

Australian Government Australian Radiation Protection and Nuclear Safety Agency



Resolution of comments from stakeholder submissions on Document Title: *Code for Disposal Facilities for Solid Radioactive Waste.* Radiation Protection Series C-3

Consultation period: 21 December 2017 – 2 March 2018

This Code for Disposal Facilities for Solid Radioactive Waste describes objectives for protection of human health and of the environment, drawing upon international best practice in relation to radiation protection and radioactive waste safety. The Code includes:

- relevant safety requirements from the IAEA *Disposal of Radioactive Waste, Specific Safety Requirements No. SSR-5* (SSR-5) (IAEA 2011a)
- additional general requirements including requirements for consultation, protection of the environment and site selection to reflect the importance Australian radiation regulators place on these issues.

When responding to comments on the draft Code for Disposal of Solid Radioactive Waste, the following terms have been used:

Accepted	The proposed change has been made to the text.
Accepted with modifications	 Either: the proposed change has been made, however the suggested text was modified OR the proposed change is accepted but the text has been modified in a different clause/section OR part of the proposed change was accepted and/or accepted with modifications and part was not accepted.
Not accepted	No changes were made to the text based on this comment.
Noted	Either: • no proposed change to the text was required to address the comment OR • the comment was outside the scope of the document. Noting a comment does not imply that ARPANSA endorses the comment.

Many comments received through this process referred directly to the current process to site a National Radioactive Waste Management Facility. ARPANSA does not take on an advocacy role in relation to any specific plan or concept. If ARPANSA receives a licence application to site the proposed facility, ARPANSA will conduct a formal consultation process to ensure that the views of interested parties are heard and their knowledge considered in a manner that is transparent and reflected in the Statement of Reasons for the licensing decision.

				Comments by reviewers	Resolution	
#	Submitter	Section	Line no.	Comment	Response	Reason for modification/not accepted
1	Anonymous			As a long term resident of the Flinders Ranges with family and friends in Hawker strongly object to the abandonment of deadly radioactive waste in such community with unwilling people. This program fails not on one point of claim but all, the program has been secretive, obfuscate, fueled on factoids and prevarication of the high risk gamble. The program has failed to produce experts who can satisfactory answer questions, ARPANSA has shown a lack of impartiality, and it's their job to regulate NOT promote such a program. The Department of Industry, Innovation and science had a town meeting on the 6th of May 2016 in Hawker, chaired by Bruce Wilson who said "We will not have accidents" was this a forecast from his crystal ball or just a lie. Rowan Ramsey was quoted as giving the program a favourable report by the media on the night, even though he said nothing to the people in attendance, the DIIS's geologist was quoted by reporters as saying the chosen site was suitable, however the only thing he said publicly at the meeting was "hello" while previous reports on the ABC has Senior Seismologist Jonathon Bathgate quoted as saying "The Flinders is the most seismically active area in all of Australia", since the meeting there has been numerous recorded seismic activities with one recording at a 3.9 magnitude	Noted	It is not appropriate for ARPANSA to define or measure community consent. The process to select a site for the National Radioactive Waste Management Facility is the responsibility of the Department of Industry, Innovation and Science. ARPANSA does not take on an advocacy role in relation to any specific plan or concept. Site selection criteria are consistent with international best practice. All site selection criteria in the code will need to be addressed by the applicant in the safety case with supporting evidence.

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				but then there was a failure to mention how		
				many Galileo's were recorded. The documented		
				criteria for a suitable site may have been lost as		
				the DIIS has failed yet again to navigate the		
				realpolitik guidelines allowing for safe		
				abandonment of deadly radioactive waste. As		
				the DIIS's interminable disdain for the aboriginal		
				culture is raring its inappropriate head every		
				time they hear a resounding "NO" which the DIIS		
				wont accept, and this shows aboriginals have		
				taken a backseat to such program. However it		
				doesn't stop there, with one gentleman who		
				some regard as being adroit with nuclear, had		
				been refused entry to government sponsored		
				venues because of his race and other reasons		
				which have been suppressed. Not only has		
				ARPANSA and the DIIS failed with addressing the		
				criteria of Culture, Seismology as just mentioned		
				the DIIS has failed to address issues of		
				promoting a area that is flood prone, a area that		
				is a feeder for aquifers. Rusty steel containment		
				drums used for the abandonment of radioactive		
				waste at Woomera are testimony to the dangers		
				and non compatibility of a non-reducing		
				environment. Recently a French delegation		
1				invited by the DIIS spoke at Quorn and answered		
				a question pertaining to the maximum		
				temperature safe threshold for a dry-cask, which		
				a French spokesperson said was no more than		
				60 degrees celsius which highlights the dangers		

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				of abandoning high grade waste under the guise of intermediate in a environment that is non conforming.		
2	Anonymous			Transportation of nuclear waste is a forever real issue of safety, with a failure to adequately test all dry casks but one, to understand the threshold to compromise the structure, with that one leaking from a 10 meter drop. Australia signing the Basel Convention, which states having hazardous waste as close as possible to the point of where it was produced, would imply the issues of safety can not be taken lightly. With the waste currently in a community that accepts it, and my argument is that in the last 66 years people have shown their acceptance by building, renting and working in the area of ANSTO, and as they say don't build under the flight path of a airport and expect it to move, so my recommendation is to leave it at Lucas Heights.	Noted	Activities associated with the transport of radioactive waste must meet the requirements set out in the Transport Code (RPS C-2).
3	Julia Henderson			Why is this Code being updated and going through a draft process at this point in time? The whole issue of siting a new nuclear waste dump in its current format has been going on for quite a number of years already. All discussion to date has been based on the original document and if/when this draft is accepted then new condition will apply. Can the applicant in current processes object to the Code changing while the	Noted	The Code is being updated because the current Australian code published in 1992 (RHS35, Code of practice for the near-surface disposal of radioactive waste in Australia) is out of date. This new code will align Australian requirements for the disposal of radioactive waste will the relevant international standards.

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				process is still in consultation stage? Can the applicant request that the old Code applies as the process has already started?		ARPANSA will expect an applicant to meet requirements that are current at the time a licence application is received. This means that for the National Radioactive Waste Management Facility, if the new code is published before a licence application is received by ARPANSA, the applicant will be expected to meet all the requirements of the new Code.
4	Julia Henderson	2.10 Defining Community		It should be written in the Code that a measurably voting process be held as part of the decision-making process. That the facts/statistics behind the voting process be fully and transparently discussed in public forums before any vote is taken.	Not accepted	The requirements for stakeholder engagement are already outlined in Section 3.1. It is not appropriate for ARPANSA to define or measure community consent.
5	Julia Henderson	2.10 Defining Community		It should be written into the Code that the distress felt and caused, the physical and mental health of the community and its individual members are all considered factors in a licence application.	Accepted	Consideration of the health of impacted communities has been added to requirement 3.1.12. Health is defined as "a state of complete physical, mental and social well- being and not merely the absence of disease."
6	Julia Henderson	2.10 Defining Community		In the Code there is a great deal about the science surrounding nuclear industry and waste, rightly so, but there should be a much greater emphasise on quantifying and appreciating the impact on the social, cultural and character of the community and the impact of the whole process on the people, its members. A nuclear	Accepted with modification	Consideration of the health of impacted communities has been added to requirement 3.1.12. Health is defined as "a state of complete physical, mental and social well- being and not merely the absence of disease."

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				waste facility is there forever as 'at the time of disposal there is no intention for retrieval.'		
7	Julia Henderson	3.1.21		3.1.21 should include inviting everyone to make submissions for consideration, not just relevant people and bodies. Who in the regulatory body makes the decision who is relevant or not? The storage of nuclear waste impacts everyone. The argument is constantly being put forward that an extremely high level of the population will at some stage in their lives have something to do with nuclear medicine and therefore you are part of the waste creation in the cycle (your fault the waste is being generated!). So the other end of that argument is that everyone should be part of the process of the disposal of that waste within that cycle.	Accepted with modification	Revised wording in code to reflect broader invitation from "relevant" to "interested" people and bodies.
8	Julia Henderson			There will be an increase in ILW from Lucas Heights. If the ILW is temporarily stored at a licenced LLW facility what happens when temporary storage outlives the licencing conditions of 'temporary' storage? Is this not repeating exactly the same situation which is currently experienced at Lucas Heights?	Noted	Storage of radioactive waste is not within the scope of this code therefore timeframes for storage are not included. However, storage is addressed in RPS No.16 (Safety Guide for the Predisposal Management of Radioactive Waste (2008). With respect to the possibility of storage of ILW at a National Radioactive Waste Facility, the CEO of ARPANSA will also require applicants to consider international best practice in addition the practices outlined in RPS No.16. At this point in time, the overall

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						picture of international best practice is that countries should have a policy and strategy for management of radioactive waste, in which storage has a legitimate temporary role provided there is a further strategy for ultimate disposal of the waste.
9	Julia Henderson			Where in this draft code does it cover the expiration of the period of time allowed to temporarily store ILW waste in a facility licenced to only store LLW?	Noted	Storage of radioactive waste is not within the scope of this code therefore timeframes for storage are not included. However, storage is addressed in RPS No.16 (Safety Guide for the Predisposal Management of Radioactive Waste (2008).
						With respect to the possibility of storage of ILW at a National Radioactive Waste Facility, the CEO of ARPANSA will also require applicants to consider international best practice in addition the practices outlined in RPS No.16. At this point in time, the overall picture of international best practice is that countries should have a policy and strategy for management of radioactive waste, in which storage has a legitimate temporary role provided there is a further strategy for ultimate disposal of the waste
10	Julia Henderson			Isn't the whole process involving communities in the Flinders Ranges and Kimba (and the possibility of other communities) just a repeat of what is the current situation at Lucas Heights? A licenced facility for LLW with a clause allowing	Noted	The policy and process to select a site for the National Radioactive Waste Management Facility is the responsibility of the Department of Industry, Innovation and Science.

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				the temporary storage of ILW until a permanent dump is found for ILW? This clause in the current licence allowing for temporary storage is expiring so the hunt is on for a new place to repeat the same situation!		The licence for the ANSTO Interim Waste Store has a special licence condition stating ANSTO must submit a report to ARPANSA no later than 30 June 2020 on its plans to remove the waste stored in the facility, but it does not specify a time when it has to be moved.
11	Julia Henderson			As per the draft Code 1.2 ILW requires a greater degree of containment and isolation than provided by near surface disposal required for LLW and requires tens of metres to 100s of metres depth of storage.	Noted	Agreed, disposal of ILW requires a greater degree of containment and isolation than disposal of LLW.
12	Julia Henderson			At what point in a 'temporary storage' time line is it ok <u>not to be adhering</u> to the Code's own waste classification schemes and the Code's 'must' statements which are to be satisfied to ensure an acceptable level of safety and/or security?	Noted	The requirements in this code apply to the disposal of solid radioactive waste. Storage of radioactive waste is not within the scope of this code. However, storage is addressed in RPS No.16 (Safety Guide for the Predisposal Management of Radioactive Waste (2008). Australia's classification system for radioactive waste is described in RSP No.20 (Safety Guide for Classification of Radioactive Waste).
13	Julia Henderson			Where in the Code does it state that a LLW facility can not be added to or converted to a ILW facility by the fact that it is temporarily	Noted	Storage of radioactive waste is not within the scope of this code. However, storage is addressed in RPS No.16 (Safety Guide for the

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				storing ILW and therefore it becomes a defacto ILW storage facility by default?		Predisposal Management of Radioactive Waste (2008). The process to select a site for the National Radioactive Waste Management Facility is the responsibility of the Department of Industry, Innovation and Science. However, any proposal to store or dispose of ILW at a LLW facility would require a separate licence application and safety case to be developed, submitted by the applicant and approved by the regulator. A licence to dispose of LLW does not allow for the storage or disposal of ILW.
14	Julia Henderson			Where in the Code does it address the criteria for storage of nuclear waste below ground surface? Ie the storage of ILW for 10s of 1,000s of years for the disposal of ILW by providing the protective barriers and controls required until radiation levels decay to a level that cannot give rise to health or environmental concerns or present an appreciable security risk?	Noted	Storage of radioactive waste is not within the scope of this code. However, storage is addressed in RPS No.16 (Safety Guide for the Predisposal Management of Radioactive Waste (2008).
15	Sue and Peter Woolford	1.3	152- 157	Site Selection. I would like to make the point that the proponents of the National Radioactive Waste Management Facility in their Initial Business case have used the National Health and	Noted	ARPANSA will expect an applicant to meet requirements that are current at the time a licence application is received. This means that for the National Radioactive Waste

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				Medical Research Council (NHMRC) Code of practice for the near-surface disposal of radioactive waste in Australia (1992) (Radiation Health Series RHS No. 35) in their process of finding a central co located disposal and storage facility of low to long lived intermediate radioactive waste. Yet have not been able to explain why criteria have been ignored in the site selection process or why there has been a disregard of the codes.		Management Facility, if the new code is published before a licence application is received by ARPANSA, the applicant will be expected to meet all the requirements of the new Code. All site selection criteria in the code will need to be addressed by the applicant in the safety case with supporting evidence.
16	Sue and Peter Woolford	1.3	152- 157	Relevance to Australian standards for land and agricultural use should be accounted for within the code with no impact on existing industries.	Not accepted	Australian standards for land and agricultural use are not within the scope of this document. However, it is noted in Section 1.2 that any facility for the disposal of radioactive waste will also be subject to other Commonwealth, State and Territory legislation. Land use (including for agriculture) is addressed in site selection criteria.
17	Sue and Peter Woolford	2.1	246- 249	The decision-making process should involve all appropriate governmental and societal decision- making agencies alongside stakeholders with a right or interest in the siting of the facility. Justification of such facilities should include the need for the long term disposal pathway of intermediate waste.	Accepted with modification	Text in section 2.1 amended. Justification for storage facilities is not addressed as storage of radioactive waste is outside the scope of this code. However, storage is addressed in RPS No.16 (Safety Guide for the Predisposal Management of Radioactive Waste (2008).

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18	Sue and Peter Woolford	2.8	373- 379	It is important that issues raised by stakeholders must be addressed including the social welfare and legitimate concerns of community with no social licence necessary in selecting disposal sites confidence has to be ensured in the process.	Accepted with modification	Text in section 2.10 amended. Throughout the site selection process, it is imperative to address the societal dimension of radioactive waste management through effective dialogue with the community with a view to inform and strengthen the decision- making processes.
19	Sue and Peter Woolford	2.10		Defining 'Community': This should be defining Community & Community Consent. It is essential that traditional owners and clearly defined stakeholders play a part in this definition. Clear evidence on 'community consent' should form part of regulations for nominating land. Clear guidelines of over 70 % support for a siting of any waste facility would ensure confidence that community support as per International best practice standards would be met.	Not accepted	In section 2.12 the Code states that it is essential local landowners, including tradition owners, play a part in the process of self- definition of their communities. It is not appropriate for ARPANSA to prescribe a numerical value to define broad community consent.
20	Sue and Peter Woolford	3.1.1		Before a proposal to develop a disposal facility for radioactive waste is approved or commenced, the proposal must be justified and adhere to community consent requirements. (add italicised text)	Not accepted	Community consent requirements are provided throughout the code. All requirements must be adhered to.
21	Sue and Peter Woolford	3.1.4		The concept of best available techniques (BAT) must be incorporated in any proposal to develop a disposal facility for radioactive waste. It is the responsibility of the proponent to suggest the techniques that may be considered BAT (technical, social and economic elements	Not accepted	Economic elements must be considered and justified alongside technical and social elements. The <i>ARPANS Act (1998)</i> requires the CEO of ARPANSA to take international best practice into account when making a decision.

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				considered) for radioactive waste storage and disposal. Cost efficiency should not impact ARPANSA's role in assurance that International best practice standards are met. (add italicised text)		
22	Sue and Peter Woolford	3.1.14		An operator must not commence any of the steps of construction, operation, decommissioning, closure or rehabilitation of any part of a disposal facility to which this Code applies without authorisation from the relevant regulatory authority and clear community stakeholder engagement. (add italicised text)	Not accepted	The requirements for stakeholder engagement are already outlined in Section 3.1.
23	Sue and Peter Woolford	3.1.17		Consultation with stakeholders, including the public, must be an integral part of the regulatory processes. All stakeholders are to be regarded by both proponent and regulator as an asset that will contribute knowledge to those processes. The role of stakeholders and their interaction with the regulatory authority has the objective of achieving the most informed decisions and best practicable outcomes on community wellbeing. (add italicised text)	Accepted with modification	Consideration of the health of impacted communities has been added to requirement 3.1.12. Health is defined as "a state of complete physical, mental and social well- being and not merely the absence of disease."
24	Sue and Peter Woolford	3.1.18		Both proponent and regulator must take steps to identify all the relevant stakeholders, and develop strategies for effective <i>upfront</i> and ongoing communication and consultation with those stakeholders. <i>(add italicised text)</i>	Not accepted	No change to text. ARPANSA considers effective communication to include engagement with communities as early as possible in the process.

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25	Sue and Peter Woolford	3.1.28		The below statement should be included to be met within the site selection criteria 3.1.28: The immediate vicinity of the facility has no known significant natural resources, including potentially valuable mineral deposits, and which has little or no potential for agriculture or outdoor recreational use	Not accepted	Site selection criteria are consistent with international best practice. All site selection criteria in the code will need to be addressed by the applicant in the safety case with supporting evidence.
26	Sue and Peter Woolford	3.1.29		A National Radioactive Waste Management Facility must abide by all other non-radiological criteria in the site selection and ensure that the colocation of this facility will have minimal negative impact on the community, industries and region.	Not accepted	Site selection criteria are consistent with international best practice. All site selection criteria in the code will need to be addressed by the applicant in the safety case with supporting evidence.
27	Conservation Council of SA	General		While an update of the 1992 code is welcome and necessary, it is a cause of some concern that it is occurring at the same time as an extremely divisive site selection process. It would be far more responsible to update the code, and then commence a site selection process in line with the new code.	Noted	The Code is being updated because the current Australian code published in 1992 (RHS35, Code of practice for the near-surface disposal of radioactive waste in Australia) is out of date. This new code will align Australian requirements for the disposal of radioactive waste will the relevant international standards. ARPANSA will expect an applicant to meet requirements that are current at the time a licence application is received. This means that for the National Radioactive Waste Management Facility, if the new code is published before a licence application is received by ARPANSA, the applicant will be

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						expected to meet all the requirements of the new Code.
28	Conservation Council of SA	General		Further, it is also of concern that the current site selection process proposes interim storage of intermediate level waste (ILW). Presumably the updated code would apply to the disposal of the ILW. Minimising transportation obviously minimises risk. It is concerning that the new code may allow for the government to try to permanently dispose the ILW at the site selected under the current process for permanent disposal of low level waste (LLW) and interim storage of the LLW. The affected communities of the Flinders Ranges and the Eyre Peninsula in SA have been voicing this concern for some time.	Noted	The policy and process to select a site for the National Radioactive Waste Management Facility is the responsibility of the Department of Industry, Innovation and Science. The new code applies to the disposal of ILW. However, any proposal to dispose of ILW at a LLW facility would require a separate licence application and safety case to be developed, submitted by the applicant and approved by the regulator. A licence to dispose of LLW does not allow for the disposal of ILW.
29	Conservation Council of SA	General		The ARPANSA code for Disposal of Solid Radioactive Waste must ensure communities are respected and heard and that a facility in their area is clearly supported.	Noted	Consultation and stakeholder engagement requirements are included in the code. It is not appropriate for ARPANSA to define or measure community consent.
30	Conservation Council of SA	General		The rights of Aboriginal people must be respected and be in accordance with the UN Declaration on the Rights of Indigenous Peoples. Under no circumstances should a site selection process be considered or progress in areas of cultural significance.	Noted	The policy and process to select a site for the National Radioactive Waste Management Facility is the responsibility of the Department of Industry, Innovation and Science. Site selection criteria are consistent with international best practice. All site selection criteria in the code will need to be addressed

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						by the applicant in the safety case with supporting evidence. It is noted in Section 1.2 that any facility for the disposal of radioactive waste will also be subject to other Commonwealth, State and Territory legislation (including legislation related to Aboriginal and Torres Strait Islander land ownership).
31	Conservation Council of SA	General		The objects of South Australia's Nuclear Waste Facility (Prohibition) Act 2000 are "to protect the health, safety and welfare of the people of South Australia and to protect the environment in which they live by prohibiting the establishment of certain nuclear waste storage facilities in this state". These laws should be respected.	Noted	The policy and process to select a site for the National Radioactive Waste Management Facility is the responsibility of the Department of Industry, Innovation and Science.
32	Conservation Council of SA	General		Conservation SA would like to see a full investigation into a suite of options for disposal of radioactive waste before any disposal facility site selection begins.	Noted	The policy and process to select a site for the National Radioactive Waste Management Facility is the responsibility of the Department of Industry, Innovation and Science. ARPANSA does not take on an advocacy role in relation to any specific plan or concept.
33	Conservation Council of SA	General		The best practice principal of non-imposition of such facilities on communities must be mandatory.	Not accepted	The policy and process to select a site for the National Radioactive Waste Management Facility is the responsibility of the Department of Industry, Innovation and Science.

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						Consultation and stakeholder engagement requirements are included in the code.
34	Conservation Council of SA	General		The ARPANSA code for the disposal of solid radioactive waste should be finalised before any site selection process begins. The current site selection process should be halted until this code is finalised and the Senate Inquiry has finalised its report.	Noted	The policy and process to select a site for the National Radioactive Waste Management Facility is the responsibility of the Department of Industry, Innovation and Science.
35	Conservation Council of SA	General		The Code is extensive in its scope and directly related to site selection issues related to the current federal radioactive waste plan	Noted	
36	Conservation Council of SA	2.1	238	The principle of justification is a key part of any radiation safety approach and requires that any decision that alters a radiation exposure situation should do more good than harm. This foundation principle has not been realised in relation to the current federal plan. The planned national facility will not remove waste from hospitals or medical clinics, is not advancing the long-term disposal of intermediate waste (only the re-located interim storage) and the claimed project benefits have not been adequately tested.	Noted	The process to select a site for the National Radioactive Waste Management Facility is the responsibility of the Department of Industry, Innovation and Science. ARPANSA does not take on an advocacy role in relation to any specific plan or concept.
37	Conservation Council of SA	2.1	246	Consideration of more than simply radiological protection issues needs to occur. Community impact and division must also be considered.	Accepted with modification	Consideration of the health of impacted communities has been added to requirement 3.1.12. Health is defined as "a state of

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						complete physical, mental and social well- being and not merely the absence of disease."
38	Conservation Council of SA	2.5	239	License applications must have sufficient detail to reasonably demonstrate safety and security issues. This is not the case with the federal proposal and approach.	Noted	The policy and process to select a site for the National Radioactive Waste Management Facility is the responsibility of the Department of Industry, Innovation and Science. ARPANSA will only licence a radioactive waste management facility if we are confident that it would not have an adverse impact on human health or the environment.
39	Conservation Council of SA	2.6	343	Disposal facilities "are not expected to provide complete containment and isolation of the waste forever" Currently there are Department assurances to affected communities that imply otherwise	Noted	ARPANSA will only licence a radioactive waste management facility if we are confident that it would not have an adverse impact on human health or the environment as demonstrated by the safety case.
40	Conservation Council of SA	2.8	362	This section should refer specifically to Aboriginal owners and archaeological, anthropological and cultural factors	Accepted with modification	Text added to section 2.10 to emphasise the importance of local knowledge and cultural considerations for site selection, facility design and regulatory decision making. The importance of consulting with the local community, including Aboriginal and Torres Strait Islander owners, is highlighted throughout the code.
41	Conservation Council of SA	2.8	373- 379	It is good that this Code recognises the importance of community consent and social	Noted	The policy and process to select a site for the National Radioactive Waste Management

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				license, however in relation to the current federal plan, confidence is the decision-making process has been eroded by the flawed and divisive consultation, lack of definition and geographic definition of the community and stakeholders which, in the case of the Flinders community, almost 2 years into the process, has not been finalised.		Facility is the responsibility of the Department of Industry, Innovation and Science.
42	Conservation Council of SA	2.1	392	Defining community. This is key issue and point of tension is the current process and "community" should be defined before any progress is made on a proposal. The inclusion of the 'essential' nature of local Aboriginal engagement with the siting process is welcome but should be broad and respectful with a right to veto before the proposal progresses.	Not Accepted	The requirements for stakeholder engagement are already outlined in Section 3.1. The policy and process to select a site for the National Radioactive Waste Management Facility is the responsibility of the Department of Industry, Innovation and Science.
43	Conservation Council of SA	3.1.1	405	The current proposal for which site selection is already underway has not been justified. No adequate case has been made for the establishment of a National Radioactive Waste Management Facility. The failure of the proponent to consider and review other management options means that justification cannot be proven.	Noted	The policy and process to select a site for the National Radioactive Waste Management Facility is the responsibility of the Department of Industry, Innovation and Science.
44	Conservation Council of SA	3.1.4	412	There should be some role for the regulator in identifying minimum compliance standards for Best Available Technology. The risk with this being the sole domain of the proponent is that	Accepted with modification	The role of the regulator has been clarified.

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				they will be driven by cost considerations. While it is not the role of a regulator to map out the full project pathway they should have a role in identifying current best international industry practise and some guidance on benchmarks		
45	Conservation Council of SA	3.1.14	449	It is sensible that authorisation is needed prior to any construction. The role of ARPANSA is significant and as the relevant regulatory authority must ensure it is clearly aware of the extent of community concern and all other relevant factors.	Noted	Requirements for consultation by the regulator are provided in section 3.1.
46	Conservation Council of SA	3.1.17	460- 464	The current proposal indicated that Stakeholders, especially community critics of the federal plan, are not viewed as 'assets' by the project proponent. The Minister consistently denies division in the communities and claims "broad community consent", despite this being undefined, unproven and clearly untrue.	Noted	The policy and process to select a site for the National Radioactive Waste Management Facility is the responsibility of the Department of Industry, Innovation and Science.
47	Conservation Council of SA	3.1.18	465	Effective and ongoing communication and consultation should ensure constancy of staff. The community of the Flinders Ranges, for example, have expressed their frustration with staff turnover. Once they have articulated their position to ANSTO or DIIS staff and established some form of relationship over time, the staff member will move on and be replaced by another person. The community members must then begin again and repeat steps they have	Noted	The policy and process to select a site for the National Radioactive Waste Management Facility is the responsibility of the Department of Industry, Innovation and Science. Consultation requirements in Section 3.1 require the development of strategies for effective and ongoing communication.

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				been through before. The federal department has been clearly deficient in relation to stakeholder engagement and communication.		
48	Conservation Council of SA	3.1.23	489	Environment should also refer to the cultural landscape – an area directly threatened by the federal plan	Not accepted	The term "Environment" has a specific definition in radiation protection. Cultural considerations are discussed in section 2.10 and 2.12.
49	Conservation Council of SA	3.1.28	517	The Barndioota site in the Flinders Ranges is known to be a flood zone and subject to seismic activity. Any site nominated must be rejected on this basis before the nomination is formally accepted by the Minister and community consultation commences.	Noted	The policy and process to select a site for the National Radioactive Waste Management Facility is the responsibility of the Department of Industry, Innovation and Science. All site selection criteria in the code will need to be addressed by the applicant in the safety case with supporting evidence.
50	Conservation Council of SA	3.1.29	541	Measures should be in place to ensure that site nomination is not formally accepted if these criteria exist. There should be no need to have to justify the obvious through a protracted, divisive and expensive process. For example, the Flinders Ranges is an iconic tourism area, of high cultural and archaeological significance and Kimba is a prime export agricultural region. Transportation vast distances from Lucas Heights increases the risk to more members of the public along the transport route. The site of any facility must not be in an area of cultural significance and furthermore, Traditional	Noted	The policy and process to select a site for the National Radioactive Waste Management Facility is the responsibility of the Department of Industry, Innovation and Science. Site selection criteria are consistent with international best practice. All site selection criteria in the code will need to be addressed by the applicant in the safety case with supporting evidence.

				Comments by reviewers	Resolution	
#	Submitter	Section	Line no.	Comment	Response	Reason for modification/not accepted
				Owners must have right of veto over placing a facility in their area. Aboriginal communities must not be targeted. The fact that many live in remote areas with low population densities must not be used against them. Aboriginal people's rights and interests must be respected, and they should not have to go through a multiple year process to say no to a site on their land. Criteria (d) and (e) have not been realised – particularly in relation to the Flinders Ranges plan. In any site selection process, the above criteria MUST be met.		
51	Conservation Council of SA	3.2.5	649	Measures should be in place to ensure comprehensive rehabilitation and ongoing maintenance of any site. If the Operator ceases to operate there must be contingencies in place so that costs do not fall to the taxpayer. Bonds equivalent to estimated costs should be required from the Operator. Operating procedures must be continually upgraded to be consistent with or exceed world's best practice.	Noted	The requirement for financial assurances is given in 3.2.91. Specific details of such assurances is a matter for individual jurisdictions.
52	Conservation Council of SA	3.2.12	695	This sentence does not reflect the need to monitor and manage ILW for thousands of years.	Not accepted	This clause refers to the development and operation of the facility. Safety arrangements post-closure are covered elsewhere in the code.
53	Conservation Council of SA	3.2.14	707- 713	There has not been a robust and open examination of options. This is a fundamental	Noted	The policy and process to select a site for the National Radioactive Waste Management

				Comments by reviewers	Resolution	
#	Submitter	Section	Line no.	Comment	Response	Reason for modification/not accepted
				and continuing failure of the federal approach to radioactive waste management.		Facility is the responsibility of the Department of Industry, Innovation and Science.
54	Conservation Council of SA	3.2.19	740	Maintenance, monitoring and surveillance must be mandatory for the management of Australia's most hazardous waste.	Not accepted	Maintenance, monitoring and surveillance requirements are determined in the safety case and regulatory licence conditions on a case by case basis.
55	Conservation Council of SA	3.2.30	744	There is always a need for active management for radioactive waste. This confirms out of sight out of mind mentality. Reliance on natural and engineered barriers is naïve and irresponsible. Maintenance, monitoring and surveillance must be ongoing.	Not accepted	Maintenance, monitoring and surveillance requirements are determined in the safety case and regulatory licence conditions on a case by case basis.
56	Conservation Council of SA	3.2.21	750	A program for monitoring must be mandatory.	Not accepted	Maintenance, monitoring and surveillance requirements are determined in the safety case and regulatory licence conditions on a case by case basis.
57	Conservation Council of SA	3.2.39	872	This is a strange inclusion given that in sentences 107-108 it states that Australia has no HLW and is unlikely to possess any in the foreseeable future while lines 1521/1523 state that HLW is prohibited for disposal in Australia.	Noted	This text is based on the principles of international best practice and therefore includes all waste types including HLW. As stated earlier in this Code, "Australia has no HLW and is unlikely to possess any in the foreseeable future". This has been clarified in Section 1.
58	Conservation Council of SA	3.2.42	894- 899	It is important that community members see these time spans from ARPANSA and that surveillance, monitoring be undertaken until the waste is reduced to safe levels of radioactivity.	Noted	Noted. Maintenance, monitoring and surveillance requirements are determined in the safety case and regulatory licence conditions on a case by case basis.

				Comments by reviewers	Resolution	
#	Submitter	Section	Line no.	Comment	Response	Reason for modification/not accepted
59	Conservation Council of SA	3.2.49	936	Measures for surveillance and control of the disposal facility must be instituted. Inactive institutional control is irresponsible.	Not accepted	Maintenance, monitoring and surveillance requirements are determined in the safety case and regulatory licence conditions on a case by case basis.
60	Conservation Council of SA	3.2.77	1138	The operator should have nothing to do with deciding the level and detail of the safety assessment. It's a conflict of interest	Not accepted	The operator is responsible for safety and development of the safety case. The regulator determines the adequacy (or inadequacy) of the safety case submitted.
61	Conservation Council of SA	3.2.78	1140	The extensive time scales exceed standard engineering applications. Ongoing rigorous scrutiny and project assessment must be undertaken. This is currently missing in the federal context.	Noted	The policy and process to select a site for the National Radioactive Waste Management Facility is the responsibility of the Department of Industry, Innovation and Science. ARPANSA will only licence a national radioactive waste management facility if we are confident that it would not have an adverse impact on human health or the environment as demonstrated by the safety case.
62	Conservation Council of SA	3.2.79	1248	A monitoring programme must be carried out from construction until the level of radioactivity of the materials stored has fallen below safe levels.	Not accepted	Maintenance, monitoring and surveillance requirements are determined in the safety case and regulatory licence conditions on a case by case basis.
63	Conservation Council of SA	3.2.105	1303- 1307	This means that the site will remain a disposal site in perpetuity and as such ongoing oversight including surveillance and monitoring must also continue.	Not accepted	Maintenance, monitoring and surveillance requirements are determined in the safety case and regulatory licence conditions on a case by case basis.

				Comments by reviewers	Resolution	
#	Submitter	Section	Line no.	Comment	Response	Reason for modification/not accepted
64	Conservation Council of SA	3.2.127	1430- 1437	This applies to the deficient management practises at the existing Woomera waste site	Noted	Storage of radioactive waste (including storage of radioactive waste at Woomera) is outside of the scope of this code.
65	Conservation Council of SA	A1	1440/1 442	Project Justification should be pivotal in decision making re any facility and explicit in safety case	Noted	The policy and process to select a site for the National Radioactive Waste Management Facility is the responsibility of the Department of Industry, Innovation and Science.
66	Conservation Council of SA	A1	1456	Highlights the importance of community/social impact important to highlight the current proposals adverse outcomes re this	Noted	The policy and process to select a site for the National Radioactive Waste Management Facility is the responsibility of the Department of Industry, Innovation and Science.
67	Conservation Council of SA	A6	1553	Highlights longevity of issue: '10,000 years for disposal of intermediate level waste'	Noted	No change to text
68	Conservation Council of SA	A6	1557	Important formal recognition that 'world-wide history has clearly demonstrated that nuclear and radiation accidents that affect public and environmental health do occur'.	Noted	No change to text
69	Conservation Council of SA	A7	1575	Important recognition that nuclear accidents can happen	Noted	No change to text
70	Conservation Council of SA	A7	1626	Further reinforcement of ILW concerns of "not less than 10,000 years"	Noted	No change to text
71	Conservation Council of SA	glossary	1720	This definition of "justification" shows the importance of project Justification	Noted	No change to text
72	Conservation Council of SA	glossary	1800	Vitally important to have the broadest and most inclusive definition of Stakeholder	Accepted	Definition of stakeholder amended and added to main body of code, section 1.5.

				Comments by reviewers	Resolution	
#	Submitter	Section	Line no.	Comment	Response	Reason for modification/not accepted
73	Cameron Scott			It needs to be stated in the Code for Disposal of radioactive Waste that the Federal Government can not override state legislation for building a national facility.	Not accepted	The policy and process to select a site for the National Radioactive Waste Management Facility is the responsibility of the Department of Industry, Innovation and Science.
74	Cameron Scott			The code needs to include a clause protecting farming land from becoming home to hazardous waste.	Not accepted	Agricultural land use is addressed in the site selection criteria in Section 3.1. Site selection criteria are consistent with international best practice. All site selection criteria in the code will need to be addressed by the applicant in the safety case with supporting evidence.
75	Cameron Scott			Licensing should require communities to nominate land not individuals	Not accepted	The policy and process to select a site for the National Radioactive Waste Management Facility is the responsibility of the Department of Industry, Innovation and Science.
76	Rachel Yates			ARPANSA needs to make the mental health and wellbeing of community a priority in the code and not just consider the potential exposure to radiation as a health risk.	Accepted	Consideration of the health of impacted communities has been added to requirement 3.1.12. Health is defined as "a state of complete physical, mental and social well- being and not merely the absence of disease."
77	Rachel Yates			The code defines 'community' and discusses 'consultation' but there is no mention of 'broad community support' anywhere. A set figure to	Not accepted	The policy and process to select a site for the National Radioactive Waste Management

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				clearly define how much support is needed should also be included.		Facility is the responsibility of the Department of Industry, Innovation and Science. It is not appropriate for ARPANSA to prescribe a numerical value to define broad community consent.
78	Rachel Yates			NO type of radioactive waste should be stored on agricultural land.	Noted	Site selection criteria are consistent with international best practice. All site selection criteria in the code will need to be addressed by the applicant in the safety case with supporting evidence. These criteria are for a disposal facility. Site selection criteria for storage of radioactive waste are not within the scope of this code. However, storage is addressed in RPS No.16 (Safety Guide for the Predisposal Management of Radioactive Waste (2008).
79	Toni Scott			I believe the Code for Disposal of Solid Radioactive Waste should include a section on Community Support. It should state what % of support is required by a host community to gain social license for a facility to be built.	Not accepted	The policy and process to select a site for the National Radioactive Waste Management Facility is the responsibility of the Department of Industry, Innovation and Science. It is not appropriate for ARPANSA to prescribe a numerical value to define broad community consent.
80	Toni Scott			I believe that clause 3.1.29.a should be changed from a recommendation to a mandatory clause	Not accepted	Site selection criteria are consistent with international best practice. All site selection

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				"No facility should be built on land that is suitable for agriculture"		criteria in the code will need to be addressed by the applicant in the safety case with supporting evidence.
81	ACF		152 and 202 (amon g others)	the Code is extensive in its scope and directly related to outstanding site selection issues involving the current federal radioactive waste plan	Noted	No change to text
82	ACF	2.1 – Justification		The principle of justification is a key part of any radiation safety approach and requires that any decision that alters a radiation exposure situation should do more good than harm. ACF maintains that this foundation principle has not been realised in relation to the current federal NRWMF plan. The planned national facility will not remove waste from hospitals or medical clinics, is not advancing the long-term disposal of intermediate waste and the claimed project benefits have not been adequately tested or proven.	Noted	The policy and process to select a site for the National Radioactive Waste Management Facility is the responsibility of the Department of Industry, Innovation and Science. ARPANSA does not take on an advocacy role in relation to any specific plan or concept.
83	ACF	2.1 – Justification		There has been scant attention or assessment given to alternative radioactive waste management options and the absence of this fundamental pathway analysis in inconsistent with the evidence base required to demonstrate justification. ACF maintains that the NRWMF	Noted	The policy and process to select a site for the National Radioactive Waste Management Facility is the responsibility of the Department of Industry, Innovation and Science.

				Comments by reviewers	Resolution	
#	Submitter	Section	Line no.	Comment	Response	Reason for modification/not accepted
				process as currently configured fails to address or satisfy this pivotal test.		
84	ACF	2.1 – Justification		Further it is important that justification includes the original activity which created the waste. Specifically, the reactor production of isotopes is a policy choice however, it is considered a given before the 'justification' argument which applies to subsequent management of the waste. Justification arguments need to be made for the initial activity and this includes exploring whether reactor production is a necessity or if there are alternatives (importation, accelerator production etc). Such an approach need not pre- judge the outcome but imposes rigour in relation to the whole life cycle of the waste and antecedent activity, rather than arbitrarily accepting the activity which produces the waste as a given, an approach which compromises the ability of the community to argue the case by constraining the parameters of the debate.	Noted	The policy and process to select a site for the National Radioactive Waste Management Facility is the responsibility of the Department of Industry, Innovation and Science.
85	ACF		246 etc	ACF welcomes the acknowledgement that consideration of more than simply radiological protection issues needs to occur. This is particularly important given the community impact and division associated with the NRWM project.	Noted	In addition, consideration of the health of impacted communities has been added to requirement 3.1.12. Health is defined as "a state of complete physical, mental and social well-being and not merely the absence of disease."

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86	ACF		329	Prudently the license application needs to have sufficient detail to reasonably demonstrate safety and security issues – ACF maintains this is not the case with the federal NRWMF proposal	Noted	The policy and process to select a site for the National Radioactive Waste Management Facility is the responsibility of the Department of Industry, Innovation and Science. ARPANSA will only licence a national radioactive waste management facility if we are confident that it would not have an adverse impact on human health or the environment as demonstrated by the safety case.
87	ACF		343	An important recognition that disposal facilities "are not expected to provide complete containment and isolation of the waste forever"	Noted	No change to text
88	ACF		373- 379	Pivotal recognition of the importance of community consent and social license. Many of the challenges around radioactive waste management are often less technical than social and political. The South Australian nuclear Royal Commission noted that radioactive waste management requires both social consent for the activity and advanced technical engineering to contain and isolate the waste. Of the two, social consent warrants in planning and development much greater attention than the technical issues. The earlier UK Committee on Radioactive Waste Management www.corwm.org.uk/ that found that community	Noted	The policy and process to select a site for the National Radioactive Waste Management Facility is the responsibility of the Department of Industry, Innovation and Science.

				Comments by reviewers	Resolution	
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				involvement in any proposals for the siting of long term radioactive waste facilities should be based on the principle of volunteerism i.e. an expressed willingness to participate and identified the failure of earlier 'top down' mechanisms (often referred to as 'Decide- Announce-Defend). CORWM stated that it is generally considered that a voluntary process is essential to ensure equity, efficiency and the likelihood of successfully completing the process and that there is a growing recognition that it is not ethically acceptable for a society to impose a radioactive waste facility on an unwilling community. It further found that communities should have the right to withdraw from siting processes up to a pre-defined point. ACF welcomes this recognition in the Code and notes its absence in relation to the current federal NRWMF plan.		
89	ACF	2.10.		Defining 'community' is clearly a key issue and point of tension in relation to the current NRWM project. Reaching any definition involves significant policy challenges and political choices and these both shape and reflect the level of wider community confidence in any siting process. ACF welcomes the recognition of the 'essential' nature of local Aboriginal engagement with the definition process but believe further articulation be provided on how this might best	Not accepted	The policy and process to select a site for the National Radioactive Waste Management Facility is the responsibility of the Department of Industry, Innovation and Science. The proponent will need to apply cultural interpretations of what constitutes the appropriate community.

				Comments by reviewers	Resolution	
#	Submitter	Section	Line no.	Comment	Response	Reason for modification/not accepted
				be realised and the significance of the 'part' played in this and whether Aboriginal people self and solo define their community. A further issue is that the current proposal is from the Commonwealth for a national facility and so there are clear communities of interest that are not geographically defined but who need to be actively recognised and meaningfully engaged.		The definition of 'stakeholder' in section 1.5 now includes "any interested party (person or group) impacted by a proposed or existing disposal facility."
90	ACF		405	Demonstrating any proposal is justified is a pivotal issue. It is the absolute first test and ACF maintains that the failure of the proponent to consider and review other management options means that justification cannot be proven for the NRWMF in its current form.	Noted	The policy and process to select a site for the National Radioactive Waste Management Facility is the responsibility of the Department of Industry, Innovation and Science.
91	ACF		413	There should be some role for the regulator in identifying minimum compliance standards for Best Available Technology. The risk with this being the sole domain of the proponent is that they will be overly driven by cost considerations. ARPANSA's expertise in this arena should be utilised proactively not merely in response to the project proponents preferred approach. ACF notes that this may cause some Agency tension and that it is not the role of a regulator to map out the full project pathway, however ARPANSA should have a role in identifying current and emerging best international industry practise and providing guidance on benchmarks.	Accepted with modification	The role of the regulator has been clarified.

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92	ACF		450	Authorisation is needed prior to any construction. Given the unresolved and contested issues surrounding the current NRWMF plan this is an important reminder of the significance of ARPANSA's role and the need for active Agency engagement to track project status and the extent of community concern	Noted	No change to text.
93	ACF		461	As mentioned previously consultation is key in sensitive siting processes. The current NRWMF process is increasingly being seen as a disconnected vehicle speeding towards a pre- determined destination. History – both here and overseas – strongly suggest that any such project that lacks community confidence and credibility is heading towards failure – this is not a desirable outcome either in relation to the stress and pressure experienced by affected communities or for the advance of a responsible and effective national approach to radioactive waste management. Disturbingly stakeholders, especially community and civil society critics of the federal NRWMF plan, are currently clearly viewed more as impediments than 'assets' by the project proponent.	Noted	The policy and process to select a site for the National Radioactive Waste Management Facility is the responsibility of the Department of Industry, Innovation and Science.
94	ACF		465	ACF notes and welcomes that there is a particularly important role for ARPANSA as the regulator to identify and engage with stakeholders given the federal proponent has	Noted	No change to text. Requirements for consultation and stakeholder engagement by the proponent and the regulator are included in the code.

				Comments by reviewers	Resolution	
#	Submitter	Section	Line no.	Comment	Response	Reason for modification/not accepted
				been and continues to be deeply deficient in relation to stakeholder identification, engagement and communication.		
95	ACF		489	Environment should also refer to the cultural landscape, an area directly threatened by the federal NRWMF plan	Not accepted	The term "Environment" has a specific definition in radiation protection. Cultural considerations are discussed in section 2.10 and 2.12.
96	ACF		551/55 4	Clearly any siting approach must address non- radiological criteria. ACF maintains that these areas need to be more than considered, particularly in relation to cultural heritage issues and significance. There are legal obligations concerning Aboriginal cultural heritage and compliance with these needs to be made explicit an explicit requirement in the code. The current draft does not adequately reflect the legal obligation or community expectation around cultural protection. ACF further maintains that criteria (d) and (e) in 3.1.29 have not been in any way realised in the NRWMF process – particularly in relation to the Barndioota plan	Accepted with modification	It has been added in Section 1.2 that any facility for the disposal of radioactive waste will also be subject to other Commonwealth, State and Territory legislation. Site selection criteria are consistent with international best practice. All site selection criteria in the code will need to be addressed by the applicant in the safety case with supporting evidence.
97	ACF		707/71 3	There has not been a robust and open examination of potential waste management options. This is a fundamental and continuing failure in the federal government's approach to radioactive waste management.	Noted	The policy and process to select a site for the National Radioactive Waste Management Facility is the responsibility of the Department of Industry, Innovation and Science.
98	ACF		872	ACF notes and seeks clarification on the reference to High Level Waste – especially given	Noted	This text is based on the principles of international best practice and therefore

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				that in section 107-108 it states that Australia has no HLW and is unlikely to possess any in the foreseeable future while section 1521/1523 states that HLW is prohibited for disposal in Australia		includes all waste types including HLW. As stated earlier in this Code, "Australia has no HLW and is unlikely to possess any in the foreseeable future". This has been clarified in Section 1.
99	ACF		875- 879	ACF welcomes the clear acknowledgement of the longevity of the radiation issues associated with mine tailings and notes this will be an arena of increasing importance and complexity in coming years – especially in relation to rehabilitation works at Rio Tinto's Ranger uranium operation in Kakadu.	Noted	No change to text.
100	ACF		894/89 9	ACF welcomes this acknowledgement of the time frames associated with radioactive waste as several hundreds of years to at least several thousand years. It is important that community members see these figures from ARPANSA as there remain misconceptions – that are not actively countered by the proponent - about the classification and longevity of radioactive materials slated for disposal or storage at the planned NRWMF.	Noted	No change to text.
101	ACF		926	ACF notes this effective mechanism by ARPANSA to highlight the potential for human error in human activity – an important reminder of the need for a pre-cautionary approach to radioactive waste.	Noted	No change to text.

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102	ACF		984/5	Again – an important reminder of the need for political/public support in relation to radioactive waste management. ACF maintains these conditions are missing re the NRWMF plan.	Noted	The policy and process to select a site for the National Radioactive Waste Management Facility is the responsibility of the Department of Industry, Innovation and Science.
103	ACF		1068 - 1075	This section again highlights the importance of Justification of the project. The need for project justification is pivotal and has not been realised in the current NRWMF configuration.	Noted	The policy and process to select a site for the National Radioactive Waste Management Facility is the responsibility of the Department of Industry, Innovation and Science.
104	ACF		1140	ACF welcomes this acknowledgement of the extensive time scales required that exceed standard engineering applications. This again highlights the need for the most rigorous scrutiny and project assessment, factors which are currently missing in the federal context	Noted	The policy and process to select a site for the National Radioactive Waste Management Facility is the responsibility of the Department of Industry, Innovation and Science.
105	ACF		1179	Further highlights the importance of Justification	Noted	No change to text.
106	ACF		1303 - 1307	It is important to be clear that any site effectively remains in perpetuity as "the release of the site of a disposal facility for unrestricted use is generally not contemplated".	Noted	The issue of constraints on post-institutional control release is a matter for the relevant regulatory authority.
107	ACF		1330 - 1333	This understanding that government 'at some level' remains ultimately responsible for waste post licensing is important to articulate and is a further reason for the incumbent government to revisit its approach in order to best minimise the risk of future governments – and Australian tax-	Noted	The policy and process to select a site for the National Radioactive Waste Management Facility is the responsibility of the Department of Industry, Innovation and Science.
				Comments by reviewers	Resolution	
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#	Submitter	Section	Line no.	Comment	Response	Reason for modification/not accepted
				payers – inheriting fiscal as well as a radiological legacy.		
108	ACF		1434- 1437	This section may have relevance for the next steps in addressing deficient management practises at the existing Woomera waste site	Noted	Storage of radioactive waste (including storage of radioactive waste at Woomera) is outside of the scope of this code.
109	ACF	Annex A	1440/1 442	Project Justification should be pivotal in decision making re any facility and explicit in safety case: as stated previously there has been scant attention or assessment given to alternative radioactive waste management options and the absence of this fundamental pathway analysis in inconsistent with the evidence base required to demonstrate justification. ACF maintains that the NRWMF process as currently configured fails to address or satisfy this pivotal test.	Noted	The policy and process to select a site for the National Radioactive Waste Management Facility is the responsibility of the Department of Industry, Innovation and Science.
110	ACF		1456	Highlights the importance of community/social impact – this recognition is particularly important given the current NRWMF proposals adverse impacts	Noted	The policy and process to select a site for the National Radioactive Waste Management Facility is the responsibility of the Department of Industry, Innovation and Science. Consideration of the health of impacted communities has been added to requirement 3.1.12. Health is defined as "a state of complete physical, mental and social well- being and not merely the absence of disease."

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#	Submitter	Section	Line no.	Comment	Response	Reason for modification/not accepted
111	ACF		1553	Important recognition of the longevity of issue: '10,000 years for disposal of intermediate level waste'	Noted	No change to text.
112	ACF		1557	ACF notes this important Agency recognition that 'world-wide history has clearly demonstrated that nuclear and radiation accidents that affect public and environmental health do occur'.	Noted	No change to text.
113	ACF		1575	Again, important recognition that nuclear accidents can and do happen	Noted	No change to text.
114	ACF		1626	further reinforcement of ILW concerns of 'not less than 10,000 years'	Noted	No change to text.
115	ACF		1720	Importance of project Justification: ACF believes this pivotal threshold has not been cleared by the current NRWMF proposal.	Noted	The policy and process to select a site for the National Radioactive Waste Management Facility is the responsibility of the Department of Industry, Innovation and Science.
116	ACF		1798	It is pivotal that unresolved issues are clearly and comprehensively identified and addressed in any safety case.	Noted	No change to text.
117	ACF		1800	Stakeholder engagement is critical in any facility siting process and ACF urges ARPANSA to adopt the broadest and most inclusive definition of Stakeholder in the safety case and wider process. This needs to include far more than 'national and regional governments and agencies'. ACF believes the active engagement	Accepted with modification s	The definition of 'stakeholder' in section 1.5 now includes "any interested party (person or group) impacted by a proposed or existing disposal facility."

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				of Aboriginal people, transport corridor and wider communities, emergency services/first responders and civil society organisations is not only preferable, it is essential to realising the social license necessary for any facility site.		
118	Susan Andersson		375	The safety case is primarily the role of ARPANSA. Communities cannot be expected to understand the details of the safety case and my experience with the process at Barndioota is that local people consider proof as "ARPANSA said" or DIIS say". It is important but for communities all other aspects are equally important and more in line with the communities role and expertise. Proposed change to text: The safety case will be one aspect on which dialogue with stakeholders will be conducted and on which confidence in the safety of the facility will be developed. Any sustainable process of deliberation and decision- making during site selection must re-connect the issue of waste	Accepted with modification	Text amended to reflect proposed change.
119	Susan Andersson		401	Local may need rewording or defining, could be as narrow as neighbours or as broad as SA north of Adelaide. I feel traditional landowners living near or with the land need to define what their community is and how broad it is. Not traditional owners from hundreds of kilometres away diluting the voice of the 'local' people.	Accepted with modification	Text in Section 2.12 amended. In general usage 'community' refers to a geographical area defined for the purpose of consultation. The proponent will need to apply cultural interpretations of what constitutes the appropriate community.

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#	Submitter	Section	Line no.	Comment	Response	Reason for modification/not accepted
120	Susan Andersson		542- 554	I believe 'immediate vicinity' needs definition in the glossary or elsewhere. My recent experience with the Barndioota Consultative Committee and DIIS have shown that the DIIS definition of immediate vicinity only encompasses the 100 hectare exclusion zone. Local land owners, Traditional Owners and the wider tourist and consumer communities consider a much broader area around the 100 hectare site to be in the immediate vicinity. Allowing the potential for a very limited interpretation of 'immediate vicinity' allows a lot of legitimate concerns to be unfairly dismissed. Consumer in this paragraph refers to consumers of local/regional products (in my local area primarily primary production).	Not Accepted	Site selection criteria are consistent with international best practice. All site selection criteria in the code will need to be addressed by the applicant in the safety case with supporting evidence. This must include justification for the proponent's definition of 'immediate vicinity.'
121	Susan Andersson		genera I	Please ensure in the body of your document that this is more than just a nice sentiment. Ensuring an equal voice is not just allowing Aboriginal and Torres Strait Islander People to come to meetings and to apply to committees. It is not arranging meetings and then not listening to ways of communicating that don't suit the purposes of the proponents. In our local context near Barndioota one example is the setting up of a Heritage Working Group which is also tasked with the crucial question of what is the local Indigenous Community. Here almost half of the	Noted	Consultation and stakeholder engagement requirements are included in the code. Throughout the site selection process, it is imperative for the proponent to address the societal dimension of radioactive waste management through effective dialogue with the community with a view to inform and strengthen the decision-making processes. This dialogue with the community may also identify specific local knowledge and cultural considerations that are relevant to site

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				members, on the advice of their broader community decided they could no longer support the process by even attending. DIIS have not acknowledged this lack of attendance for the dissent that it is but have chosen the 'white way' of interpreting non attendance as not caring about the process. DIIS have chosen to continue with the members who have attended and to make decisions without broad local indigenous support.		selection, facility design and regulatory decision making. We would expect the proponent to demonstrate what actions they have taken based on community engagement.
122	Greg Bannon			ILRW is a matter of fact. Code should change to allow disposal of Australian generated waste. Cease current NRWMF search for LLRW and temp storage of ILRW site. Start new bi-partisan discussion & involve groups like ACF to define national need for 1 site to dispose of all types of Australian generated radioactive waste. First priority use C'Wealth land or degraded uranium mining land. Stop targeting small isolated vulnerable communities	Noted	The policy and process to select a site for the National Radioactive Waste Management Facility is the responsibility of the Department of Industry, Innovation and Science.
123	Greg Bannon			Introduction: It is a fact of life that Intermediate Level Radioactive Waste is currently being stored in Australia. I have not heard the term "High Level Radioactive Waste" used in connection to any Australian stored waste, legacy or otherwise, in any of the current debate, now entering its third year. If ANSTO is operating a nuclear reactor, and has a decommissioned one to manage, it does not	Noted	As stated in the Code, "Australia has no HLW and is unlikely to possess any in the foreseeable future". This has been clarified in Section 1. The policy and process to select a site for the National Radioactive Waste Management Facility is the responsibility of the Department of Industry, Innovation and Science.

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				seem credible that there is no HLRW in the country. Over the last three years a small number of Australian communities have been the target of the latest round of Federal Departmental and Agency pressure to find a solution to the ever increasing pile of Australian produced radioactive waste. In addition and concurrently, the South Australian public (particularly the State's taxpayers) were subjected to an expensive Royal Commission examining the whole nuclear fuel cycle. We know the conclusions of the Royal Commissioner and the public rejection of those conclusions. DIIS were emphatic that their NRWMF, designed to co-locate LLRW disposal with temporary storage of ILRW, had absolutely no connection to the SA investigation to accept international HLRW. The connection was obvious. If SA had developed a HLRW disposal facility, it would have been the only place to dispose of Australia's ILRW.		
124	Greg Bannon			There must be a solution to the disposal all Australian generated radioactive waste. The scope of the current code needs to be extended to adequately cover this need, providing both guidelines and requirements for handling and managing the material.	Noted	The scope of the code currently covers the disposal of all solid radioactive waste. The policy and process to select a site for the National Radioactive Waste Management Facility is the responsibility of the Department of Industry, Innovation and Science.

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125	Greg Bannon			Social Responsibility: All sectors of the industry, including DIIS, ANSTO and ARPANSA, need to understand and pay heed to the social impact of their activities. The obvious question is, "Why has no centralised, dedicated radioactive waste disposal facility ever been commissioned in Australia"? Because the case has never been successfully argued and accepted by the majority of any community. In the lifetime of the nuclear industry globally the problem of waste disposal has never been solved. The world is littered with examples of the industry's failure to adequately manage all aspects of its production chain. This is why a wall of cynicism, resentment and anger has built up against it.	Noted	The policy and process to select a site for the National Radioactive Waste Management Facility is the responsibility of the Department of Industry, Innovation and Science.
126	Greg Bannon			Timing: It is unfortunate that this change to the code appears to have some urgency at a time when a number of communities are wrestling with the implications of accepting a NRWMF. It has been a deeply divisive process and a Senate Economics References Committee has been commissioned to enquire into that process. Obviously, there is confusion about the code change deadline for comment judging by the responses from people registering opposition the NRWMF on this ARPANSA site. The DIIS process continues to cause consternation, witnessed by the public outcry coming from the latest attempt to select a NRWMF site at	Noted	The Code is being updated because the current Australian code published in 1992 (RHS35, Code of practice for the near-surface disposal of radioactive waste in Australia) is out of date. This new code will align Australian requirements for the disposal of radioactive waste will the relevant international standards. ARPANSA will expect an applicant to meet requirements that are current at the time a licence application is received. This means that for the National Radioactive Waste Management Facility, if the new code is published before a licence application is

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				Brewarrina for assessment. Concern over timing extends to the current, more advanced assessments of three NRWMF sites, one being Wallerberdina near the Flinders and two near Kimba. It sounds as if changes to the code could be in place before the end of the year, about the same time as DIIS says there will be an announcement on the sites in SA. A process that has moved very slowly for the last three years seems now to have been accelerated. A major concern is that, with changes in the code potentially allowing solid radioactive waste material to be disposed of in all locations, the operator of the NRWMF may, at some time in the future, apply to expand that facility to dispose of the ILRW temporarily stored there. This obviously depends on the suitability of the site for such expansion. This is of concern because it potentially changes the basis of the argument. All information presented so far has aimed to achieve community acceptance for disposal of LLRW and temporary storage of ILRW. The definition of "temporary" has been very vague, quoted as anything - from decades up to a century. The proposed changes to the code potentially open the way for "co-location" to be a permanent thing. This makes a dramatic difference to the assurances of the no, or low, environmental impact the facility will have. The potential risks are far greater when the		received by ARPANSA, the applicant will be expected to meet all the requirements of the new Code. The policy and process to select a site for the National Radioactive Waste Management Facility is the responsibility of the Department of Industry, Innovation and Science. ARPANSA does not take on an advocacy role in relation to any specific plan or concept.

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				regulations allow any type of solid radioactive waste to be received for permanent disposal. It requires a completely different conversation to the one we have been having up until now.		
127	Greg Bannon			Definition of Community: It seems that there is a great deal of latitude when it comes to defining whose opinion should or should not be considered in these waste facility proposals. It seems to come down to some sort of circle surrounding the facility, and how wide or narrow to draw the line to best achieve the desired outcome. Terms like "state of the art" and "international best practice" are often used to generate the impression that the process is being well-managed, considerate of all points of view and that the final decision will be beneficial and satisfactory to all. Sadly, the reverse is often true. In situations like this, where the initiative has not come from the community, vested interests come to the fore. Expectations are raised. Those who think they have something to gain seem to take precedence. If the facility does not proceed, they will be impelled by the thought that something has been taken from them. For those opposing, the worst thing is that all remains as it was, but at best, it might help them appreciate even more what they have been protecting. A renewed appreciation for one's environment and community can work	Accepted with modification	The policy and process to select a site for the National Radioactive Waste Management Facility is the responsibility of the Department of Industry, Innovation and Science. In general usage 'community' refers to a geographical area defined for the purpose of consultation. The proponent will need to apply cultural interpretations of what constitutes the appropriate community. Consideration of the health of impacted communities has been added to requirement 3.1.12. Health is defined as "a state of complete physical, mental and social well- being and not merely the absence of disease."

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				wonders for community involvement and well- being. Community co-operation is the glue that holds small towns and districts together. It is essential, even more than in the city, in times of adversity like droughts, floods and fires for communities to be cohesive. The divisions that have been caused by this process may be irreparable. What untold damage has been done?		
128	Greg Bannon	Summary:		1. Changes to the code are required so a solution can be found to safely dispose of Australia's, and only Australia's, radioactive waste.	Noted	No change to text.
129	Greg Bannon	Summary:		2. It should be a requirement that the current model/process employed to select and assess potential waste facility sites be totally scrapped. Targeting small, remote and vulnerable communities has not worked in the past. New thinking is required.	Not accepted	The policy and process to select a site for the National Radioactive Waste Management Facility is the responsibility of the Department of Industry, Innovation and Science.
130	Greg Bannon	Summary:		3. Future site selection should require consultation on a much wider, and bi-partisan, scale. If the proposers cannot satisfy national bodies, such as the ACF, F o E, MAPW (to name a few - all anathema to DIIS), that there is a national need for the facility, it won't happen. These groups need to be part of the solution.	Not accepted	The policy and process to select a site for the National Radioactive Waste Management Facility is the responsibility of the Department of Industry, Innovation and Science. Consultation and stakeholder engagement requirements are included in the code.

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131	Greg Bannon	Summary:		4. The code could require, as a first step, consideration of utilising Commonwealth controlled land, or land that has been degraded by, for example, uranium mining.	Not accepted	The policy and process to select a site for the National Radioactive Waste Management Facility is the responsibility of the Department of Industry, Innovation and Science. ARPANSA does not take on an advocacy role in relation to any specific plan or concept.
132	Greg Bannon	Summary:		5. The current sites under assessment, at Kimba and Wallerberdina, should be exempt from any future applications to convert or expand operations into disposal of ILRW.	Not accepted	The policy and process to select a site for the National Radioactive Waste Management Facility is the responsibility of the Department of Industry, Innovation and Science. ARPANSA does not take on an advocacy role in relation to any specific plan or concept.
133	Bright New World			The use of nuclear medicine and other technologies in Australia has delivered practicably immeasurable benefit to its citizens. It has been estimated by one of Australia's leading professionals in the field that the average Australian will benefit from more than two medical procedures involving nuclear medicine in the course of their life[1] Experts attest to the diverse and vital benefits of nuclear technologies: 'nuclear technologies and techniques are demonstrably valuable for improving human well-being, especially in	Noted	No change to text.

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				fighting disease, helping to grow food,		
				addressing food security and safety, and		
				managing safe water and other natural		
				resources. In health care, nuclear medicine and		
				radiation therapy will continue to be important		
				in providing earlier, more accurate diagnoses		
				and safer, more effective treatments. In food		
				security and safety, nuclear techniques have also		
				contributed significantly in integrating pre- and		
				post-harvest pest-control measures such as food		
				irradiation and area-wide application of the		
				Sterile Insect Technique (SIT) to protect crops		
				and livestock from pests. Techniques for		
				diagnosing trans- boundary animal diseases will		
				be increasingly important for early and rapid		
				detection in both the laboratory and the field.		
				And nuclear techniques have a significant role to		
				play in hydrology, important as the growing		
				scarcity of water resources and the dramatic lack		
				of sustainable access to water and sanitation in		
				developing countries become major		
				impediments to sustainable development,		
				wealth creation and the eradication of poverty'.		
				[2]As all human activities invariably generate by-		
				products, our responsibility is to manage them		
				wisely. The management of nuclear-related by-		
				products – radioactive waste – is only		
1				exceptional in this regard insofar as we have		
1				sometimes applied standards and approaches		
				that are more reflective of fear and		

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				misunderstanding than responsible management and scientific best-practice. Radioactive wastes are not axiomatically more dangerous or environmentally detrimental than many other controlled waste streams. Indeed, the benefits are frequently under-appreciated until members of the public have direct experience. 'When receiving a diagnosis of cancer in my neck ten years ago, I hadn't given nuclear medicine much thought. Now, like many thousands of others in Australia, I can say I am alive today thanks to the tiny amount of radioactive isotope I was injected with to firstly locate and map my cancer, and after treatment, to verify that it was gone. A visit to the Lucas Heights nuclear research reactor with my boys several years later was not only a fascinating tour of a premier research facility, it was something of a personal homage, to look down into the OPAL reactor pool room, and know that my life was saved by what it produced. Christopher Dunne, Newcastle'. Bright New World commends the committee for formulating a comprehensive draft code. We would like to provide these specific comments for its consideration:		
134	Bright New World			Dose constraints are mentioned in general and in terms of annual thresholds for the purpose of safety cases and other planning. Dose	Not accepted	The dose constraints in the Code reflect current international best practice (IBP). Should IBP change in the future this would

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				constraints are prudent for all hazards, e.g. environmental exposure to heavy metal contamination. A complication with regard to radioactivity, recognised by the economic and social factors qualifiers to the ALARA principle, is that for low-dose exposure potential detriments to human and environmental health are largely assumed due to limited data. While this can represent prudence, unless regularly re- evaluated this can also potentially a) dictate added costs for no measurable, or indeed actual, benefit, and b) become progressively more removed from the state of scientific understanding of effects of low-dose radiation. For example, should there come a point in the future where the preponderance of evidence indicates that 10 milliSieverts per annum is not a greater hazard than 1 milliSievert per annum, approaches to the management of radioactive waste ought incorporate this knowledge. Peak professional organisations like the Health Physics Society[3] in the US work to update and communicate the current state of knowledge relating to management of material from low- level waste up to spent nuclear fuel.		likely be reflected in future revisions of the Code.
135	Bright New World			Consultation with stakeholders is obviously essential. We note that this is explicitly regarded as "as an asset that will contribute knowledge to [the] processes." This clearly applies to a	Not accepted	All interested parties have the right to be involved in stakeholder consultation.

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				stakeholder similar to the above-mentioned organisation of subject matter experts. It must similarly be explicitly questioned whether activist organisations with a stated position of blanket opposition to nuclear technologies[4] and their nominated spokespeople, who do not and historically have not engaged in good faith with such experts, can realistically contribute equivalent. For example, the conditioned final waste form that was repatriated to Australia for disposal constitutes intermediate level waste[5], yet the rumour is perpetuated in parts of the Australian community that it should properly by classified as high level waste[6]		
13	⁶ Bright New World			Bright New World supports the international best practice, community-conscious, rigorous approach outlined by the draft code. Intrinsic aspects of a successful approach will include appropriate site geology, and adequate engineered barriers to ensure security of long term disposal. Much research is being conducted into both aspects. We note that this has included the study of elemental migration at the sites of the primordial Oklo natural nuclear reactors in Gabon, Africa. In the absence of any consciously engineered barriers or choice of optimal geological conditions, the products of nuclear fission did not migrate or migrated only short distances in the two billion years since the	Noted	Site selection criteria are consistent with international best practice. All site selection criteria in the code will need to be addressed by the applicant in the safety case with supporting evidence.

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				reactions were exhausted [7]More recently, work in the UK has identified how mineralisation involving uranium and arsenic has inadvertently locked up radioactive material from dispersing into the environment, after a legacy site was simply left alone[8]. In contrast, deliberate and safety case-guided management of radioactive waste provides a far higher level of confidence and certainty.		
137	Bright New World		1521	We note that Line No. 1521 makes unequivocal mention of the exclusion of high level waste and spent nuclear fuel storage. This is currently consistent with Australian legislation. However, it isn't necessarily consistent with pursuing reductions in the hazards involved in the proper operation of an appropriately engineered radioactive waste facility. The management of spent fuel from conventional reactors has not resulted in any harm to humans, and is extremely well characterised internationally[9, 10]. As a low carbon source of energy as recognised by the Nuclear Fuel Cycle Royal Commission, nuclear energy may be required to meet Australia's needs in the future and the responsible management of by-products (ideally based on the complete recycling of unfissioned material rather than its disposal) would require a revision of this current exclusion[11]. To illustrate, please refer to this peer-reviewed	Accepted	Text deleted. However, as stated earlier in this Code, "Australia has no HLW and is unlikely to possess any in the foreseeable future".

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				journal article which explores the potential for next generation nuclear energy technology in Australia [12]. This approach would lead to net- disposition of radioactive material on the global scale and in time could also displace the production of new radioactivce material from existing generation nuclear technology. Both goals are consistent with the intent of responsible management of radioactive waste. In the event that Australian policy decisions around energy supply change to include the use of nuclear energy, this Code must change in response.We look forward to continued engagement with ARPANSA as a productive stakeholder throughout the development of this regulatory process and the eventual establishment of world-leading facilities under the guidance of Australia's expertise in nuclear science and technology.		
138	Bright New World		1521- 1523	As stipulated in the draft, high-level waste and spent nuclear fuel are currently prohibited for handling under Australian Commonwealth legislation. Repeating this in a licence application is thus redundant. Repeating this in a licence application does not serve the goals of the Code, however serves to reinforce Australia's arbitrary limitation on the beneficial uses of nuclear technologies, which currently preclude the generation of greenhouse-gas free electricity.	Accepted with modification	Text deleted. However, as stated earlier in this Code, "Australia has no HLW and is unlikely to possess any in the foreseeable future".

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139	David Noonan			1. Required Protection of Cultural Heritage from impact by Disposal Facility Siting: Updating the related 1992 Code is long overdue and advanced societal standards & expectations must now be incorporated if the 2018 version is to have integrity and realise community support. Therefore, the draft must be amended so that Site Selection 3.1.27-3.1.29 must comply with the protection of special cultural heritage significance and must comply with the 3.1.29 (d) criteria that the vicinity of any proposed disposal facility must have "no special cultural heritage significance". It is untenable in this era (as proposed in the RHC Draft) for site selection to only have to consider but not have to comply with this key criteria. And thereby, to expressly threaten and impact special cultural heritage significance held by community through imposition of disposal facility siting. No amount of proposed 538-540 "well-founded arguments must be provided in association with the safety case to address any criteria that are not fully met" will undue the harm caused by disposal facility siting in the vicinity of special cultural heritage significance held by Aboriginal people. This is a high level current issue which the SA Premier has addressed in writing to the Prime Minister (Letter dated 24 Oct 2017, as reported in The Australian on 31 Nov 2017): South	Not accepted	Site selection criteria are consistent with international best practice. All site selection criteria in the code will need to be addressed by the applicant in the safety case with supporting evidence. The policy and process to select a site for the National Radioactive Waste Management Facility is the responsibility of the Department of Industry, Innovation and Science. ARPANSA does not take on an advocacy role in relation to any specific plan or concept.

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				Australian Premier Jay Weatherill has asked		
				Malcolm Turnbull to give Aborigines the "final		
				right of veto" over any site chosen by the federal		
				government for the planned national radioactive		
				waste dump In the letter obtained by The		
				Australian, Mr Weatherill said Aboriginal leaders		
				were deeply concerned about the Hawker		
				proposal and urged the commonwealth to		
				commit to "provide a local Aboriginal		
				community with a final right of veto over any		
				future facility proposed on their lands".		
				ARPANSA has an obligation to see to it that the		
				Commonwealth must not target, divide and		
				harm Aboriginal communities and threaten their		
				Cultural Heritage through disposal facility siting.		
				That is exactly what the Commonwealth has		
				already done through proposed siting of the		
				NRWMF near Hawker on the cultural country of		
				the Adnyamathanha people in the iconic Flinders		
				Ranges in an acknowledged vicinity of special		
				cultural heritage significance to traditional		
				owners. Including: that the vicinity and		
				immediately adjoining property is an Indigenous		
				Protected Area as a part of the National Reserve		
				System instigated for protection by the		
				Commonwealth, AND that the broad area is a		
				precedent registered Story Line protected under		
				the SA Aboriginal Heritage Act 1988.		
1				Adnyamathanha people have rejected NRWMF		
				Siting on their country and this must be		

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				respected. Flawed Commonwealth practice in this matter to date must not be allowed to constrain due content in this ARPANSA Code, otherwise this Code will fail to realise community respect and support. ARPANSA must now have the integrity to deliver a Code that mandates due practice in site selection which fully protects areas of special cultural heritage significance to Aboriginal people. A finalised ARPANSA Code must explicitly respect Aboriginal people's rights and interests. That is preferable to "a final right of veto" which still forces Aboriginal people through a demanding lengthy site selection process threatening their cultural heritage and dividing & harming community.		
140	David Noonan			2. The Principal of Non-Imposition of Disposal Facility Siting must be an Object of the Code: This RHC Draft Code unacceptably fails to reflect the Principal of International Best Practise that Nuclear & Radioactive Waste Disposal Facilities must not be imposed on unwilling communities. A final Code must mandate a Principal to not impose Disposal Facility Siting on community. Disposal Facility Site selection is a National, a State, a regional and a local community core issue. Disposal Facility Site selection is not only an issue for local communities or for local 'consent'. The Commonwealth NRWMF process to date has been flawed in this respect, in	Not accepted	A decision under the ARPANS Act on a licence application has to be robust and stand up to scrutiny by all interested parties (stakeholders). The ARPANS Act (1998) requires the CEO of ARPANSA to take international best practice into account when making a decision. The policy and process to select a site for the National Radioactive Waste Management Facility is the responsibility of the Department of Industry, Innovation and Science. It is not appropriate for ARPANSA to define or measure community consent.

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				targeting local communities and in addressing only local consent, while ignoring broad State and regional issues. ARPANSA has to recognise the Storage and Disposal of nuclear wastes affects the rights, interests and safety of all South Australians and is prohibited in our State under the Nuclear Waste Storage (Prohibition) Act 2000. The import, transport, storage and disposal of ANSTO irradiated nuclear fuel wastes & reprocessed nuclear wastes were prohibited in SA under the leadership of Liberal Premier John Olsen in 2000: "The Objects of this Act are to protect the health, safety and welfare of the people of South Australia and to protect the environment in which they live by prohibiting the establishment of certain nuclear waste storage facilities in this State" Labor Premier Mike Rann then extended this legislation to prohibit other classes of nuclear wastes. Initially, the Commonwealth claimed to forego co- location of the Store for nuclear fuel waste & for Intermediate level wastes in SA, and then abandoned any nuclear dump siting in SA in mid- 2004. Since April 2016 the Commonwealth has solely targeted proposed NRWMF sites in South Australia. The NRWMF process to date and this RHC Draft Code fail to recognise the will of the Parliament and the people of SA expressed in clear State legislation that proposed NRWMF siting is illegal in SA. The illegality of proposed		Storage of radioactive waste is not within the scope of this code. However, storage is addressed in RPS No.16 (Safety Guide for the Predisposal Management of Radioactive Waste (2008).

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				NRWMF Siting in SA is proof of intended Commonwealth imposition of NRWMF Siting onto the people of SA - at State wide, regional and local community level. Any imposition of Disposal Facility Siting is untenable and will be strongly and effectively resisted by community across South Australia. ARPANSA has to address this matter or see this Code and proposed NRWMF Siting continue to fail.		
141	Marty and Rachel Yates			ARPANSA needs to make the mental health and wellbeing of community a priority in the code and not just consider the potential exposure to radiation as a health risk.	Accepted with modification	Consideration of the health of impacted communities has been added to requirement 3.1.12. Health is defined as "a state of complete physical, mental and social well- being and not merely the absence of disease."
142	Marty and Rachel Yates			The code defines 'community' and discusses 'consultation' but there is no mention of 'broad community support' anywhere. A set figure to clearly define how much support is needed should also be included.	Not accepted	The policy and process to select a site for the National Radioactive Waste Management Facility is the responsibility of the Department of Industry, Innovation and Science. It is not appropriate for ARPANSA to prescribe a numerical value to define broad community consent.
143	Marty and Rachel Yates			NO type of radioactive waste should be stored on agricultural land	Noted	Storage of radioactive waste is not within the scope of this code. However, storage is addressed in RPS No.16 (Safety Guide for the

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						Predisposal Management of Radioactive Waste (2008).
144	Leon Ashton			The old Code RHS-35 is only applicable to near surface disposal of LLW in an arid environment, whilst the new Code SSR-5 is applicable to all solid radioactive waste in all locations thoughout Australia.	Noted	Yes, this is correct.
145	Leon Ashton			1 Will there be any procedures put in the upgraded Code to positively ensure a LLW site already chosen/built will not have a permanent ILW facility built under it at some time in the future?	Noted	Any proposal to dispose of ILW at a LLW facility would require a separate licence application and safety case to be developed, submitted by the applicant and approved by the regulator. A licence to dispose of LLW does not allow for the disposal of ILW.
146	Leon Ashton			2 We know there will be a significant increase in ILW from Lucas Heights, which has already started. We also know there is ILW returned from France plus unknown quantities currently stored at Woomera. How does this affect the licensing for a LLW site, if it is found that more ILW will be "temporarily" stored at the LLW facility, for much longer than the LLW licence covers it for? Are we not basically repeating the same issues that have arisen from the old Code? For example a permanent ILW site must be chosen before the ILW can be moved from its	Noted	The policy and process to select a site for the National Radioactive Waste Management Facility is the responsibility of the Department of Industry, Innovation and Science. With respect to the possibility of storage of ILW at a National Radioactive Waste Facility, the CEO of ARPANSA will also require applicants to consider international best practice in addition the practices outlined in RPS No.16. At this point in time, the overall picture of international best practice is that countries should have a policy and strategy for management of radioactive waste, in which

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				present place where the licence allows it to be temporarily stored.		storage has a legitimate temporary role provided there is a further strategy for ultimate disposal of the waste.
147	Leon Ashton			3 The fact that ARPANSA are upgrading the Code of Practice for disposal of solid radioactive waste to tie in with international nuclear standards and best practice, where does the new Code now sit with France returning what they classify as HLW to us?	Noted	As stated in the Code, "Australia has no HLW and is unlikely to possess any in the foreseeable future". Australia's waste classification is based on the IAEA waste classification system. The waste returned from France is classified as ILW in Australia.
148	Leon Ashton			4 Community Engagement. It is my personal opinion that a lot more emphasis needs to be places on the honest and factual information given to both local and broader communities up front. I do strongly believe that if a community votes for or against a proposal, that the voting numbers must be significantly higher (say 75- 80%) than the present 65%, for a facility to move forward. 65% of our community does not allow in any way, a clear concise (the community wants this) vote. This is such an important issue that I believe it requires a lot more consideration in this area.	Not accepted	The policy and process to select a site for the National Radioactive Waste Management Facility is the responsibility of the Department of Industry, Innovation and Science. The requirements for stakeholder engagement are already outlined in Section 3.1. It is not appropriate for ARPANSA to prescribe a numerical value to define broad community consent.
149	Mnemosyne Giles			I Object. ARPANSA is untrustworthy changing type of dump after 2 years of cruel & immoral (using bribery) consultation. Of course they know what they are doing. Changing the dump to include ALL types of disposal opens the way for deep disposal and an international dump as	Noted	The policy and process to select a site for the National Radioactive Waste Management Facility is the responsibility of the Department of Industry, Innovation and Science. ARPANSA will only licence a national radioactive waste management facility if we

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				has always been on the agenda (as recommended eg. by Richard Yeeles) There is no permanent solution to IL & HL Waste (active over 10,000 years). Nuke Ind denies health effects. Moratorium on mining & production not a dump!!!!!!		are confident that it would not have an adverse impact on human health or the environment.
150	Colin Mitchell			I am against changing the Code to include other types of disposal facilities such as the above- ground storage for Intermediate Level nuclear waste from Lucas Heights that the Federal Govt wants to locate at their proposed National dump. This higher-level waste which remains dangerous for thousands of years should stay at Lucas Heights where it can be securely monitored. No deep-disposal facility should be permitted either. No National dump should be built - all waste should stay where it is.	Not accepted	The Code is being updated because the current Australian code published in 1992 (RHS35, Code of practice for the near-surface disposal of radioactive waste in Australia) is out of date. This new code will align Australian requirements for the disposal of radioactive waste will the relevant international standards. Storage of radioactive waste is not within the scope of this code. However, storage is addressed in RPS No.16 (Safety Guide for the Predisposal Management of Radioactive Waste (2008). The policy and process to select a site for the National Radioactive Waste Management Facility is the responsibility of the Department of Industry, Innovation and Science.
151	Michele Madigan			ARPANSA has an important role during the Federal Government's current plans for radioactive waste disposal. The Dep. artment has not engaged in the proposed sites (Flinders	Noted	The policy and process to select a site for the National Radioactive Waste Management Facility is the responsibility of the Department of Industry, Innovation and Science.

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				Ranges or Kimba) in a genuine way. The Department has acted only as an eager proponent - persuasive funds causing severe community disruption. I have witnessed public servants defending unscientific safety arguments #3329: unrealistic short timeframe claims for radiation danger contrasting with ARPANSA'S 10,000 years #1553; with assurances of the greater percentage of local community support than actually exists.		
152	Michele Madigan	2.1		2.1 The Department/Federal Government proponents continually stress that the present planned facility is essential for the survival of nuclear medicine within Australia. However in reality the planned national facility will not remove waste from hospitals or medical clinics. Nor is it advancing the long-term disposal of intermediate waste (only the re-located interim storage.)	Noted	The policy and process to select a site for the National Radioactive Waste Management Facility is the responsibility of the Department of Industry, Innovation and Science.
153	Michele Madigan		413	The Lucas Heights long -lived intermediate level waste will be stored above ground – in direct opposition to world's best practice of the requirement for underground storage.	Noted	Storage of radioactive waste is not within the scope of this code. However, storage is addressed in RPS No.16 (Safety Guide for the Predisposal Management of Radioactive Waste (2008).
154	Michele Madigan		401	# 401 is particularly endorsed, recognising as it does the 'essential ' nature of local Aboriginal engagement in the siting process. Aboriginal	Noted	No change to text.

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				citizens in SA have been opposition leaders to both Federal campaign in SA. The <i>Kupa Piti</i> <i>Kungka Tjuta</i> for the Billa Kalina /later Woomera area 1998-2004 and many of the members of the Adnymathanha (present proposed Flinders Ranges site.)		
155	Michele Madigan			Obviously, Aboriginal peoples' intimate knowledge of country, groundwaters and heritage is a resource for the genuine consultation which ARPANSA as the regulating body desires. It is of grave concern that this proposed Flinders radioactive dumpsite is next to the Adnyamathanha Indigenous Protected Area (IPA). Many Traditional Owners have made enormous efforts to stand up for country and heritage at great cost to their general wellbeing, emotional and physical health. As well as revealing Aboriginal heritage matters, their previous and ongoing commissioned research reveals frequent seismic and flooding activity.	Noted	Throughout the site selection process, it is imperative to address the societal dimension of radioactive waste management through effective dialogue with the community with a view to inform and strengthen the decision- making processes. This dialogue with the community may also identify specific local knowledge and cultural considerations that are relevant to site selection, facility design and regulatory decision making.
156	Michele Madigan		246	The process of nomination by individuals (and acceptance by the Department) in both Flinders Ranges and Kimba sites has led to very serious community and family disruption and genuine angst in the general communities of Kimba and districts, Hawker, Quorn and districts.	Noted	The policy and process to select a site for the National Radioactive Waste Management Facility is the responsibility of the Department of Industry, Innovation and Science.
157	Michele Madigan		373- 379	In contrast to the Federal plan, the ARPANSA document recognised the vital importance of	Noted	The definition of 'stakeholder' in section 1.5 now includes "any interested party (person or

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				genuine, clear community consent/ social license. In extension, what affects these two local areas cannot be considered as isolated from the entire state of SA – eg regarding safety and reputation in the international markets of tourism and grain trade. As well, the travel route from Sydney has not been revealed.		group) impacted by a proposed or existing disposal facility."
158	ENuFF SA			1. The concept of 'local community' needs a clear definition that removes any ambiguity & should also include all residents & affected parties adjacent to, or users of, any transport corridors between source & destination.	Not accepted	In general usage 'community' refers to a geographical area defined for the purpose of consultation. The proponent will need to apply cultural interpretations of what constitutes the appropriate community.
159	ENuFF SA			2. Penalties for non-compliance should apply.	Not accepted	This comment is not within the scope of the code. Penalties for non-compliance are a matter for each jurisdiction.
160	ENuFF SA			3. All records & inventories of each facility should be publicly available on the ARPANSA website.	Not accepted	This is not within the scope of this Code. This is a matter for consideration by the relevant jurisdiction.
161	ENuFF SA			4. The location of any facility should be as near as practical to source.	Not accepted	The policy and process to select a site for the National Radioactive Waste Management Facility is the responsibility of the Department of Industry, Innovation and Science.
162	ENuFF SA			5. The transport details & route for any radioactive waste movement should be publicly	Not accepted	Activities associated with the transport of radioactive waste must meet the

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				notified to a subscriber list & on the ARPANSA website 1 month prior to shipment.		requirements set out in the Transport Code (RPS C-2).
163	Margie and Butch Eckermann			We are totally opposed to a radioactive waste facility being built near Kimba, or at Wallerberdina in the Flinders Ranges. Radioactive waste is not "guaranteed" safe. The process for storing radioactive waste in our communities continues to cause stress and division. Please consider the mental health of our community members opposing this project. We were told this facility would not be forced on an unwilling community, and we say NO. Broad community support needs to be clearly defined.	Noted	The policy and process to select a site for the National Radioactive Waste Management Facility is the responsibility of the Department of Industry, Innovation and Science. Consideration of the health of impacted communities has been added to requirement 3.1.12. Health is defined as "a state of complete physical, mental and social well- being and not merely the absence of disease." It is not appropriate for ARPANSA to prescribe a numerical value to define broad community consent.
164	Joan Boylan			Why do South Australians have to carry this burden? We pride ourselves with a clean green reputation and will fight this divisive process and dangerous illegal poison coming across oceans, through our ports or across our sacred country. South Australians have already made it clear that we do not want nuclear waste here. We spent \$!0 million of our taxes to run a citizens jury and the vote was overwhelmingly NO. Leave the waste at Lucas Heights where it is secure.	Noted	The policy and process to select a site for the National Radioactive Waste Management Facility is the responsibility of the Department of Industry, Innovation and Science.

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165	Noel Wauchope			I ATTACH DOCUMENTS. This Code now applies to all types of disposal facility - higher level nuclear wastes planned. Includes reprocessed nuclear wastes returned to Lucas Heights, from France, where they are classified as High Level Wastes.	Noted	Australia's waste classification is based on the IAEA waste classification system. The waste returned from France is classified as ILW in Australia.
166	Noel Wauchope			Container safety - no detail given With no existing final repository, these containers will become STRANDED The dangers of transporting wastes over 2000 km are completely ignored. The COMMUNITY defined as just local, area not worth it for agriculture	Noted	Activities associated with the transport of radioactive waste must meet the requirements set out in the Transport Code (RPS C-2). Packaging at the disposal facility is determined as part of the safety case.
167	Noel Wauchope	page 9		The big change in this Code is that it now applies to all types of disposal facility - meaning that higher level nuclear wastes are planned for. The draft Code states on page 9: "Australia has no high level waste (HLW) and is unlikely to possess any in the foreseeable 108 future" But the plan is obviously to include reprocessed nuclear wastes returned to Lucas Heights, from France, where they are classified as High Level Wastes, not Intermediate Level Wastes (ILW) The vitrified waste we received back from France has a radioactivity over one Billion Becquerels per gram (one GigaBq/gr). France considers this High Level Waste http://inventaire.andra.fr/sites/default/files/pub lishpaper/2006_summary_of_the_national_inve	Noted	The Code is being updated because the current Australian code published in 1992 (RHS35, Code of practice for the near-surface disposal of radioactive waste in Australia) is out of date. This new code will align Australian requirements for the disposal of radioactive waste will the relevant international standards. Australia's waste classification is based on the IAEA waste classification system. The waste returned from France is classified as ILW in Australia. Storage of radioactive waste is not within the scope of this code. However, storage is

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				ntory/files/docs/all.pdf Many people are aware of the approx 10 cubic metres reprocessed spent fuel classed as ILW & returned from France in 2015. Not more generally known is the fact that there is much much more ILW destined for 'temporary storage' above ground (contrary to IAEA best practice) in the proposed repository. Currently there is no official determination about what is actually to be accumulated there - hence the delay in remediating the leaking drums at Woomera and failure to properly inform the local communities, also thereby wrongfully expecting them to sign off on an unknown quality/quantity.		addressed in RPS No.16 (Safety Guide for the Predisposal Management of Radioactive Waste (2008).
168	Noel Wauchope			CASKS. No detail is given in the draft Code, which calls for "appropriate selection of waste forms and packaging". There are problems both in transport and in storage above ground for hundreds of years. For example - accidents, includng fires. The Mont Blac Tunnel was one fire in 1999 that had temperatures of 1000 degrees celsius, while dry cask tests only reach 760 degrees for no more than 20 minutes http://www.mace.manchester.ac.uk/project/res earch/structures/strucfire/CaseStudy/HistoricFir es/InfrastructuralFires/mont.htm There is no detail on the containers for radioactive waste. This is becoming an issue overseas. The Swedish Environmental Court has ruled against their	Noted	Activities associated with the transport of radioactive waste must meet the requirements set out in the Transport Code (RPS C-2). Packaging at the disposal facility is determined as part of the safety case. Storage of radioactive waste is not within the scope of this code. However, storage is addressed in RPS No.16 (Safety Guide for the Predisposal Management of Radioactive Waste (2008).

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				planned radioactive waste repository because of concerns about the copper canisters planned. http://www.dianuke.org/landmark-swedish- court-judgment-nuclear-waste-repository-read- english-translation/ USA's The Nuclear Regulatory Commission (NRC) allows U.S. nuclear plants to store or transport spent fuel waste in thin walled welded stainless steel canisters designed to withstand a crash at 30 miles per hour https://www.newtimesslo.com/sanluisobispo/a- pact-with-the-devil/Content?oid=4329619 Britain has similar concerns. https://cumbriatrust.wordpress.com/2018/02/2 1/swedens-problem-is-also-our-problem/ February 21, 2018by cumbriatrust		
169	Noel Wauchope			TRANSPORT. The Code, in all its 65 pages has just the bare 2 lines, which refer the reader to another document. The dangers in transporting nuclear wastes for over 2000 km across the continent are glossed over. But it is well known that such transport over very long distances is dangerous. Washington, D.C. Mayor Carolyn Goodman : "Anywhere it's transported is at risk because of the tunnels, the bridges, the railroads, the roads," she said. "An accident puts millions and millions of people around the country at risk for loss of life, cancer and everything else.",	Noted	Activities associated with the transport of radioactive waste must meet the requirements set out in the Transport Code (RPS C-2). Storage of radioactive waste is not within the scope of this code. However, storage is addressed in RPS No.16 (Safety Guide for the Predisposal Management of Radioactive Waste (2008).

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				https://lasvegassun.com/news/2018/jan/25/in- dc-goodman-highlights-dangers-of-transporting- n/ - "Near surface disposal facilities are generally designed on the assumption that institutional control has to remain in force for a period of time. For short lived waste, the period will have to be several tens to hundreds of years following closure." This Code will approve and give the go- ahead for the plan to have this temporary above-ground storage set up BEFORE there is any building of a permanent deep disposal repository.		
170	Noel Wauchope			COMMUNITY . Page 17 of the draft Code defines "Community" In this Code the term `community' is used to define the level of spatial and social organisation at which the issue of demographics must be addressed by the license applicant in terms of `the impact of the facility on the community in which the facility is, or is to be situated'. In general usage `community' refers to a geographical area defined for the purpose of consultation." The Code thus eliminates the interest of the broader community - in rural South Australia, in the State of Sout hAustralia, and in the whole country. Even while considering just the immediate local community, the Code states, on page 23, that one criterion for the location is that it must be a site "which has little or no potential for agriculture or	Noted	The definition of 'stakeholder' in section 1.5 now includes "any interested party (person or group) impacted by a proposed or existing disposal facility." Site selection criteria are consistent with international best practice. All site selection criteria in the code will need to be addressed by the applicant in the safety case with supporting evidence.

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				outdoor recreational use". I wonder what the farming community in the Kimba area think of this?		
171	Margaret Beavis		242	(This is not adequately covered in RPS F-1 (ARPANSA 2014a), so needs to be explicitly regulated here.) Insert: In order to assist evaluation of justification and net benefit, a transparent publicly available cost benefit analysis is to be provided by the proponent, which has all cost inputs including (but not limited to) all government subsidies for infrastructure and running costs, insurance costs (whether covered by government or private), decommissioning and waste disposal. In addition a detailed analysis of any alternative sources of the products of the proposed activity, including the feasibility and costs of these alternative sources, is to be provided.	Not accepted	In many cases decision relating to benefit and risk are taken at the highest levels of government. In other case, a regulator may determine whether proposed facilities are justified. Section 3.2 requires justification as part of the safety case.
172	Margaret Beavis		373-5	The current draft does not require full nor accurate disclosure. This makes genuine informed consent almost impossible. Replace: Throughout the site selection process, it is imperative to address the societal dimension of radioactive waste management <i>through</i>	Not Accepted	Consultation requirements in Section 3.1 require the proponent to develop strategies for effective and ongoing communication and consultation. The safety case and its plain English summary will be one aspect on which dialogue with

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				<i>information</i> and dialogue with the community with a view to strengthening the ability of the community to make a decision based on informed consent. <i>Planned future waste</i> <i>production and the nature of the waste will be</i> <i>explicit and outlined in detail.</i>		stakeholders will be conducted and on which confidence in the safety of the facility will be developed. The safety case should include factually accurate information which will develop over time as more information becomes available. Annex A to the code includes additional detail related to the information that must be included in the safety case.
173	Margaret Beavis		379	The current draft does not require full nor accurate disclosure. This makes genuine informed consent almost impossible. Insert: The deliberations will be based on information provided that reflects accurately the actual and proportional contribution of these issues to the creation of the waste. Future waste production and the justification for the proposal will be outlined in a factually accurate manner, with the cost benefit analysis and analysis of possible alternative sources included in the information provided to communities.	Not Accepted	Consultation requirements in Section 3.1 require the proponent to develop strategies for effective and ongoing communication and consultation. The safety case and its plain English summary will be one aspect on which dialogue with stakeholders will be conducted and on which confidence in the safety of the facility will be developed. The safety case should include factually accurate information which will develop over time as more information becomes available. Annex A to the code includes additional detail related to the information that must be included in the safety case.

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174	Margaret Beavis		464	The current draft does not require full nor accurate disclosure. This makes genuine informed consent almost impossible. Add:In order to ensure genuine informed consent, the proponent must publicly correct inaccurate information provided by advocates on behalf of the proponent, and circulate such corrections widely in the community. If the information provided by the proponent or its advocates is misleading in content or by omission, any "community consent" determination will be deemed invalid.	Not Accepted	Consultation requirements in Section 3.1 require the proponent to develop strategies for effective and ongoing communication and consultation.
175	Margaret Beavis		1437	Current wording may result in significant radiological hazard remaining unremediated. Insert: After mitigating measures, the facility is to be assessed for compliance with the safety objective and safety criteria. Further remediation may then be required commensurate to the level of radiological hazard and the nature of the waste.	Not accepted	For existing disposal facilities, the requirements reflect current best practice approach.
176	Margaret Beavis		1501	The community needs to be included in this process.	Accepted	Text amended.
				Comments by reviewers	Resolution	
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#	Submitter	Section	Line no.	Comment	Response	Reason for modification/not accepted
				Insert: "the community" into the list of interested parties to be consulted.		
177	Barbara Walker			I am from the Flinders Ranges and I am vehemently opposed to any changes or relaxation to any part of the Code for Disposal of Solid Radioactive Waste (RSPC-3). Radioactive waste is not guaranteed safe under any circumstances now, and for thousands of years to come. I strongly oppose the storage of nuclear waste in the Flinders Ranges (Wallerberdina) or Eyre Peninsula (Kimba). The people in these areas have been pushed to their limits with lies, bullying, bribery and manipulation. We say no dump	Noted	The Code is being updated because the current Australian code published in 1992 (RHS35, Code of practice for the near-surface disposal of radioactive waste in Australia) is out of date. This new code will align Australian requirements for the disposal of radioactive waste will the relevant international standards. The policy and process to select a site for the National Radioactive Waste Management Facility is the responsibility of the Department of Industry, Innovation and Science.
178	Graham Tiller			Continuous lies, change of guide lines, half truths proper gander misleading information have been a issue through the whole process period in kimba. And of course the 2 mill. bribe and the 10mill. bigger bribe . Not much for the destruction of a ounce perfect safe and prosperous community . Greed somes it up, its all about the money.	Noted	The policy and process to select a site for the National Radioactive Waste Management Facility is the responsibility of the Department of Industry, Innovation and Science.
179	Graham Tiller			In the event of a nuclear waste dump incedent eg. fire flood earthquake leakage accident, all persons within a 500km radius of the dump must be fully compensated by the gov. for there loses until such time that contamination, health	Not accepted	Site selection criteria are consistent with international best practice. All site selection criteria in the code will need to be addressed by the applicant in the safety case with supporting evidence.

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				and livelihoods are restored. All dumps to be on gov. land, controlled by the gov. and put on arid waste land eg. WOOMERA PROHIBITED AREA. Basic common sense really.		ARPANSA will only licence a national radioactive waste management facility if we are confident that it would not have an adverse impact on human health or the environment.
180	Graham Tiller			BROARD community support. Set figure 70% and dont change it. Completely transparent and fair process a must.Not the present pathetic process. Not to be on any agriculture aquaculture and horticulture areas of food producing land. Food and nuclear waste do not mix . Clean and Green. The yes / no vote should be the whole state not just one town. Local vote to be 100km radius of nominated sites. Neighboring councils should be notified and have input .	Not accepted	The policy and process to select a site for the National Radioactive Waste Management Facility is the responsibility of the Department of Industry, Innovation and Science. The requirements for stakeholder engagement are already outlined in Section 3.1. It is not appropriate for ARPANSA to prescribe a numerical value to define broad community consent. Site selection criteria are consistent with international best practice. All site selection criteria in the code will need to be addressed by the applicant in the safety case with supporting evidence.
181	Janet Tiller			Nuclear waste and food producing districts do not mix. I say no. The whole process is flawed and one sided. The guidelines keep changing when the outcomes don't suit what the government are seeking.	Noted	Site selection criteria are consistent with international best practice. All site selection criteria in the code will need to be addressed by the applicant in the safety case with supporting evidence.

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#	Submitter	Section	Line no.	Comment	Response	Reason for modification/not accepted
182	Anonymous			This whole process has been flawed from day 1, with promises it will be fair & all aboveboard, but unfortunately this has not been the case. Nuclear waste has no place on agricultural land, & it must be put back on the drawing board & a more suitable position found for it ie Woomera	Noted	The policy and process to select a site for the National Radioactive Waste Management Facility is the responsibility of the Department of Industry, Innovation and Science.
183	Colleen Guidera			I am very much opposed to a Nuclear Waste Facility being built in the Kimba District or anywhere else in South Australia. Low level waste is hazardous for up to 300 years and Intermediate level waste is estimated to take tens of thousands years to decay. How can the Government guarantee it will be monitored? No amount of money or jobs is worth the stress and division in our community that the process so far has caused.	Noted	The policy and process to select a site for the National Radioactive Waste Management Facility is the responsibility of the Department of Industry, Innovation and Science.
184	James and Cindy Shepherdson			We feel very strongly that there should be no consideration at all of having any type of radioactive waste stored on agricultural land. ARPANSA also needs to take into consideration the social ramifications of any proposed site on any populated, productive land.	Noted	Site selection criteria are consistent with international best practice. All site selection criteria in the code will need to be addressed by the applicant in the safety case with supporting evidence. Consideration of the health of impacted communities has been added to requirement 3.1.12. Health is defined as "a state of complete physical, mental and social well- being and not merely the absence of disease."

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185	Tiffany Congdon			I am 100% against this proposal and my mind will never change. This whole process has turned a once thriving, peaceful and friendly town into a town of fighting, taking sides and the friendliness has definitely gone. I was born and bred in Kimba and I loved the community but this whole dump idea and how the town has divided was not something I wanted for my family so a few months ago we moved and we are the happiest we have been in a long time. This has made such a damaging impact!!!	Noted	No change to text.
186	Amy Koch			I am from Kimba and I say NO!! If there is no issue with this effecting our business then there is no reason that we can't get a guaranteed from our industry representatives that our profitable farming business will not be effected by the proposed sight? A clear indication of "Broad community support" is a must. Minister canivan stated support of 65% was needed to go forward into phase two and yet he put kimba through with Only 57% there is a huge difference there. Clear guidelines needed!	Noted	The policy and process to select a site for the National Radioactive Waste Management Facility is the responsibility of the Department of Industry, Innovation and Science. It is not appropriate for ARPANSA to prescribe a numerical value to define broad community consent.
187	Anonymous			I am strongly against this and this whole process. It has made my Community divided, my family stressed and finally my decision to leave this town.	Noted	No change to text.
188	Justine Major	3.1.29		There is no mention of the impact of this facility upon existing industries when undertaking site	Not accepted	No change to site selection criteria.

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				selection. I feel there needs to be an inclusion of a clause (perhaps at 3.1.29 of the Code) along the lines of "sufficient evidence is provided that the cohabitation of this facility with existing industries will have minimal negative impact on existing industries". This evidence needs to be relevant to Australia, not international equivalents		The policy and process to select a site for the National Radioactive Waste Management Facility is the responsibility of the Department of Industry, Innovation and Science. The impact on existing industries should be one of many issues that would be considered in this process.
189	Greg Phillips			Particle accelerators are providing a cleaner (no highly radioactive, long lived waste) alternative to nuclear reactors for producing medical isotopes.	Noted	No change to text.
190	Brett Burnard Stokes			I denounce the covert administration of radioactive poisons to pregnant Australian women and their children. I demand that production of radioactive poisons cease and that the perpetrators of these poisonings be brought to justice. I challenge the perpetrators to actually measure the effects of their covert administration of radioactive poisons to pregnant Australian women and their children. I denounce the current use of junk science to justify these covert poisonings,	Noted	No change to text.
191	Denise Carpenter			I am confident, after a lot or research on the subject, that ARPANSA is a regulatory body that will ensure that world best practice procedures will be stringently followed and adhered to and I am happy for a repository to go ahead in our	Noted	No change to text.

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				area. ARPANSA's stringent regulations will ensure safety is paramount both for nuclear storage and the wellbeing of everyone working or living in the vicinity.		
192	Anonymous			ATLA Adnymathana Traditional Lands Association voted unamiously against the Radioactive Waste Dump proposal at Wallerbedina in the Flinders Ranges.ANSTO ignored the Media release by ATLA in 2016	Noted	The policy and process to select a site for the National Radioactive Waste Management Facility is the responsibility of the Department of Industry, Innovation and Science.
193	SA EPA	Scope	96	Safety Guide for Classification of Radioactive Waste (2010): Codes should not reference safety guides as they are lower tiered documents	Noted	This is background information and not a requirement. The safety guide provides additional information on this topic.
194	SA EPA	Scope	159	Code should clarify how it may (or not) apply to radioactive waste for disposal in accordance with the user disposal code	Accepted	Text amended.
195	SA EPA		171	Scope: remote from any mine site and where disposal at the mine site is inappropriate. Comment: Would not recommend this approach as it risks introducing different standards for waste disposal on the basis of whether it occurs on or off a mine lease, irrespective of risk profile.	Accepted	Text amended.
196	SA EPA		799	Text: A disposal facility is designed to contain the radionuclides associated with the radioactive waste and to isolate them from the accessible biosphere. Comment: Acknowledge this is straight from SSR-5, but additional clarification is	Not accepted	The scope requires this Code to be used with other Codes and Guides as applicable. For situations such as disposal of tailings at a mine site RPS9 requirements are applicable.

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				necessary as 'isolate from the accessible biosphere' is not a useful phrase when addressing NORM and unsealed radioactive sources.		
197	SA EPA		823	Text: Containment and isolation of the waste shall be provided by means of a number of physical barriers of the disposal system. The performance of these physical barriers shall be achieved by means of diverse physical and chemical processes together with various operational controls. Comment: Again, acknowledge this is an SSR-5 requirement, but additional clarification is necessary for NORM and unsealed radioactive sources. Requirements should allow for the level of containment and isolation to be optimised in accordance with the risk factoring in surrounding environment, future land use and climate.	Not accepted	The scope requires this Code to be used with other Codes and Guides as applicable. For situations such as disposal of tailings at a mine site RPS9 requirements are applicable. Guidance on practical management of NORM residues (as distinct from disposal of NORM waste) is provided elsewhere.
198	SA EPA	General		There are principles and approaches associated with NORM residue and waste disposal that are not addressed by this Code. These include interaction with non-radiological hazards that can dominate risk assessments, bulk volumes, their natural origin, dilution to remove from regulatory interest, and disposal at point of origin versus remote disposal	Noted	The scope requires this Code to be used with other Codes and Guides as applicable. For situations such as disposal of tailings at a mine site RPS9 requirements are applicable. It is noted that there may be a gap in the RPS series with regards to management of NORM residues.
199	SA EPA		251	Text: Once a practice has been justified, optimisation is employed to Comment:	Noted	The extract from F-1 (Fundamentals for Protection Against Ionising Radiation,

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				Clarifying how this extract from F1 applies in disposal context would assist.		ARPANSA 2014) is intended to provide an overview of the optimisation principle. Specific optimisation approaches are embedded throughout the requirements.
200	SA EPA		263	Text: Optimisation can also be applied to effective management of environmental	Accepted with	Text on optimisation has been revised with references to ALARA removed.
				exposures Comment: Acknowledge that it is mentioned in F1, but optimisation has a particular meaning connected to human	modifications	Optimisation allows for the best decision to be taken on the basis of a holistic understanding of radiation risks.
				exposures and ALARA. Environmental exposure limits are based on species impact and thresholds. We clearly want a standard of protection to ensure that thresholds are not breached, but should use a different word.		In Section 3.1 the objective of radiation protection of wildlife is to maintain biological diversity, the conservation of species and the health of natural ecosystems.
201	SA EPA		251	Text: Once a practice has been justified, optimisation is employed Comment: the level of isolation and containment of the waste should be optimised to be commensurate with the risks posed to people and the environment, e.g. not require 1000 year integrity for source that will decay below exemption levels in 100 years.	Accepted	Text amended.
202	SA EPA	The Approvals Process/Phas es	315	A Code should not go into detailed administrative processes that might vary between jurisdictions. Terms such as 'authorisation' are sufficient.	Accepted with modification	The staged approach is international best practice. Detailed administrative processes are not prescribed here. 'Licensing' has been changed to 'authorisation' throughout the code.

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203	SA EPA	Section 2.6		Text:which declines with time Comment: Non-radiological hazards may not decline	Not Accepted	This section of the Code is describing radioactive waste.
204	SA EPA	Defining 'Community'	392	good subject for a guidance document rather than code	Noted	Section 2 provides an overview of concepts importance for the disposal of radioactive waste.
205	SA EPA		427	Text: a dose constraint for workers must be proposed below which protection will be optimised Comment: Is it not useful to require dose constraints where predicted doses will be extremely low, and there should be a threshold	Not Accepted	It is a requirement of a proponent to demonstrate protection of workers. Dose constraints are international best practice.
206	SA EPA		435 to 436	Text: safety) must be set within the range 10-5 to 10-6 for cancer detriment by use of the ICRP probability c Comment: This concept isn't detailed in the Fundamentals.	Noted	Agreed, this concept is not detailed in F-1 (Fundamentals for Protection Against Ionising Radiation, ARPANSA 2014).
207	SA EPA		435 to 443	Text: members of the public an annual 'risk constraint' (or more accurately the 'risk target' for the period of passive safety) must be set within the range 10-5 to 10-6 for cancer detriment by use of the ICRP probability coefficients, in consultation with the regulatory authority Comment: Risk numbers need further justification as they do not appear in F1. If the limit is one millisievert then the rationale for constraints below this level of risk needs to be explained. References to ICRP should be removed.	Accepted with modifications	Text modified to provide clarity on when to apply the risk target. ICRP reference not removed.

				Comments by reviewers	Resolution	
#	Submitter	Section	Line no.	Comment	Response	Reason for modification/not accepted
208	SA EPA		465	Text: and regulator Comment: For authorisations, the operator must take responsibility for consultation and stakeholder identification (to the satisfaction of the regulator)	Not accepted	The regulator may request the operator to identify the stakeholders if desired.
209	SA EPA		472	Text: Consultation by the regulator: The relevant regulatory authority must promote the establishment of appropriate means of informing and consulting stakeholders and the public about the possible radiation risks associated with disposal facilities and associated activities, and about the processes and decisions of the regulatory authority. Comment: The role of regulator is to ensure operator has undertaken sufficient engagement. This is more appropriate to a best practice guide for regulators than a Code	Not accepted	A variety of consultation models can be considered by the regulator, depending on the type of facility and the associated radiation risks, as well as available resources. These include information/consultation meetings with the general public; meetings with specific stakeholders; web-based mechanisms for information exchange; hearings; or a combination of several of these activities. The optimal method for consultation is best agreed with the interested parties themselves.
210	SA EPA	International Best Practice Safety Requirement s for Disposal of Radioactive Waste	611	This section as constructed contains a lot of guidance, and clarification is required to ensure that it does not imply requirements.	Noted	This section is copied directly from SSR-5. The Radiation Health Committee decided that the full text should be included. The text is all requirements and explanatory material (not guidance).
211	SA EPA		904	Text: Isolation means design to keep the waste and its associated hazard apart from the accessible biosphere. Comment: This phrasing	Not accepted	This Code is concerned with the stage of disposal of solid or solidified materials, which

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				needs clarification as to how it applies to NORM and unsealed radioactive sources		is the last step in the process of radioactive waste management. The scope requires this Code to be used with other Codes and Guides as applicable.
212	SA EPA		1600	text: the range of 10-5 to 10-6 for detriment. Comment: Risk numbers need further justification as they do not appear in F1. The rationale for controlling risks in this form and to these numbers needs to be explained. References to ICRP should be removed.	Noted	Requirement on risk targets modified to provide clarity on when to apply the risk target. ICRP reference not removed.