

Quarterly site report for Berkeley

January to March 2011

Foreword

This report is issued as part of the Office for Nuclear Regulation's (ONR) commitment to make information about inspection and regulatory activities relating to Berkeley available to the public. Reports are distributed quarterly to members of the Berkeley Site's Site Stakeholder Group (SSG) and also available on the ONR website (www.hse.gov.uk/nuclear/llc).

Site inspectors from ONR usually attend Berkeley SSG and will respond to any questions raised there by the members of the group. Any other person wishing to inquire about matters covered by this report should contact the ONR.

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Inspections

The ONR Site Inspector made inspections on the following dates during the quarter:

8-10 March 2011.

Routine matters

Inspections at Berkeley

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

- (i) the conditions attached by HSE / ONR to the nuclear site licence;
- (ii) the Health and Safety at Work etc Act (HSWA) 1974; and
- (iii) regulations made under the HSWA (for example the Ionising Radiations Regulations 1999 and the Management of Health and Safety at Work Regulations 1999).

This entails monitoring licensee's actions on the site in relation to incidents, operations, maintenance, projects, modifications, safety case changes and any other matters which may affect safety. The licensees/operators are 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 of Berkeley covered:

- management of operations including control and supervision;
- modifications to plant, equipment and safety cases;
- incidents on the site;
- radioactive waste management;
- decommissioning; and
- meeting safety representatives.

In general the arrangements made and implemented by the site in response to safety requirements were deemed to be adequate in the areas inspected. However, where improvements were considered necessary, satisfactory commitments to address the issues were made by the licensee, and the Site Inspector will monitor progress during future visits. Where necessary, formal regulatory enforcement action will be taken to ensure that appropriate remedial measures are implemented to reasonably practicable timescales.

The inspections covered the control and supervision of the trials work on alternative radioactive waste disposal packages, and the site's plans for the retrieval of radioactive waste from its original storage locations. One matter that arose was the need for the site to develop its high level arrangements so they more explicitly comply with the site licence conditions on radioactive waste management.

Periodic Safety Review (PSR)

During the period ONR concluded its appraisal of the Berkeley 2009 PSR. ONR wrote to Berkeley confirming that with the completion of the site's improvement work programme, it had reached the conclusion that the PSR process and PSR projects for Berkeley had led to an acceptable outcome. A report giving further information can be found on the ONR website (www.hse.gov.uk/nuclear/pars).

Magnox South integration and relicensing to Magnox North Limited

On 3 September 2010, Magnox North Ltd. applied under the Nuclear Installations Act 1965 for new nuclear site licences for the five Magnox South Ltd. sites in order to facilitate restructuring of the management of the Magnox sites under one site licence company.

ONR has undertaken assessment and inspection work in consideration of this application, as follows:

- assessment of the Safety and Environmental Management Prospectus (SEMP), management of change proposals and organisational capability;
- assessment of the licensee's arrangements to provide for security of tenure;
- assessment of the licensee's compliance arrangements including current safety cases and emergency arrangements; and
- an inspection of the location and marking of the site boundaries covered by the application.

These assessments and inspections adopted a targeted and proportionate approach which recognised the minimal impact that relicensing will have on the activities being carried out on the site and the nature of the nuclear hazard.

ONR's inspection and assessment of the licensee's licence compliance arrangements has not revealed any concerns that challenge the licensee's suitability to hold new nuclear site licences.

Decommissioning Programmes

Magnox Ltd. has produced a Magnox Optimised Decommissioning Programme for the decommissioning of the fleet of Magnox power stations. The implications of this programme on sites' regulatory milestones and decommissioning strategies is being examined by ONR with the intention of arriving at a common position with the licensee before the end of this calendar year.

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 matters of note to report.

Regulatory activity

Under health and safety legislation, ONR site inspectors, and other HSE inspectors, 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' (LIs), but can take other forms. In addition, inspectors may issue enforcement notices to secure improvements to safety.

- Licence instrument 92/501, Agreement to a 'category A' change for decommissioning milestone deferment for Berkeley site, issued on 24 January 2011.

Reports detailing the above regulatory decisions can be found on the ONR website (www.hse.gov.uk/nuclear/pars).

News from ONR

ONR - 1st April 2011

Following an announcement on 8 February 2011, the Government intends to bring forward legislation to create a new independent statutory body outside of the HSE to regulate the nuclear industry. The new statutory corporation will be known as the Office for Nuclear Regulation (ONR) and would take on the relevant functions currently carried out by the Health and Safety Executive and the Department for Transport.

The ONR will be a new independent regulator, formally responsible in law for delivering its regulatory functions. The creation of the ONR will consolidate civil nuclear and radioactive transport safety and security regulation in one place.

The proposal will not affect the current regulatory requirements or standards with which industry must comply, and the vast majority of the costs of the regulator would continue to be recovered in charges from operators in the nuclear industry rather than funded by the public purse. Additional organisational costs will be entirely met by the nuclear industry.

Pending the legislation, the Health and Safety Executive has established ONR as a non-statutory body from 1 April 2011, signalling its commitment to secure an appropriately-resourced and responsive regulator for the future challenges of the nuclear sector. The Government will review the functions and processes of the interim body in order to inform its planned legislation.

Following this announcement, work is ongoing to continue the move to ONR. However, business as usual remains unaffected. If you have any further questions, please contact ONRenquiries@hse.gsi.gov.uk.

Fukushima report

The Government has asked the Office for Nuclear Regulation (ONR) for a report on the implications and lessons learned for the UK nuclear industry of the unprecedented events unfolding in Japan. ONR's Chief Inspector, Mike Weightman has full independence to determine the scope of the report and the arrangements for conducting it.

An interim report is due by mid May and the full report by September. These are technical nuclear safety reports and will assess the implications of the unprecedented events in Japan and establish if lessons are to be learned. The reports will not address nuclear or energy policy issues, nor will they be a wholesale review of nuclear safety in the UK.

Submissions from stakeholders with technical information or thoughts about any lessons that can be learned to enhance nuclear safety in the UK are welcomed. Please visit the ONR website (www.hse.gov.uk/nuclear) for further information.