



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

Report for period 1 Apr 2019 - 30 Jun 2019

## 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 for the Berkeley Site Stakeholder Group and are also available on the ONR website (<http://www.onr.org.uk/llic/>).

A site inspector from ONR usually attends Berkeley Site Stakeholder Group meetings and will respond to any questions raised there. Any person wishing to inquire about matters covered by this report should contact ONR.

## TABLE OF CONTENTS

1	INSPECTIONS .....	3
2	ROUTINE MATTERS.....	3
3	NON-ROUTINE MATTERS.....	3
4	REGULATORY ACTIVITY .....	4
5	NEWS FROM ONR.....	4
6	CONTACTS.....	5

## **1 INSPECTIONS**

### **1.1 Dates of inspection**

ONR's site inspector undertook inspections on the following dates during the quarter:

- 1 - 3 April 2019

## **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) (as amended);
- The Energy Act 2013;
- The Health and Safety at Work Act 1974 (HSWA74); and
- Regulations made under HSWA74, for example the Ionising Radiations Regulations 2017 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 the 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, routine inspections covered the following legal requirements:

- LC14 – Safety Case Documentation;
- Ionising Radiation Regulations 2017.

In general, ONR judged the arrangements made and implemented by the site in response to safety requirements to be adequate in the areas inspected. Where necessary, ONR will take formal enforcement action to ensure that appropriate remedial measures are implemented to reasonably practicable timescales.

### **2.2 Other work**

ONR inspectors attended the Magnox South-West Regional Waste meeting on 1 May. This meeting, attended also by the Environment Agency, provides an opportunity for the regulatory bodies to engage with Magnox Ltd on its strategy and plans for decommissioning the south-west region sites.

## **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.

ONR inspectors met with Magnox Ltd's subject matter experts and Berkeley site waste programme employees on 23 April 2019 to understand the actions taken by the site in response to a number of small ignitions of material in the active waste vaults during retrieval operations. The discussions also addressed the site's control, supervision and contingency arrangements for Vault retrieval operations. Magnox Ltd does not consider that these events challenge the assumptions in the safety case and has judged that operations are safe to

continue. ONR has requested further information from Magnox Ltd and will continue to monitor progress. Magnox Ltd has implemented enhancements to its control and supervision arrangements for this phase of the retrieval operations.

#### **4 REGULATORY ACTIVITY**

ONR may issue formal documents to ensure compliance with regulatory requirements. Under nuclear site licence conditions, 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', but can take other forms. In addition, inspectors may issue enforcement notices to secure improvements to safety.

No Licence Instruments or enforcement notices were issued during this period.

#### **5 NEWS FROM ONR**

##### **Enforcement Action**

A summary of enforcement action is provided below. Further detail is available on [our website](#).

On 2 April Sellafield Ltd were fined £380,000 following ONR's prosecution for safety breaches relating to equipment used for the processing of plutonium.

ONR notified Devonport Royal Dockyard (DRDL) of its intention to prosecute following an incident involving a crane that occurred in September 2018. Proceedings are scheduled to commence at Plymouth Magistrates' Court on 23 July 2019.

Improvement notice issued to Sellafield Ltd in April 2019 following an incident in the waste vitrification plant in February 2019 where a container was not welded shut.

##### **Regulatory Updates**

In April we announced the appointment of two NGOs to the Chief Nuclear Inspector's Independent Advisory Panel (IAP) to increase diversity of views and strengthen our openness and transparency. We introduced the Chief Nuclear Inspector's IAP in 2016 to provide us with independent advice on nuclear matters.

##### **Stakeholder Engagement**

In May we published our strategic framework for international engagement, setting out the priority objectives and criteria for international engagement up to 2025. The framework is available on our [website](#).

We launched two public consultations in April and June, both relating to the Euratom Basic Safety Standards Directive 2013. The first is a HSE consultation being managed by ONR on a new [Approved Code of Practice](#) that will assist duty-holder compliance with the new Radiation (Emergency Preparedness and Public Information) Regulations 2019 (REPPPIR). The consultation closed on 5 June but was extended for local authorities until 27 June as some of the consultation took place during the pre-election period for Local Government. A final version of the ACOP will be published in autumn 2019. The second is on [updated guidance](#) to support the amendments to the Carriage of Dangerous Goods and use of Transportable Pressure Equipment Regulations (CDG). This remains open until 19 July 2019. A final version of the guidance will be published in late summer 2019.

On 15 and 16 May we hosted the 23rd meeting of the Heads of European Radiological protection Competent Authorities (HERCA) in Liverpool. The meeting brought together the heads of radiological protection competent authorities from 22 European countries and

involved over 50 experts from across Europe. HERCA is a voluntary association where the members work together to identify common issues and propose practical solutions to ensure the highest levels of radiation protection in Europe.

On 23 May our Chief Nuclear Inspector, Mark Foy led a [webinar](#), focusing on the work we do to regulate the industry in how it manages the risks arising from external hazards. Over 25 external stakeholders including NGOs joined the webinar.

We held our annual [Industry Conference](#) on 5 June 2019 focusing on the theme of 'Open for Innovation'. More than 100 senior representatives from industry, government, other regulators, academics and research bodies attended with speakers including Joanna Whittington, Director General, Energy and Security at BEIS and Rumina Velshi, President of the Canadian Nuclear Safety Commission.

## Corporate News

Mark McAllister joined ONR on 1 April, succeeding Nick Baldwin CBE as our new Chair. As Chair Mark will be responsible for ensuring that we deliver our mission to provide efficient and effective regulation of the nuclear industry on behalf of the public.

In April, we published our [Corporate Plan for 2019/20](#), setting out our priorities and objectives for 2019/20. Maintaining the delivery of core regulatory functions and holding industry to account on behalf of the public remain at the heart of everything we do.

We have been praised by the Nuclear Skills Strategy Group (NSSG), a government organisation, for ensuring we have the right capability and capacity to meet our regulatory demands. They removed the regulatory capacity risk placed on us in 2016 as recognition of our ongoing commitment to developing our staff and expanding our recruitment pipelines.

We published our [Annual Report and Accounts](#) on 20 June highlighting our performance and key achievements in 2018/2019. We have continued to deliver our prime purpose of public safety, ensuring that duty-holders met the required standards of safety and security that society expects. We completed more than 750 inspections across 37 licensed sites, granting permission for 30 nuclear-related activities, serving nine improvement notices and instigating four prosecutions.

## 6 CONTACTS

Office for Nuclear Regulation  
Redgrave Court  
Merton Road  
Bootle  
Merseyside  
L20 7HS

website: [www.onr.org.uk](http://www.onr.org.uk)  
email: [ONREnquiries@onr.gsi.gov.uk](mailto:ONREnquiries@onr.gsi.gov.uk)

This document is issued by the Office for Nuclear Regulation (ONR). For further information about ONR, or to report inconsistencies or inaccuracies in this publication please visit <http://www.onr.org.uk/feedback.htm>.

© Office for Nuclear Regulation, 2019

If you wish to reuse this information visit [www.onr.org.uk/copyright.htm](http://www.onr.org.uk/copyright.htm) for details.

Published 07/19

*For published documents, the electronic copy on the ONR website remains the most current publicly available version and copying or printing renders this document uncontrolled.*