



**Magnox Ltd Record Retention Period**

**Proposal to withdraw the approval of the record preservation period**

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## EXECUTIVE SUMMARY

### Proposal to withdraw the approval of the record preservation period

#### Permission Requested

Magnox Limited, the licensee, has requested the Office for Nuclear Regulation (ONR) withdraw the approval of the generic record preservation period. This approval is currently in force at its sites at Berkeley, Bradwell, Chapelcross, Dungeness A, Hinkley Point A, Hunterston, Oldbury, Sizewell A, Trawsfynydd and Wylfa.

#### Background

Licence Condition (LC) 6 requires the licensee to make adequate records to demonstrate compliance with any of the conditions attached to the nuclear site licence. LC6(2) requires such records to be preserved for 30 years or such other periods as ONR may approve.

Magnox Electric PLC (now MxL) defined a common Record Retention Schedule (RRS) that it considered suitable for operational power generating sites. This RRS identified the records that should be retained by sites to demonstrate compliance with LC's and also identified a record retention period of less than 30 years for some records. Magnox Electric PLC requested that the Executive (now ONR) approve this RRS for all of its sites. This RRS was Approved for the ten Magnox reactor sites. This means that the RRS cannot be amended without either new Approval or the withdrawal of the current Approval.

Since this common RRS was approved, all of these sites have ceased generation and commenced decommissioning. During the operational phase, each site retained records in accordance with the RRS. Now that most of the sites have progressively defueled and entered a decommissioning phase, MxL is in possession of records that relate to radioactive inventory that has now been permanently removed from site (such as spent fuel) and plant that has been decommissioned and removed.

Ownership of the Magnox reactor sites and the associated assets, including records transferred to the Nuclear Decommissioning Authority (NDA) in 2004. The NDA are constructing a national nuclear archive to provide long-term storage of records; this will ultimately include MxL's records. However, the storage capacity of this archive exceeds the volume of records that are currently held by all licensees who comprise the NDA estate.

MxL now need to revise its arrangements to incorporate a process of review to identify those records that are required for decommissioning and final site clearance and those records that can be disposed of. In order to operate to this proposed arrangement, MxL will need to be able to change its RRS from time to time. To enable the RRS to be periodically revised, MxL have requested that ONR withdraws the approval of the generic record preservation period.

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

I have assessed MxL's proposed arrangements for record management. The most significant change being made in these proposed arrangements is the inclusion of arrangements for record review and disposal. MxL intends to convene a Company Records Committee to provide governance and oversight of company processes for record management and to ensure compliance to site licence conditions.

I am satisfied that Magnox Ltd has identified a director to oversee record management and that the Company Records Committee contains persons with sufficient expertise to make judgements on record disposal.

I found that the proposed arrangements are compliant with ONR guidance and that the arrangements for the storage of records will remain unchanged.

### **Matters arising from ONR's work**

There are no matters arising from my work.

### **Conclusions**

This report presents ONR's consideration of the MxL's requirement to amend its arrangements made under LC6(1) and 6(2) at Berkeley, Bradwell, Chapelcross, Dungeness A, Hinkley Point A, Hunterston, Oldbury, Sizewell A, Trawsfynydd and Wylfa.

I am satisfied that the proposed arrangements adequately address expectations set out in ONR inspection and assessment guidance.

I therefore consider that that these arrangements meet the requirements of LC6(1) and LC6(2) and recommend that ONR withdraws the approvals of the generic record preservation period.

### **Recommendations**

I recommend 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 Licence Instruments for the withdrawal of Approvals previously granted under Licence Condition 6(2) to the Magnox reactor sites.
- b. Signs this Project Assessment Report approving its release for publication, after redaction where appropriate.

I recommend that a Deputy Chief Nuclear Inspector signs the prepared Licence Instruments that will Withdraw Approvals previously granted under Licence Condition 6(2) at Magnox reactor sites.

## LIST OF ABBREVIATIONS

CRC	Company Records Committee
IAO	Information Asset Owner
IGO	Information Governance Officer
LC	Licence Condition
M&O	Management and Operations
MxL	Magnox Ltd
NDA	Nuclear Decommissioning Authority
ONR	Office for Nuclear Regulation
RRS	Record Retention Schedule
TAG	Technical Assessment Guide (ONR)
TIG	Technical Inspection Guide (TIG)

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## 1 PERMISSION REQUESTED

1. Magnox Limited (MxL), the licensee, has requested the Office for Nuclear Regulation (ONR) withdraw the approval of the generic record preservation period [Ref 1]. This approval is currently in force at its sites at Berkeley, Bradwell, Chapelcross, Dungeness A, Hinkley Point A, Hunterston, Oldbury, Sizewell A, Trawsfynydd and Wylfa.

## 2 BACKGROUND

2. Licence Condition (LC) 6 requires the licensee to make adequate records to demonstrate compliance with any of the conditions attached to the nuclear site licence. LC6(2) requires such records to be preserved for 30 years or such other periods as ONR may approve.
3. Magnox Electric PLC (now MxL) defined a common Record Retention Schedule (RRS) that it considered suitable for operational power generating sites. This RRS identified the records that should be retained by sites to demonstrate compliance with LC's and also identified a record retention period of less than 30 years for some records [Ref 2]. Magnox Electric PLC requested that the Executive (now ONR) approve this RRS for all of its sites [Ref 3]. Following assessment [Ref 4], the Executive Approved the common RRS for the ten Magnox reactor sites [Ref 5, 6, 7, 8, 9, 10, 11, 12, 13, 14]. This means that the RRS cannot be amended without either new Approval or the withdrawal of the current Approval.
4. Since this common RRS was approved, all of these sites have ceased generation and commenced decommissioning. During the operational phase, each site retained records in accordance with the RRS. Now that most of the sites have progressively defueled and entered a decommissioning phase, MxL is in possession of records that relate to radioactive inventory that has now been permanently removed from site (such as spent fuel) and plant that has been decommissioned and removed.
5. Ownership of the Magnox reactor sites and the associated assets, including records transferred to the Nuclear Decommissioning Authority (NDA) in 2004. The NDA are constructing a national nuclear archive to provide long-term storage of records and other archive material from civil nuclear sites in the UK. There is an expectation that MxL's records will be transferred to this archive in due course. However, the storage capacity of this archive exceeds the volume of records that are currently held by all licensees who comprise the NDA estate.
6. In order to manage its records MxL now needs to revise its arrangements to incorporate a process of review to identify those records that are required for decommissioning and final site clearance and those records that can be disposed of. MxL intends to implement new arrangements that will initially be common to the ten Magnox reactor sites and the corporate centre. It intends to extend these arrangements to Harwell and Winfrith sites by March 2016. In order to operate to this proposed arrangement, MxL will need to be able to change its RRS from time to time.
7. To enable the RRS to be periodically revised, MxL needs to apply to ONR to for a new approval for its revised arrangements or to request that the current approval is withdrawn. In order to be consistent with its regulation of other licensees, ONR has advised MxL that the current approvals should be withdrawn.

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

8. The following ONR Nuclear Safety Technical Assessment Guide (TAG) and Nuclear Safety Technical Inspection Guides (TIG) have been used to consider MxL proposed arrangements for record management.

- NS-TAST-GD-033, Licensee Management of Records [Ref 15];
- NS-INSP-GD-006 LC 6 Documents, records, authorities and certificates [Ref 16];
- NS-INSP-GD-025 LC25 Operational Records [Ref 17].

#### **3.1 MAGNOX ARRANGEMENTS FOR RECORD MANAGEMENT**

9. I have carried out an intervention [Ref 18] to inspect MxL's proposed arrangements [Ref 19] for record management to confirm that they are compliant to ONR guidance.

10. MxL's proposed arrangements require that a board member will act as Information Governance Officer (IGO) and will take overall responsibility for Information Governance. The IGO is responsible for:

- Assuring the overall governance of the records management systems and processes and for compliance with regulatory and customer conditions for information governance.

11. MxL's proposed arrangements [Ref 19] also identify the role of Information Asset Owner (IAO). At each site the IAO will be the Closure Director or their nominee. The IAO is responsible for:

- Identifying records for inclusion in the schedules;
- Indicating the retention period of the record or conditions to be met prior to disposal;
- Ensuring that the record is complete, signed by the appropriate verifiers and in a format appropriate for archiving;
- Control, storage, and review of their allocated records in accordance with this standard and the Records Schedule.

12. The most significant change to MxL's proposed arrangements is the inclusion of arrangements for record review and disposal. MxL intends to convene a Company Records Committee (CRC) to provide governance and oversight of company processes for record management and to ensure compliance to site licence conditions. I note that the purpose of the CRC will be to:

- Identify records required to meet the requirements of the Site Licence;
- Maintenance of a company-wide schedule of records to meet Site Licence conditions;
- To seek approval of variations to the schedules from the regulator where necessary;
- To sanction alterations to the schedules when circumstances change and require variations;
- To determine applications from IAOs for disposal of obsolete or redundant records;
- To seek review of disposals from the regulator where deemed necessary;
- To sanction disposal of obsolete or redundant record.



13. The CRC will be chaired by the IGO and will comprise senior staff representing
  - Design Authority;
  - Safety Case;
  - Care & Maintenance Management;
  - Quality and Assurance;
  - Legal.
14. IAO's must apply to the CRC for approval before any records are disposed of. I am satisfied that MxL has identified a director to oversee record management and that the CRC contains persons with sufficient expertise to make judgements on record disposal.
15. During my intervention [Ref 18], I found that the proposed arrangements are generally suitable and aligned with ONR guidance. MxL arrangements for the storage of records will remain unchanged. I did identify a number of details within these arrangements that should be improved or clarified. These findings were accepted by MxL and I have subsequently confirmed that appropriate amendments have been made to the proposed arrangements.

### **3.2 PROPOSED RECORD RETENTION SCHEDULE**

16. MxL's proposed arrangements include a revised RRS [Ref 20]. The revised RRS includes records that MxL consider that it needs to keep in order to meet its legal duties and business obligations. This proposed RRS identifies those records that MxL considers it needs to demonstrate compliance with any of the conditions attached to the nuclear site licence. MxL do not propose any immediate change to the schedule of records that it has identified that it needs to demonstrate compliance with nuclear site licence conditions or the retention periods of those records. Any future changes to this RRS will be overseen by the CRC.

### **3.3 ALIGNMENT OF MAGNOX AND NDA RECORD RETENTION SCHEDULES**

17. In anticipation of the National Nuclear Archive becoming operational, The NDA has published a policy for the management of all information relating to the NDA estate. [Ref 17]. This policy identifies a RRS [Ref 22] that NDA now requires its site licence companies to adopt. This NDA RRS is based on guidance published by regulators, national legislation and from the regulatory and business requirements of the NDA estate. Whilst ONR considers this RRS to be a model for use by licensees of NDA sites, it has established an intervention project to influence the NDA Information Governance Programme [Ref 23]. I have been advised that NDA has consulted MxL concerning the content of the NDA RRS and that MxL has been able to influence the NDA RRS.
18. I have carried out a comparison of the part of the NDA RRS that identifies the records required to demonstrate compliance with any of the conditions attached to the nuclear site licence, with the RRS that is included in MxL's proposed arrangements. I have found that there is good correlation between the MxL and NDA RRS's.

### **3.4 LEGAL ASPECTS**

19. I have drafted Licence Instruments (LIs) [Ref 24, 25, 26, 27, 28, 29, 30, 31, 32, 33] in response to the licensee's request for the Withdrawal of Approvals previously granted under Licence Condition 6(2). These LIs are one of the standard formats given within ONR procedures and so they do not require review by Government Legal Department.

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

20. There are no matters arising from my work.

## 5 CONCLUSIONS

21. This report presents ONR's consideration of the MxL's requirement to amend its arrangements made under LC6(1) and 6(2) at Berkeley, Bradwell, Chapelcross, Dungeness A, Hinkley Point A, Hunterston, Oldbury, Sizewell A, Trawsfynydd and Wylfa.

22. I am satisfied that the proposed arrangements adequately address expectations set out in ONR inspection and assessment guidance.

23. I therefore consider that that these arrangements meet the requirements of LC6(1) and LC6(2) and recommend that ONR withdraws the approvals of the generic record preservation period.

## 6 RECOMMENDATIONS

24. I recommend 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 Licence Instruments for the withdrawal of Approvals previously granted under Licence Condition 6(2) to the Magnox reactor sites.
- b. Signs this Project Assessment Report approving its release for publication, after redaction where appropriate.

25. I recommend that a Deputy Chief Nuclear Inspector signs the Licence Instruments, summarised in the table below, that will Withdraw Approvals previously granted under Licence Condition 6(2).

Licence Instrument Number	Nuclear Licenced Site No.
510	92 Berkeley Site
511	93 Bradwell Site
535	Sc.15 Chapelcross Nuclear Power Station
511	94 Dungeness A Site
507	95A Hinkley Point A Site
521	Sc.16 Hunterston
551	57A Oldbury
512	96 Sizewell A Site
528	81 Trawsfynydd Power Station
564	58a Wylfa

## 7 REFERENCES

1. MxL letter MXL 32250/R, dated 10 September 2015. Nuclear Installations Act 1965 (As Amended). Licence Condition 6 – Documents, Records, Authorities and Certificates. Withdrawal of Approvals of Record Retention Periods. (TRIM 2015/359284).
2. MxL document, Appendix A – Generic Site Licence Record Schedule, Model MCP 5/1, Issue 6. (TRIM 2015/376919).
3. MxL letter BTC 30248R, dated 13 September 2005. Nuclear Installations Act 1965 (As Amended). Magnox Electric PLC. Request for Approval of Record Retention Periods Under Licence Condition 6(2) - Documents, Records, Authorities and Certificates. (TRIM 2015/144970).
4. ONR Project Assessment Report 144/05, Approval of Site Licence Record Retention Periods. (TRIM 2015/482374).
5. Site Licence No: 80, Licence Instrument No: 506, Approval Granted Under Condition 6(2) on 19 October 2005. Transferred to Site Licence No: 92. (TRIM 2015/482386).
6. Site Licence No: 53, Licence Instrument No: 502, Approval Granted Under Condition 6(2) on 19 October 2005. Transferred to Site Licence No: 93. (TRIM 2015/482386).
7. Site Licence No: Sc. 15, Licence Instrument No: 510, Approval Granted Under Condition 6(2) on 23 January 2006. (TRIM 2015/482386).
8. Site Licence No: 55, Licence Instrument No: 505, Approval Granted Under Condition 6(2) on 19 October 2005. Transferred to Site Licence No: 94. (TRIM 2015/482386).
9. Site Licence No: 52A, Licence Instrument No: 502, Approval Granted Under Condition 6(2) on 19 October 2005. Transferred to Site Licence No: 95A. (TRIM 2015/482386)
10. Site Licence No: Sc16, Licence Instrument No: 503, Approval Granted Under Condition 6(2) on 19 October 2005. (TRIM 2015/482386).
11. Site Licence No: 57A, Licence Instrument No: 508, Approval Granted Under Condition 6(2) on 19 October 2005. (TRIM 2015/482386).
12. Site Licence No: 51, Licence Instrument No: 506, Approval Granted Under Condition 6(2) on 19 October 2005. Transferred to Site Licence No: 96. (TRIM 2015/482386).
13. Site Licence No: 81, Licence Instrument No: 504, Approval Granted Under Condition 6(2) on 19 October 2005. (TRIM 2015/482386).
14. Site Licence No: 58A, Licence Instrument No: 510, Approval Granted Under Condition 6(2) on 19 October 2005. (TRIM 2015/482386).
15. ONR HOW2 Guide – Licensee Management of Records - NS-TAST-GD-033 Revision 4. March 2013. <http://www.onr.org.uk/operational/assessment/index.htm>
16. ONR HOW2 Guide - LC 6 Documents, records, authorities and certificates – NS-INSP-GD-006 revision 0. October 2015. [http://www.onr.org.uk/operational/tech\\_insp\\_guides/index.htm](http://www.onr.org.uk/operational/tech_insp_guides/index.htm)
17. ONR HOW2 Guide – LC25 Operational Records NS-INSP-GD-025 revision 2. February 2013. [http://www.onr.org.uk/operational/tech\\_insp\\_guides/index.htm](http://www.onr.org.uk/operational/tech_insp_guides/index.htm)

18. ONR Intervention Report ONR-DFW-IR-15-045, "Magnox Ltd Corporate Compliance Inspection – LC6". 15 June 2015. (TRIM 2015/51213)
19. Magnox Document - S-419 - Creation, Storage and Management of Records Issue 3 Draft. (TRIM 2015/144970).
20. Magnox Document – F620 Site record Schedule Issue 2 Draft. (TRIM 2015/144975)
21. Managing NDA Information: Requirements Doc No IMP06 Rev 1. January 2015.  
<http://www.nda.gov.uk/publication/imp06-managing-nda-information-requirements/>
22. IMG02: NDA Records Retention Schedule Version 1 - April 2015.  
<http://www.nda.gov.uk/publication/img02-nda-records-retention-schedule/>
23. ONR Task Sheet NLR014, "NDA Information Governance Programme (IGP)". December 2015. (TRIM 2015/479254).
24. Site Licence No: 92, Berkeley - Licence Instrument No 510, Withdrawal of LC6(2) Agreement, February 2016, (TRIM 2016/61575).
25. Site Licence No: 93, Bradwell - Licence Instrument No 511, Withdrawal of LC6(2) Agreement, February 2016, (TRIM 2016/61576).
26. Site Licence No Sc.15, Chapelcross - Licence Instrument No 535, Withdrawal of LC6(2) Agreement, February 2016, (TRIM 2016/61582).
27. Site Licence No 94, Dungeness A, Licence Instrument No 511, Withdrawal of LC6(2) Agreement, February 2016 (TRIM 2016/61584).
28. Site Licence No 95A, Hinkley A, Licence Instrument No 507, Withdrawal of LC6(2) Agreement, February 2016, (TRIM 2016/61592).
29. Site Licence No Sc.16, Hunterston A, Licence Instrument No 521, Withdrawal of LC6(2) Agreement, February 2016, (TRIM 2016/61594).
30. Site Licence No 57A, Oldbury, Licence Instrument No 551, Withdrawal of LC6(2) Agreement, February 2016, (TRIM 2016/61596).
31. Site Licence No 96, Sizewell A, Licence Instrument No 512, Withdrawal of LC6(2) Agreement, February 2016, (TRIM 2016/61603).
32. Site Licence No 81, Trawsfynydd, Licence Instrument No 528, Withdrawal of LC6(2) Agreement, February 2016, (TRIM 2016/61633).
33. Site Licence No 58A, Wylfa - Licence Instrument No 564, Withdrawal of LC6(2) Agreement, February 2016, (TRIM 2016/61643).