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ONR NGO Forum meeting
7 November 2019
Doubletree by Hilton Hotel - London**

Office for Nuclear Regulation (ONR) present:

Mark McAllister – Chair (ONR Board)
Adrienne Kelbie (AK) – Chief Executive (Forum co-chair)
Mark Foy (MF) – Chief Nuclear Inspector
Donald Urquhart (DU) – Deputy Chief Inspector, Director Operating Facilities
Division
Dr Matthew Worsley (MW) – Principal Inspector, Sellafield, Decommissioning, Fuel &
Waste Division
Jo deBank – (JdB) Interim Head of External Engagement

Environment Agency (EA)

Alan McGoff (AM) – Lead Nuclear New Build

NGO Representatives present:

Dr Jill Sutcliffe – Low Level Radiation and Health Conference (Forum co-chair)
Katy Attwater (KA) – Stop Hinkley
Peter Banks (PB) – Blackwater Against New Nuclear
Prof. Andy Blowers (AB) - Blackwater Against New Nuclear
Jo Brown – Parents Concerned About Hinkley
Peter Burt (PBurt) – Nuclear Awareness Group / Nuclear Education Trust
John Busby (JBS) – Stop Hinkley
David Cullen (DC) – Nuclear Information Service
Neil Crumpton (NC) – People Against Wylfa B
Rod Donington-Smith (RDS) – Cumbria Trust
Rita Holmes (RH) – Ayrshire Radiation Monitoring Group
Allan Jeffery (AJ) – Stop Hinkley
Tor Justad (TJ) – Highlands Against Nuclear Transport
Dr David Lowry (DL) – Nuclear Waste Advisory Associates
Ian Ralls (IR) – Nuclear Network Friends of the Earth
Sean Morris (SM) – Nuclear Free Local Authorities
Trish Whitham - Nuclear Information Service
Chris Wilson (CW) – Together Against Sizewell C

Secretariat:

Daniel Jones - ONR Communications Manager
Linda Johnson - ONR Communications Manager

1. Welcome and actions arising

- 1.1. Adrienne Kelbie (AK) opened the meeting by thanking NGO colleagues for making time to attend. AK also introduced Mark McAllister to the forum and Dr Matt Worsley, noting this was their first time at an ONR NGO meeting.

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- 1.2. The action log was reviewed with AK noting that actions were all on track.
- 1.3. Dr Jill Sutcliffe (JS) informed the meeting that Martin Forwood, NGO campaigner and member of Cumbrians Opposed to a Radioactive Environment (CORE) had sadly passed away on 6 October, 2019. Jill lead a tribute to Martin and spoke about his early career as a police officer and how he came to be involved in CORE, noting in particular the campaign work he did in the 1980s which led to government ordering a reduction in the levels of plutonium contaminated waste that could be disposed of by British Nuclear Fuels into the Irish Sea. JS commented how highly regarded Martin was by both journalists and campaigners for his unrivalled collection of documents and knowledge of the nuclear industry, while also acknowledging the high esteem that industry figures held Martin in for his honesty and probity. As a mark of respect, a minute's silence was observed by all attendees to remember Martin.
- 1.4. AK updated on the change to the afternoon agenda item which was originally scheduled to focus on the SSG/LLC 'Good Practice Guide' project. AK drew the attention of attendees to the letter issued by Claire Johnson from the Young Nuclear Professionals Forum who is leading the project. AK acknowledged that she recognised NGOs may be frustrated about the cancellation of this agenda item, but confirmed that ONR remained committed to seeing progress made with this project. AK confirmed that the updated agenda item would be lead jointly by Mark Foy (MF) and Donald Urquhart (DU) and would focus on ONR's relationship with the Defence Nuclear Safety Regulator.

2. Update from Chief Nuclear Inspector

- 2.1. MF welcomed delegates and began by updating the forum on enforcement action taken by ONR since the last meeting in March 2019. MF updated on the successful prosecutions brought against Sellafield Ltd and Devonport Royal Dockyard Ltd (DRDL) following incidents on these sites in February 2017 (Sellafield Ltd) and September 2018 (DRDL).
- 2.2. MF updated on the Improvement Notice served on Sellafield Ltd in April 2019 following an incident at the Waste Vitrification Plant on 7 February, 2019. He also advised that Improvement Notices had been served on AWE in June 2019 relating to the way the company undertook risk assessments relating to organisational change.
- 2.3. MF confirmed that ONR had agreed to a short extension to the deadline for compliance against two Improvement Notices served on Heysham 1 following an incident which occurred at the site in November 2018. MF acknowledged the good progress made by the site in relation to the notices and confirmed that he expected the notices to be complied with by 16 December, 2019.
- 2.4. MF updated on the Approved Code of Practice (ACOP) which ONR developed along with the Health & Safety Executive, which was published

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in September 2019, to assist dutyholder compliance with the new Radiation (Emergency Preparedness and Public Information) Regulations 2019 (REPPiR). MF said that the ACOP had required a lot of hard work from staff across ONR.

- 2.5. MF updated on the European Nuclear Safety Regulators Group (ENSREG) Topical Peer Review and explained that the first review took place last year across all EU Member States and had focused on 'Ageing Management of Reactors', for the UK the review scoped the AGR fleet, Sizewell B and Hinley Point C . Areas for improvement had been identified and the UK has developed an action plan to address these.
- 2.6. MF also noted that ONR was continuing to work hard to influence improvements at the AWE sites. He advised that, in conjunction with AWE, we had identified 14 areas where AWE needed to focus on delivering improvements to address the performance issues at its sites, and acknowledged that, while progress was being made to address them, he didn't anticipate the site exiting an enhanced level of regulatory attention until the end of 2021 at the earliest.
- 2.7. MF updated on New Build activities. He confirmed that ONR was continuing (under the GDA process) to assess the UKHPR 1000 design and expected this to take a further two years to complete. MF also confirmed that work at Hinkley Point C was continuing and that ONR had been aware of the increase in costs and schedule for quite a period of time. MF advised that ONR was continuing to undertake work to ensure we were prepared to regulate small modular reactors or other new/novel technology, should we be required to do so. He confirmed that so far, ONR had completed seven technical assessments on new technologies, which had been provided to BEIS. MF added that ONR had not completed any work on fusion as this was not within our vires.
- 2.8. MF advised that Sellafield Limited (SL) was undergoing a period of change and that the site was now transitioning into one of decommissioning and radioactive waste management. He confirmed that the current Sellafield Managing Director would shortly be leaving his role, and that ONR was keen to see SL appoint an appropriate candidate. MF also updated on Devonport Royal Dockyard Limited confirming that the site remained in enhanced attention and that ONR was focused on ensuring that the right organisational structure was in place across the site to deliver the necessary performance improvements. MF added that ONR had clear strategies to move enhanced attention sites into routine attention.
- 2.9. MF advised that in October 2019 the first 'Chief Nuclear Inspector's Annual Report' (CNI report) was published. He commented that this was the first such report and that it provided an independent, authoritative view of the nuclear industry's safety, security and safeguards performance. MF advised that the 2018/19 report had identified three themes, which warranted increased industry attention: the management of ageing

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facilities; conventional Health & Safety performance; and delivering a holistic approach to nuclear security. He also explained that the report provided details of ONR's research activities, as well as detailing all events reported to ONR during the 2018/19 year. MF confirmed that he would be happy to take feedback on contents of report and suggestions for next year's report.

Action 19.12 – NGOs to feedback to ONR any comments regarding this year's report and suggestions for the 2019/20 report.

- 2.10. MF provided a short update on the Independent Advisory Panel meeting which took place on 1 November 2019 and expressed the view that he hoped the two NGO members sitting on the panel felt able to contribute. He confirmed that at the next meeting of the IAP, ONR would bring a paper on 'ethics' to the meeting.
- 2.11. MF provided a brief overview of the recent Integrated Regulatory Review Service (IRRS) mission to the UK, which took place in October 2019. He explained that it was a full-scope mission which looked at how the UK's legal and regulatory framework for nuclear and radiological safety complied with international obligations and confirmed that fifteen different agencies/bodies were involved in the review. MF confirmed he was pleased to advise that the report stated that ONR had satisfactory regulatory arrangements in place. He also confirmed that the report had identified a number of recommendations, suggestions and good practices attributed to various different organisations involved in the mission. MF explained that the UK was now looking at the draft report and that he expected the final version to be published in the New Year.
- 2.12. David Lowry (DL) asked if continued missions of this type would continue once the UK leaves the European Union.
- 2.13. MF confirmed that international missions would continue.
- 2.14. DL asked about paragraph 62 in the CNI report which comments on the incidents or matters relating to security reported to ONR that were judged to be of negligible risk. DL commented that in the ONR Annual Report it states that ONR had been required to apply regulatory attention to a number of security incidents that had been reported in relation to Sellafield. DL asked for clarification on this matter.

Action 19.13 – ONR to provide further information on security incidents reported by Sellafield and which of those incidents received regulatory attention during the 2018/19 year.

- 2.15. TJ asked MF if he expects local authorities to have sufficient knowledge of the new REPPiR regulations.
- 2.16. MF responded by advising that he would expect local authorities to be building up their knowledge of the new REPPiR 2019 regulations, but

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acknowledged that the regulations placed unfamiliar obligations on local authorities and he recognised it was a big shift for them. MF also confirmed following a question from Chris Wilson (CW) that ONR would give support and advice to local authorities during the period of transition, as they implemented the new regulations.

- 2.17. TJ asked for an update on activities at Rosyth.
- 2.18. MF confirmed that work to begin dismantling submarines had commenced and that ONR was pleased with the progress being made.
- 2.19. Katy Attwater (KA) asked why climate change was not mentioned in the CNI report. KA also noted that ONR had referred to a 1 in 10,000 event in the briefing paper submitted in advance of the meeting, but asked what about a 1 in 70 year event, such as that which occurred at Fukushima. KA stated that she was not satisfied with ONR's responses to the three questions which the briefing paper had sought to address.
- 2.20. MF advised that a 1 in 10,000 year event was used by external hazard specialists to demonstrate that facilities could withstand extreme events. He explained that in the UK we required all sites to undertake a Periodic Safety Review (PSR) every ten years, to ensure that sites were brought up to modern standards, so far is reasonably practicable.
- 2.21. KA commented that in the Design Consent Order for the Hinkley Point C (HPC) development, the safety margin for flooding is only two metres. KA advised that storm surges can result in rises of three metres in the sea level. KA asked if it would be fair to say that the HPC development does not allow for sea level rises in the future.
- 2.22. MF confirmed that ONR did consider external hazards in the course of our assessments. He advised that ONR also sought advice from an external hazards expert panel to help ONR understand future implications of climate change and that we were satisfied with the adequacy of the HPC design in this regard.
- 2.23. AK thanked KA for her challenge on climate change. AK noted that ONR was extremely mindful of climate change and asked if KA would be able to write to ONR with a list of the points that she would like ONR to address at a future face-to-face meeting with the Stop Hinkley group.

Action 19.14 – KA to arrange for Stop Hinkley to write to ONR with a list of questions/queries that they would like ONR address at a future face-to-face meeting with the group, which will focus on external hazards/climate change issues.

Action 19.15 – ONR to consider including information on climate change and how it is considered by ONR in next year's CNI report.

- 2.24. Sean Morris (SM) asked why Periodic Safety Reviews were not published on the ONR website. MF advised that all of ONR's project assessment

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reports for Periodic Safety Reviews received from licensees are available on the ONR website. None of the submissions themselves are on the website due to their size and volume.

Action 19.16 – SM to provide ONR with details of any particular reports that he had been unable to locate.

Action 19.17 – ONR to review the policy on publication of Periodic Safety Reviews to ensure consistency in the process across the organisation.

- 2.25. David Cullen (DC) asked about the fourteen issues that MF referred to earlier on in relation to AWE.
- 2.26. MF confirmed that the fourteen issues were those documented in the Structured Improvement Plan (SIP). MF confirmed that ONR was pleased with the progress being made at AWE and DRDL.
- 2.27. Jo Brown (JB) commented that Bradwell had been covered in shuttering for care and maintenance and asked if ONR would enforce same regulations at all Magnox sites. JB also commented that, in her view, action needed to be taken at Hinkley Point B due to graphite damage and referenced a list prepared by the 'Parents Concerned About Hinkley' group which outlined the actions they believe need to be taken. JB also expressed concern about any potential Geological Disposal Facility (GDF) and cited issues with such a facility in New Mexico.
- 2.28. MF advised that ONR would assess proposals put forward by Magnox to ensure they met regulatory expectations and confirmed that DU would cover graphite issues as part of his agenda item. MF commented that GDF policy is determined by government, but advised ONR's role would be to ensure that if such a facility is built it was both safe and secure.
- 2.29. Andy Blowers (AB) noted that interactions with ONR and the Environment Agency (EA) had been successful. AB expressed a view that we were now facing a climate change emergency and that the issue was now much higher on the political and social agenda and felt ONR should be responding to this. AB advised that he felt ONR should challenge the Managed Adaptive Approach assumptions being made by vendors. He commented that he did not think ONR or the EA were anywhere near having these discussions and that he believed ONR needed to look more strategically at this issue.
- 2.30. MF advised that ONR did not look at this issue in isolation and that ONR was working with other regulators internationally to see how they were responding and dealing with climate change issues.
- 2.31. Ian Ralls (IR) asked how the UK compared to other countries following the IRRS mission

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- 2.32. MF explained that the UK's regulatory framework and goal setting approach is different to other countries, exemplified by a number of different regulatory bodies performing similar duties for each country that makes up the UK, so it was difficult to compare. But overall he considered the mission a success for the UK, a balanced report resulted, with areas for improvement and good practices identified, similar to the results for other IAEA member states.

Action 19.18 – ONR to ensure issue of climate change is added to the priority topics list.

- 2.33. Neil Crumpton (NC) referenced the challenges of introducing Security Assessment Principles (SyAPs) and asked what happened if defence sites didn't want to enforce security regulations.
- 2.34. MF confirmed that ONR only regulated security at civil nuclear sites and not defence sites. MF advised that all civil sites were required to have nuclear site security plans in place and that sites were now developing plans based on SyAPs.

3. Regulation of Ageing Operating Reactors

- 3.1. Donald Urquhart (DU), Deputy Chief Nuclear Inspector and Director of ONR's Operating Facilities division, delivered a presentation which covered the following areas: management of ageing reactors; ageing management inspections; Topical Peer Review (TPR); graphite ageing and degradation; the ONR graphite strategy; corrosion of concealed pipework at Dungeness B; and provided an update on the latest position at Hunterston B (HNB) and Hinkley Point B sites.
- 3.2. DU emphasised that regulation of ageing reactors was a high priority for ONR and that ONR had a very low tolerance for dutyholders who failed to adequately manage ageing effects that might affect safety.
- 3.3. JS commented that she had recalled reading that the designer of the Magnox reactors had stated they had a design life of around 20-years, but with AGRs we were now into the unknown. Rita Holmes (RH) suggested that if Hunterston B reactors did not have boron beads or a nitrogen injection system, reactors 3 & 4 would have been shut down.
- 3.4. DU advised that ONR was focused on ensuring the reactors could be shut down by their primary shutdown system.
- 3.5. RH commented that ONR's decision regarding future operation of HNB Reactor 3 would 'make or break' the reputation of ONR. RH asked for further details of the issues that EDF Energy needed to address in its safety case.
- 3.6. DU advised that there were still issues to be resolved with the modelling used by EDF and the generation of graphite debris. DU confirmed that

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public safety would always be ONR's overriding priority.

- 3.7. RH asked if ONR would be asking EDF to provide further details on how graphite debris was migrating.
- 3.8. DU advised that EDF believed graphite debris may be being removed when fuel was removed from fuel channels. DU confirmed that EDF would need to provide further evidence on debris and its impact, to inform ONR's decision on HNB on whether it was safe to allow it to restart. DU reiterated that ONR would not allow a further period of operation of either reactor if it did not consider it to be safe to do so.
- 3.9. Peter Burt (PBurt) commented that it was reassuring to hear that ONR had learnt lessons from the Dungeness B corrosion issue and noted the parallels with the corrosion issues at AWE a decade ago. PBurt asked if ONR could have been 'on the case' with the corrosion issue at Dungeness B sooner, and asked for further information on what ONR had done to satisfy itself that the issue of corrosion was not affecting other sites across the UK.
- 3.10. DU advised that DNB was susceptible to corrosion because of its proximity to the sea. He advised that the site had not adequately understood the implications of its location and its greater susceptibility to corrosion. DU advised that, recently, AWE had made a number of improvements, but the construction of a replacement to the ATC facility remained a key requirement. He emphasised that, if defence facilities were not adequately safe, then ONR would not permission them to operate. MF added that he was seeking to extend the recent Topical Peer Review on reactor site ageing management, to non-nuclear power plant licensed sites in GB, including the defence estate.
- 3.11. Allan Jeffrey (AJ) asked if graphite inspections were being carried out at DNB whilst the reactor was offline.
- 3.12. DU advised that, at DNB, the most significant graphite issue actually related to weight loss and not graphite cracking. DU explained this was because the operating life of each reactor had been shorter than others in the AGR reactor fleet, he added that inspections of the cores had been carried out during the outage.
- 3.13. AJ commented that at SSG meetings, he had been informed that not all control rods needed to be inserted to shut down a reactor and asked if articulated control rods were being used across the AGR fleet, not just at Hinkley Point B.
- 3.14. MF confirmed that super articulated control rods were installed across all sites and advised that ONR expected safety cases to demonstrate that all control rods could be inserted unimpeded into a reactor to shut it down. DU added that Hunterston B reactors 3 & 4 each have 81 control rods. He explained that the insertion of approximately 12 control rods could shut

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the reactors down initially but that the large majority of the 81 control rods needed to be inserted to maintain the reactor in shutdown state. DU advised that safety case submissions were expected to demonstrate that all control rods could be inserted unimpeded with no triple points of contact.

- 3.15. IR asked about the original life span of the AGR reactor design and also about the impact of neutron radiation on the reactor.
- 3.16. DU advised AGRs did not have a formal life span as such, but that he believed they were initially expected to operate for around 30 years. He added, however, that this was an arbitrary figure as ONR operated on the assessment of safety cases to justify periods of operation. DU confirmed that radiation can affect the properties of the graphite core of AGR reactors.
- 3.17. SM thanked DU for the two meetings that he had held with him over previous months to discuss Hunterston B. SM asked for clarification on the operation of HNB Reactor 4 as he understood further inspections would take place after four months of operation.
- 3.18. DU confirmed that ONR had permissioned HNB Reactor 4 to operate up to 16.025 TWd, which was approximately four months' operation. He confirmed that, once the reactor reaches 16.025 TWd, it will be required either to come offline or to operate under a further safety justification. He added that EDF had hoped by the time Reactor 4 had reached 16.025 TWd, the Reactor 3 safety case would have been made (thereby allowing R4 to continue operating without the need to shut-down at 16.025 TWd), but this was unlikely to be the case.
- 3.19. SM commented that under the safety case submitted for Reactor 4 the number of cracks permitted in the reactor core had increased from 350 to 700, adding from a public perception this was significant and could appear that ONR was moving the goal posts.
- 3.20. DC asked what ONR had learned from the corrosion which it identified at DNB. NC also asked what was specific about DNB and how did we know that all control rods could be inserted into a reactor.
- 3.21. DU advised that ONR inspected sites in a proportionate way, focusing its regulatory inspections on specific areas. Following the issues identified at Dungeness B, DU confirmed that ONR had learned from this, and is aware of the need to focus greater attention onto conventional health & safety. DU added that at Dungeness B the workforce had not fully recognised the issue with corrosion of concealed pipework. He also confirmed that control rods within reactors were moved regularly during the operation of a reactor.
- 3.22. AB commented that EDF Energy had financial issues and queried if ONR demonstrated sympathy towards the company.

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- 3.23. DU advised that ONR empathises but does not sympathise. He added ONR's role was to ensure public safety.
- 3.24. AB commented that at Bradwell A the coolers would remain on site until the end of the century. He asked if this would now be left to the Nuclear Decommissioning Authority (NDA).
- 3.25. DU advised that the inventory of fuel had left Bradwell A but confirmed ONR would still conduct proportionate inspections at the site. MF advised that Bradwell A will remain in care & maintenance for around 75 years, and that during this time any remaining radioactive components would significantly decay, which would reduce the amount of safeguards needed during eventual decommissioning and dismantling. MF added that the NDA was looking into whether it would be feasible to dismantle reactors as opposed to leaving them for 70/75 years. MF confirmed for sites in care & maintenance, ONR's role was still to ensure they remained safe and secure.
- 3.26. AB asked if it was possible to dismantle without deep disposal.
- 3.27. MF confirmed that, in the main, should be possible to undertake disposal using near surface waste facilities, but the nature of some items may still require deep disposal.
- 3.28. DL expressed concern about ONR not being aware earlier of issues at Dungeness B. DL also commented on the graphite debris at HNB Reactors 3 & 4 and asked how ONR could even consider allowing EDF to operate these reactors.
- 3.29. DU confirmed that EDF needs to demonstrate to ONR through its safety case submissions why it was safe for the reactors at HNB to operate. He confirmed EDF had done this in the Reactor 4 safety case and that we were satisfied that graphite debris would not cause fuel damage during the allowed period of operation. He added that EDF would need to address this issue in the Reactor 3 safety case before we could consider permissioning the reactor to restart.

4. Overview of ONR's regulation of Sellafield

- 4.1. Dr Matthew Worsley, Principal Inspector from ONR's Sellafield, Decommissioning, Fuel & Waste division, delivered a presentation which covered the following areas: challenges of regulating the Sellafield site; key hazards on the site; update on the ONR Sellafield Strategy; and the role of the Project Delivery and Compliance, Intelligence & Enforcement sub-divisions.
- 4.2. PBurt asked about intelligence gathering.

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- 4.3. MW confirmed that intelligence was gathered from inspections and other sources of information and this helped inform future inspection activities on the site.
- 4.4. DL asked why UK Government Investments was part of the Sellafield G6 group and why the local SSG was not involved.
- 4.5. MW advised that to undertake much of the work on the site significant investment was needed which was the reason why UK Government Investments was part of the G6. MW added that while the SSG is not involved in the G6, other types of engagement with the SSG do take place. MF added that the SSG were informed of ONR's work on the site via reports and that ONR attended every other meeting of the SSG to provide a verbal update.
- 4.6. DL asked if ONR felt the local SSG should be involved in the G6 group.
- 4.7. MF advised that the G6 was created to address risks which were intolerable and was made up from senior representatives from the stakeholders able to influence the delivery of hazard and risk reduction. AK added that all parties on the G6 had the authority to act.
- 4.8. DL asked why ONR had allowed the THORP facility to continue operating following the Feed Clarification Cell event in the 2000's.
- 4.9. MF responded by advising that ONR had allowed the THORP facility to continue operating because we considered it safe to do so. He added that no workers or the public were put at risk as a result of the event.
- 4.10. AB asked if the vitrification plant was up and running.
- 4.11. MW advised that the waste vitrification plant continued to operate and was reducing the stocks of highly active liquor (HAL) through conversion to passively-safe vitrified (glass) product. HAL levels were now at their lowest for many years and were continuing to fall. MF added that HAL was still being generated from reprocessing but that this would stop when Magnox reprocessing ceased which was scheduled for the end of 2020.
- 4.12. PBurt commented on slide 37 the graph shows that until three years ago, good progress was being made to reduce the HAL stocks, but that progress appeared to have stalled and asked why it was the case.
- 4.13. MF advised that ONR had taken enforcement action nearly 20 years ago, when HAL stocks were at their peak. The enforcement resulted in Sellafield having to reduce its HAL stocks in a gradual controlled manner. The current flat line levels are being used whilst reprocessing continues, to facilitate blending of the liquors and optimisations of the vitrified waste product. Once reprocessing ceases it is expected that the levels will reduce to heels and then 'clean-out' will be undertaken. He also advised Evaporator D has been operating for a number of years as part of

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this process, and will support the processing of HAL in the future.

- 4.14. DL asked if the fuel from the reactors in Japan had been reprocessed. DL also raised concern about the potential to mix UK and foreign fuel/waste.
- 4.15. MF confirmed that fuel had been reprocessed which needs to be repatriated to Japan. He added that fuel was reprocessed in batches, each of which is traceable through the process into traceable vitrified product. Therefore, for safeguards purposes, what is stored can always be identified and traced back to the original fuel and owner.
- 4.16. DL asked if canisters could be swapped around.
- 4.17. MF responded by confirming that all canisters stay in the vitrified product store and would stay there until they were repatriated to the country from where the spent fuel originated, unless a waste exchange agreement had been signed.
- 4.18. A number of questions were taken from the floor. PBurt asked if ONR regulated the Wet Inlet Facility and where on the level of risk is that; KA asked if fines imposed on Sellafield following prosecution was taxpayers money; IR asked if tritium released from the HALES evaporators was released into atmosphere; AJ asked what was happening to the fuel from AGRs that was taken to Sellafield; NC commented on the lightning strike at Dounreay and asked if a similar event could knock out power and backup at Sellafield; AB asked if Sellafield was now the waste management site for the country; AB also asked if there were plans to keep waste from Germany or would this be repatriated and requested an update on whether waste from Sizewell was being taken to Sellafield.
- 4.19. MF confirmed that Sellafield Ltd was an NDA site, so the fine imposed on Sellafield Ltd following the prosecution brought against it by ONR would come from NDA funds. MF advised that spent fuel from AGRs would continue to be transported and processed at Sellafield until a GDF was constructed. MF confirmed that under current plans spent fuel from Germany would be repatriated. He also confirmed that ONR did regulate the Wet Inlet Facility and advised that as a modern facility it was not considered high risk.
- 4.20. MW wasn't able to confirm the quantities of tritium released during highly active liquor evaporation, but confirmed that all radioactive emissions were subject to regulation from the Environment Agency and that SL had not breached its permit with respect to tritium. MF advised that EA was currently seeking to revise the tritium discharge limit for Sellafield upwards and that the proposed new permit was open for public consultation.

Action 19.19 – IR to write to Adrienne Kelbie requesting further information on quantities of tritium emitted from evaporators at Sellafield.

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Action 19.20 – ONR to share details with IR of the consultation exercise being undertaken by the Environment Agency to seek views on the draft permit which controls receipt and disposal of radioactive waste and imposes conditions and limits on discharges at Sellafield Ltd.

- 4.21. MW advised that if power was lost from the grid at Sellafield following a lightning strike, then diesel generators were available on the site to help provide power in the interim period for those facilities that required electricity to maintain safety.
- 4.22. DC asked for further information on how access was gained to the Pile Fuel Cladding Silo.
- 4.23. MW explained how the holes had been cut in the side of the silo and containment doors fitted to allow access for future waste retrieval.
- 4.24. Further questions were asked about whether ONR was involved in advising government on policy around plutonium stockpiles. DL asked if we were advising government from a 'security angle'; AB asked if it would make more sense to keep materials in the UK as opposed to repatriating it (citing Germany); DL asked if the setting up of a new safeguards regime had given ONR more credibility.
- 4.25. MF confirmed that ONR was advising government on policy around plutonium stockpiles and also confirmed that advice was also being given regarding security. MF confirmed that it was his understanding that material would be repatriated to Germany. He also added that he considered the setting up of a new domestic safeguards regime by ONR had been good for the reputation of the organisation.

5. ONR's relationship with the Defence Nuclear Safety Regulator (DNSR)

- 5.1. Mark Foy, Chief Nuclear Inspector and Donald Urquhart (DU), Deputy Chief Nuclear Inspector and Director of ONR's Operating Facilities division, delivered a joint presentation which covered the following areas: overview of regulation on defence sites; ONR's relationship with the DNSR/MOD; roles & responsibilities between regulators on defence sites; ONR's priorities across defence estate; updated on defence vires review; and work of the A6 at AWE and D6 at DRDL.
- 5.2. In response to an update on defence vires review work, JS asked if ONR had identified legislation which was not fit for purpose, what would ONR feed into process.
- 5.3. DU confirmed that ONR was in the process of obtaining legal advice from the Attorney General's office as part of the 'due diligence' defence vires review. He confirmed that the purpose of the review was to ensure that ONR was fully discharging its statutory purposes and legal powers on defence sites, as well as ensuring its regulatory approach was demonstrably underpinned by a clear line of sight to law, and to help

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ensure ONR was delivering efficient regulation without duplication.

- 5.4. NC asked if ONR would provide advice to government on new power stations.
- 5.5. MF confirmed that it would be for government to decide on how new reactors were deployed.
- 5.6. DL asked for clarification on what ONR regulated at Loch Ewe. DL also cited an incident when a distressed nuclear powered submarine needed to dock in Gibraltar and asked for clarification about who was responsible for regulating in that instance. DL also requested clarification on what happened if a foreign submarine docks in UK waters.
- 5.7. MF advised that submarines were able to berth at Loch Ewe, but confirmed that ONR is responsible for regulating conventional health & safety at this site and for ensuring the adequacy of the Highland Council's emergency plan and its implementation under REPPiR 2019. DU added that if a submarine was berthed on foreign soil, it would fall under the regulation of MOD and not ONR. MF/DU also confirmed that any foreign submarines docked in UK waters that were not within a nuclear licensed site would fall under the regulation of DNSR.
- 5.8. DC requested clarification on what prompted the defence vires review.
- 5.9. MF responded by advising that it was a complex area and that ONR was seeking absolute clarity. AK added that it had not been initiated in response to an incident.
- 5.10. SM advised that he was still waiting for some progress to be made on SSG/LLC meetings, following a report which he published in March 2017 which called for improvements. He commented that the openness/transparency across defence sector was pitiful and asked if ONR could help.
- 5.11. MF responded by confirming that ONR had commented to MoD on the decision not to publish DNSRs annual report.
- 5.12. RH asked for clarification on the difference between Z and X berths and expressed concern that ONR did not go onto certain sites.
- 5.13. MF clarified by confirming that at an X berth, work on nuclear systems was permitted, which is not the case at a Z berth. He also confirmed that ONR inspectors went onto all sites, including DNSR Authorised sites but had limited vires on the latter.
- 5.14. PBurt commented that there had been a lot of history with MOD not wanting an independent regulator scrutinising its work. He asked who would make final decision if there was a problem on a nuclear licensed site and would matter need to be referred to Secretary of State. Also

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asked if this issue would be clarified in the defence vires review.

- 5.15. MF stated that ONR would always decide and act in the best interest of safety, where activities on a nuclear licensed site are concerned, which will always be clearly documented and articulated. DU advised that the majority of the most hazardous sites are now licensed. DU confirmed that if we find the definition of 'crown site' affected this, we would need to look at it further.

6. Summary and Close

- 6.1. AK thanked presenters and all NGO representatives for attending. AK asked if there was any other business.
- 6.2. RH noted the planned meeting between ONR and North Ayrshire Council members in relation to Hunterston B, and requested if she and others could attend.
- 6.3. AK/DU advised that the meeting had been arranged by North Ayrshire Council and advised Rita to contact the council and arrange for an invitation to be issued.
- 6.4. AK, on behalf of both Chairs, expressed a shared commitment that they would like to see more NGO presentations at future meetings. AK also advised that she recognised the level of concern regarding climate change. MF advised that ONR would look to engage further with the NGO community on this matter and suggested a 'mini' conference on this topic in the future. An ONR/NGO forum sub-group was suggested to look at what climate change meant for ONR.
- 6.5. AK reiterated her thanks to all attendees and hoped all had found it a useful and informative meeting. AK reminded NGO representatives that the next meeting of forum would take place on 30 April 2020.