



# Office for Nuclear Regulation (ONR) Quarterly Site Report for Chapelcross

1 July – 30 September 2018

## Foreword

This report is issued as part of ONR's commitment to make information about inspection and regulatory activities relating to the above site available to the public. Reports are distributed quarterly to members of the Chapelcross (CHX) Site Stakeholder Group and are also available on the ONR website (<http://www.onr.org.uk/llic/>).

Site inspectors from ONR usually attend CHX Site Stakeholder Group meetings and will respond to any questions when there. Otherwise, any person wishing to enquire about matters covered by this report should contact ONR (<http://www.onr.org.uk/feedback.htm>).

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## 1. INSPECTIONS

### 1.1. Dates of inspection

ONR visited Chapelcross site on the following dates: -

- 23 – 25 July 2018
- 27 – 28 September 2018

## 2. ROUTINE MATTERS

### 2.1. Inspections

Inspections are undertaken as part of the process for monitoring compliance with:

- The conditions attached by ONR to the nuclear site licence granted under the Nuclear Installations Act 1965 (NIA65);
- The Energy Act 2013;
- The Health and Safety at Work Act 1974 (HSWA74); and
- Regulations made under HSWA74, for example the Ionising Radiations Regulations 1999 (IRR99) and the Management of Health and Safety at Work Regulations 1999 (MHSWR99).

The inspections entail monitoring licensee's actions on the site in relation to incidents, operations, maintenance, projects, modifications, safety case changes and any other matters that may affect safety. The licensee is required to make and implement adequate arrangements under conditions attached to the licence in order to ensure legal compliance. Inspections seek to judge both the adequacy of these arrangements and their implementation.

In this period, ONR carried out the following inspections at Chapelcross (CHX):

Licence Condition (LC) Compliance Inspections: - Compliance Inspections focus on single LC compliance sampled from areas across the site. Each area may include multiple systems. The LCs inspected during this period were related to: -

- Training
- Duly authorised and other suitably qualified and experienced persons
- Safety documentation

System Based Inspection (SBI): - these inspections are designed to determine whether the Safety Systems and Structures (SSS) being inspected are able to fulfil their safety duties adequately, in accordance with the safety case. ONR carried out an SBI on CHX Fire Protection Systems during the period which assessed the following: -

- Training
- Operating Rules and instructions
- Maintenance of safety mechanisms, devices and circuits
- Confinement of radioactive material and radioactive waste.

For the LC Compliance Inspections and SBI, ONR judged that the CHX arrangements were adequate.

Where improvements were considered necessary, the licensee made satisfactory commitments to address the issues, and the site inspector will monitor progress during future visits. Where necessary, ONR will take formal regulatory enforcement action to ensure that appropriate remedial measures are implemented to reasonably practicable timescales.

## 2.2. Other work

ONR attended the Annual Regional Review of Safety, Security and Environment (ARRoSSE) meeting for the Scottish region Magnox Ltd (ML) sites: CHX and Hunterston A (HNA). The meeting was chaired by the regional lead Closure Director and was attended by ONR (nuclear safety and security inspectors), Trade Union Safety Representatives, and the Magnox Ltd lead for Internal Regulation. Prior to the meeting the inspectors undertook a site walk-down of CHX with ML lead team members. Inspectors visited the Ponds, the Advanced Vacuum Drying System (AVDS) installation and Flask Handling areas, and the new Interim Storage Facility (ISF).

In the ARRoSSE meeting, ML provided a balanced view of HNA and CHX performance, which overall has been good. ONR explained that we are updating the Memorandum of Understanding (MoU) with SEPA and our associated guidance to reflect the recent Environmental Authorisations (Scotland) Regulations 2018 which came into effect in September 2018. ONR provided some observations on the briefing and slide packs ML had prepared for the meeting and points for consideration before next year's ARRoSSE.

## 3. NON-ROUTINE MATTERS

Licensees are required to have arrangements to respond to non-routine matters and events. ONR inspectors judge the adequacy of the licensee's response, including actions taken to implement any necessary improvements.

There were no significant safety matters reported by CHX during this period.

## 4. REGULATORY ACTIVITY

ONR may issue formal documents to ensure compliance with regulatory requirements. Under nuclear site Licence Conditions (LC - <http://www.onr.org.uk/documents/licence-condition-handbook.pdf>) ONR issues regulatory documents which either permit an activity or require some form of action to be taken. These are usually collectively termed 'Licence Instruments' (LIs), but can take other forms. In addition, inspectors may issue Enforcement Notices to secure improvements to safety.

No LIs or Enforcement Notices were issued to CHX within the reporting period.

Reports detailing regulatory decisions are available on the ONR website at <http://www.onr.org.uk/pars/>.

## 5. NEWS FROM ONR

### Stakeholder Engagement

In August our Chief Nuclear Inspector Mark Foy and Deputy Chief Inspector Mina Golshan, hosted a webinar for stakeholders on the outcomes of the UK report to the Joint Convention. This is a new channel of communication which we have introduced, and further webinars are planned for November and February 2019. If you would like to find out more, please contact the ONR Communications team at [contact@onr.gov.uk](mailto:contact@onr.gov.uk)

The ONR/NGO engagement forum took place on 11 October in London. This is a forum to discuss strategic, cross-cutting regulatory matters. Site specific matters are normally addressed via Site Stakeholder Groups. We are always keen to engage with a range of stakeholders and groups on nuclear safety and security issues, so if you do represent a nuclear-interest Non-Governmental Organisation, and are not already involved through our forum or via a Site Stakeholder Group, then please get in touch with the ONR Communications team for further details, via [contact@onr.gov.uk](mailto:contact@onr.gov.uk)

### Regulatory News

On 25 July we announced our decision to prosecute the Atomic Weapons Establishment for offences under Section 2 (1)\* of the Health and Safety at Work etc. Act (1974). This charge related to an electrical incident on 27 June 2017, which resulted in injury to an AWE employee. The incident was a conventional health and safety matter and there was no radiological risk to workers or the public. At a court hearing on 18 September, AWE pleaded guilty to the charge and sentencing was adjourned until 9 November 2018.

In a separate case brought by ONR, EDF Energy Nuclear Generation Ltd and Doosan Babcock Ltd pleaded guilty on 10 October 2018 to offences under the Health & Safety at Work etc. Act 1974, section 3(1) and the Work at Height Regulations 2005, Regulation 4(1) respectively. The charges relate to an incident on 12 April 2017 at the Hinkley Point B nuclear power station, which resulted in a serious injury to a Doosan Babcock Ltd employee. Following a hearing at Taunton Magistrates Court, the case was committed for sentencing at Taunton Crown Court with an initial hearing date set for 16 November 2018, although this date is subject to change.

Both of these cases related to conventional, industrial-type incidents that would have been subject to regulation by the Health and Safety executive prior to ONR's creation four years ago, when we gained responsibility for such matters on licensed sites. There was no radiological risk to workers or the public.

Updates on each case will be published on our website [www.onr.org.uk](http://www.onr.org.uk)

We have recently published our Statement of civil incidents meeting the Ministerial Reportable Criteria (MRC) reported to ONR - Q2 2018 (1 April 2018 to 30 June 2018). Full details are available on our website.

### Corporate News

In July we published our second gender pay report. The organisation-wide results show that ONR has a mean gender pay gap of 35.2%, which is wider than last year, although it is broadly similar to the rest of the UK nuclear industry and anticipated given our workforce profile, and that of the industries from which we have historically recruited. ONR is committed to addressing this issue and continues to focus on improving diversity and inclusion.

We have recently published our Statement of civil incidents meeting the Ministerial Reportable Criteria (MRC) reported to ONR - Q2 2018 (1 April 2018 to 30 June 2018). Full details are available on our website

Our Chief Executive, Adrienne Kelbie, has agreed a three-year contract extension, taking her term of employment to January 2022.

The Department for Work and Pensions has started the process for recruiting a new ONR Chair (further details can be found on the public appointments website). The current Chair, Nick Baldwin CBE, will remain in office until 31 March 2019.

## 6. CONTACTS

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Published 11/18

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