

# Environment Agency report to the Hinkley Point Site Stakeholder Group.

February 2021

## Introduction

This report covers the Environment Agency's regulation of the Hinkley Point A & B nuclear sites and related issues for the period October 2020 to January 2021.

## Coronavirus: Nuclear site regulation operational update

The Environment Agency's priority remains to protect people and the environment. We have set out how we are doing this <sup>(1)</sup> across the many areas we regulate, advise or interact with the public, for example, flood defence, flood warning, environmental sampling, permitting, angling and fisheries, waterways management and billing (see [GOV.UK](https://www.gov.uk)).

In brief:

- We are fully operational, with the majority of our staff working from home.
- Our frontline staff have returned to regulatory work including physical inspections, where there is justification.
- We have published a series of temporary regulatory position statements (RPSs). RPSs are national arrangements that allow for limited relaxations of regulatory requirements provided certain circumstances and conditions are met. They clearly set out the standards that must be adhered to. The RPSs issued at the beginning of the pandemic have and will continue to be reviewed, and extended or withdrawn as necessary.

Please see our published statement for further information <sup>(1)</sup>.

## Radioactive substances regulation

We regulate radioactive waste disposals to the environment. We do this through environmental permits that contain limits and conditions aimed at minimising wastes and protecting the environment. We also check compliance with these permits by making regular inspections at Hinkley Point A & B.

Radioactive Substances Compliance Assessment Reports (RASCAR) detailing our inspections and any non-compliances found, are available on the Public Register <sup>(2)</sup>.

We maintain regular contact with the sites by telephone and e-mail in addition to our formal correspondence and visits to the sites.

## Hinkley Point A

Hinkley Point A has returned to near normal operations. We are continuing to hold weekly meetings with the Head of Radiological Protection and Environment, who has kept us informed of activities at the site during the weekly maintenance inspections of operational areas (such as the operational vents). We are also continuing with monthly waste

management project meetings to provide advice and guidance remotely on the application of Best Available Techniques (BAT) for some of key decommissioning projects planned at site.

We have issued a permit variation and updated CEAR to the site in January 2021. This will become effective on the 1<sup>st</sup> March 2021.

We are currently undertaking an audit of Hinkley Point A's contingency plans for this phase of the COVID pandemic. We will report on these result in March 2021.

## **Hinkley Point B**

We conducted a joint inspection with the Office for Nuclear Regulation (ONR) on solid radioactive waste on 27-28<sup>th</sup> October 2020. We looked at the management arrangements for solid radioactive waste, including generation, treatment and disposal to ensure compliance with the sites environmental permit and the nuclear site licence (in particular licence conditions 32 & 33).

During the course of our inspection we reviewed documentation in advance, spoke to relevant engineers on plant, undertook a physical inspection of the main storage facilities for radioactive waste on site and reviewed records of radioactive waste.

Overall we found that the station had good arrangements for the management and storage of radioactive waste, although some minor improvements could be made, which were highlighted as recommendations or observations in in our compliance assessment; this included adding a section to a project management waste form to trigger the 'producer' of the site waste to consider what actions they could take to minimise radioactive waste arisings and the consideration of secondary wastes produced in the waste processing facility work instruction.

We noted areas of good practice including removing redundant assets such as the old radioactive oil incinerator stack and tanks in a timely manner and the fact that the site routinely checks for changes to Waste Acceptance Criteria (WAC) for waste receiving sites, to ensure its management systems documents remain up to date.

No non-compliances were recorded, but we did note two areas of potential non-compliance with the environmental permit with regard to signing off SQEP operators to work without supervision and the incorrect storage location of Low Level Waste (LLW) on the CRADLE waste management system. However, the station have been proactive in addressing these issues and raised Condition Reports (CRs) to address them. We will track this as part of our routine regulation, but will elevate to potential non-compliances, if no action is taken.

I am planning a Control of Major Accident Hazards (COMAH) inspection on the 24<sup>th</sup> of February at the station, with the ONR. Due to the current infection rate with regards to the Covid-19 Pandemic- this involves a video conference in conjunction with the site visit to go over management arrangements, then a short (3 hour) tour of the outdoor areas of site. A dynamic risk assessment has been completed ahead of the visit.

We have also continued to be involved in engagement on several long running projects including the Guidance on Requirements for Release of Nuclear Sites from Radioactive

Substances Regulation (GRR) and the start of de-fuelling and decommissioning plans for the site.

## Events and enforcement

### Hinkley point A

Prior to pausing activities at Hinkley Point A, Magnox advised us of the following events;

One event relates to the leakage of two low level waste storage drums. These drums were moved to the waste store and placed on bunds to manage and contain the leak. The drums were then checked weekly during the period of reduced operations on site. Magnox has subsequently made arrangements to over-pack these drums and carry out their disposal via the Low Level Waste Repository framework.

Following notification of the event we requested that all of the drums in the waste store were inspected. This action was delayed due to the site pause. Since returning to site a more detailed inspection of the drums in the waste store has been carried out and 2 further leaking drums have been identified. These have also been moved to the bunded area in the waste store. Magnox is undertaking a root cause investigation to determine why the drums leaked and why they were not identified earlier. Whilst there is no impact to the environment from the leaking drums the permit requires Magnox to check, at an appropriate frequency, the effectiveness and maintenance of systems, equipment and procedures to ensure that the Best Available Techniques (BAT) are in place to minimise the volume and activity of waste. We are waiting for Magnox to conclude their investigation and provide their findings, including actions that they have taken. We will then consider this and whether any enforcement action needs to be taken, in accordance with our enforcement policy.

Magnox has also advised us of two discrepancies with the processing of samples collected from the final monitoring and delay tanks. These occurred at their contracted laboratory. An investigation is underway and we have requested a detailed audit of the laboratory processes. We have also engaged our own specialists to provide advice on the sample analyses results submitted. We do not anticipate any environmental impact as the site was undertaking an operational pause at the time of the discharge.

### Hinkley Point B

#### Desiccant mis-consignment

On the 16th September 2020 we were notified of a potential non-compliance with the stations environmental permit following a dispatch of desiccant (Intermediate Level Waste, ILW) to Tradebe Inutec at Winfrith in Dorset for treatment and final disposal. There was a disparity in the weight of the drums containing the desiccant recorded on the consignment note, which allows the waste to be transferred off site. This difference in weight meant that the radioactivity of the shipment was incorrect on the waste consignment note. This led to the radioactivity of the waste shipment being underestimated. The environmental impact of this error is minimal because the waste still meets the Waste Acceptance Criteria (WAC) for the receiving site and is now being safely stored at Tradebe Inutec; however it is important that information relating to radioactive waste consignments is accurate and that producers of waste take responsibility for the radioactive waste they produce.

Following on from our compliance investigation, which concluded in December we found that the event led to three non-compliances against environmental permit EPR/CB3735DT. These non-compliances were rated as a CCS3 rating, which means that the non-compliances had the potential to cause harm to people and the environment. We issued a warning letter to the EDF company secretary for this event and have set some regulatory actions, in addition to actions which the station set as part of their investigation. We will follow up on these actions, as part of our routine regulation.

We note that a second batch of the same desiccant was transferred to Tradebe Inutec on the 15<sup>th</sup> of December 2020. Due to the breaches of the permit from the first dispatch, the station put in place a series of extra measures to avoid a re-occurrence of the problems with the first consignment. This included the internal regulator undertaking a 'concurrence' which provided official oversight of the process. No issues were reported with this consignment and it was accepted by Tradebe Inutec to be treated and processed following final disposal.

### **Annual soil core sample misreported**

On the 9<sup>th</sup> of October 2020 we were informed by the station that they had reported the incorrect results for one of their annual soil samples, previously submitted to us. The error was corrected and re-sent, with the September statutory returns on 28<sup>th</sup> October. We recorded one CCS4 non-compliance for this mis-reporting, which means the non-compliance has no environmental impact. We will be working with the station over the next year to review the Environmental Monitoring Programme (EMP) for when the station moves into its next lifecycle phase of defueling and decommissioning.

### **Close out of Regulatory Action for exceedance of the C-14 Quarterly Notification Level (QNL)**

The station completed an action, as a final close out of the breach of environmental permit EPR/CB3735DT for the exceedance of the C-14 Quarterly Notification Level (QNL).

One of the issues that was apparent from the site investigation into the event and our regulatory compliance assessment was that the Best Available Techniques (BAT) had not been applied to the maintenance of plant equipment associated with the event.

As a result we set an action in our compliance RASCAR to look at the maintenance schedules and testing for key environmental plant/ equipment at HPB. We received the site submission for this action at the end of December and were pleased with the outcome.

The station had taken a thorough and methodical approach to reviewing the maintenance of key environmental plant, involving a wide range of station staff, including system engineers. As a result of the review, a number of gaps in maintenance were identified and will now be rectified. We highlighted the review as an example of good practice for other EDF stations to consider.

### **Discharge reports**

The operators at Hinkley Point A and B are required to report liquid and gaseous discharges to the environment to us on a regular basis. We assess these to check compliance with the site permits. The site discharge reports and our assessments are placed on the public register.

Analysis results for liquid and gaseous discharges from Hinkley Point A, collected during the pause, have been received and have been reviewed. They continue to be within the

permitted limits and notification levels identified on the permit. We have also received results for the site's environmental monitoring programme which took place in quarter 3 and we are reviewing the reports sent to us.

The liquid and gaseous discharges from Hinkley Point B were below any notification levels and within permitted limits. We recorded a minor non-compliance (CCS4) for the incorrect annual soil sample (see page 4). We have continued to receive the required discharge returns throughout the Covid-19 Pandemic.

## **Environmental impact**

Nuclear sites are required to carry out a rigorous environmental monitoring programme (EMP) that requires the operator to monitor and assess the impact of their discharges on the environment.

During the Covid-19 Pandemic operators have been able to use Regulatory Position Statements (RPS's) that allow for limited relaxations of regulatory requirements, provided certain circumstances and conditions are met. They clearly set out the standards that must be adhered to. Further details on the current RPSs can be found here <https://www.gov.uk/government/collections/covid-19-regulatory-position-statements>

Magnox currently has a corporate arrangement to use Regulatory Position Statement C21 (reporting of sample results). However Hinkley Point A has advised us that they are able to collect analyse and report discharges in accordance with their permit at this time. We continue to review this position on a weekly basis.

EDF has taken the majority of samples required by its environmental monitoring programme this year for quarter 1 (January –March). Early on in the Pandemic the station applied to use Regulatory Position Statement C7, as some external measurement laboratories closed, but have since confirmed that they no longer have a requirement to use it. RPS C7 expired on the 30th of September. The station will need to re-apply to use the newly issued RPS C20&21 (valid 1st October 2020 to 30th June 2021) if they have issues with compliance against their permit within the specified scope of the relevant RPS in future.

Additionally, the Environment Agencies and Food Standards Agency carry out independent environmental monitoring around nuclear sites. The results of this work are published in our annual Radioactivity in Food and the Environment (RIFE) report <sup>(3)</sup>. We suspended our contracted sampling programme at the beginning of March 2020 due to the pandemic, though all quarter 1 samples had been taken. Work restarted on the Environment Agencies monitoring programme in June, with the majority of Q2& Q3 samples being collected. We will continue to follow Government guidelines with Safe Systems of Work in place, with the aim of minimising any gaps in our monitoring.

## **Further information**

Further information on our role in regulating the use of radioactive substances and related activities on nuclear licensed sites can be found on the Environment Agency section <sup>(4)</sup> of the GOV.UK website.

The Environment Agency's Lead Regulator for the Hinkley Point A site is Tracy Braithwaite. The Environment Agency's Lead Regulator for the Hinkley Point B site is Victoria Thomas.

Tracy and Victoria are Senior Nuclear Regulators and part of the national Nuclear Regulation Group (South) which is based at the Environment Agency's Wallingford office in Oxfordshire.

The EA's Nuclear Regulators undertake environmental regulation of radioactive substances on nuclear licensed sites in southern England. They work closely with the local Environment Agency teams in those areas as well as external bodies such as the Office for Nuclear Regulation.

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<sup>1</sup> <https://www.gov.uk/government/news/coronavirus-environment-agency-update>

<sup>2</sup> <https://www.gov.uk/access-the-public-register-for-environmental-information>

<sup>3</sup> <https://www.gov.uk/monitoring-radioactivity>

<sup>4</sup> <https://www.gov.uk/government/publications/nuclear-regulation-in-the-environment-agency>