

Office for Nuclear Regulation (ONR)

Site Report for Devonshire Dock Complex, Barrow

Report for period 1 January 2021 – 30 June 2021

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/lc/>).

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.



Table of Contents

1	Inspections	3
2	Routine Matters	3
3	Non-Routine Matters.....	7
4	Regulatory Activity	8
5	News from ONR.....	9
6	Contacts	10

1 Inspections

Dates of inspection

The ONR Inspectors visited the site on the following dates during the report period 1 January 2021 – 30 June 2021:

- 20, 21, 27 & 28 January
- 10 February
- 11 & 12 March
- 27 April
- 26 & 27 May
- 22, 23 & 24 June

2 Routine Matters

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:

Remote Compliance Inspection of Site Licence Conditions 14 Safety Documentation and 23 Operating Rules

This inspection focussed on the BAE Systems Marine Ltd. (BAESML) arrangements for compliance with Licence Condition (LC) 14 (Safety Documentation) and LC 23 (Operating Rules) and on their application. This inspection formed part of ONR's Integrated Intervention Strategy for 2020/21.

During the inspection, ONR sought to confirm that the arrangements implemented by BAESML are adequate, when judged against the regulatory expectations for LC 14 and LC 23. ONR also sought to establish how they had been applied to form an adequate safety case.

Based on the evidence sampled during the intervention ONR judged that BAESML has several activities ongoing to improve their arrangements for LC 14 and LC 23. This includes updating processes and guidance, changing the ownership of safety cases, and improving positive compliance against operating rules. However, the pace of the improvements is relatively slow and BAESML was unable to provide a detailed plan as to how the individual aspects are pulled together into a coherent plan. For LC14 (Safety Documentation) the intervention rating is GREEN and for LC23 (Operating Rules) the intervention rating is AMBER.

Inspection of BAESML, D59 design, construction, installation, testing and critical examination arrangements and compliance against the Ionising Radiations Regulations 2017:

This was a planned inspection in line with the ONR Integrated Intervention Strategy (IIS) plan for 2020/21, of the BAE Systems Marine Ltd (BAESML) radiography bay enclosure in the D59 facility.

The intervention consisted of a remote compliance inspection against the Ionising Radiations Regulation 2017 (IRR17) arrangements. The intervention will inform ONR of the maturity of design and test design/development, to prove design intent and compliance with regulatory standards and internal regulatory controls applied by BAESML. It is intended to de-risk the plans for future build, installation, and operations of the facility. The inspection sampled the arrangements including those for the critical examination and routine operation. This included Radiation Risk Assessments (RRA) and local rules.

Based on the evidence sampled during the intervention ONR judged that there were no significant shortfalls identified against Relevant Good Practice (RGP), with respect to Radiological Protection requirements under IRR17 the intervention rating is GREEN (no formal action).

Compliance Inspection of Site Licence Condition LC25 – Operational Records

This was a planned inspection in line with the ONR IIS plan for 2020/21, 13. This inspection, which comprised of discussions with BAESML staff and examination of plant documentation, focussed on BAESML arrangements associated with LC25 and sampling implementation of the arrangements and documentation associated with the licensed site.

In relation to the sample chosen BAESML demonstrated that adequate records are made of the operation, inspection and maintenance of any plant which may affect safety. ONR was further assured by personnel we interacted with on site in relation to their management, oversight and attitude to operational records. No matters were identified as requiring immediate regulatory attention during the conduct of this compliance inspection and no Regulatory Issues have been raised.

ONR judged that BAESML has adequately demonstrated compliance against LC25 – Operational Records, meeting relevant good practices. ONR therefore consider, noting the ONR guidance on inspection ratings, that an inspection rating of GREEN (no formal action required) is merited for the licence condition inspected.

Leadership for Management of Safety Inspection

The purpose of this ONR / DNSR intervention was to undertake a planned inspection at BAESML, Barrow, in accordance with ONR's Intervention Plan for the regulation of BAESML 2021/22. ONR undertook a Leadership and Management for Safety (LMfS) intervention to examine the progress made by BAESML in progressing LMfS improvement themes, the development of the INA capability, and improvements to the safety assurance framework.

The intervention was carried out through a series of structured discussions and group meetings with key personnel from the following functions: Nuclear Safety and Security, Quality, Operations, Programme Delivery, Engineering and Safety, Health and Environment (SHE). This included discussions with relevant directors, managers, senior operators, assurance engineers, regulatory compliance engineers and the INA functional line. The intervention also included the sampling of LMfS improvement actions and structured discussions with nuclear safety related assurance functions within the licensee organisation.

Based upon the areas sampled during the intervention and the respective evidence, the Inspectors judged that BAESML had tracked priority LMfS actions within their action management systems, made significant progress in completing these actions, continued to develop and strengthen the INA capability, and had established and maintained an approach to improve the integration and coordination of safety assurance activities. Based on the evidence sampled during this inspection, the intervention rating is GREEN (no formal action).

Covid-19 Compliance:

Through the pandemic, ONR has continued to predominately engage remotely with Devonshire Dock Complex during the first quarter of the year, ONR are increasingly attending site and following ONR and BAESML arrangements. The site continues to actively review and manage its arrangements in response to the changing environment, in-line with guidance published by Public Health England and close working with the local authority.

Other work

A series of topic focussed regulatory engagement meetings were held during this period. These meetings covered familiarisation of the site and its arrangements for the new ONR Nominated Site Inspector for the site, for the new Superintending Inspector and Deputy Chief Inspector; Level 1 and Level 2 meetings between BAESML, ONR, EA and DNSR senior management teams; regular regulatory interface meetings (RIF's) covering overview of the programmes and improvements to the site safety cases and their implementation. Other meetings were held with the sites TU Safety Representatives, Regulatory Issues progress and oversight of the site redevelopment project (SRP) work, including regulatory oversight of the construction of the new facilities on the licensed site.

At the quarterly Regulatory Interface Meetings (known as the level 3 RIF) ONR were, along with DNSR, EA and BAESML, able to agree the Hold Point Control Plan and SRP Overarching strategy documents. These documents set out an agreed position between regulators and the dutyholder as to when ONR will engage with projects, where BAESML will seek specific permissions to proceed and what engagement will take place to support these permissions.

In-line with the BAESML Hold Point Control Plan (agreed at the L3 RIF in January and April 2021), the ONR site inspector participated in the DNSR led Operational Readiness Inspections associated with the Astute and Dreadnought programmes. This concluded from the sample of evidence and governance associated with this hold point that these hold points could be approved by DNSR, which ONR supported.

3 Non-Routine Matters

None in the period.

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.

An enforcement letter was issued to BAESML in May 2021 relating to LC12 – Duly authorised and other suitably qualified and experienced persons. As a result of continued delays in responding to the associated Level 3 Regulatory Issue.

5 News from ONR

Below are summaries of key activities over the last three months. Further detail is available on our [website](#).

Covid-19 (Coronavirus) (ONR position)

We are continuing to obtain assurance that nuclear site licensees and other dutyholders are adequately resourced to continue to safely and securely carry out their activities. We remain satisfied with industry's response at this time and there has been no significant change to dutyholders' safety and security resilience.

All licensed sites are required to determine minimum staffing levels necessary to ensure safe and secure operations and contingency arrangements in the event that these levels are not met. This condition is specifically designed to ensure that industry can adequately manage and control activities that could impact on nuclear safety and security under all foreseeable circumstances, including pandemics.

Although ONR staff continue to work primarily at home, (carrying out as much of our work as possible via videoconference, phone and email), we are carefully and progressively increasing our site footprint. We continue to assess our on-site presence in line with government guidelines and our business needs, ensuring we have a balanced portfolio of on-site inspections and interventions, that are important to support effective regulation across our purposes. Our latest position can be found on our [website](#).

Enforcement Action

- In April, we announced that EDF [complied](#) with a Direction we served on 14 December 2020, under the Pressure Systems Safety Regulations (2000). This followed an inspection, at which found a number of pressure system components at Heysham 1 Power Station were overdue their scheduled examination.
- In May, we agreed to [extend an improvement notice](#) served on EDF in September 2020, recognising the progress made so far. The notice was served after some of the equipment used to measure reactor power at Heysham 2 was incorrectly configured. We judged that Heysham 2 is able to operate safely, and that additional time to demonstrate the required improvements will not pose a risk to safety. EDF must now comply with the improvement notice by 31 July 2021.
- In June, we announced that Rolls-Royce Submarines Ltd (RRSL) had [complied](#) with an improvement notice served on 29 May 2020. The notice was served after RRSL operators brought 21 units of fissile material into the facility – which exceeding the limit defined within the safety case and set out in the Criticality Control Certificate for the facility.

Stakeholder Engagement

- In April, we published an [article](#) introducing our newest board member, Jean Llewellyn, who joined us in October 2021, as security lead. Jean brings with her

a wealth of experience, including serving as a non-executive director on the board of the World Institute for Nuclear Security since 2018 – which has given her a good understating of the global security challenges facing the nuclear industry.

- In May, we issued our e-bulletin '[ONR News](#)' to subscribers. This issue included farewell reflections from our outgoing chief executive, a leadership update, further information on our COVID -19 response, and the results of our latest stakeholder survey. You can sign up for our e-bulletin [here](#)
- On 1 June, we [announced](#) the full implementation of our new leadership structure. Mark Foy is now our combined Chief Executive and Chief Nuclear Inspector. He is supported by Sarah High as Deputy Chief Executive, and Donald Urquhart as Executive Director of Operations.
- In June, we published our new [Corporate Plan for 2021/22](#), which sets out our key priorities to protect the public by securing safe nuclear operations.
- In June, our State System of Accounting for and Control of Nuclear Material (SSAC) project - which saw ONR become the UK's national nuclear safeguards regulator from 31 December 2020, was [shortlisted for a national award](#) in the Project Management Institute's UK National Project Awards in the 'Project of the Year (Public Sector)' category.
- Nuclear safeguards are measures to verify that countries comply with international obligations not to use nuclear materials from civil nuclear programmes for non-peaceful purposes.

All our latest news is available on our website www.onr.org.uk

6 Contacts

Office for Nuclear Regulation
Redgrave Court
Merton Road
Bootle
Merseyside
L20 7HS
website: www.onr.org.uk
email: Contact@onr.gov.uk

This document is issued by the Office for Nuclear Regulation (ONR). For further information about ONR, or to report inconsistencies or inaccuracies in this publication please visit <http://www.onr.org.uk/feedback.htm>.

© Office for Nuclear Regulation, 2022
If you wish to reuse this information visit www.onr.org.uk/copyright.htm for details.
Published 01/22

For published documents, the electronic copy on the ONR website remains the most current publicly available version and copying or printing renders this document uncontrolled.