



Amendments to Magnox's Licence Condition 13 Arrangements

**ONR Approval for the Alteration or Amendment of Magnox Fleet Arrangements under
Licence Conditions 13(3) and 13(12).**

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EXECUTIVE SUMMARY

Amendments to Magnox's Licence Condition 13 Arrangements

This report describes the Office for Nuclear Regulation's (ONR) consideration of Magnox Limited proposals to amend Licence Condition 13 arrangements across its fleet of 12 licensed nuclear installations.

Permission Requested

Magnox Limited has requested that ONR 'approves' altered or amended Licence Condition (LC) 13 arrangements across its fleet of 12 licensed sites.

Background

ONR has approved the current LC 13 arrangements associate with Nuclear Safety Committee Terms of Reference and Urgent Safety Proposals across the Magnox fleet. Magnox now wants to alter or amend most of these arrangements and consequently new arrangements need to be assessed and approved by ONR (and previous approvals withdrawn).

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

ONR has checked that the proposed arrangements have received adequate consideration by the licensees' nuclear safety committees and that they meet ONR guidance criteria. ONR has confirmed the precise nature of the changes between currently approved arrangements and proposed arrangements for each of the licensed sites.

Matters arising from ONR's work

Most of the change is housekeeping in nature. Only the Harwell and Winfrith amendments are significant as the arrangements have been reformatted to be consistent with the standard Magnox Limited model for Licence Condition 13 arrangements, however, the technical nature of the arrangements has not been changed.

Conclusions

It is concluded that the proposed LC 13 arrangement changes meet ONR guidance and therefore should be accepted. The requested regulatory approval for the new arrangements should be given.

Recommendation

The ONR lead should accept this report and thus show acceptance of the recommendations.

The programme director should sign the draft licence instruments that will give ONR approval for requested amendments to LC 13 arrangements, relating to Nuclear Safety Committee Terms of Reference and Urgent Safety Proposals, at the Magnox Limited licensed sites.

LIST OF ABBREVIATIONS

| | |
|------|--|
| HOW2 | (Office for Nuclear Regulation) Business Management System |
| HSE | The Health and Safety Executive |
| LC | Licence Condition |
| LI | Licence Instrument |
| ONR | Office for Nuclear Regulation |
| NSC | Nuclear Safety Committee |
| TAG | Technical Assessment Guide (ONR) |
| TIG | Technical Inspection Guide (ONR) |
| ToR | Terms of Reference |

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1 PERMISSION REQUESTED

1. The Licensee has requested the Office for Nuclear Regulation's (ONR) 'approval' of new licence condition (LC) arrangements, under Licence Condition 13(3) and 13(12), regarding (i) Nuclear Safety Committee Terms of Reference and (ii) Urgent Safety Proposals respectively (Ref 1). It has also requested that ONR withdraws, in accordance with LC 1(3)(a), the previously approved arrangements that are now to be replaced (Ref 1).

2 BACKGROUND

2. LC 13(1) requires a licensee to establish a nuclear safety committee (NSC) to consider and advise on safety matters. LC 13(2) requires a licensee to submit to ONR for Approval the Terms of Reference (ToR) for any such NSC. LC 13(3) says that a licensee must not change the approved NSC ToR unless ONR has approved a proposed alteration or amendment. In addition, LC 13(11) allows the licensee to obtain consideration of, or advice on, urgent safety proposals (which would normally be considered by the NSC) in accordance with appropriate arrangements that have been considered by the relevant NSC and approved by ONR. LC 13(12) only allows changes to the LC 13(11) arrangements if ONR approves proposed alterations or amendments.
3. All 10 of the former Magnox power reactor sites have had identical approved arrangements in place regarding the terms of reference for the nuclear safety committees for about five years (see attachments to Ref 1). Harwell and Winfrith have now joined the Magnox fleet and they have approved LC 13(2) arrangements that differed in format from that used by Magnox reactor sites. Consequently, the company has proposed a new model for the LC 13(2)/LC 13(3) arrangements that will be applied to all 12 sites. The opportunity has been taken to make obvious changes to the NSCs ToR, such as replacing 'Magnox North Limited' with 'Magnox Ltd' and 'Health and Safety Executive (HSE)' with 'ONR' as the names of both operator and responsible regulator have changed since the currently approved arrangements were established.
4. In the same manner, Magnox Ltd is proposing to introduce a new model for LC 13(11)/LC 13(12) arrangements that deal with urgent safety proposals across all of the fleet apart from Oldbury and Wylfa (Ref 1). There is little change to the Magnox reactor sites arrangements, however, the Harwell and Winfrith arrangements have been reformatted so that all sites have the same basic fundamentals in their urgent safety proposals arrangements.

3 ASSESSMENT WORK CARRIED OUT BY ONR IN CONSIDERATION OF THIS REQUEST

5. I determined that the NSC ToR proposals had been set out in a paper (Ref 2) and they were considered at the fuelled reactor sites joint NSC meeting in September 2015 (Ref 3). Amended NSC ToR and Urgent Safety Proposals arrangements had been set out in a paper (Ref 4) and they were considered at the decommissioning sites joint NSC meeting in November 2015 (Ref 5). I read References 2 to 5 to ensure that NSC members had been fully informed, they had discussed the proposals and they had endorsed the proposals without caveat.
6. I reviewed each site's currently approved LC 13 arrangements and compared them with the proposed arrangements that the licensee(s) wants ONR to approve (attached to Refs 2 and 4). For clarity, relevant licensed site documentation (and associated Licence Instrument numbers) are listed in Tables 1 and 2 for the Magnox fleet.
7. For the 10 former Magnox power reactor sites, it was found that most of the amendments involved replacing HSE by ONR and Magnox North Limited to Magnox

Ltd. For this entire group of sites, Site Director is changed to Closure Director, apart from Oldbury and Wylfa where Site Director continues to be used as the Agent of the Licensee role title.

8. Harwell and Winfrith have significantly reformatted nuclear safety committee terms of reference; however, there is little change to the technical requirements. These two sites have now got the model arrangements proposed by Magnox Ltd; with regulator named as ONR, licensee is Magnox Ltd and the Agent for the Licensee is the Closure Director.
9. My assessment has confirmed that the Magnox Limited LC 13 proposals are consistent with relevant ONR guidance (Ref 6).

4 MATTERS ARISING FROM ONR'S WORK

10. The original request letter sent to ONR by Magnox Limited did not meet ONR's expectations. It contained a number of typographical errors relating to one site's site licence number, a licence condition and a document that contained approved arrangements. The letter gave no details regarding what had been presented to any Nuclear Safety Committee and who to contact within Magnox Limited if additional information was required. This led to discussions in order to clarify the situation (Refs 7 to 11). Subsequently, I obtained details of the NSC meetings that had considered the proposals (Refs 3 and 5) and confirmation that Magnox reactor sites had not invoked the LC 13 Urgent Safety Proposals once defueling had ceased and the decommissioning phase entered.
11. I noted that members at the fuelled sites NSC meeting (Ref 3) had sought limited change to the proposed NSC ToR (Ref 2), however, the amendment was so minor that the NSC endorsed the proposal (Ref 3). The proposed LC 13 arrangements relating to NSC ToR and Urgent Safety Proposals (Ref 4) were then considered at a second NSC meeting and accepted without caveat (Ref 5).
12. My assessment of the proposals found no issue with the proposed NSC ToR as the changes are cosmetic in nature. In the case of the Urgent Safety Proposals, I felt that the proposal is adequate, however, Magnox could have made the process more robust by clarifying who actually approves the use of Urgent Safety Proposals arrangements and whether the person receiving the advice can accept it verbally or in writing before proceeding. Having noted this, the licensee has stated that they no longer use these arrangements at most of their sites (Ref 11) and it is highly unlikely that they will need to do so once sites are decommissioning. Consequently, I conclude that it would be disproportionate to make Magnox change the proposed Urgent Safety Proposals and go through their 'due process' again.
13. As Magnox Limited has 12 sites, it will need a Licence Instrument (LI) to be sent to each which Approves the new LC 13 arrangements associated with the NSC ToR (LC 13(3)). The LIs will be standard and use template F.2 (see Appendix F of Ref 12). All sites apart from Oldbury and Wylfa propose new LC 13 arrangements relating to Urgent Safety Proposals (LC 13(12)), consequently, 10 LIs will be required for these. Once again a standard LI is required in each case, as shown in template F.4 (see Appendix F of Ref 12). In all 22 cases the previous LC 13 arrangements will be withdrawn using LC 1(3)(a) powers.

5 CONCLUSIONS

14. This report presents the findings of my assessment of the Magnox Limited proposal to amend approved Licence Condition 13 arrangements relating to NSC ToR (LC 13(3)) and Urgent Safety Proposals (LC 13(12)). For the 10 former Magnox reactor sites the proposed changes are minor; little more than housekeeping. In the case of Harwell and Winfrith the arrangements have been rewritten to reflect the Magnox Limited model for LC 13 arrangements. In this case, although the format of the arrangements has changed considerably, the content remains unchanged technically. Consequently, I can accept the proposed arrangements across the Magnox fleet.
15. To conclude, I am satisfied that Magnox Limited has put these proposals through its 'due process' and that the resultant amended LC 13(3) and LC 13(12) arrangements meet ONR guidance on acceptability and therefore I am recommending that ONR approves the new arrangements.

6 RECOMMENDATIONS

16. This project assessment report recommends that the Delivery Lead signs this report to confirm acceptance of its recommendations.
17. This report also recommends that the Programme Director signs the 22 draft Approvals (details of sites and LI numbers are given in Tables 1 and 2) that are required to give consistent LC 13 arrangements across the Magnox fleet.

7 REFERENCES

1. Magnox Ltd Letter to ONR, dated 4 January 2016, regarding approval of LC 13(2) and 13(12) arrangements across the Magnox fleet; Letter Reference MXL32290R – TRIM 2016/14235
2. NP/SC 5290; Oldbury and Wylfa – Revised Nuclear safety Committee Terms of Reference – September 2015 – TRIM 2015/400395
3. Minutes of the Joint Meeting of the Magnox Limited Oldbury and Wylfa Nuclear Safety Committees held on 30 September 2015 – TRIM 2015/392805
4. NP/SC 5289; GENERIC; Nuclear Safety Committee Terms of Reference and Arrangements for Urgent Safety Proposals – November 2015 – TRIM 2015/442353
5. Minutes of the Joint Meeting of Magnox Limited Berkeley, Bradwell, Chapelcross, Dungeness A, Harwell, Hinkley Point A, Hunterston A, Sizewell A, Trawsfynydd and Winfrith Nuclear Safety Committees held on 5 November 2015 – TRIM 2015/441385
6. ONR HOW2 Guide – Nuclear safety Technical Inspection Guide: LC 13 Nuclear Safety Committee - NS-INSP-GD-013 Revision 3.
7. E-mail from Magnox Limited's Technical Director to ONR – TRIM 2016/105771
8. E-mail from ONR to Magnox Limited's Technical Director – TRIM 2016/105776
9. E-mail from Magnox Limited's Technical Director to ONR – TRIM 2016/113364
10. E-mail from ONR to Magnox Limited's NSC Technical Secretary – TRIM 2016/113670
11. E-mail from Magnox Limited's NSC Technical Secretary to ONR – TRIM 2016/113676
12. ONR HOW2 Guide – Preparation and Issue of Licence Instruments - NS-PER-IN-001 Revision 7.

Table 1 – LC 13(2) Arrangements

| Site/NSL No | Approved NSC ToR | LI No – Current Approval | Proposed NSC ToR | LI No – New DRAFT Approval |
|--------------------------|--|--------------------------|---|----------------------------|
| Berkeley (No 92) | BKA/NSC/TOR Issue 3 dated 16 December 2010 | 500 (22/12/10) | BKA/NSC/TOR Issue 4 dated 16 November 2015 | 512 |
| Bradwell (No 93) | BWA/NSC/TOR Issue 3 dated 16 December 2010 | 500 (22/12/10) | BWA/NSC/TOR Issue 4 dated 16 November 2015 | 513 |
| Chapelcross (No Sc. 15) | CXA/NSC/TOR Issue 2 dated 1 December 2009 | 520 (31/3/10) | CXA/NSC/TOR Issue 3 dated 16 November 2015 | 538 |
| Dungeness A (No 94) | DNA/NSC/TOR Issue 3 dated 16 December 2010 | 500 (22/12/10) | DNA/NSC/TOR Issue 4 dated 16 November 2015 | 513 |
| Harwell (No 101) | PRC 0213 Issue 2 dated 26 February 2015 | 500 (30/3/15) | HARWELL/NSC/TOR Issue 3 dated 16 November 2015 | 502 |
| Hinkley Point A (No 95A) | HPA/NSC/TOR Issue 3 dated 16 December 2010 | 500 (22/12/10) | HPA/NSC/TOR Issue 4 dated 16 November 2015 | 509 |
| Hunterston A (No Sc. 16) | HNA/NSC/TOR Issue 2 dated 1 December 2009 | 511 (31/3/10) | HNA/NSC/TOR Issue 3 dated 16 November 2015 | 524 |
| Oldbury (No 57A) | OBA/NSC/TOR Issue 3 dated 1 December 2009 | 535 (31/3/10) | OLD/NSC/TOR Issue 4 dated 1 December 2015 | 554 |
| Sizewell A (No 96) | SZA/NSC/TOR Issue 3 dated 16 December 2010 | 500 (22/12/10) | SZA/NSC/TOR Issue 4 dated 16 November 2015 | 514 |
| Trawsfynydd (No 81) | TFA/NSC/TOR Issue 2 dated 1 December 2009 | 516 (31/3/10) | TFA/NSC/TOR Issue 3 dated 16 November 2015 | 530 |
| Winfrith (No 100) | PRC 0213 Issue 2 dated 26 February 2015 | 500 (30/3/15) | WINFRITH/NSC/TOR Issue 3 dated 16 November 2015 | 502 |
| Wylfa (No 58A) | WYA/NSC/TOR Issue 3 dated 1 December 2009 | 542 (31/3/10) | WYA/NSC/TOR Issue 4 dated 1 December 2015 | 568 |

Table 2 – LC 13(11) Arrangements

| Site/NSL No | Approved Urgent Safety Proposal | LI No – Current Approval | Proposed Urgent Safety Proposal | LI No – New DRAFT Approval |
|--------------------------|---------------------------------|--------------------------|---------------------------------|----------------------------|
| Berkeley (No 92) | BKA/NSC/USP(2) Jan'11 | 503 (21/7/11) | BKA/NSC/USP(3) Nov'15 | 513 |
| Bradwell (No 93) | BWA/NSC/USP(2) Jan'11 | 502 (21/7/11) | BWA/NSC/USP(3) Nov'15 | 514 |
| Chapelcross (No Sc. 15) | CXA/NSC/USP(1) Dec'09 | 521 (31/3/10) | CXA/NSC/USP(2) Nov'15 | 539 |
| Dungeness A (No 94) | DNA/NSC/USP(2) Jan'11 | 502 (21/7/11) | DNA/NSC/USP(3) Nov'15 | 514 |
| Harwell (No 101) | PRC 0213 Issue 1; May'15 | 501 (23/10/15) | HARWELL/NSC/USP(2) Nov'15 | 503 |
| Hinkley Point A (No 95A) | HPA/NSC/USP(2) Jan'11 | 502 (21/7/11) | HPA/NSC/USP(3) Nov'15 | 510 |
| Hunterston A (No Sc. 16) | HNA/NSC/USP(1) Dec'09 | 510 (31/3/10) | HNA/NSC/USP(2) Nov'15 | 525 |
| Sizewell A (No 96) | SZA/NSC/USP(2) Jan'11 | 502 (21/7/11) | SZA/NSC/USP(3) Nov'15 | 515 |
| Trawsfynydd (No 81) | TFA/NSC/USP(1) Dec'09 | 517 (31/3/10) | TFA/NSC/USP(2) Nov'15 | 531 |
| Winfrith (No 100) | PRC 0213 Issue 1; May'15 | 501 (23/10/15) | WINFRITH/NSC/USP(2) Nov'15 | 503 |