



# Office for Nuclear Regulation (ONR) Quarterly Site Report for Devonshire Dock Complex, Barrow

Report for period 01 January - 31 March 2016

## 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 BAE Systems Marine Limited Local Liaison Committee (LLC) and are also available on the ONR website (<http://www.onr.org.uk/lhc/>).

Site inspectors from ONR usually attend BAE Systems Marine Limited LLC meetings and will respond to any questions raised there. Any person wishing to inquire about matters covered by this report should contact ONR.

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## 1 INSPECTIONS

### 1.1 Dates of inspection

The ONR nominated site nuclear safety inspector made inspections on the following dates during the quarter:

19, 20, 21 January  
2, 3, 25, 26 February  
14, 15, 16, 17 March

A new nominated site nuclear safety inspector took over responsibility for the Devonshire Dock Complex, Barrow on 1 April. The incoming ONR nominated site nuclear safety inspector made inspections on the following dates during the quarter:

15, 16, 17, 18 February  
14, 15, 16, 17 March

An ONR fire safety inspector made inspections on the following dates during the quarter:

20 January                      Regulatory Reform (Fire Safety) Order 2005

An ONR fault analysis inspector made inspections on the following dates during the quarter:

20, 21 January                Categorisation and classification of systems, structures and components important to safety and post-Fukushima follow-up

An ONR human factors inspector and an ONR inspector made inspections on the following dates during the quarter:

25-26 February              Duly authorised and other suitably qualified and experienced persons

An ONR superintending inspector and the incoming and outgoing ONR nominated site nuclear safety inspectors, together with Defence Nuclear Safety Regulator (DNSR) and Environment Agency inspectors, made inspections on the following dates during the quarter:

26 February                    Senior licensee/ regulators meeting

ONR's assessment of the licensee's decennial Periodic Review of Safety (PRS) continued during the quarter. As part of their assessment, various ONR specialist inspectors made inspections on the following dates during the quarter:

Civil engineering	27 January
Electrical, control & instrumentation	27 January
Fault analysis	9 February
Human factors	6 January, 3, 9 February, 15 March
Internal hazards	6 January, 9 February
Leadership and management for safety	2, 3 February, 14 March
Mechanical engineering	27 January, 3 February
Project inspection	6 January
Quality management	6 January, 3, 4 March
Nuclear liabilities	6 January

## 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 etc. 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 the Licence Conditions (LCs) 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 Devonshire Dock Complex covered the following:

- LC6 documents, records, authorities and certificates;
- LC9 instructions to persons on the site;
- LC12 duly authorised and other suitably qualified and experienced persons;
- LC24 operating instructions;
- LC28 examination, inspection, maintenance and testing;
- Conventional health and safety – Regulatory Reform (Fire Safety) Order 2005.

In general, ONR judged the arrangements made and implemented by the site in response to safety requirements to be adequate in the areas inspected. However, 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.

#### LC6 Documents, Records, Authorities and Certificates

The purpose of LC6 is to ensure that the licensee, BAE Systems Marine Limited (BAESML), makes adequate records to demonstrate compliance with the LCs and preserves these records. Following inspections some years ago an ONR issue was raised to monitor improvements to the arrangements in this area. ONR considers that significant improvements have now been made and this was confirmed during this inspection. However, in this inspection ONR identified documents of safety significance that were not being retained as records and documents that were not being preserved in the appropriate repository. Taking these factors into account ONR judged these aspects to require improvement. ONR added actions to the existing regulatory issue to track the required improvements: the licensee's response to these actions is scheduled to be provided by the end of August 2016.

#### LC9 Instructions to Persons on the Site

The purpose of LC9 is for BAESML to ensure that every person authorised to be on the site receives adequate instructions as regards the risks and hazards associated with the plant and its operations, the precautions to be observed and the action to be taken in the event of an accident or emergency on the site. The incoming ONR nominated site nuclear safety inspector used his induction training necessary to obtain his site access pass to assess the quality of the information received. He considered that BAESML's arrangements for compliance with LC9 have been effectively implemented on the site. ONR did, however,

identify an area for improvement in that the extent of information provided to new starters with respect to the appreciation of nuclear safety could be enhanced. BAESML agreed to make improvements. Taking these factors into account ONR judged the arrangements inspected under LC9 to be adequate.

#### LC12 Duly Authorised and Other Suitably Qualified and Experienced Persons

The purpose of LC12 includes a requirement for BAESML to make and implement adequate arrangements to ensure that only suitably qualified and experienced persons perform any duties which may affect the safety of operations on the site or any other duties required by the LCs. The outgoing ONR nominated site nuclear safety inspector led an inspection focussing on this requirement, which is the first clause of LC12 [referred to as LC12(1)] supported by an ONR human factors inspector and an ONR inspector. The incoming ONR nominated site nuclear safety inspector and DNSR also observed this inspection. The aims of this inspection were to:

- a. Undertake a planned inspection of LC12, focussing on LC12(1).
- b. Assess the progress that BAESML has made regarding compliance with an Improvement Notice served by an ONR inspector in December 2014 regarding contraventions against LC12.
- c. Identify any final additional information needed for the outgoing ONR nominated site nuclear safety inspector, who is responsible for monitoring BAESML's progress relating to the Notice, to be of the opinion that it has been complied with.

In relation to the planned inspection of LC12, ONR observed commitment at all levels of BAESML to evolve and further embed the arrangements into systems that will both meet regulatory expectations and deliver significant benefit to BAESML. From the evidence sampled, ONR judged that BAESML's arrangements to comply with the requirements of LC12(1) are adequate. ONR acknowledged that BAESML is implementing new arrangements in this area and a number of shortfalls, as well as areas of good practice, were observed. Taking these factors into account ONR judged the arrangements inspected under LC12 to be adequate.

In relation to compliance with the LC12 Improvement Notice ONR concluded that considerable progress towards compliance had been demonstrated but that a limited amount of further information was required before ONR could conclude that the Improvement Notice had been complied with. This information was provided in the quarter and a final ONR statement on the Notice is provided in Section 4 "Regulatory Activity".

#### LC24 Operating Instructions

The purpose of LC24 is for BAESML to ensure that all operations which may affect safety are carried out in accordance with written instructions referred to as operating instructions. The ONR inspection of LC24 was undertaken jointly with an inspector from the Defence Nuclear Safety Regulator (DNSR). ONR considered that BAESML's arrangements for compliance with LC24 have been effectively implemented. ONR did, however, identify an improvement that should be made, which related to the observation that a safety case requirement had not been transposed into a procedure. BAESML agreed to make the required improvement. Taking these factors into account ONR judged the arrangements inspected under LC24 to be adequate.

#### LC28 Examination, Inspection, Maintenance and Testing

The purpose of LC28 is to ensure that BAESML makes and implements adequate arrangements for the regular and systematic examination, inspection, maintenance and testing (EIM&T) of all plant which may affect safety. ONR inspectors undertook an inspection of LC28 with DNSR, during which DNSR and ONR focussed on different specific EIM&T most relevant to their specific regulatory interests. In this inspection, ONR considered that the lack of an integrated management system has led to both the arrangements and the implementation of the arrangements being incomplete and unclear. In addition, multiple local

repositories for data led to BAESML experiencing significant difficulties in providing evidence during the inspection. In addition, suitably qualified and experienced persons have not been formally appointed to control and supervise EIM&T as required by LC28. Taking these factors into account ONR judged the arrangements inspected under LC28 to be below standard and a regulatory issue was raised to track the improvements required.

#### Conventional Health and Safety – Regulatory Reform (Fire Safety) Order 2005

The purpose of this inspection was to confirm that the General Fire Safety provisions on site are adequate and to confirm compliance with the requirements of the Regulatory Reform (Fire Safety) Order 2005 is being achieved. It was noted that fire safety has a very good level of support within BAESML through to the Board. Continued investment in providing both personnel and resources is positive and the planning for the site redevelopment work is well advanced with a competent framework being assembled to deal with this significant package of work. A number of minor actions were identified that when completed will improve what is already in place; the Fire Safety Manager will confirm how they are to be addressed.

## **2.2 Other work**

#### BAE Systems Marine Limited Local Liaison Committee

The outgoing ONR nominated site nuclear safety inspector attended the BAESML Local Liaison Committee meeting on 2 February.

#### Senior Licensee/ Regulators Meeting

The meeting was presented with an overview of current and future challenges for the site and it dealt openly with safety issues. The most significant matter under discussion was the extent of relicensing at the Barrow site to accommodate Successor related activities. A strategic way forward was agreed, which will be worked through carefully between all interested parties at subsequent lower level meetings.

#### Meeting With Safety Representatives

The incoming and outgoing ONR nominated site nuclear safety inspectors held a periodic meeting with safety representatives, to support their function of representing employees and receiving information on matters affecting their health, safety and welfare at work.

#### Review ONR Issues With BAESML

ONR reviewed BAESML's progress with issues from the ONR issues database and concluded that adequate progress was being made relating to all but one issue, which related to the BAESML management system. ONR considered that progress relating to this issue was not adequate and BAESML agreed to provide a re-baselined improvement programme for discussion with ONR in April.

#### Periodic Review of Safety

BAESML submitted its PRS on 8 October 2015. ONR and DNSR specialist inspectors have made progress with their assessment of the submission during the quarter. ONR's will decide the outcome from its review of the Site PRS in the summer and write to BAESML in August 2016.

## **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 was notified of six incidents during the quarter; two of these, an electrical fire on 2 February and a fire on 24 February, were reported only because Cumbria Fire and Rescue Service attended site under blue lights. In neither case was there a risk to nuclear safety.

For the remaining events there were also no nuclear safety implications due to the status of the build programme in the Devonshire Dock Hall at the time. The events were, however, appropriately reported to ONR. They have been or will be followed up by ONR during routine interventions once BAESML's own investigations have been completed.

#### **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' (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 during the period.

In the previous quarter (on 8 December 2015), ONR granted a three-month extension (to 31 March 2016) to an Improvement Notice served on BAESML on 3 December 2014 following failure to demonstrate that only suitably qualified and experienced persons perform any duties which may affect the safety of operations on the site or any other duties required under the nuclear site licence conditions. ONR's media release relating to granting of this extension is at <http://news.onr.org.uk/2015/12/onr-grants-improvement-notice-extension-to-bae-systems-marine-ltd/>.

In this quarter ONR conducted a LC12 "Duly Authorised and Other Suitably Qualified and Experienced Persons" inspection, one purpose of which was to assess the progress that BAESML has made regarding compliance with the Notice. Details of this inspection are provided in Section 2. Following that inspection, BAESML provided further information relating to the Notice. Having reviewed this information, the outgoing ONR nominated site nuclear safety inspector wrote to BAESML on 18 March to confirm that in his opinion the Notice had been complied with. ONR's media release relating to this matter is at <http://news.onr.org.uk/2016/03/bae-systems-marine-ltd-complies-with-improvement-notice/>.

## 5 NEWS FROM ONR

### Chief Nuclear Inspector appointment

ONR announced the appointment of Dr Richard Savage as its new Chief Nuclear Inspector (CNI) to lead our regulatory activity. Richard is a Chartered Engineer with an extensive background in nuclear safety and regulation. He served as Head of the Defence Nuclear Safety Regulator, Ministry of Defence, before being appointed to ONR as a Deputy Chief Nuclear Inspector in 2013. He was Acting CNI since Dr Andy Hall's retirement in November 2015.

### ONR Strategic Plan 2016-2020

In March, ONR published its Strategic Plan covering 2016-2020. The plan sets out the factors that will influence our work and the assumptions we have made about regulating the nuclear sector in the next few years, as well as how we deliver the commitments we have made to the public, ministers and government, licensees, dutyholders and our staff. The plan was laid in Parliament on 22 March and can be viewed on the ONR website.

### Regulation Matters magazine

Insight into ONR's work as an independent regulator of the nuclear industry can be found in Regulation Matters. This quarterly online publication (<http://www.onr.org.uk/regulation-matters.htm>) reports on the key themes and developments in each of ONR's regulatory programmes and provides an update about the on-going changes at ONR. For the latest news and updates from ONR, you can also visit the website and sign up for our e-bulletin: <http://www.onr.org.uk/index.htm>.

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