



**Relicensing Research Sites Restoration Limited Sites to Magnox Limited  
Initial Approval of Terms of Reference of a Nuclear Safety Committee**

Project Assessment Report ONR-DFW-PAR-14-022  
Revision 0  
24 March 2015

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## EXECUTIVE SUMMARY

### Title

Initial Approval of Terms of Reference of a Nuclear Safety Committee for Harwell and Winfrith.

### Permission Requested

The licensee, Magnox Limited (MXL), has requested the Office for Nuclear Regulation's (ONR's) 'Approval' of the Terms of Reference (ToR) of its Nuclear Safety Committees (NSCs) at Harwell and Winfrith under Licence Condition (LC) 13(2).

### Background

On 1 September 2014, the Cavendish Fluor Partnership (CFP) became the Parent Body Organisation (PBO) of ten MXL sites and the two Research Sites Restoration Limited (RSRL) sites at Harwell and Winfrith. As part of the PBO's Management of Change (MoC) strategy, the Harwell and Winfrith sites have been relicensed to MXL. This relicensing involved the granting of new Nuclear Site Licence (NSL) 100 for "Magnox Limited Winfrith" and new NSL 101 for "Magnox Limited Harwell" and granting revocations for the old licences for these sites.

LC 13(1) requires a licensee to establish an NSC to consider and advise on safety matters. In addition, LC 13(2) requires a licensee to submit to ONR for Approval the ToR of any such NSC and requires the licensee not to form an NSC without such an Approval. The existing ONR Approvals for RSRL Harwell and RSRL Winfrith will fall when the new NSLs for these sites come into force. Since LC 13(1) requires an NSC but one cannot form without ONR Approval, it is necessary for ONR to grant these Approvals (one for each site) and for them to come into effect before the new NSLs come into force. For this reason, ONR has prepared this Project Assessment Report (PAR) and the associated Approvals. The timing of these Approvals is such that they will come into effect before the new NSLs come into force.

### Assessment and inspection work carried out by ONR in consideration of this request

The following assessment and inspection work was undertaken:

- a. Co-ordination of assessment of the proposed NSC ToR by several ONR inspectors.
- b. An LC 13 inspection at Harwell.
- c. Consideration of the membership of the new NSCs.

### Matters arising from ONR's work

All issues identified during the assessment and inspection work carried out by ONR in consideration of this request that needed to be addressed prior to granting these Approvals have been resolved.

The requirement to formally furnish the names, qualifications, particulars of current posts held and the previous relevant experience of the members of the Magnox Limited Harwell and the Magnox Limited Winfrith NSCs when these Approvals come into effect has been captured as part of ONR Issue ID 3313 "Relicensing RSRL Sites to MXL - Post Relicensing Actions". Since this requirement only applies after these Approvals come into effect, it does not prejudice the granting of these Approvals.

### Conclusions

ONR has assessed the proposed ToR of the Magnox Limited Harwell and the Magnox Limited Winfrith NSCs and concludes that no issues remain with the ToR submitted for Approval.

The Harwell and Winfrith Site Inspector (H&WSI) led a LC 13 inspection at Harwell in February 2015 and considered that the LC 13 arrangements at Magnox Limited Harwell and Magnox Limited Winfrith are adequate.

Since there will be no change in NSC membership from the RSRL Harwell and RSRL Winfrith NSCs, ONR is satisfied that the Magnox Limited Harwell and the Magnox Limited Winfrith NSCs will be able to function effectively when these Approvals come into effect.

**Recommendation**

It is recommended that the Superintending Inspector:

- a. Signs this Project Assessment Report to confirm support for the ONR technical and regulatory arguments that justify issuing Magnox Limited Harwell Licence Instrument 500 and Magnox Limited Winfrith Licence Instrument 500.
- b. Signs this Project Assessment Report approving its release for publication, after redaction where appropriate.

It is further recommended that the Chief Nuclear Inspector or a Deputy Chief Nuclear Inspector signs Harwell Licence Instrument 500 and Winfrith Licence Instrument 500, which grants Approvals under LC 13(2) of the ToR of the Magnox Limited Harwell and the Magnox Limited Winfrith NSCs.

## LIST OF ABBREVIATIONS

CFP	Cavendish Fluor Partnership
H&WSI	Harwell & Winfrith Site Inspector
LC	Licence Condition
LI	Licence Instrument
MoC	Management of Change
MXL	Magnox Limited
NSC	Nuclear Safety Committee
NSL	Nuclear Site Licence
ONR	Office for Nuclear Regulation
PAR	Project Assessment Report
PBO	Parent Body Organisation.
RSRL	Research Sites Restoration Limited
TIG	(ONR Nuclear Safety) Technical Inspection Guide
ToR	(NSC) Terms of Reference

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## **1 PERMISSION REQUESTED**

1. The licensee, MXL, has requested [1] ONR's 'Approval' of the ToR of its NSCs at Harwell and Winfrith under LC 13(2).

## **2 BACKGROUND**

2. On 1 September 2014, CFP became the PBO of ten MXL sites and the two RSRL sites at Harwell and Winfrith. As part of the PBO's MoC strategy, the Harwell and Winfrith sites have been relicensed to MXL [2]. This relicensing involved the granting of new NSL 100 for "Magnox Limited Winfrith" and new NSL 101 for "Magnox Limited Harwell", and the granting of revocations for the old licences for these sites. A pre-condition of ONR granting the Approvals requested is that ONR has granted the permissions required to relicense the Harwell and Winfrith sites to MXL. This pre-condition is included in Section 6 "Recommendations" of this PAR. The remainder of this PAR is written on the basis that the permissions required to relicense the Harwell and Winfrith sites to MXL have been granted.
3. LC 13(1) requires a licensee to establish an NSC to consider and advise on safety matters. In addition, LC 13(2) requires a licensee to submit to ONR for Approval the ToR of any such NSC and requires the licensee not to form an NSC without such Approval. The existing ONR Approvals for RSRL Harwell and RSRL Winfrith will fall when the new NSLs for these sites come into force. Since LC 13(1) requires an NSC but one cannot form without ONR Approval, it is necessary for ONR to grant these Approvals and for them to come into effect before the new NSLs come into force. For this reason, ONR has prepared this PAR and the associated Approvals and will present the Approvals for granting if the relicensing permissions are granted. The timing of these Approvals is such that they will come into effect before the new NSLs come into force.

## **3 ASSESSMENT AND INSPECTION WORK CARRIED OUT BY ONR IN CONSIDERATION OF THIS REQUEST**

### **3.1 Scope**

4. On 22 January 2009, ONR granted LC 13(2) Approvals for the RSRL Harwell and the RSRL Winfrith [3] NSC ToR to come into effect on 23 January 2009. Reference [4] is the PAR supporting these Approvals whilst reference [5] includes the NSC ToR. These Approvals were in effect until they fell on relicensing.
5. MXL has adopted an approach of minimising the changes to the Approved RSRL NSC ToR at the point of relicensing [6]. This has limited the need for significant ONR assessment and inspection work.

### **3.2 Structure of this PAR**

6. The following topics are covered:
  - a. Standards and criteria (Section 3.3).
  - b. Assessment of the proposed NSC ToR (Section 3.4).
  - c. LC 13 inspection at Harwell in February 2015 (Section 3.5).
  - d. Membership of the new NSCs (Section 3.6).
  - e. Consultation (Section 3.7).

- f. Legal aspects (Section 3.8).

### **3.3 Standards and Criteria**

7. ONR Nuclear Safety Technical Inspection Guides (TIG) NS-INSP-GD-013 “LC13 Nuclear Safety Committee” has been used [7].

### **3.4 Assessment of the Proposed NSC ToR**

8. MXL provided draft proposed NSC ToR and a draft request letter on 28 January 2015 [8]. Comments on these drafts were gathered from the ONR relicensing team (Site Licensing Specialist, Magnox Limited Corporate Inspector, Human & Organisational Capability Specialist Inspector and the H&WSI) and provided to MXL and RSRL on 2 February 2015 [9].
9. RSRL provided revised draft proposed NSC ToR and a revised draft request letter on 18 February 2015 [10]. Final ONR relicensing team comments were provided on 20 February 2015 [11], and the final request letter and proposed NSC ToR [1] have taken on board these final ONR relicensing team comments.

### **3.5 LC 13 Inspection at Harwell in February 2015**

10. An LC 13 inspection took place at Harwell in February 2015 [12]. The first part of this inspection considered RSRL’s current LC 13 arrangements and their implementation, and is not relevant to this PAR. The second part considered the LC13 arrangements that were proposed to be in place when the Harwell and Winfrith sites are relicensed to MXL.
11. In relation to the proposed LC 13 arrangements, the H&WSI focussed on the LC 13 compliance schedule and identified several inconsistencies which would mean that the proposed arrangements would not meet ONR’s LC 13 requirements. ONR Issue ID 3273 was raised, but has now been closed. The LC 13 arrangements at Magnox Limited Harwell and Magnox Limited Winfrith are therefore considered adequate.

### **3.6 Membership of the New NSCs**

12. RSRL has confirmed [13] that the membership of the Magnox Limited Harwell and the Magnox Limited Winfrith NSCs will be unchanged from the membership of the RSRL Harwell and the RSRL Winfrith NSCs and has provided the names, qualifications, particulars of current posts held and the previous relevant experience of the members [13]. This information will be formally furnished as per LC 13(5) following the coming into effect of the Approvals of the NSC ToR. This requirement has been captured as part of ONR Issue ID 3313 “Relicensing RSRL Sites to MXL - Post Relicensing Actions”. Since this requirement only applies after these Approvals come into effect, it does not prejudice the granting of these Approvals.
13. Since there will be no change in NSC membership, ONR is satisfied that the Magnox Limited Harwell and the Magnox Limited Winfrith NSCs will be able to function effectively from the coming into effect of these Approvals.

### **3.7 Consultation**

14. Since full consultation has taken place relating to relicensing (see Section 8 of reference [2]) it is considered that all relevant aspects were covered and further consultation on this proposal is not appropriate.



### **3.8 Legal Aspects**

15. Licence Instruments (LIs) [14], [15] have been drafted in response to the licensee's request for Approvals under Licence Condition 13(2) of the ToR of the Harwell and Winfrith NSCs. These LIs are one of the standard formats given within ONR procedures and so they do not require review by Treasury Solicitor's Department.

## **4 MATTERS ARISING FROM ONR'S WORK**

16. All issues identified during the assessment and inspection work carried out by ONR in consideration of this request that needed to be addressed prior to granting these Approvals have been resolved.
17. The requirement to formally furnish the names, qualifications, particulars of current posts held and the previous relevant experience of the members of the Magnox Limited Harwell and the Magnox Limited Winfrith NSCs following the coming into effect of these Approvals has been captured as part of ONR Issue ID 3313 "Relicensing RSRL Sites to MXL - Post Relicensing Actions". Since this requirement only applies after these Approvals come into effect, it does not prejudice the granting of these Approvals.

## **5 CONCLUSIONS**

18. ONR has assessed the proposed ToR of the Magnox Limited Harwell and the Magnox Limited Winfrith NSCs and concludes that no issues remain with the ToR submitted for Approval.
19. An LC 13 inspection at Harwell in February 2015 found that the LC 13 arrangements at Magnox Limited Harwell and Magnox Limited Winfrith are adequate.
20. Since there will be no change in NSC membership from the RSRL Harwell and RSRL Winfrith NSCs, ONR is satisfied that the Magnox Limited Harwell and the Magnox Limited Winfrith NSCs will be able to function effectively from the coming into effect of these Approvals.

## **6 RECOMMENDATIONS**

21. The H&WSI recommends that the Superintending Inspector:
  - a. Signs this Project Assessment Report to confirm support for the ONR technical and regulatory arguments that justify issuing Magnox Limited Harwell Licence Instrument 500 and Magnox Limited Winfrith Licence Instrument 500.
  - b. Signs this Project Assessment Report approving its release for publication, after redaction where appropriate.
22. Provided the permissions required to relicense the Harwell and Winfrith sites to Magnox Limited have been granted, it is recommended that the Chief Nuclear Inspector or a Deputy Chief Nuclear Inspector signs Harwell Licence Instrument 500 and Winfrith Licence Instrument 500, which grants Approvals under LC 13(2) of the ToR of the Magnox Limited Harwell and the Magnox Limited Winfrith NSCs.

## 7 REFERENCES

- 1 MXL letter MXL32242/Y, dated 26 February 2015. "Nuclear Installations Act 1965 (As Amended). Magnox Limited. Harwell, Proposed Nuclear Site Licence No. 101. Winfrith, Proposed Nuclear Site Licence No. 100. Request for Approvals Under Licence Condition 13(2) of the Terms of Reference of the Harwell and Winfrith Nuclear Safety Committees". (TRIM 2015/79409)
- 2 ONR Project Assessment Report ONR-DFW-PAR-14-018, "Cavendish Fluor Partnership Management of Change Strategy. Harwell and Winfrith. Relicensing Research Sites Restoration Limited Sites to Magnox Limited". (TRIM 2014/459013)
- 3 Site Licence No: 84, Licence Instrument No: 500, Approval Granted Under Condition 13(2) on 22 January 2009. (TRIM 2009/28374)  
&  
Site Licence No: 85, Licence Instrument No: 500, Approval Granted Under Condition 13(2) on 22 January 2009. (TRIM 2009/28374)
- 4 Division 2 Project Assessment Report No: 004/2009, "Project: Research Sites Restoration Limited Separation and Relicensing. Sites: Harwell and Winfrith. Title: Harwell and Winfrith Sites Relicensing. Site Licence Nos: 84 and 85. Licence Instrument: 500 (for each site). Licence Condition: 13(2)". (TRIM 2009/22456)
- 5 RNSC(09)P001. "Licence Condition 13: Research Sites Restoration Ltd Nuclear Safety Committee. Terms of Reference". (TRIM 2009/13380)
- 6 MXL and RSRL, "Note for the Record – Regulatory Engagement Meeting 7 of Meeting Series 2 Management of Change (MoC) and Organisational Structure. Date: 19/01/2015". (TRIM 2015/108351)
- 7 "LC13 Nuclear Safety Committee" NS-INSP-GD-013 Revision 2. ONR. April 2013. ([http://www.onr.org.uk/operational/tech\\_insp\\_guides/index.htm](http://www.onr.org.uk/operational/tech_insp_guides/index.htm))
- 8 e-mail from MXL to ONR, dated and timed 28 January 2015, 16:50. "MAR052 - Magnox / RSRL Relicensing - Draft NSC ToR Request Letter and Draft NSC ToR Provided 28 January 2015". (TRIM 2015/108362)
- 9 e-mail from ONR to MXL and RSRL, dated and timed 2 February 2015, 11:52. "MAR052 - Magnox / RSRL Relicensing - ONR Comments on Draft NSC ToR Request Letter and Draft NSC ToR". (TRIM 2015/39948)
- 10 e-mail from RSRL to ONR, dated and timed 18 February 2015, 17:29. "MAR052 - Magnox / RSRL Relicensing - Revised Draft NSC ToR Request Letter and Revised Draft NSC ToR Provided 18 February 2015 ( Includes First Draft Fast Track Request Letter and Proposed Arrangements )". (TRIM 2015/108363)
- 11 e-mail from ONR to MXL and RSRL, dated and timed 20 February 2015, 12:14. MAR052 - Magnox / RSRL Relicensing - ONR Comments on Revised Draft NSC ToR Request Letter and Draft NSC ToR Provided 18 February 2015. (TRIM 2015/66550)
- 12 ONR Intervention Record ONR-DFW-IR-14-217, dates of intervention 23 February to 26 February 2015. (TRIM 2015/59421)

- 13 e-mail from RSRL to ONR, dated and timed 13 March 2015, 08:15. "MAR052 - Magnox / RSRL Relicensing - Approval of the NSC ToR - CVs of Proposed MXL Harwell & MXL Winfrith NSC Members". (TRIM 2015/97391)
- 14 Site Licence No: 101, Licence Instrument No: 500. March 2015. Nuclear Installations Act 1965 (As Amended). Approval Granted under Condition 13(2) of Schedule 2 attached to Nuclear Site Licence No: 101. Harwell. (TRIM 2015/47077)
- 15 Site Licence No: 100, Licence Instrument No: 500. March 2015. Nuclear Installations Act 1965 (As Amended). Approval Granted under Condition 13(2) of Schedule 2 attached to Nuclear Site Licence No: 100. Winfrith. (TRIM 2015/47075)