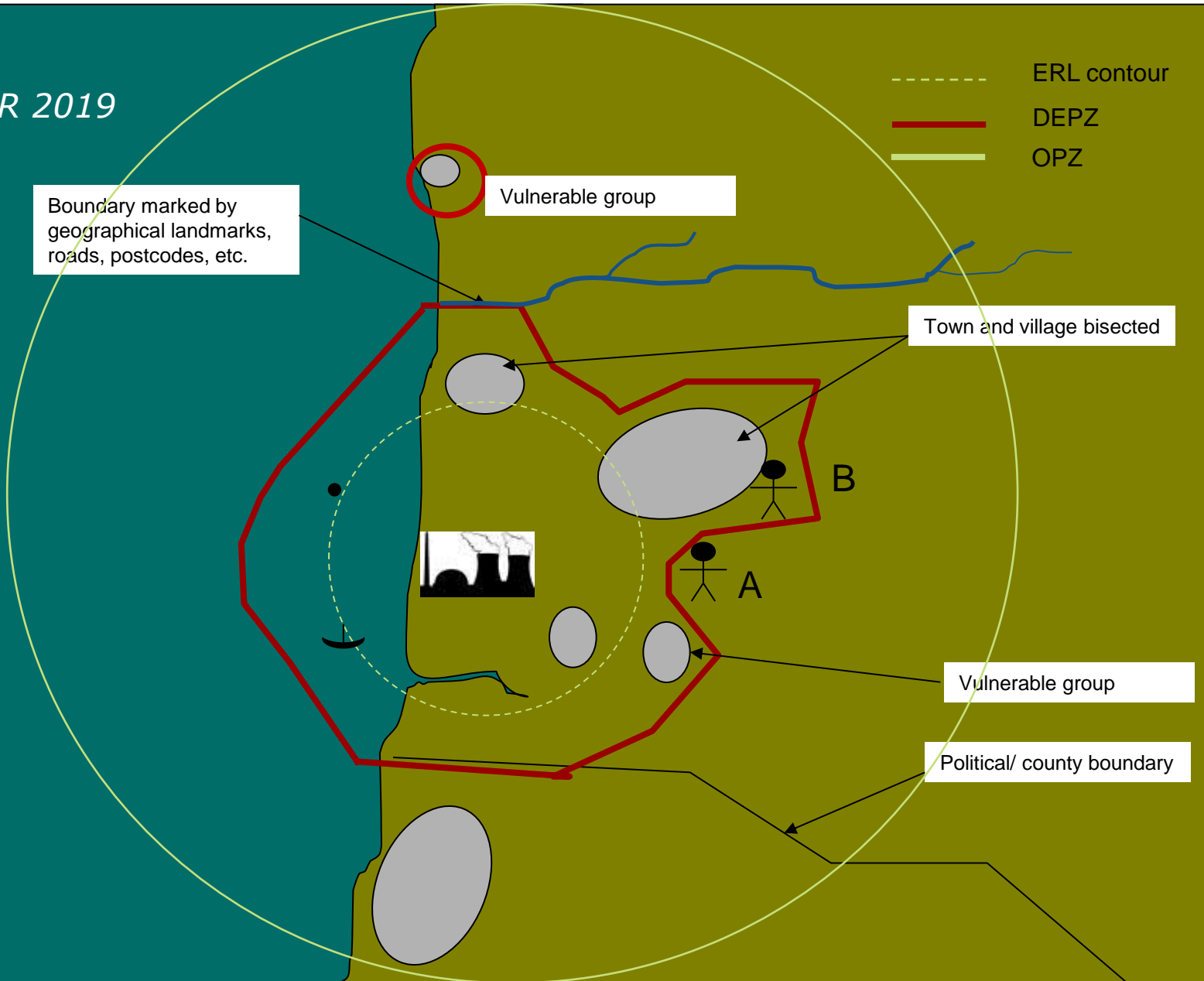
A

Vulnerable group

Political/ county boundary



# REPPIR 2019







# Default OPZ's for Civil Nuclear Sites

## 4. New OPZs (for ONR regulated sites) – Schedule 5

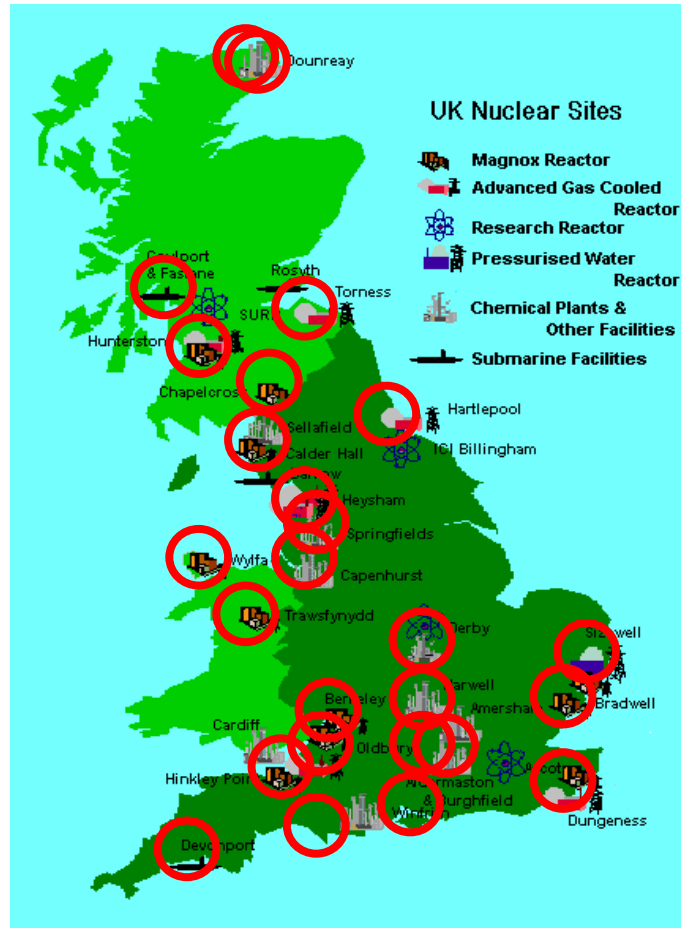
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<i>Cat.</i>	<i>Nature of site</i>	<i>Outline planning zone</i>
<i>1</i>	<i>Sites involved in the processing of High Level Waste or storing in excess of 100 tonnes of Plutonium</i>	<i>50 km</i>
<i>2</i>	<i>Operating nuclear power plants and decommissioning nuclear power plants with a presence of irradiated fuels</i>	<i>30 km</i>
<i>3</i>	<i>Sites with a significant presence of enriched uranium and decommissioning nuclear sites (other than power plants) with a significant presence of irradiated fuels</i>	<i>5 km</i>
<i>4</i>	<i>Decommissioned sites without a significant presence of irradiated fuels</i>	<i>1 km</i>
<i>5</i>	<i>Sites involved in the production of radiopharmaceuticals</i>	<i>No outline planning zone</i>

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# Key concepts of REPPiR 19'

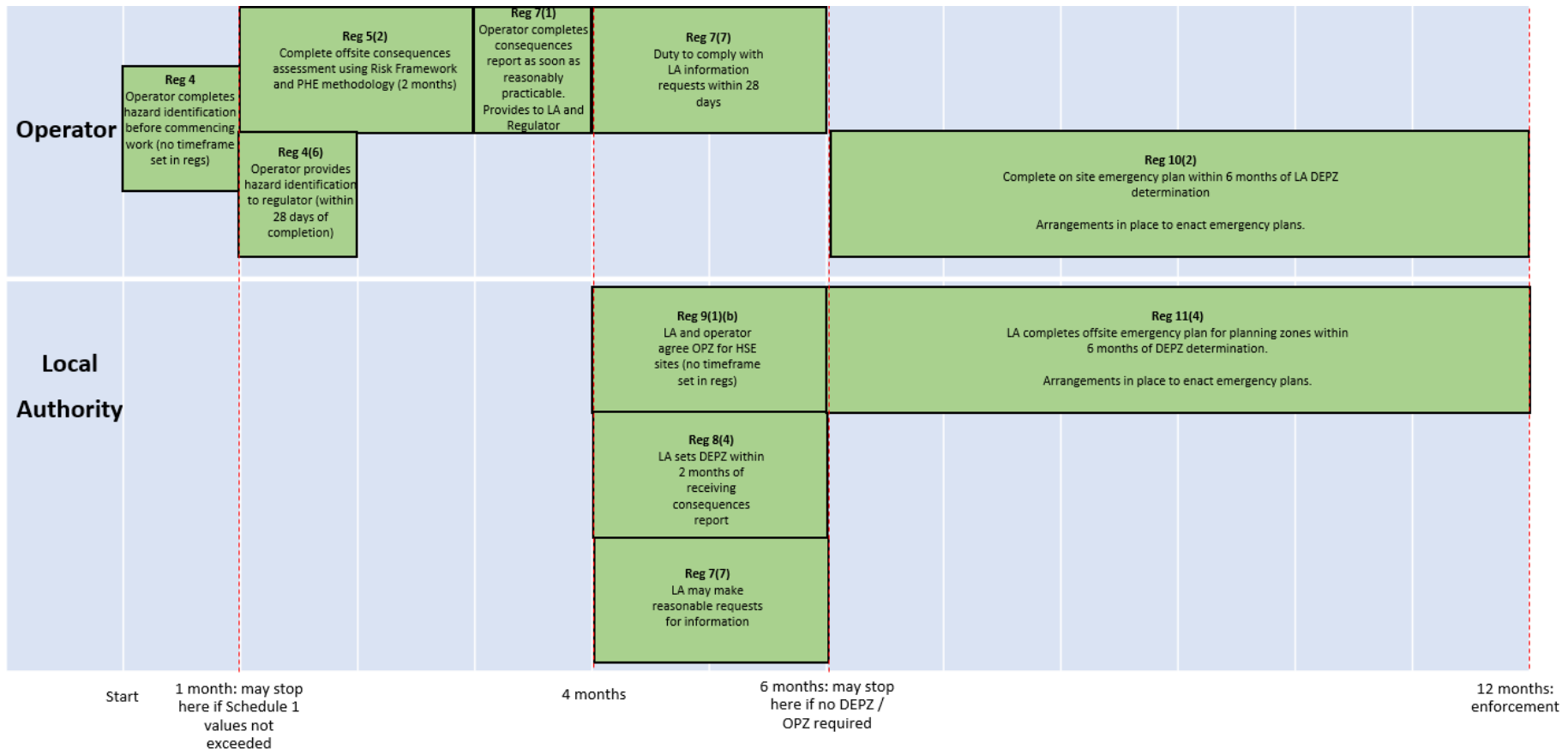
## 4. New OPZs (for ONR regulated sites)





# Implementation timelines

All existing and new dutyholders must be in compliance by 21<sup>st</sup> May 2020.



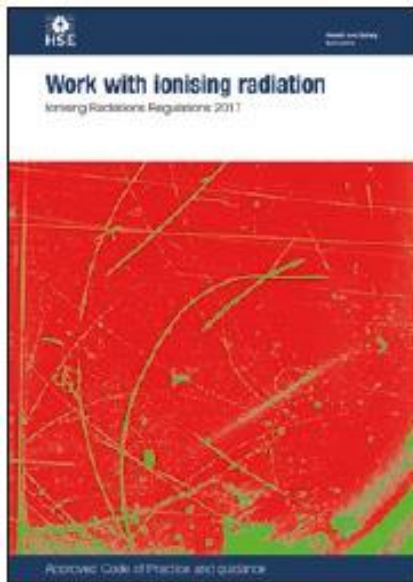
# Overview of the ACoP and Guidance

- A single document that includes the Regulations, ACoP (where relevant) and Guidance to assist dutyholders comply with the new Regulations
- ACoP
  - Practical advice on recommended methods to comply with the law
  - Follow the advice and you will be doing enough to comply in respect of those specific matters
  - May use alternative methods to the ACoP
  - However, the ACoP has a special legal status. If you are prosecuted for breach of health and safety law, and it is proved that you did not follow the relevant provisions of the ACoP, you will need to show that you have complied with the law in some other equally effective way or a Court will find you at fault. This is often termed the ‘reverse burden of proof’.
- Guidance
  - Not compulsory - free to take other action. But if you do follow the guidance you will normally be doing enough to comply with the law. Health and safety inspectors seek to secure compliance with the law and may refer to this guidance as illustrating good practice



# Approved Codes of Practice (ACoPs)

- Example: IRR17 L121 contains Regulations, ACoP and guidance



L121 (Second edition)  
Published 2018

Regulation 9(1)

*(1) Every employer must, in relation to any work with ionising radiation that it undertakes, take all necessary steps to restrict so far as is reasonably practicable the extent to which its employees and other persons are exposed to ionising radiation.*

ACOP 9(1)

85 Dose-sharing should not be used as a primary means of keeping exposures below the dose limits.

86 Employers should take particular steps to restrict the exposure of any employees who would not normally be exposed to ionising radiation in the course of their work. The dose control measures should make it unlikely that such people would receive an effective dose greater than 1 mSv per year, or an equivalent dose which exceeds that specified as a dose limit for any other person in Schedule 3.

Guidance 9(1)

### Responsibility for restricting exposure

87 Employers working with ionising radiation, as defined by regulation 2(1), have overall responsibility for restricting exposure. They must co-operate with any other employers whose employees are affected by their work with ionising radiation, as required by regulation 16 (and paragraph 293 about outside workers).

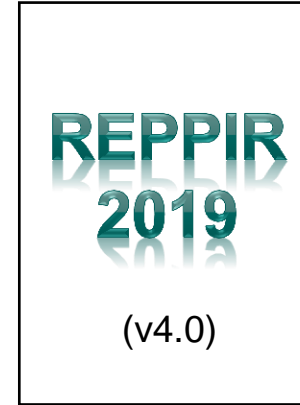
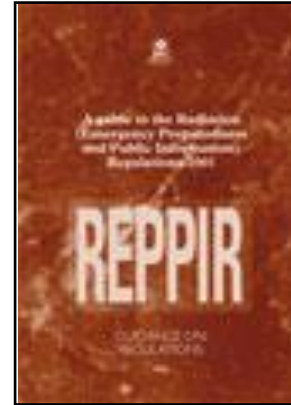
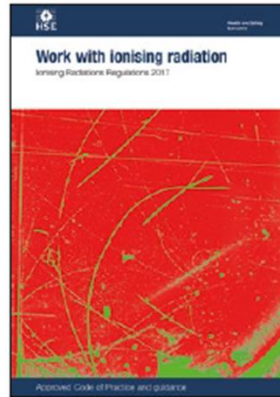
### General approach to restricting exposure

88 This general duty to restrict exposure covers both the intention to work with ionising radiation and the selection of any source of ionising radiation for the work. One of the first considerations is to decide whether the risk can be avoided by choosing an alternative technique which does not involve ionising radiation. Any alternative techniques chosen which avoid work with ionising radiation should not lead to an overall increase in the health and safety risks that employees and other people will be exposed to.

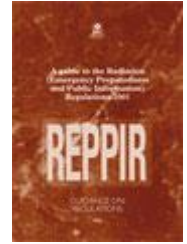
89 Employers should give priority to improving engineering controls and adopting other means of restricting exposure, including changing the methods of work. However, if a choice has to be made between restricting doses to individuals and



## What is proposed for the REPPIR ACoP & Guidance?



# Regulations	43	22	30
# Regulation sub-paragraphs	186	102	160
# paras of guidance	622	515	707
# paras of ACoP	30 (~5% of CoP)	0	52 (~7% of CoP)



## What will be in the ACoP & Guidance

Expect similar structure to current REPPiR L126 (Brown book) - clearly distinguishing between the Regulations, the ACoP and the Guidance, –

Updated content associated with areas such as:

- Methodology and Contents of the Hazard Evaluation, Consequence Report, Consultation & Cooperation, Detailed planning, etc.

Content associated with new areas in REPPiR such as

- Outline planning, determination of detailed emergency planning zones and testing of outline plans.



# Approved Code of Practice: Public Consultation

- About 2/3 into the eight week **public** consultation for the ACoP - stakeholders have the opportunity to provide comments / feedback on the draft ACoP.
- The Consultation document will include the Regulations and guidance but the formal consultation will only cover the ACoP.
- Sensible suggestions on the guidance may be considered.
- The consultation on the ACoP will seek views on its technical content. It will not be a re-run of the BEIS consultation on policy.
- It will be a HSE consultation, but ONR will be leading the work.
- We have asked some specific questions on certain parts of the ACoP but will accept any comments on any part of the ACoP.





# Approved Code of Practice: Public Consultation

- The consultation process will be consistent with government consultation principles and legal advice.
- The document is accessible on both HSE's and ONR's website.
- In addition interested organisations and bodies received positive notification of the launch of the consultation – including NGO's
- Work on drafting the guidance is continuing in parallel.
- The response to the consultation will also be managed by ONR but with close HSE support
- Aim is to publish the final version of the ACoP and guidance in Autumn 2019.

# ACoP Consultation

**10<sup>th</sup> April – 5<sup>th</sup> June 2019 (27<sup>th</sup> June for LAs)**

For information about the Consultation and how to provide your views  
please visit:

<http://www.onr.org.uk/consultations/2019/reppir-2019/index.htm>.

We look forward to receiving your comments.

