

**Dounreay Particles BPEO Stakeholder Consultation**  
**2<sup>nd</sup> Steering Group Meeting**  
**Friday 13 February 2004**

**Orange Room, Park Hotel, Thurso**  
**0830-1500**

**ATTENDEES:**

**Steering Group:**

Bill Fernie	Member of Highland Council for Wick West (Chair Elect)
Fred Barker	Independent Consultant specialising in Stakeholder Engagement on Nuclear Issues
Ian Clark	Trade Union Safety Representative, UKAEA Dounreay
Rick Nickerson	Kimo International
John Thurso	MP

**Consultation Project Team:**

Sam Usher	NNC
Alison Robinson	NNC (Secretary)
Dr Jane Hunt	Lancaster University
June Love	UKAEA

**Other Attendees:**

Dr Paul Dale	Dounreay Particle Advisory Group	(p/t)
Mark Liddiard	UKAEA	(p/t)
Graeme Morgan	UKAEA	

**Apologies for absence:**

Prof. Iain Baikie	(Steering Group member)
Dr Frank Dennis	(UKAEA)

**1. Introduction and Agenda Agreement**

Sam Usher welcomed everyone and introduced Dr Jane Hunt (Lancaster University) who is a member of the Consultation Project Team, and Dr Paul Dale of the Dounreay Particles Advisory Group (DPAG).

Dr Paul Dale made clear at the outset of the meeting that he was representing DPAG in a technical capacity only, and not SEPA at this meeting.

Prof. Iain Baikie and Dr Frank Dennis sent their apologies.

Sam Usher stated that Iain Baikie had reviewed the meeting documentation submitted to the Steering Group and had passed his comments to the Secretary.

The agenda for the second Steering Group meeting was agreed (with the minor amendment to the agenda that Paul Dale was representing DPAG and in attendance for Item 5 and 6 only). It was noted that further discussions on accessibility of technical material should be scheduled for the next meeting when Iain Baikie would be available.

## **2. Agreement of Minutes of last Steering Group Meeting**

The Minutes of the first Steering Group meeting were presented to the Steering Group for their approval. Explanation was sought over item 7 with regard to Highview software and at when it would be used; it was explained that this would be at Stage 3 of the Public Consultation.

Some terminology was clarified. It was agreed that the term 'Stage' would be used henceforth rather than 'Phase' in all documentation.

The Minutes of the first Steering Group meeting were agreed. The Steering Group also requested that the Minutes only, and not the appendices, were posted upon UKAEA's website.

## **3. Identification of Steering Group Chair**

Sam Usher explained that the role of the Chair of the Steering Group (SG) was twofold:

- Chair Steering Group meetings
- To act as a spokesperson/ point of contact for the SG for media contact.

The Chair of the Steering Group was not expected to have detailed technical knowledge of the Particles issue as a prerequisite. John Thurso noted that he wished to avoid any potential conflicts between his position as MP and Chair of the Steering Group.

Bill Fernie was proposed as Steering Group Chair by Rick Nickerson, and seconded by John Thurso. All the Steering Group members in attendance accepted this, and Bill Fernie accepted the nomination as Steering Group Chair.

## **4. Agreement of the Role of the Steering Group**

The Chair (Bill Fernie) presented the draft Terms of Reference to the Steering Group for their comments and approval. A request was made to amend one point to: '*review* and approve the consultation process, which was agreed. The Steering Group asked for the amended Terms of Reference and Objectives to be placed upon UKAEA's website.

The Steering Group approved the Terms of Reference, attached in appendix 1.

## **5. Update on discussions between UKAEA/ DPAG on Consultation Programme**

Dr Paul Dale of DPAG was introduced to the Steering Group role as technical secretary to DPAG. Dr Dale gave an account of DPAG's role, history of work and the DPAG reports produced to date. Dr Dale referred the Steering Group to DPAG's second Interim Report, published in March 2003, which he believed was of relevance to the discussions of the Steering Group. He indicated a number of areas within the DPAG second Interim report that may be applicable to the development of the BPEO these sections included paragraphs 2.17, 4.26 and 4.39.

Dr Dale explained DPAG's position and views regarding the Dounreay Particles BPEO Stakeholder Consultation.

Dr Dale said that he understood that SEPA had commissioned NRPB to update their 1998 review of technical issues regarding the particles. This report was now likely to be published in April 2005. This report is reviewing ongoing and historical research, and will further develop the technical understanding of the particles issue.

DPAG are awaiting this report from SEPA in order to produce their definitive report on the Dounreay particles. DPAG anticipate that the DPAG Definitive Report will follow the SEPA report within approximately 3 months. Dr Dale said that the Steering Group could be updated with interim findings from the research as they become available, as appropriate.

Dr Dale explained that DPAG felt that both Stages 2 & 3 of the Stakeholder consultation process should take place after the results of the SEPA report become available, i.e. after April 2005. DPAG drew to the attention of the Group that the information currently available would be soon out date following the publication of the SEPA report, should consultation precede this.

June Love then provided a statement on UKAEA's view. This is attached as appendix 3. UKAEA believe it is important to proceed with Stage 2 of the consultation to engage stakeholders early in the process. UKAEA noted that they had been criticized before for not consulting stakeholders early enough in processes before.

UKAEA explained that Stage 2 of the consultation was a "front-end" consultation that was looking at the scope of the options, and attributes of the BPEO (see appendix 4 for objectives of each Stage of the consultation). UKAEA and the project (NNC/LU) believed that this Stage is essentially independent of the output of the SEPA research, and that there were benefits to the overall BPEO and consultation process by engaging stakeholders before April 2005.

UKAEA and the Steering Group noted that it had always been understood that Stage 3 of the consultation project could not proceed until the SEPA research had been completed.

## **6. Review of Draft Consultation Programme for Discussion**

The Steering Group had previously been presented with a detailed draft Consultation Programme from the Project team. This project was based on Stage 2 of the consultation proceeding before the SEPA report being published. The Steering Group discussed the arguments relating to proceeding with Stage 2 of the Consultation either before or after the SEPA report had been published. The Steering Group heard that:

- Early consultation is in accordance with industry best practice, and that UKAEA had been criticized previously for not engaging stakeholders early enough in BPEO and other processes.
- To proceed to Stage 2 is the preferred option of UKAEA as this is an integral part of the BPEO programme
- DPAG noted that the revised data would be available only following the publication of the SEPA research.
- A gap in consultation between Stage 2 and 3 will not be problematic in terms of process, however, UKAEA wished to avoid long “vacuums” in engagement for stakeholders.
- Any material change from current understanding in the following key areas resulting from the publication of SEPA’s reports could lead to a revisit of the Stage 2 findings:
  - Potential health effects of the particles
  - The potential volume of the particles
  - Transport issues for the particles
- There remains continuing and widespread public and stakeholder interest in the particles issue in the local area.

The Steering Group noted that:

- Stage 2 of the Dounreay Particles BPEO Stakeholder Consultation is concerned with the framing of the BPEO process, rather than views on technical understanding. It will consult on the scope of options and attributes, and does not require input from the ongoing SEPA research
- There is a risk of further delay to the SEPA, and DPAG Final reports (as with any project) which could adversely impact the consultation programme and the BPEO process
- The consultation programme “logic” for Stage 2 & 3 remains as the original programme, only the timing of starting Stage 2 and 3 may change.
- The Steering Group wished to involve both DPAG and SEPA as stakeholders in the consultation process in a way which would not compromise the position of either party.
- The Steering Group believed that the consultation is best served by having both SEPA and DPAG supportive of the process as key stakeholders.

The Steering Group suggested proceeding with Stage 2 before April 2005 with a “health warning” provided in briefing materials and to the consultation. This would make explicit to all stakeholders that the Steering Group is aware that SEPA have commissioned further research into the particles issue, and that SEPA expect this to be published in April 2005. Following the publication of the SEPA report, the Steering Group would reserve the right to review any recommendations arising from the Stage 2 consultation in the light of any material change in understanding arising from the SEPA research.

This would mean that Stage 2 would not be formally “closed” by the Steering Group until after publication of the SEPA report.

The Steering Group noted that DPAG did not see any additional value in proceeding with stage 2 when this would have to be revised following the publication of the SEPA report. The Steering Group said that it wished to continue the dialogue with DPAG, SEPA & UKAEA. It was agreed that the Steering Group would formally write to DPAG, SEPA, and UKAEA, detailing the reasons why the Steering Group supported an earlier start to Stage 2. This letter would also formally invite SEPA and DPAG to be involved in the consultation process in an appropriate manner. A decision on whether to proceed with Stage 2 before April 2005 will be taken at the third Steering Group meeting, following further dialogue. *(Post Meeting Note: Next DPAG meeting is scheduled for 24 March 2004.)*

## **7. Discussion of Proposed Stage 2 Methodology**

The Steering Group had previously been presented with a draft Consultation Programme from the Project team. UKAEA outlined the range of options for the Stage 2 consultation events for the Steering Group to review. It was noted that the range and scale of the consultation events should be appropriate to the level of the consultation. Following discussion and review of the options, the Steering Group agreed the scope of Stage 2:

Scope of Stage 2 Consultation Events:

<b>Format</b>	<b>Number</b>	<b>Comprising</b>
Electronic & paper Consultation	Yes	Questionnaire and Public Participation Consultation Document
Public Exhibitions	2	At both Thurso and Wick,
Stakeholder workshops	5	-Dounreay Local Liaison Committee -Non-Governmental Organisations -Local residents -UKAEA employees -Representatives of Interested stakeholder groups

In addition, the Steering Group asked the project to consider how the following could be incorporated into the project plan:

- An appropriate advertising plan is incorporated, including national press
- Disability access to the consultation is considered and planned
- Consideration of how the ‘silent majority’ should be enabled to participate,

One member of the Steering Group queried the numbers participating in the workshops and would prefer to see numbers increased to approximately 15. The project would consider how this might be achieved.

The Steering Group reviewed the Event Methodology for Stage 2 of this consultation. The following comments were made:

- Public exhibitions should have a sufficient number of UKAEA and trained consultation staff with consideration to be given to the attendance of independent technical experts so as to present balance.
- Steering Group to review and approve all published briefing and exhibition materials in terms of public accessibility.
- Steering Group also to request if appropriate independent peer review of materials, for example for technical accuracy.
- Steering Group wished to observe events as part of the audit role.
- Consideration be given to allowing other groups to participate in order that all are allowed to comment.

## **8. Review of Draft Public Participation Consultation document**

The Steering Group considered the draft Public Participation Consultation document previously submitted to them for review. The Steering Group noted:

- That the language used should be accessible and consistent,
- There should be a glossary of terms,
- The document should be impartial and informative,
- Risk table needs adjusting with regard to assessability,
- Monitoring areas to be highlighted and explained,
- Particle type description to be expanded.

The project would incorporate comments into the second draft for discussion at the next Steering Group meeting.

## **9. Identification of Stakeholders**

The Steering Group commented that the identified listing was acceptable provided that it was amended to incorporate the Western Isles Council, Greenpeace, Friends of the Earth and the RSPB and other nature groups.

## **10. Review of Steering Group Process**

After discussion by the Steering Group it was decided that a member of the Steering Group should attend each public event as an independent observer in order to monitor and evaluate the proceedings.

The Steering Group wished to place on record the benefit of having a DPAG representative involved with the Steering Group process. Dr Dale was thanked for his attendance, and the Steering Group invited him to attend the next meeting.

## **11. Review of Meeting and Close**

The Chair thanked the Steering Group for their time and efforts. It was agreed that the next Steering Group meeting would be held around June 2004. June Love would confirm dates and availability.

## **Proposed Agenda Items for Inclusion in Next Steering Group Meeting**

1. Discussion and decision on timing of Stage 2 of consultation programme
2. Review of consultation programme
3. Review of second draft of event methodology
4. Review of Stakeholder selection plan
5. Review of Terms of Reference of SG observers at events
6. Review of Public Participation Consultation Document
7. Review of Advertising plan
8. Review of technical documentation

## **Appendix 1 Steering Group – Terms of Reference**

### **Steering Group Objective:**

**'The objective of the Steering Group is to act as an independent audit group to ensure that the consultation process is open, independent, transparent, relevant and inclusive, by:**

- **Reviewing the process in advance, reviewing the process during consultation, making recommendations on the process and providing a commentary on their work for inclusion in the final report,**
- **Review and comment on whether the findings of the consultation have been adequately incorporated in the final BPEO.'**

### **Terms of Reference**

- Ensure the transparency, independence and integrity of the consultation process,
- Review, comment and make recommendations where appropriate regarding the inclusiveness of the process,
- Review and approve the consultation programme,
- Review, comment and make recommendations where appropriate regarding progress against the consultation programme,
- Provide an ongoing independent commentary on the consultation process,
- Review, comment and make recommendations where appropriate on the draft findings of the consultation to ensure that the output of the consultation has been accurately captured,
- Receive the final report on the consultation,
- Provide a foreword to the final consultation report reviewing the transparency and inclusiveness of the consultation process,
- Review and comment upon whether the findings of the consultation have been adequately incorporated into the BPEO process by UKAEA.

## Appendix 2 Actions List resulting from 2nd Steering Group Meeting

ACTION	WHO	WHEN
1. Place Minutes of first Steering Group meeting upon UKAEA website	JL	23/2/04
2. Place Steering Group's Terms of Reference and Objectives upon UKAEA website.	JL	23/2/04
3. Circulate copies of DPAG Second Interim report to Steering Group	AR	29/2/04
4. The Steering Group to write to SEPA, DPAG & UKAEA inviting participation consultation programme. Project to produce draft letter for SG to update	SU	29/2/04
5. Steering Group to write to UKAEA/SEPA requesting DPAG participation in the consultation process through modifying DPAG Terms of Reference. Project to produce draft letter for SG to update	SU	29/2/04
6. Steering Group to write to DPAG & SEPA explaining reasons why SG/Project believe Stage 2 consultation should proceed before SEPA research report is published. Project to produce draft letter for SG to update	SU	29/2/04
7. Project to prepare disability access protocol for review by the Steering Group.	JH/AR	31/5/04
8. Project Team to prepare recruitment plan for each of the five workshops.	JH/AR	31/5/04
9. Project to review optimum stakeholder workshop size.	JH/AR	31/5/04
10. Project Team to prepare advertising plan for review by the Steering Group	AR/JL	31/5/04
11. Project to produce draft 2 of Public Participation Consultation Document	AR/JL	31/5/04
12. Project to update stakeholder listing	AR/JL	31/5/04
13. Project to produce draft terms of Reference for SG observers at consultation events	JH/AR	31/5/04
14. JL to identify next SG meeting date around June	JL	29/2/04

## **Appendix 3 UKAEA POSITION ON PARTICLES CONSULTATION**

“UKAEA has been advised by SEPA that the NRPB risk assessment will not now be available until April 2005. UKAEA shares SEPA's view that we cannot realistically undertake the final step of the BPEO assessment - the ranking of different options for the future management of the particles - until we have a clear, updated and agreed picture of the risks to human health and the environment which the particles pose in the long term. We would still like to begin the process of public consultation as early as is reasonable, so that people have plenty of time to comment on the options available, and on the attributes against which they would like these options to be assessed. But we recognise there is no point in drawing the process out unnecessarily, and that it would be a bad signal to start the process and then have a "void" period while we wait for the NRPB's results and DPAG's final conclusions. So, we would like to stick with our present plan (Stages 2 and 3) but move the start date back to late 2004/early 2005, so that we would have completed Stage 2 and be ready to start Stage 3 in summer 2005 when we expect to have all the information available.

This will also allow UKAEA's Chief Executive and Dounreay Director, who are both new to the organisation, to be fully appraised of all the work that has been done on the investigation of particles. They recognise that this is a major issue for Dounreay and UKAEA as a whole, and this gives them a chance to get up to speed with all the issues before the consultation process gets underway.

UKAEA are particularly pleased to have secured the agreement of the Steering Group to oversee the consultation process and hope that they will support the necessity to put the start date back later than what was initially anticipated.”

## Appendix 4 Objectives of Each Consultation Stage

<b>Stage 1 Complete</b>	<ul style="list-style-type: none"> <li>• Project kick-off meeting (UKAEA/NNC/LU)</li> <li>• Establishment and holding of first Steering Group meeting</li> </ul>
<b>Stage 2</b>	<p>Initial "Front-end" Public consultation to:</p> <ul style="list-style-type: none"> <li>• Consider the overall BPEO objective</li> <li>• Consult on the completeness of the identified options</li> <li>• Consider completeness of proposed attributes.</li> </ul>
<b>Stage 3</b>	<ul style="list-style-type: none"> <li>• Main Public consultation to:</li> <li>• Present the BPEO options under consideration</li> <li>• Identify stakeholder views on the relative importance of the attributes selected to compare the options.</li> <li>• Identify stakeholder views on the importance of the potential impacts generated by the management options</li> </ul>
<b>Stage 4</b>	<ul style="list-style-type: none"> <li>• Closing event/ presentation/ publication.</li> </ul>