

From Mike Hill, Cabinet Member for Community and Regulatory Services
Barbara Cooper Corporate Director of Growth, Environment and Transport

To: Environment and Transport Cabinet Committee – 10 October 2019

Subject: Revised Detailed Emergency Planning Zone (DEPZ) for Dungeness B Nuclear Power Station

Decision No: 19/00066

Classification: Unrestricted

Past Pathway of Paper: N/A

Future Pathway of Paper: For Cabinet Member decision

Electoral Division: Romney Marsh

Summary:

Revised and updated Radiation Emergency Preparedness and Public Information Regulations (REPPIR) regulations were published in May 2019 alongside a new Associated Code of Practice for offsite planning, which will require the County Council to comprehensively review and update its offsite plan for Dungeness B Nuclear Power Station. These regulations require the County Council to confirm a Detailed Emergency Planning Zone within which countermeasures and warning and informing are required.

Recommendation(s):

The Environment and Transport Cabinet Committee is asked to:

- a) note the timetable and work programme to deliver Kent County Council compliance with REPPIR 2019 at Appendix 1; and
- b) endorse or make recommendations to the Cabinet Member for Community and Regulatory Services on the proposed decision to confirm the Detailed Emergency Planning Zone (DEPZ) for Dungeness B Nuclear Power Station to remain at the 2.4km radius.

As shown at Appendix A.

1. Introduction

- 1.1 The Radiation Emergency Preparedness and Public Information Regulations (REPPIR) place a duty upon upper tier local authorities to 'make, maintain and test' at least every 3 years offsite emergency plans for nuclear installations. They further describe duties relating to informing the public and to health protection countermeasures to be taken in the event of a radiation emergency.
- 1.2 Revised and updated REPPIR regulations were published in May 2019 alongside an associated Code of Practice for offsite planning, which will require KCC to comprehensively review and update its offsite plan for Dungeness B Nuclear Power Station.

2. Requirements

2.1 Consequence Report

- 2.1.1 REPPIR 2019 was published on the 22nd May 2019 by the Department of Business, Energy and Industrial Strategy. The regulations require that new or updated offsite emergency plans must be prepared within 8 months of the local authority's receipt of the Consequence Report from the Operator, the new regulations will require significantly increased activity by the County Council and some Kent Districts.
- 2.1.2 The Consequence Report requires that the operator must make an assessment and consider and evaluate a full range of possible consequences of the identified radiation emergencies, both on the premises and outside the premises, including the geographical extent of those consequences and any variable factors which have the potential to affect the severity of those consequences.
- 2.1.3 The Consequence Report was received on 19th September and confirms that the County Council should develop a Detailed Emergency Planning Zone (DEPZ) based on a minimum Technical Planning Area of 1km.

2.2 Detailed Emergency Planning Zone (DEPZ)

- 2.2.1 The area surrounding a nuclear facility where countermeasures may be required is referred to as the DEPZ.
- 2.2.2 Countermeasures for the public include 'shelter in situ', stable iodine tablet distribution or evacuation from the area.
- 2.2.3 Currently the Dungeness B Nuclear Power Station operator EDF distributes public information to all residents and businesses within the DEPZ. Residents

and businesses are issued with a calendar detailing required countermeasures, a supply of stable iodine tablets (which act as a 'thyroid blocker') and advice for residents and others within the DEPZ to 'go in, stay in, tune in', close all doors, windows and turn off air-conditioning in the event of a radiation emergency.

2.2.4 This duty previously fell to the operator, EDF Energy. Under REPIR 2019 this is now a duty of the upper tier local authority. The timetable for the delivery of KCC requirements to comply with REPIR 2019 is set out at Appendix 1.

2.3 Determining the DEPZ

2.3.1 The local authority must determine the DEPZ, informed by the Consequence Report, and take into account local conditions and demography. It could be larger than the recommendation dependant on:

(a) local geographic, demographic and practical implementation issues;

(b) the need to avoid, where practicable, the bisection of local communities; and

(c) the inclusion of vulnerable groups immediately adjacent to the area proposed by the operator.

2.3.2 The current DEPZ is drawn at a 2.4km radius from Dungeness B Nuclear Power Station. The new Code of Practice recommends that local geographical and demographic detail is considered and assimilated into detailed planning.

2.3.3 Previous work has been undertaken between Kent County Council and the Office of Nuclear Regulation to reconfigure the DEPZ and to identify vulnerable communities and areas around Dungeness B Nuclear Power Station. These discussions concluded that the current 2.4 km DEPZ was the most practical layout to administer and that stakeholders, including local residents, were familiar with this established configuration.

2.4 Outline Planning Zone

2.4.1 REPIR 2019 contains a new provision addressing 'extendibility' of countermeasures implementation to enable enhanced planning for a very significant and wide-area incident. This will require the upper tier local authority to identify an 'Outline Planning Zone' (OPZ). For Dungeness B Nuclear Power Station, this has been confirmed as a 30km radius by the operator's Consequence Report.

- 2.4.2 The OPZ does not require the same full countermeasures within the same immediate timeframe as the DEPZ. However, the plan must describe the command and control process for escalating the response across a wider area.
- 2.4.3 The OPZ will require the identification and development of appropriate command and control measures for residential areas, schools, care homes, hospitals and other potentially vulnerable communities. As a consequence, detailed planning will need to be undertaken in relation to the resilience of communities and the environment within the OPZ.
- 2.4.4 This new planning zone will require co-operation between local authorities and partners as the Outline Planning Zone will build on arrangements and capabilities within existing emergency plans, to provide commensurate planning for low probability events.
- 2.4.5 As a part of this planning process, environmental sensitivity and vulnerable people and communities must be identified and appropriate contingency planning undertaken.
- 2.4.6 The timescale for completion of this work can be found at Appendix 1.

2.5 Emergency Workers

- 2.5.1 New requirements contained within REPPIR 2019 also include the possibility of any employee receiving an emergency exposure; and the need to identify those employees who may be subjected to emergency exposures within the emergency plan.
- 2.5.2 Changes have also been made in relation to radiation reference levels where the Local Authority has prepared an emergency plan and must ensure that the plan prioritises keeping effective doses below 100mSv reference level.

3. Financial Implications

- 3.1 In recognition of the staff resource and other costs required to deliver this work the regulations allow for upper tier authorities to recover costs from operators (in Kent this is EDF Energy).
- 3.2 To enable efficient cost recovery, Resilience and Emergency Planning Service has invoiced EDF for forecast KCC costs. EDF has agreed this sum and raised a purchase order for the full amount.

4. Risks

- 4.1 The expanded role for upper tier local authorities and timetable for compliance required under REPPiR 2019 are regulatory obligations enforceable in law. Any failure by the County Council to deliver upon the regulations in full and on time could attract legal sanction. The resources allocated by Resilience and Emergency Planning Service and milestones set out at Appendix 1 are deemed appropriate to achieve full and timely compliance with REPPiR 2019.

5. Equalities Impact

- 5.1 An Equalities Impact Assessment has been undertaken to address the implications of REPPiR 2019 for affected individuals and communities. Effective arrangements to address the circumstances of vulnerable people and communities will be delivered through the revised and updated Dungeness B Offsite Emergency Plan and associated contingency planning

6. GDPR Considerations

- 6.1 REPPiR 2019 will require the County Council to collect, use and be responsible for certain personal information to ensure appropriate countermeasures can be delivered effectively. The General Data Protection Regulation means that the County Council will be responsible as a 'controller' of that personal information.

7. Conclusions

- 7.1 Kent County Council has eight months from the date of receiving the Consequence Report from the operator to amend the Dungeness B Nuclear Power Station Emergency Plan and achieve compliance with the REPPiR 2019 regulations in respect of warning and informing, emergency exposure to employees and Outline Planning Zones. To achieve this challenging timetable the Resilience and Emergency Planning Service has prioritised this activity (alongside planning for Brexit). Further, a multi-agency Kent Resilience Forum task and finish group comprising key stakeholders and chaired by KCC has been established to support its delivery.
- 7.2 However, the regulations require that the DEPZ must be determined within two months of receipt of the operator's Consequence Report. This timetable is reflected in the timing of this report as the EDF Consequence Report for Dungeness B Nuclear Power Station was received on 20th September. It is recommended that a revised DEPZ is developed, which remains at approximately 2.4km radius, by the County Council in consultation with key stakeholders, but which is adjusted to respond more effectively to the geography and demography of the local area. This will enable a precautionary

approach in relation to countermeasures and better reflect the pattern of development in the locality. The current 2.4km DEPZ is set out at Appendix 2.

8. Recommendations

8.1 The Environment and Transport Cabinet Committee is asked to:

- a) note the timetable and work programme to deliver Kent County Council compliance with REPIR 2019 at Appendix 1; and
- b) endorse or make recommendations to the Cabinet Member for Community and Regulatory Services on the proposed decision to confirm the Detailed Emergency Planning Zone (DEPZ) for Dungeness B Nuclear Power Station to remain at the 2.4km radius.

As shown at Appendix A.

8. Background documents

[Radiation Emergency Preparedness and Public Information Regulations 2019.](#)

Appendix A – Proposed Record of Decision

Appendix B – EqIA

Appendix 1 – REPIR Key Milestones

Appendix 2 – Current DPEX Dungeness B

9. Contact Details

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