

HINKLEY POINT SITE STAKEHOLDER GROUP

SUMMARY OF KEY POINTS ARISING AT THE MEETING HELD ON FRIDAY 26 JUNE 2015

During discussion on means of ensuring acceptable standards of driving on local roads leading to the site, Directors suggested that a representative of this Group should join a meeting addressing these issues attended by A, B and C Site representatives.

Mr Ron Schroder, Hinkley A Site Director, reporting on activities at the A Site, outlined continued high standards of safety performance and good progress with decommissioning activities. The Office for Nuclear Regulation (ONR) had confirmed that the level of hazards on A Site were such that it was no longer necessary to have an off-site plan for dealing with any incident on that site. Remedial action was planned in the near future to deal with a historical underground leak of diesel oil on the A Site. A reduction of around 1600 posts across Magnox would result from efficiency improvements and completion of work programmes. It was hoped to achieve some of these through voluntary redundancy.

Hinkley B Station Director Mr Mike Harrison reported on the continued high standards of safety and reliability at the B Station. Reactor 3 had operated at nominal full output since the previous meeting and had recently exceeded the previous longest period of continuous operation by this Unit in its 40 year life. The statutory maintenance and inspection outage of Reactor 4 had been completed safely. Work completed during the outage included the inspection of reactor core graphite, boilers and conventional plant items and the replacement of three LP turbine rotors and two gas circulators. At the end of the outage, from its consideration of the results of the inspections and work done, ONR had given consent for the Unit to return to operational service.

Members received a report on radioactive discharges and environmental monitoring. The report demonstrated that discharges from the site had minimal impact on the environment, that there was no evidence of long-term accumulation of radioactivity in the local environment, and that potential radiation exposures of members of the public in the vicinity of the site were considerably below legal and recommended limits.

Members received a report from NDA on issues of current interest.

The ONR Site Inspectors reported on the results of their inspection activities at Hinkley Point. Mr Dickinson referred to a presentation he had given at other SSGs on the statutory obligations and powers of ONR. Copies of slides used in that presentation are included as an attachment to these minutes.

Dr R MacGregor reported on the Environment Agency's monitoring and regulatory activities in relation to Hinkley Point. He confirmed that the maximum potential radiation exposure to a member of the public in the vicinity of the site was 22 μ Sv (microsieverts) which was insignificant compared with exposure from natural background radiation.

HINKLEY POINT SITE STAKEHOLDER GROUP

Minutes of the meeting held at Hill House, Otterhampton on Friday 26 June 2015

PRESENT

Cllr M Caswell (Chairman) - Stockland Bristol
Mr R Schroder - Site Director, Hinkley Point A
Mr M Harrison - Station Director, Hinkley Point B

Elected Members

Cllr T Ayre - Holford Parish Council
Cllr Ms A Bown - Somerset County Council
Mr M Brown (Vice Chairman) - Otterhampton Parish Council
Mr A Debenham - Stop Hinkley
Cllr M Dewdney - West Somerset District Council
Cllr Ms A Fraser - Sedgemoor District Council
Cllr R Garner - North Somerset Council
Cllr M Hogg - Nether Stowey Parish Council
Mr A Jeffrey - Sedgemoor and West Somerset Green Party
Mr M Laver - West Hinkley Action Group
Cllr C Morgan - West Somerset District Council
Cllr M Phillips - Cannington Parish Council
Cllr S Stretton - Spaxton Parish Council
Cllr L Redman - Bridgwater Town Council
Cllr J Ridout - Fiddington Parish Council
Cllr P Tipney - Stogursey Parish Council
Cllr T Williams - Kilve Parish Council

Co-opted Members

Mr M Short

Appointed Members

Mr W Hamilton - Nuclear Decommissioning Authority
Dr R MacGregor - Environment Agency
Mr I Wilson - Office for Nuclear Regulation
Mr P Dickenson - Office for Nuclear Regulation
Mrs N Dawson - Somerset County Council
Mr G Robinson - Somerset County Council
Mr P Povey - Somerset County Council

EDF Energy

Mr P Higginson - Technical Safety and Support Manager
Mr D Stokes - Communications

Magnox

Ms G Coombs - Communications
Mr S Booth - Head of Environment

IN ATTENDANCE

Mr J. Sivyver	-	Stockland Bristol
Cllr Dr A Keen	-	Kilve Parish Council
Ms C Marsden	-	Member of the Public
Mr M J Davis	-	Secretary

OPEN PUBLIC QUESTION AND ANSWER SESSION

- 1 Cllr Caswell welcomed all those present to this meeting of the Site Stakeholder Group for Hinkley Point A Site and Hinkley Point B Power Station. He invited questions from members of the public on any issue which might not be covered in later discussion. No questions were raised by members of the public.

CHANGES TO MEMBERSHIP AND APOLOGIES FOR ABSENCE

- 2 It was confirmed that there was a quorum of elected members present at the meeting.
- 3 Apologies for absence were received from Mr T Fediw, Mr S Crago, Cllr Ms A Reed, Cllr Ms S Goss, Mr D Bamsey, Mr T Howes, Mr H Rickard, Ms E Harbridge, Cllr J Edney and Cllr H Davies.
- 4 It was noted that Mr Povey was to replace Mr Hurry as a representative of Somerset County Council.

MINUTES OF THE MEETING HELD ON 27 FEBRUARY 2015

(a) Accuracy

- 5 The minutes of the meeting held on 27 February 2015 were approved as a correct record.

(b) Matters Arising (other than matters to be covered in later discussions)

Demolition of A Station Turbine Hall (para 12 refers)

- 6 Mr Schroder said that changes in the scheduling of the demolition of the former Turbine Hall did not materially affect the position that this area was unlikely to be useful for any purpose associated with Hinkley Point C construction.

Hinkley Point B Reactor Core Graphite Inspections (para 14 refers)

- 7 Mr Harrison said that inspections of 31 fuel channels had been completed during the recent outage of Reactor 4. Data from those inspections had been analysed and had revealed no anomalous results.

Exercise of emergency arrangements (para 16(v) refers)

- 8 Mr Harrison said that the recent exercise of the emergency arrangements had demonstrated the operation of local, off site and national plans and had been well conducted and successful. Ms Dawson confirmed that the exercise had been effective in relation to the operation of the Somerset County Council's off site plan; she expressed thanks from her Council to the companies and the emergency services for their efforts which had resulted in the exercise running smoothly.

Standards of driving on local roads (para 18 refers)

- 9 Mr Harrison and Mr Schroder described continuing efforts to encourage appropriate standards of driving on local roads; they believed that these efforts were showing some results. Mr Harrison suggested that it might be appropriate for a representative of this Group to join the meeting between all three Hinkley Point sites which considered actions in relation to driving standards. Cllr Caswell undertook to give further consideration to this in discussions with members.

CHAIRMAN'S REPORT

- 10 Cllr Caswell reported briefly on his activities as Chairman of this Group, including his attendance, with Mr Brown, at meetings of the national stakeholder group.

REPORT FROM MANCHESTER NATIONAL STAKEHOLDER GROUP MEETING

- 11 Mr Brown reported on a meeting of the National Stakeholder Group which he and Cllr Caswell had attended on 19/20 May. The meeting had provided opportunities for NDA and Magnox to present information on their strategies and key issues. Issues highlighted by Mr Brown included:
- (i) There would be further discussions on arrangements for site stakeholder groups in the light of progress towards sites entering the care and maintenance phase.
 - (ii) Consideration was being given to the use of divers for work to be undertaken in cooling ponds at Dungeness A.
 - (iii) Trials to be undertaken at Hinkley Point A on means of reducing further contamination levels in cooling pond structures could have applications at other sites.
 - (iv) The fuel element debris dissolution plant at Bradwell was operating but only at approximately one third of its design rate.

- (v) A decision on the use of a milling technique as a means of reducing contamination levels on pond skip components would be taken during the coming summer.

SITE DIRECTOR'S REPORT – HINKLEY POINT A

- 12 Mr Schroder reported on activities at Hinkley Point A Site since the previous meeting, drawing particular attention to the following:
- (i) There had been no accidents involving time lost from work on the A Site since the previous meeting. Efforts to maintain levels of safety awareness had focused recently on aspects of working at height.
 - (ii) Reactor 2 cooling pond had been drained and the surface contamination stabilised. The Reactor 1 pond was now 87% drained; a concrete shaving tool was being deployed to remove concrete from the wall and floor surfaces to reduce contamination levels in the exposed surfaces.
 - (iii) The pond skip size reduction and decontamination trials being undertaken at Hinkley Point A were nearing completion. Decisions on the future use of these techniques would be taken when the trials were completed.
 - (iv) The removal of the residual waste in Settling Tank 3 was expected to be completed by September 2015.
 - (v) Trials were being undertaken on the retrieval and sorting of fuel element debris contained within waste vaults on site. Sorting was necessary because different components had different radioactivity levels. The NDA had supported a change in strategy from dissolution of Magnox debris to encapsulation in concrete.
 - (vi) Progress was being made with the demolition and removal of redundant plant and equipment.
 - (vii) The Office for Nuclear Regulation had confirmed that the level of hazards on the Hinkley Point A site were no longer such as to require it to have a local authority off site emergency plan. Existing arrangements would remain in place until the next demonstration exercise.
 - (viii) Changes in the planned programme for dewatering of the C site had provided an opportunity to reconsider the approach for dealing with the underground leakage of diesel on the A Site. It had been thought that it would be necessary to provide a water barrier to prevent migration of this oil during dewatering which which had been scheduled to commence during the current month. Delays in the commencement of dewatering

meant that there was an opportunity to proceed with the removal of the oil and this work was planned to start in the near future.

- (ix) Organisational changes had been identified which would result in an overall reduction of 1400 - 1600 in Magnox staff numbers. Mr Schroder anticipated that with efficiency changes and some work programmes coming to an end, staff reductions at Hinkley Point A would be of the order of 60 - 75 posts; he envisaged that these reductions would be achieved substantially by voluntary redundancies.
 - (x) During the past year personnel on site had raised £16,700 for the Somerset Unit for Radiotherapy Equipment based at Musgrove Park Hospital. The chosen charity for the coming year was the Children's Hospice South West.
- 13 In reply to a question from Cllr Williams, Mr Schroder confirmed that the concrete shaving tool used on the cooling pond walls incorporated a vacuum facility to capture dust generated by the process.
- 14 In reply to a question from Mr Jeffrey, Mr Schroder described the techniques which were being trialled to separate fuel element debris components so that parts with different radioactivity levels could be appropriately classified by waste type.
- 15 In response to comments by Mr Debenham, Mr Schroder explained the nature of the pond skips and the trials being undertaken on site to reduce their size and carry out decontamination. He emphasised the various factors, including costs, radiation exposures to personnel and the extent of metal removal, to be considered in relation to the possible future use of these techniques. In response to further comments by Mr Short, Mr Schroder said he felt it might be difficult to justify the removal of sufficient metal to decontaminate to a level which would enable free release of the material.
- 16 Referring to earlier comments by Mr Brown on the potential use of divers in cooling ponds, Mr Schroder said that work which could be undertaken underwater might benefit from the radiation shielding provided by the water.
- 17 Cllr Hogg asked whether consideration had been given to biological remediation measures for dealing with the underground leakage of diesel oil. Mr Schroder said that such techniques had been discounted due to the long timescales involved. The proposal was for the material to be pumped from the ground followed by steam injection to drive off any remaining oil. These processes were commonly used by contractors for dealing with underground oil leaks, typically at fuel filling stations.
- 18 In response to a question from Mr Debenham, Mr Schroder said it was planned to commence construction of an encapsulation plant and ILW store in mid-2017;

concept design work was in hand. Mr Dickinson pointed out that regulatory approval was required for some of the proposed changes in waste storage strategy.

STATION DIRECTOR'S REPORT – HINKLEY POINT B

- 19 Mr Harrison pointed out that this would be the last meeting he would attend as Station Director, Hinkley Point B, as he was to take up a post as Safety and Assurance Director for the company. He reported on activities and performance at the power station since the previous meeting of this group, drawing particular attention to the following:
- (i) The station had maintained very high standards of safety and reliability. It was now more than 8 years since the station had had a reportable nuclear event and more than six years since the last environmental event. It was 21 months since the most recent recordable injury on site. Considerable attention was focused upon avoiding any sense of complacency which might result from this performance.
 - (ii) The statutory outage of Reactor 4 which had involved up to 1000 additional personnel on site for a period of some 85 days, had been performed safely with only 9 minor accidents but no recordable injuries.
 - (iii) Work undertaken during the Reactor 4 maintenance outage had included inspections of reactor core graphite, boilers and conventional plant items; two gas circulators and three low pressure turbine rotors had been replaced. Graphite inspections within 10% of fuel channels had involved CCTV, non-destructive testing and sampling techniques. The results of all inspections and analysis had confirmed conditions within expectations.
 - (iv) During Reactor 4 refuelling operations involving the removal of an outage closure actuator from a buffer store storage tube, the actuator unit had been lifted out of its position by a quantity of clean CO₂ which was present in the tube when it should have been fully purged. No one had been injured by this event. The circumstances had been reported to ONR, fully investigated and appropriate actions taken.
 - (v) Reactor 3 had operated at nominal full output throughout the period and during the past weekend had exceeded the longest period of continuous operation previously achieved by this Unit in its 40 years of operation.
 - (vi) During April the Environment Agency had been informed of a defect which had been noted on gaseous sampling equipment on a small discharge route. The effect of this defect was to underestimate emissions from this particular discharge route by a very small amount. The defect was rectified promptly.

- (vii) The exercise of emergency arrangements undertaken in June included the operation of local, off-site and national emergency plans. This was the first time that all levels of the emergency planning arrangements had been tested simultaneously.
 - (viii) Staff had organised a series of activities to mark a diversity and inclusion day during May.
 - (ix) During 2015 to date the station had hosted visits by 66 organised groups with over 1000 people touring the power station site.
- 20 In reply to a question from Mr Jeffrey, Mr Harrison explained that the longest potential period of continuous operation for these Units was in the intervals between annual statutory outages and interim outages. He explained that maintenance outages were scheduled to avoid, as far as possible, major units being out of service at the same time and at times when high levels of demand were expected. The availability of maintenance resources also limited the extent to which outages could be planned to run simultaneously. In reply to comments by Cllr Williams, Mr Harrison explained that there were cable connections to France and Holland which could be used for the import and export of electricity.
- 21 In reply to a question from Mr Debenham, Mr Harrison said that the programme of inspections of reactor core graphite was based upon both Hinkley Point B reactors and the two reactors at Hunterston B to ensure that it was effective and appropriate. The large volume of data produced by these inspections was fed into a model which provided good predictions of material properties.
- 22 Cllr Dewdney thanked both directors for their clear and effective presentations on issues relevant to their sites.

ANNUAL REPORT ON RADIOACTIVE DISCHARGES AND ENVIRONMENTAL MONITORING

- 23 Mr Higginson presented a report on radioactive discharges and environmental monitoring for the A and B sites during 2014. He pointed out that the monitoring undertaken demonstrated that discharges of radioactivity from the sites had minimal impact on the environment, that there was no evidence of any long term accumulation of radioactivity and that potential doses to members of the public in the vicinity of the site was considerably below the legal and recommended limits. Mr Higginson's report was available online and paper copies could be made available to members on request.

UPDATE FROM THE NUCLEAR DECOMMISSIONING AUTHORITY

- 24 Mr Hamilton reported on issues of current interest to the NDA. He complimented both Directors on their reports to this Group on current activities at their sites and

complimented members on the mature discussion which had followed those presentations. Reviewing current issues, Mr Hamilton drew particular attention to the following:

- (i) NDA was about to publish its annual report and accounts which would illustrate good progress at the Magnox and Sellafield sites.
- (ii) The NDA was to publish a draft strategy document for consultation in September. Mr Hamilton hoped that this would then be the subject of discussions at SSG meetings before being submitted to government in March 2016.
- (iii) Mr Hamilton anticipated that there would be restrictions on NDA funding in coming reviews of government spending.
- (iv) A BBC documentary programme on Sellafield was to be broadcast in the near future. Mr Hamilton explained the focus on giving priority to dealing with the highest potential hazards at Sellafield. Work on these specific plant areas was proceeding as quickly as possible and clear progress was being made.

25 In reply to a question from Mr Debenham, Mr Hamilton said that anticipated reductions in staff within Magnox were not due to government cuts but were the result of efficiency savings identified following the competition for the management of the Magnox sites.

26 In reply to a further question from Mr Debenham, Mr Hamilton said that the process to identify a site for a geological disposal facility was being managed by the Department of Energy and Climate Change. Radioactive Waste Management Ltd, a subsidiary of NDA, was carrying out technical work on the project. Mr Hamilton anticipated that, following completion of a geological survey, local authorities in areas which might be technically suitable for location of a disposal facility would be invited to consider volunteering to take part in an assessment process.

OFFICE FOR NUCLEAR REGULATION REPORTS

27 Mr Dickenson and Mr Wilson reported on the ONR's regulatory and inspection activities relating to Hinkley Point A and B sites. The following points were noted during discussion:

- (i) Mr Dickinson referred to a presentation he had given at other SSGs on the statutory obligations and powers of the Office for Nuclear Regulation and its inspectors. He suggested that copies of the slides he had used in those presentations should be attached to the minutes of this meeting; he would

then be able at a future meeting to give a presentation to this Group if required.

- (ii) Referring to earlier comments on the possible use of divers for work within cooling ponds Mr Dickenson emphasised that the safety of any such activity in relation to the conditions in any particular pond would be rigorously assessed before it could be undertaken.
 - (iii) Proposed changes in decommissioning strategy would need safety case assessment and approval before they could be implemented.
 - (iv) ONR had accepted that the risk of an off site release of radioactivity from an event on Hinkley Point A Site was so low as not to require a local authority off site plan under the REPPiR regulations.
 - (v) Identified staff reductions within Magnox would require assessment within the management of change process.
 - (vi) Mr Wilson referred to the significant inspection effort during the B station outage. Following its assessments of the results of inspections the ONR had given consent for the return to service of the unit.
 - (vii) Routine inspections against the requirements of Site Licence conditions had continued throughout the period.
 - (viii) Mr Wilson said that the exercise of emergency arrangements during June had involved 5 inspectors on site and some 30 - 40 nationally. The exercise had been considered to be an adequate demonstration of the operation of the arrangements.
- 28 Cllr Morgan emphasised that members of the public would not readily appreciate distinctions between Hinkley Point A and B sites and that it was therefore necessary to make very clear that the apparent relaxation in emergency planning requirements related solely to the A Site.
- 29 In reply to comments from Cllr Williams, Mr Dickenson said that the Site Licence for the Magnox sites was held by Magnox Ltd and although it was valuable for ONR to have discussions with Cavendish Fluor this relationship was essentially “arm's-length” in nature. A parent body organisation would need its own site licence if it were to have direct control over licensed sites.

ENVIRONMENT AGENCY

30 Dr MacGregor presented a report on the Environment Agency's monitoring and regulatory activities relating to the Hinkley Point A and B sites since the previous meeting, drawing particular attention to the following:

- (i) Reports on Agency inspections at sites were available on public register.
- (ii) The Agency believed that the programme delays in dewatering C site provided an opportunity for prompt remediation of the underground spillage of diesel fuel on A Site and hoped that this would proceed.
- (iii) Magnox documents on planned changes in ILW waste strategy were currently being assessed by the Agency.
- (iv) The Environment Agency had carried out a joint inspection with ONR on the management of solid radioactive waste during the Hinkley Point B Reactor 4 outage.
- (v) The defect in gaseous sampling equipment reported to the Agency by Hinkley Point B (identified previously by Mr Harrison) had followed routine maintenance. The effect of the defect had been that gaseous emissions via this particular route had been underestimated by about 5% during March. A minor non-compliance against the permit had been noted. The Agency had been satisfied with the operator's response to this event.
- (vi) The maximum potential radiation exposure to a member of the public in the vicinity of the Hinkley Point site had been assessed as 22 μ Sv (microsieverts). This was very low and insignificant compared with exposure from natural background radiation.

OTHER URGENT BUSINESS

31 Recognising that this would be the last meeting to be attended by Mr Harrison as Station Director, Hinkley Point B, Cllr Caswell expressed his and members appreciation of the openness, frankness and integrity which had characterised Mr Harrison's involvement with this Group. He expressed members' best wishes to Mr Harrison for his future career.

DATE TIME AND PLACE OF NEXT MEETING

42 It was noted that the next meeting of this Group would be held on Friday 30 October 2015 at Hill House, Otterhampton.

MJD
2 July 2015



ONR and the Energy Act 2013

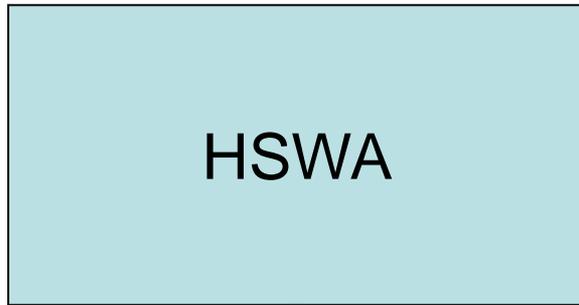
Site Stakeholder Group Presentation

Before The Energy Act (TEA)...

Health and Safety at Work Act (HSWA)

- General duties on employers under sections 2 and 3 of the HSWA
- Health and Safety Executive (HSE) created by section 10 of the HSWA
- Secondary legislation (regulations) made under section 15 of the HSWA
- ONR nuclear safety inspectors were appointed under section 19 of the HSWA and have powers under section 20 of the Act
- Inspectors have other powers under the HSWA
 - Improvement Notices – section 21
 - Prohibition notices – section 22
 - Sections 25, 38 and 39
- Criminal offences created under section 33 of the Act
- HSE was the sole Enforcing Authority for HSWA for industrial premises

The nuclear legal structure under TEA...



Conventional and
nuclear safety



Nuclear safety
Security
Safeguards
Transport

The Energy Act 2013

- The Act:
 - Broadly recreates HSWA §7 - 9
 - Describes offences and penalties
 - States how notices may be served (*includes electronically*)
- General duties
 - On employees to cooperate with requirements for compliance and not act recklessly or interfere
 - On employers to not charge employees

The Energy Act 2013 and Nuclear Regulations

- The Energy Act is an enabling act under which regulations could be made
- The Act gives wide ranging examples of types of regulations than can be made including:
 - Research
 - Transport
 - Appointments
 - Training
- The Act describes the scope of the potential regulations, offences and punishments

ONR's purposes

ONR was created by TEA 2013 and its purposes as defined by the Act are:

- Nuclear safety
- Health and safety
- Security
- Safeguards
- Transport

ONR's jurisdiction

As an Enforcing Authority, ONR has jurisdiction over:

- Great Britain nuclear licensed sites
 - Licensed Sites (§5 NIA) throughout the period of responsibility
- Authorised defence sites
- Nuclear warship sites for certain areas
 - REPPIR and IRRs
- Section 6 HSWA relating to Nuclear Activity
 - Articles and substances '*exclusively or primarily*' used on Great Britain Nuclear Sites/ Authorised defence sites
- New Nuclear Build Sites

*Described further in the Health and Safety (Enforcing Authority)
Regulations 1998*

ONR and the Energy Act 1

The Energy Act 2013:

- Describes ONR's board membership and appointment
- Allows ONR to set staff terms/conditions of employment and pay allowances and expenses
- Requires certain appointments to be approved by SoS
- Requires ONR to produce an annual performance plan, annual report and strategy approved by Secretary of State (SoS)
- Enables ONR to indemnify persons

ONR and The Energy Act 2

The Energy Act 2013:

- Places a duty on ONR to meet its purposes
- Allows the ONR to issue Approved Codes of Practice (ACoPs)
- Describes a similar 'reverse burden' effect as that for ACoPs within HSWA
- Places a duty on ONR to enforce the relevant statutory provisions of the Act

ONR and The Energy Act 3

The Energy Act 2013:

- Describes ONR's powers to make a special investigatory report
- Describes ONR's powers to direct an inquiry to be made
- Allows ONR to require information to be provided via a Notice
- Allows SoS to make regulations regarding ONR fees

ONR and The Energy Act 4

The Energy Act 2013:

- Requires ONR to make arrangements for the provision of information
- Allows ONR to carry out research
- Requires ONR to provide relevant information to relevant authorities - *relevant authorities are defined e.g. a Minister of the Crown*
- Allows ONR to enter into agreements with a minister, government department or public authority to enable ONR to exercise any of its functions
- Allows ONR to provide facilities to any person for ONR's purposes

ONR and the Energy Act 5

The Energy Act 2013:

- Allows SoS to give directions to ONR, but normally not in relation to a particular case*
- Requires ONR to act to secure compliance by the UK etc with safeguards obligations
- In relation to nuclear security, requires the consent of SoS for certain communications
- Allows ONR to arrange for others to carry out its functions, with the consent of SoS
- Requires ONR and the HSE to cooperate

** In certain circumstances a direction with respect to a particular case can be issued for nuclear security*

The Energy Act: Powers of ONR inspectors

- ONR may appoint inspectors to carry into effect relevant statutory provisions.
- An inspector's 'instrument of appointment' authorises the inspector to exercise any relevant power.
- Authority to exercise a relevant power may be given without restriction, or only to a limited extent or for limited purposes.
- The authority conferred by the instrument of appointment may be varied by ONR.

The Energy Act: Powers of ONR inspectors

Power of entry

- An inspector may, if authorised, enter any premises which the inspector has reason to believe it is necessary for the inspector to enter for the relevant purpose.

Power to take persons/equipment onto premises

- An inspector may:
 - Be accompanied by any person approved by ONR for the purpose
 - Be accompanied by a constable if there is reasonable cause to expect any serious obstruction
 - Take along equipment and materials required for any purpose for which the inspector is exercising the power of entry.

The Energy Act: Powers of ONR inspectors

Power to deal with cause of imminent danger

- Where it is a cause of imminent danger of serious personal injury, the inspector can, if authorised:
 - Seize an article or substance
 - Cause it to be made harmless or the risk of harm to be reduced
- If practicable, the inspector should take a sample before the article/substance is dealt with.

The Energy Act: Powers of ONR inspectors

Powers exercisable in relation to particular articles or substances or circumstances

- An authorised inspector may cause any article or substance in relevant premises to be:
 - Dismantled
 - Tested
 - Have any other process applied to it
- If it appears that it has caused, or is likely to cause, danger to health or safety or it is desirable to do so for nuclear security purposes.
- The inspector must consult about the potential dangers of what is proposed beforehand.

The Energy Act: Powers of ONR inspectors

Powers of inspection, examination and to take samples

- An authorised inspector may take measurements and photographs, and make recordings, in carrying out any examination or investigation
- An authorised inspector may take and deal with samples of any article or substance found in relevant premises, or the atmosphere in or in the vicinity of relevant premises
- An authorised inspector may direct that any relevant premises, or any article or substance in them, must be left undisturbed for as long as reasonably necessary for the purposes of an examination or investigation.

The Energy Act: Powers of ONR inspectors

Powers to require information and documents

- An authorised inspector may require any person able to provide information relevant to an examination or investigation to answer any question the inspector thinks fit, and to sign a declaration of the truth of their answers.
- An authorised inspector may:
 - Require relevant documents to be produced
 - Inspect and take copies of relevant documents including those held in electronic form
 - Inspect and check the operation of any computer and any associated apparatus or material which is or has been used in connection with the relevant document.

Improvement Notices

An Improvement Notice may be served if a licensee:

is contravening one or more *applicable provisions*

or

has contravened one or more of those *provisions* in circumstances that make it likely that the contravention will continue or be repeated.

Prohibition Notices

A Prohibition Notice may be served if:

...relevant activities, as they are being carried on by or under the control of a person, involve a risk of *serious personal injury*

or

...relevant activities which are likely to be carried on by or under the control of a person will, as so carried on, involve a risk of serious personal injury

The Energy Act: Disclosure of Information

- Prohibits the disclosure of protected information
 - Trade secrets
 - Any information obtained through the exercise of any power
 - Not otherwise available to the public
- Does not prohibit disclosure to ONR, or by ONR if for official purposes

The Energy Act: Provisions relating to offences

- Timing of proceedings
- Identifies offences due to the fault of another person
- Identifies offences by the body corporate
- Describes who can bring prosecutions
- Allows courts to issue court orders

Simplified summary...

Law \ Area / activity	GB Nuclear Sites	Authorised Defence Sites	Nuclear Warship Sites	Procurement for Nuclear Equipment	New Nuclear Build Site	SECURITY	SAFEGUARDS	TRANSPORT
NIA	✓							
HSWA	✓	✓	✓ IRRs, REPPIR	✓ Section 6	✓			
TEA 2013	✓					✓ NISR	✓	✓ CDG Class 7

Points to Note

- HSWA still applies to nuclear and conventional safety
- TEA 2013 and the Nuclear Installations Act apply to nuclear safety only
- ONR inspectors are warranted under HSWA and TEA 2013
- ONR is the Enforcing Authority for HSWA, TEA 2013 and the NIA for Great Britain nuclear sites, and other sites and activities
- HSE and local authorities are still the other Enforcing Authorities for HSWA (with no overlap)

In summary

- Business as usual
- Inspectors are warranted by ONR, not HSE
 - under HSWA for **conventional & nuclear safety**
 - under TEA 2013 for **nuclear safety, transport, security and safeguards**
- Additional reporting responsibilities placed on ONR