

Note on requirements to be considered in updating the main SAFEGROUNDS guidance document (LMG)

[CIRIA note: This note derives from preparatory discussions on the update held 12 August 2005 with original authors of the guide. These people had key knowledge and this discussion was used as a 'sounding-board' for CIRIA. As such it helped in the preparation of the specification. It should be noted that the authors were told that their participation at this stage did not mean CIRIA would award them the future contract(s) for the work. The intention for the specification to go out to tender, once it was prepared, was made clear by CIRIA.]

Key reasons for updating

As noted in the SAFEGROUNDS 2005 – 06 programme, it was thought to be timely to publish a revision to the LMG in 2007, 5 years after it was first issued. This was an appropriate timeframe to consider lessons that could be captured from its use.

We discussed the fact that a lot had changed since the original LMG had been drafted – eg NDA, delicensing, Part IIA development etc. as well as experience gained from Dounreay, Sellafield in terms of consultation. The current version is also out of date on external references, particularly on stakeholder experience.

We also discussed the possibility to extend guidance to other sites/industries - in particular, filling the gap between Part IIA and the nuclear site licencees.

There were also thought to be a number of shortcomings to the existing document which could be addressed in the revision. Some shortcomings related to the form of the document, how it had been produced through consultation, how the appendices were dealt with and the degree of user-friendliness. There were questions over the extensiveness of consultation that was achieved during production of the first issue and whether the process could be enhanced to be more inclusive. The closure process for finalising the document could also be re-visited.

Consideration could be given to including non-NDA/ non-defence sites with radioactivity such as hospitals and small industrial users.

There were also some fundamental questions that could now be asked about the function and content of the LMG. For example questions would need to be asked about the balance between a) providing principles and a generic approach that all stakeholders could relate to and b) providing 'how to' guidance at a more detailed level for different types of sites and situations.

There were also issues of what information should be retained in the LMG and what could be better dealt with in the SAFEGROUNDS supporting guidance documents. The LMG revision therefore would need to carefully consider any planned revisions to other SAFEGROUNDS documents.

Function

There was a discussion of what the basic function of the LMG should be. The following points arose:

- LMG should be helpful and accessible to everyone
- it should inform good practice for the management of contaminated land
- it should be a reflection of good practice at this time
- it is not an industry 'standard'

A key question was whether the LMG should continue to provide guidance based on presentation of agreed high level principles together with a generic approach relevant across a range of sites and situations or whether it should move towards providing more practical 'how to' guidance relevant for different sites and situations.

Perhaps the main achievement of the first version was the establishment of principles. There may be frustrations however for those responsible for managing contaminated land that the guidance does not provide direct plans for dealing with particular situations. However, there were important issues to consider in getting the balance right; the main problems with the 'how to' approach appeared to be:

- in writing the original document there was resistance to this approach from a range of stakeholders (eg Magnox and NGOs)
- there are probably too many situations to cover, a lot of hopping about between generic guidance and individual situations would be needed within the document
- the guidance was intended to be accessible to other stakeholders, not just industry – the 'how to' approach would probably be too detailed for many
- each site would have to do its own plan anyway – the LMG would not be able to do this for them but should provide a general guide

Form

The form of the LMG was seen to be very important and it was felt that many improvements could be made. The experience of the web visitor should be considered in making it more user friendly. Such things as layout, use of HTML web text, use of flow diagrams and a modular approach based on web navigation could enhance the document. The main points from this part of the discussions were:

- Information Technology could be used more intelligently
- a process flow approach could be used (NRPB emergency response approach was referred to in this context)
- there could be a modular structure* – core text leading off into separate modules for different sites (eg nuclear licensed, MOD, possible small users such as hospitals)
- readers could be shown what different routes they could take through the document based on their individual circumstances
- a short executive summary would probably be useful
- one of the advantages of the modular approach is that individual modules could be updated separately or new modules could be added without major revision
- a modular approach could be structure around the flow diagrams (once they are finalised) – these could form a navigation mechanism
- a summary is needed in the form of a citizen's guide

*Modular structure

We were not very clear at the meeting about what we meant by 'modular structure'. The diagram below shows the sort of thing Marion had in mind, ie different parts of the guidance for different types of site and various modules relating to stages in the land management process within each part. At a fairly early stage in consultations, we would need to find out how many types of site stakeholders want covered (hence how many parts) and what level of detail they would like for each (hence how many modules in each part).

James suggested some of the modules would be common to several 'types' of site, others specific.

Content

It was felt that the content should be determined through stakeholder dialogue and as such all elements including the key principles should be open to being re-visited. Amendments or additions to the key principles however were likely to require very clear justification. The flow diagrams, which were developed (but not completed) last year, would probably have an important role in both determining the content of the LMG and then in providing a navigation structure for it. There would be iteration on the flow diagrams through the revision process but outstanding main issues, such as the how early consultation begins with site specific stakeholders and the out-referencing to non-SAFEGROUNDS guides, would need to be looked at early on in the process as they would be important in setting the scope of the LMGs content.

Consultation methodologies

Stakeholders should be asked fundamental questions about what they want to be in the new version. Although the SAFEGROUNDS steering group should not lead stakeholders to give particular responses it would be important for them to anticipate and prepare for the questions that were likely to arise – and indeed for them to frame some of the questions that should be addressed.

A dialogue process needs to be designed to build on and extend the experience of SAFEGROUNDS and SD:SPUR (eg electronic document consultation, logging responses, involvement of a range of stakeholder groups, running workshops, number of iterations and finalisation processes, independent facilitation of meetings.) Advice should also be sought from stakeholder dialogue specialists such as David Collier and Carl Reynolds.

Achieving representation from within and beyond the steering group is going to be very important. Drawing out 'blank paper' thinking would be important. Facilitated meetings would help. Also steering group members should be encouraged to prepare thinking prior to meetings. It will be important to flush out issues at the early stages so they don't emerge as major problems later.

A clear audit trail will be very important. We could consider the publishing of minutes to improve transparency. (Note that HSE post minutes on their website.)

It needs to be borne in mind that the revision process will be bound by available money, time and effort of stakeholders.

We should bear in mind what we did about publishing consultation responses during the development of the key principles and the existing LMG. In particular, we should remember that we published all the responses to the various stages of consultation on the website, with

summaries of them and with papers for the next stage of consultation, including workshop papers for those who could not attend so that they could comment on them in advance. Lessons are also available from the SD:SPUR consultation.

James suggested we need to establish 'ground rules' and the expectations of how extensively the guidance might be developed.

There was also discussion of the role and composition of the PSG – broader representation was considered to be an important objective. Graham later suggested some international contacts which he could encourage to participate.

Stages of development

Firstly, stakeholders should be consulted on what stages they want included in the revision process and whether they wanted radical change or evolution. They should also be asked how much effort they were prepared to put into the project and how much consultation they want at each stage. The responses to these questions will determine the scale and process for the work.

The project should also start with some fundamental questions. A debate should be had about what the guidance should say and there should be wide stakeholder input into what should be in the specification.

Early in the process the main issues from each set of stakeholders should be established. The steering group can then use the comments received to agree the specification.

It is suggested the stakeholders would need to agree the flow diagram as a template because it would:

- guide the writing of version 2
- show how elements of the LMG should hold together
- be the first thing you see on the screen
- introduce any new modules that are developed

We may need more than one flow diagram - possibly one generic flow diagram that shows the basic land management process that is recommended in LMG v2, then slightly more detailed flow diagrams for each type of site (see attached structure). I think this approach would help to resolve some of the differences of view on flow diagrams, as well as making LMG v2 easy to use.

Probably after a few more initial consultation stages the project would move on to the writing of an outline draft. The first full draft would probably not be sent out until quite late in the process.

The final consultation may best take the form of one-to-one meetings. Some questions would need to be addressed on the process for how the final comments are incorporated.

Timing issues

The suggested timing is to get the revised LMG completed for publication on the website by the end of 2007.

There will be many other things happening during the project such as publication of ICRP guidance on (ICRP are due to publish the new version of their basic recommendations on radiological protection in 2006), outcomes of CoRWM deliberations, Defra LLW consultation, probably consultation from the NDA. These may have impacts, for example on the availability of stakeholders for consultation. The project should track and work around these.

We should also consider continuity of steering group membership, including possible retirements.

Timing will need to be carefully worked out. The possibility of a 6 month buffer should be considered as a way to cope with possible delays.

Implications to and from other SAFEGROUNDS guidance

LMG provides a framework. This links with other SAFEGROUNDS guidance. There was discussion about the implications to and from the following guidance documents:

Best practice in site characterisation

This has a number of shortcomings. It would probably be possible to do some obvious updates to this by using a small working group, particularly if it continues to be viewed as a highly technical document. These should be done before, and would inform, the LMG revision. Further revision would then follow the LMG revision. It should be borne in mind that 'site characterisation' is a supporting document and should be re-cast as such. It would probably be possible to edit out large chunks to produce a more purposeful document. In doing this there would need to be consideration of which bits of the current content should be better dealt with in the other SAFEGROUNDS guides.

Assessments of Health and Environmental Risks of Management Options for Contaminated Land

This may need to undergo a minor revision towards the end of the LMG revision. For example there are a few amendments to make to the regulations referred to.

Producing a new paper on *comparisons of options* could cut down large parts of the LMG. It would provide stronger guidance on decision making for different options. This could be appealing to NDA if value-for-money issues were covered – an area where tangible guidance could probably be provided. However, the methodologies (multi-attribute analysis etc) are controversial.. It needs to mesh with Part IIA etc. The existing paper *Technical Options for Managing Contaminated Land* could be updated after LMG v2 is out.

There was a discussion about whether MoD would like to take a more strategic, generic and prescriptive approach for some of their sites, rather than doing everything case-by-case. We could have this discussion with them when consulting about the number of types of site to be covered in LMG v2.

It would probably be worth doing updates of the stakeholder involvement paper and the regulatory framework paper in the latter stages of the production of LMG v2, so the whole package hangs together.

James suggested 'Value for money' needed to be addressed properly.

Team

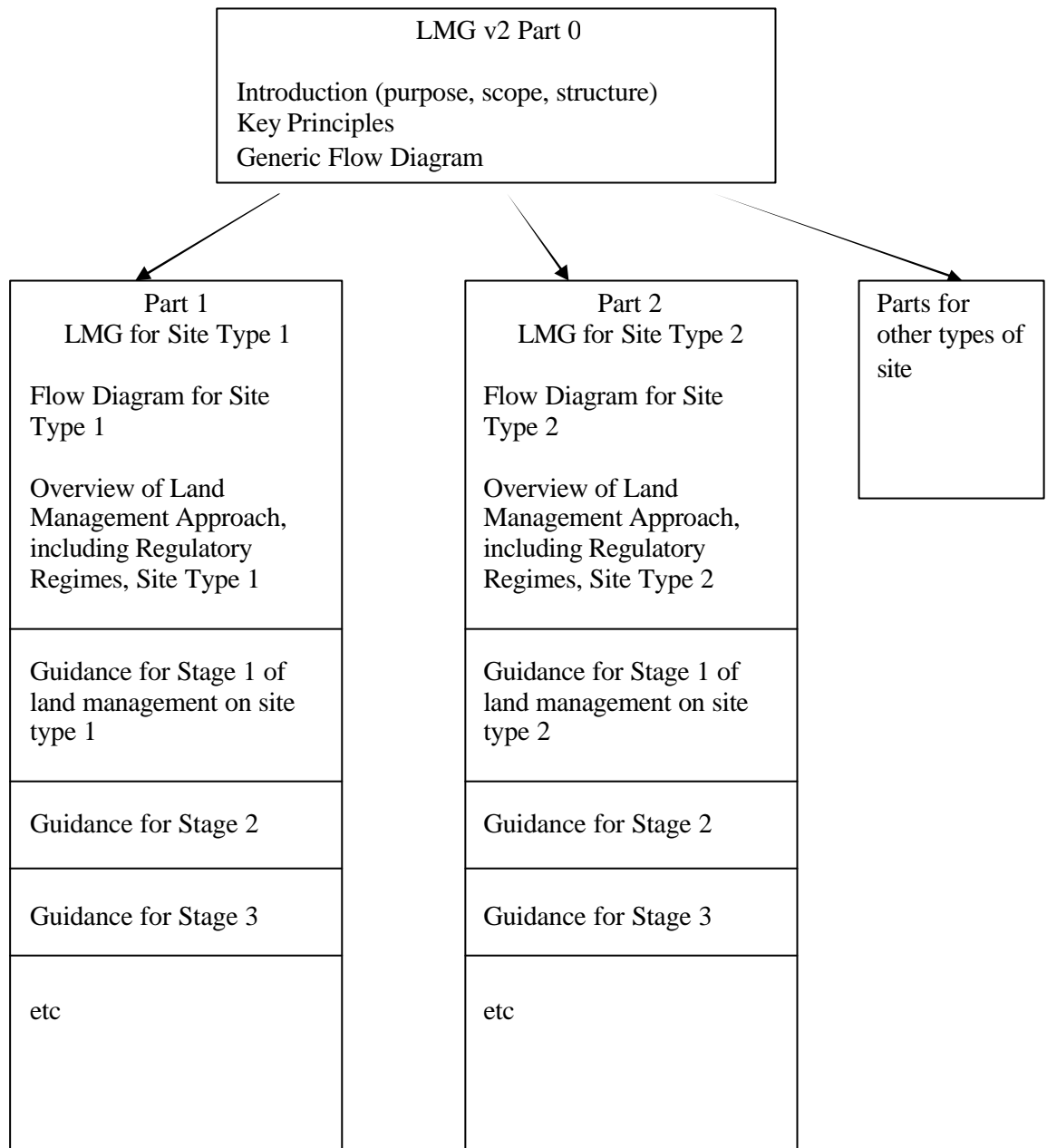
Single tender action would need to be justified but there seems to be a clear case based on the cost-savings from avoiding the time it would take to get new consultants up to speed on the guidance and its history. The consultants have a good track record of working together and will be willing to work through a partnership approach to identify economies. In developing a response to the any specification they anticipate being able to demonstrate how they will be able to provide services in competitive manner. Carl Reynolds and/ or David Collier would complement the team. It would be acceptable for Enviro to be contract holder with CIRIA.

Next steps

- 1 This note to be sent to those present for comments and then finalisation
- 2 Use finalised note in meeting in September with David Collier and Carl Reynolds to work-up ideas on the dialogue process
- 3 Following 2 above prepare paper for October steering group meeting which contains a draft map of the way forward
- 4 Following the steering group meeting it should be possible to prepare a firmer plan with costings and an indication of the roles of consultant

CIRIA
9 Sept 05

**Marion's Possible Structure for Version 2 of the SAFEGROUNDS
Land Management Guidance (LMG v2)**



Notes

1. Some modules would be the same, or very similar for more than one type of site.
2. Number of types of site would need to be decided. Perhaps 2 or 3 types of nuclear-licensed site, 2 or 3 types of defence site and one 'other radioactively contaminated land'.
3. In the web and CD versions, users would click on links to access each part of the LMG, then to access each module, then to access the guidance on specific topics within each module.
4. There should be means to download and to print all the guidance for one type of site, as well as all the guidance for all types of site.