



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

Report for period 1 June – 30 September 2018

## 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 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/llc/>).

Site inspectors from ONR usually attend BAE Systems Marine Limited LLC meetings where these reports are presented 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 inspectors visited the site on the following dates during the report period 1 June to 30 September 2017:

- 2 July 2018.
- 10-12 July 2018.
- 26-27 July 2018.
- 18 August 2018.
- 20-22 August 2018.
- 04 September 2018.
- 17-18 September 2018.
- 25 September.

## 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 1999 (IRR99) and the Management of Health and Safety at Work Regulations 1999 (MHSWR99).

The inspections entail monitoring the 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 of the Devonshire Dock Complex, Barrow covered the following:

- Emergency arrangements.
- Organisational Capability.
- Radioactive waste management.

#### **Emergency arrangements**

On 11 July 2018, a joint ONR / Defence Nuclear Safety Regulator (DNSR) team assessed the annual on-site emergency exercise (INDIGO 18). This exercise was to demonstrate BAE Submarines Limited's (BAESML) emergency preparedness and response arrangements, made under the licence and authorisation conditions. ONR judged that BAESML provided an adequate demonstration of its emergency preparedness.

#### **Organisational Capability**

ONR inspectors carried out an inspection of BAESML's arrangements, and their implementation, made under Licence Condition (LC) 36 for Organisational Capability. This included a review of BAESML baseline assessments for the posts and roles that have an immediate impact on nuclear safety. ONR concluded that BAESML has adequate arrangements for managing its capability.

## Radioactive waste management

ONR Inspectors attended site to conduct an intervention against Licence Condition (LC) 32 (Accumulation of radioactive waste), LC 33 (Disposal of radioactive waste) and LC 34 (Leakage and escape of radioactive material and radioactive waste). This intervention was conducted alongside the Environment Agency (EA), who undertook an inspection against compliance with the relevant site Environmental Permit. On the basis of the evidence sampled for the management of radioactive waste across the licenced site, the licensee demonstrated that it has adequate arrangements that are suitably implemented on the site for management of radioactive waste.

### 2.2 Other work

ONR issues a revised site licence. See section 4 below.

## 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 three minor fire events during September all involving "hot work" i.e. welding. In response to these events, BAESML ceased all hot work operations to implement corrective measures to prevent any further events. Before hot work operations were restarted ONR inspectors attended site to gain assurance that the corrective actions, including modified arrangements and improved operator briefings, were sufficient to ensure there was no risk of serious personal injury from such operations. Based on the evidence sampled ONR inspectors judged that the corrective actions were sufficient to allow hot work operations to restart. ONR will monitor actions to further improve safety in this area through routine regulatory engagement.

ONR was notified of a "fire call" event, triggered by smoke emanating from wiring, on the submarine moored at wet dock key, which resulted in the attendance of Cumbria Fire and Rescue Service. An ONR inspector took the opportunity to follow up this event on the following day whilst on site for other business. ONR was satisfied that BAESML's response to the fire call was adequate, and took immediate actions to understand the cause and prevent further occurrence. ONR will monitor any further learning and implementation of identified corrective actions, once the cause is better understood.

## 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.

- Revised site licence issued: ONR issued a new nuclear site licence for the Devonshire Dock Complex. A new licence was requested to allow BAESML to enlarge the current nuclear licensed site for the construction of two new facilities at the north-western end of the site. This new licence (number 42C) will replace the existing licence (numbered 42B) from 01 October 2018.

## News from ONR - July - September, 2018

### Stakeholder Engagement

- In August our Chief Nuclear Inspector Mark Foy and Deputy Chief Inspector Mina Golshan, hosted a webinar for stakeholders on the outcomes of the UK report to the Joint Convention. This is a new channel of communication which we have introduced, and further webinars are planned for November and February 2019. If you would like to find out more, please contact the ONR Communications team at [contact@onr.gov.uk](mailto:contact@onr.gov.uk)
- The ONR/NGO engagement forum took place on 11 October in London. This is a forum to discuss strategic, cross-cutting regulatory matters. Site specific matters are normally addressed via Site Stakeholder Groups. We are always keen to engage with a range of stakeholders and groups on nuclear safety and security issues, so if you do represent a nuclear-interest Non-Governmental Organisation, and are not already involved through our forum or via a Site Stakeholder Group, then please get in touch with the ONR Communications team for further details, via [contact@onr.gov.uk](mailto:contact@onr.gov.uk)

### Regulatory News

- On 25 July we announced our decision to prosecute the Atomic Weapons Establishment for offences under Section 2 (1)\* of the Health and Safety at Work etc. Act (1974). This charge related to an electrical incident on 27 June, 2017, which resulted in injury to an AWE employee. The incident was a conventional health and safety matter and there was no radiological risk to workers or the public. At a court hearing on 18 September, AWE pleaded guilty to the charge and sentencing was adjourned until 9 November, 2018.

In a separate case brought by ONR, EDF Energy Nuclear Generation Ltd and Doosan Babcock Ltd pleaded guilty on 10 October, 2018) to offences under the Health & Safety at Work etc. Act 1974, section 3(1) and the Work at Height Regulations 2005, Regulation 4(1) respectively. The charges relate to an incident on 12 April 2017 at the Hinkley Point B nuclear power station, which resulted in a serious injury to a Doosan Babcock Ltd employee. Following a hearing at Taunton Magistrates Court, the case was committed for sentencing at Taunton Crown Court with an initial hearing date set for 16 November 2018, although this date is subject to change.

Both of these cases related to conventional, industrial-type incidents that would have been subject to regulation by the Health and Safety executive prior to ONR's creation four years ago, when we gained responsibility for such matters on licensed sites. There was no radiological risk to workers or the public.

Updates on each case will be published on our website [www.onr.org.uk](http://www.onr.org.uk)

- We have recently published our [Statement of civil incidents](#) meeting the Ministerial Reportable Criteria (MRC) reported to ONR - Q2 2018 (1 April 2018 to 30 June 2018). Full details are available on our [website](#).

## **Corporate News**

- In July we published our second [gender pay report](#). The organisation-wide results show that ONR has a mean gender pay gap of 35.2%, which is wider than last year, although it is broadly similar to the rest of the UK nuclear industry and anticipated given our workforce profile, and that of the industries from which we have historically recruited. ONR is committed to addressing this issue and continues to focus on improving diversity and inclusion.
- Our Chief Executive, Adrienne Kelbie, has agreed a three-year contract extension, taking her term of employment to January 2022.
- The Department for Work and Pensions has started the process for recruiting a new ONR Chair (further details can be found on the [public appointments website](#)). Our current Chair, Nick Baldwin CBE, will remain in office until 31 March, 2019.

**ENDS**

## **5 CONTACTS**

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