



NATIONAL NUCLEAR REGULATOR

*For the protection of persons, property and the environment
against nuclear damage.*

Minutes

MEETING BETWEEN THE NATIONAL NUCLEAR REGULATOR (NNR) AND CIVIL SOCIETY NGOs IN THE WESTERN CAPE REGION

Date of Meeting: 20 February 2013

Venue: The Riverclub, Liesbeek, Observatory

Time: 11:30 – 14:30

In attendance

Civil Society Representatives:

Siyabulela Tshangela, Peter Becker (Koeberg Alert), Catharina Scheepers (Koeberg Alert), Peter Dale (Aeronastic Properties), Andy Bush (Bellandi), Nkwane Cedile (RZK), Gareth Leyman (Obsid), D La Grange, Smokie La Grange (Melkbosstrand Ratepayers Association), Henning Brand (Project 90 by 2030), Charlie X (Waste Delivery), Gray Maguire (Project 90 by 2030) and Janda Macdonald (CANE)

NNR Officials:

Orion Phillips (Chairperson), Dr Tim Hill, Ubert Coetzee, Mphengoa Phooko and Gino Moonsamy.

1. Introduction

The Chairperson, Orion Phillips welcomed the attendees and formally declared the meeting open. He briefly reflected on how important a platform of this nature is for information sharing and requested a round of introductions from all present at the meeting.

2. Review of the minutes and Adoption of the Agenda

The Chairperson informed that the NNR received a list of discussion points and questions from Civil Society representatives in preparation for this meeting. He stated that the NNR will respond to the questions and discussion points at this meeting. The agenda was reviewed and it was proposed to include a discussion on what recourse are there for Civil Society in

dealing with issues relating to nuclear and the industry roleplayers. The agenda was adopted with inclusion of the above discussion point.

3. Summary of high level discussions

3.1 Transparency and sharing of information The legality of using PAIA as an obstruction to providing information as required by the NNR Act.

The discussion on transparency and information sharing was led by Gino Moonsamy who requested Peter Becker to provide background context to this discussion point. Peter Becker cited specific instances when the NNR denied access to reports which had led to the perception that the NNR is not transparent when it comes to information sharing. He further added that it appears that there may be instances of contradiction between the PAIA and the NNR Act in dealing with requests for information from public. He stated that Civil Society rejects the appointment of the current representative to NNR Board of Directors and questioned the credibility of the process of appointment.

Gino Moonsamy emphasised the recognition of Civil Society as an important affected stakeholder and elaborated on the NNR's efforts to initiate regional meetings with the aim of improving bidirectional information sharing between relevant parties concerned. He further added that this meeting is one of the information sharing mechanisms started by the NNR for this purpose and that this platform also affords the NNR an opportunity to listen first hand to concerns raised by Civil Society and to address specific issues relating to the NNR and its mandate. He mentioned that since 2012 the NNR conducted three meetings with Civil Society, which comprise of two in Gauteng and one in Port Elizabeth. He highlighted the NNR's commitment to improving communications with Civil Society in support of promoting a culture of nuclear safety and creating awareness.

Mphengoa Phooko informed the meeting that the NNR is obliged as a statutory entity to comply with relevant legislations when dealing with requests for information by public. As reference she cited the South African Constitution, PAIA, PAJA, and NNR Act. She stated that there is no contradiction between the NNR Act and NNR PAIA. She further emphasised that when handling requests for information the NNR must consider various legislative requirements and as such these requests cannot be viewed in isolation. As a result of this there may be instances when the NNR cannot legally disclose information and this could create the misperception that the NNR is secretive in the way it deals with requests for information. It was resolved that sharing more information on cross cutting legislation may lead to alignment in understanding between all concerned parties.

3.2 Monitoring of radiation levels around Koeberg. How this information is available to the public.

Ubert Coetzee informed the meeting of NNR's monthly fresh water and air sampling activities. He mentioned that the NNR is in the process of establishing its own laboratory to perform independent analysis and verification of samples such as those from Koeberg and that the NNR monitors released isotopes in accordance with limits established by the NNR. He also stated that currently the results from the NNR analysis are not released to the public. Peter Dale, requested that the NNR considers sharing this information on a more regular basis with the Public and that the NNR provides specific details on the locations around Koeberg which are being sampled. It was resolved that the NNR will devise a plan for sharing this information on a more regular basis with the public.

3.3 Extension of emergency planning zones since Fukushima

This discussion was led by Dr Tim Hill who made a presentation on the emergency planning zones at Koeberg and he informed the meeting of the NNRs updated regulations concerning developments around Koeberg. Peter Dale raised his concern on the accuracy of the wind direction factor considered for Koeberg Nuclear Power Station's emergency planning. He also enquired if the new regulation impinged on property owner's rights and as such will there be recourse for compensation. In general most attendees expressed concern that the general public was not aware of the Koeberg emergency plan and in the event of a nuclear emergency, the people will not know what to do. Furthermore there is a perception that Iodine access points are limited during an emergency and is not sufficient for all the City of Cape Town residents who may be affected by a nuclear emergency. It was resolved that the relevant authorities need review this matter and to improve efforts of information sharing to make the emergency plan more visible to all residents of Cape Town. Also on the point of improving awareness, Peter Becker proposed that the relevant authorities consider communication tools/channels such as Telecoms(SMSs) and Schools Awareness programmes. Smokie La Grange informed the meeting that Eskom has on several occasions shared information on its Emergency Plan and related topics at the Koeberg Public Safety Information Forum (PSIF). She emphasised that Eskom conducted a series of post Fukushima presentations on various related topics to the forum. It was resolved that there should be a more concerted drive to improve information sharing on the Koeberg emergency plan and other relevant nuclear safety information with a broader audience than the PSIF.

3.4. Long term radioactive waste handling in South Africa

Dr Tim Hill conducted a presentation on spent fuel storage and long term waste management. His presentation briefly described the responsibility of parties involved with radioactive waste management in South Africa. The presentation included information on the NNRs span of regulatory control, licence holder responsibilities, the Radioactive Waste Management Policy and Strategy for the Republic of South Africa. Peter Becker raised questions on the funding/subsidizing of the Radioactive Waste Management Institute and expressed dissatisfaction on the lack of information on this institute. There was also a comment that the funding for decommissioning of Koeberg may be inadequate and relevant roleplayers must share more information on this.

4. Key actions stemming from the meeting

The notable key actions stemming from the meeting are;

- Civil Society objects to the representative appointed on the NNR board. NNR to advise Civil Society on a process for lodging objections to board appointments;
- Increase understanding of legal obligations in relation to request for information. NNR to create informed awareness on cross cutting legislation which impact on the NNR processes;
- Invite more members of the public to such meetings;
- With regards to sharing information on liquid emissions and radiation levels around Koeberg. The NNR will devise a plan to share this information with the public on a more regular basis;
- Increase awareness of the emergency plan and nuclear safety information to a broader public audience than the Koeberg PSIF. The NNR to lead and drive a process with all the relevant roleplayers aimed at increasing awareness through frequent structured information sharing. Creating educational awareness amongst learners must be a priority in public communications and topics should include all aspects of nuclear technology, nuclear power plants, radiation protection and the responsibilities of the various roleplayers in South Africa.
- Adequacy of the Koeberg emergency zones and the emergency plan. The NNR to consider the technical issues raised at the meeting and provide its position on the matters that were discussed.

5. Closing

The Chairperson thanked all participants for attending and closed the meeting at 15:15.