



Office for Nuclear Regulation (ONR) Biannual Site Report for Low Level Waste Repository (LLWR) Limited

Report for period 1 October 2021 – 31 March 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 West Cumbria Sites Stakeholder Group (WCSSG) and are also available on the ONR website (<http://www.onr.org.uk/llc/>).

The ONR Site Inspector usually attends one WCSSG LLWR Working Group meeting each year 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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INSPECTIONS

The ONR Site Inspector and other ONR Inspectors made inspections on the following dates during the period 1 October 2020 – 31 March 2021:

- 16 March 2021

ROUTINE MATTERS

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);
- the Energy Act 2013;
- the Health and Safety at Work Act 1974 (HSWA74);
- regulations made under HSWA74, for example the Ionising Radiations Regulations 2017 (IRR17) and the Management of Health and Safety at Work Regulations 1999 (MHSWR99); and
- the Regulatory Reform (Fire Safety) Order 2005.

The inspections entail monitoring 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 March, ONR carried out a radioactive waste themed intervention which considered the licensee's arrangements for minimising the accumulation of radioactive waste generated on the site, arrangements for control and containment of radioactive material and radioactive waste so that it cannot leak or otherwise escape, and for making operational records.

This inspection constituted site familiarisation and handover to the incoming ONR Nuclear Safety Site Inspector. During the inspection, ONR's inspectors observed the site's arrangements for managing the risk of COVID-19 transmission.

In general, ONR judged the arrangements made and implemented by the site in response to safety requirements to be adequate in the areas inspected.

In July 2020, NDA announced its intention to terminate the Parent Body Contract for LLWR and transition the site licence company into being a wholly owned NDA subsidiary in July 2021. In addition, in January 2021, NDA announced its intention to create a waste management division by bringing together LLWR and Radioactive Waste Management Ltd in 2022. ONR has begun engagement with LLWR to ensure these organisational changes are managed appropriately and nuclear safety is not adversely affected.

NON-ROUTINE MATTERS

Licensees are required to have arrangements to respond to non-routine matters and events on the site. ONR inspectors judge the adequacy of the licensee's response, including actions taken to implement any necessary improvements. The licensee records and assess a range of

minor incidents which are discussed with ONR during bi-monthly teleconferences. There were no significant matters or events to report during the period.

The site's extant emergency arrangements have remained in force and capability to deliver those arrangements, if required, has been maintained throughout this period.

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 take a range of enforcement actions, to include issuing an Enforcement Notice.

The following Licence Instrument was issued during the period:

LI 514 – an Approval under Licence Condition 11(3) for amendment to LLWR Limited's Approved emergency arrangements.

No Enforcement Notices or Letters have been issued during the period.

Reports detailing regulatory decisions can be found on the ONR website at <http://www.onr.org.uk/pars/>.

NEWS FROM ONR

NEWS FROM ONR

Below are summaries of key activities over the last six 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. As COVID-19 restrictions change, our focus is on the preparedness for the weeks and months ahead and maintaining safe and secure operations. Our latest position can be found on our [website](#).

Enforcement Action

In October 2020, we notified Sellafield Ltd that it would be prosecuted under Section 2 (1) of the Health and Safety at Work etc. Act (1974). The charge related to an incident on Friday, 24 April 2020 at the Sellafield site where an employee sustained injuries while working on high voltage electrical equipment. The incident was a conventional health and safety matter and there was no radiological risk to workers or the public.

The hearing took place at Carlisle Magistrates Court on 18 December 2020, where Sellafield Ltd were fined £320,000 and ordered to pay costs of £12,079.07 after pleading guilty to the offence.

In December 2020, we announced that the Atomic Weapons Establishment (AWE) had been fined £660,000 after pleading guilty to an offence under Section 3 of the Health and Safety at Work etc. Act (1974). AWE was also ordered to pay costs of £9,945.71 during a virtual hearing at High Wycombe Magistrates Court.

It followed an electrical incident on 20 June 2019 at the AWE Aldermaston site which resulted in a contractor narrowly avoiding injury when a flash over of electricity occurred from a 415V electrical source. The incident was a conventional health and safety matter and took place in a 'non-nuclear' building, so there was no radiological risk to workers or the public.

In January 2021, we agreed to extend two Improvement Notices served on the Atomic Weapons Establishment (AWE), recognising the good progress made so far. The Notices, which were served in June 2019, relate to the way the company controls changes to organisational structure and resources which may affect safety.

In January 2021, we served an Improvement Notice on Sellafield Ltd following a number of electrical safety incidents across the site. While we are satisfied that Sellafield Ltd is currently meeting the high standards expected with regards to nuclear safety, as a regulator we require sustained improvements in the area of electrical safety.

In February 2021, we served an Improvement Notice on Morgan Sindall Construction and Infrastructure Ltd after workers came close to striking a live high voltage electric cable during excavation work at the Sellafield site. Nobody was harmed in the incident on 7 October 2020, and there was no impact on the public or the environment. However, the incident posed a serious risk to workers who were operating within one metre of the 11kV cable.

Regulatory Updates

In October 2020, we announced an Information Exchange Arrangement (IEA) with the Canadian Nuclear Safety Commission (CNSC). The IEA is a bilateral agreement between our two organisations which provides a framework for the sharing of information, experience, and good practice to enable both parties to learn from and train each other on technical regulatory issues. It also allows for more effective communication between the two regulators.

Publication of Chief Nuclear Inspector's annual report

In November 2020, our Chief Nuclear Inspector (CNI), Mark Foy, published his annual report detailing the performance of Great Britain's nuclear industry during 2019/20.

As the regulatory head at the ONR, the CNI reported he is satisfied that overall the nuclear industry has continued to meet the high standards of safety and security required to protect workers and the public.

In areas where dutyholders have fallen short of these standards, the CNI is satisfied that these facilities remain safe and that ONR has intervened in a proportionate manner to ensure plans are in place to improve performance.

In November 2020, we also announced the appointment of a new member to the Chief Nuclear Inspector's Independent Advisory Panel (IAP). Chris McDonald has joined the panel, which was set up in 2016 to provide independent advice on technically complex nuclear matters by engaging with industry experts to inform our regulatory strategies and approaches.

Chris has a wealth of experience in industrial strategy and manufacturing research. Chris has a degree in Chemical Engineering and has been the CEO of the Materials Processing Institute since it was founded in 2014. He has a proven record in the areas of innovation and low-carbon energy which will be of great benefit to ONR.

In December 2020, we became an Affiliated Organisation member of the Society for Radiological Protection (SRP). ONR has actively participated and supported SRP for many decades. This affiliation formally recognises ONR's involvement and contributions towards the radiological protection industry and enhances the links between the two organisations.

In December 2020, we became the UK's nuclear safeguards regulator, in charge of the domestic safeguards regime and operating the UK State System of Accountancy for, and Control of, Nuclear Materials (SSAC). Nuclear safeguards are measures to verify that countries comply with their international obligations not to use nuclear materials from their civil nuclear programmes to manufacture nuclear weapons.

Following the end of the transition period as laid out in the Withdrawal Agreement, ONR assumed its responsibilities at 2300 Thursday 31 December 2020.

This has been a major project for ONR, setting up a new team, new systems and new processes, led by Dr Mina Golshan. Since we were initially tasked by Government to establish a domestic safeguards regime after Brexit, we have developed a team of safeguards specialists, including inspectors and nuclear material accountants, and implemented a bespoke IT system, SIMRS (Safeguards Information Reporting and Management System).

In March 2021, we published a response on our website to a BBC report relating to Sellafield. We were naturally concerned to hear the claims, particularly any suggestion that staff have been subjected to racist abuse of any kind. As a regulator, if we had any concerns or evidence that bullying and harassment was impacting safety at the site, we would take robust action to ensure this is addressed as a matter of urgency.

In March 2021, we published an article about how we responded to the serious nuclear accident at the Fukushima Dai-ichi nuclear power plant in 2011 to mark the 10th anniversary.

In March 2021, we gave permission for Reactors 3 and 4 at Hinkley Point B power station to return to service for a limited period of operation. Permission for Reactor 3 will allow it to operate to a core utilisation of 17.55 terawatt days, while permission for Reactor 4 is to operate to a core utilisation of 17.3 terawatt days, which equates to two periods of approximately six months operation for each reactor.

Corporate updates

In October 2020, we announced that Chief Executive Adrienne Kelbie had been appointed a Commander of the Order of the British Empire (CBE) in the Queen's Birthday Honours List 2020 for services to the nuclear industry and to diversity and inclusion.

Adrienne said: "This honour is a tribute to the ONR team and all others who work tirelessly to create a more inclusive world and safe nuclear sector, as well as those on the long and sometimes arduous journey of leadership and self-development.

“Inclusion goes hand in hand with safety, because diverse teams are essential to improve decision making – therefore it’s a non-negotiable in nuclear. That’s why, as Chief Executive of ONR, I’ve been personally committed to visibly drive the inclusion agenda and encourage others to do so too.

“To be appointed a Commander of the Order of the British Empire (CBE) is an accolade for which I am enormously grateful; it strengthens my commitment to continue to inspire others to be their biggest, best, boldest selves – and change our world for the better.”

In December 2020, we also announced that our Deputy Chief Inspector and Director of ONR’s Sellafield, Decommissioning, Fuel and Waste Division, Dr Mina Golshan, had been awarded a Commander of the Order of the British Empire (CBE) in the New Year’s Honours 2021, for services to nuclear regulation.

Mina said: “I am very grateful to have been awarded this honour. It reflects the work of many talented and dedicated professionals that I am lucky to work with. It also shows the significance of ONR’s role in securing safe nuclear operations for the protection and benefit of the society.”

Changes to ONR leadership structure

In February 2021, we provided an update about the leadership structural changes we initially announced in December 2020. Under existing contractual arrangements, current Chief Executive Adrienne Kelbie CBE was always expected to step down as her extended term of office comes to an end in January 2022. Current Chief Nuclear Inspector Mark Foy will step into the new combined role on 1 June 2021, when the new leadership structure will come into full effect.

In February 2021, we announced that we had appointed Donald Urquhart to the newly-created role of Executive Director of Operations, which will form part of our new leadership structure. As Executive Director of Operations, Donald will be responsible for leading our regulatory work.

In March 2021, we announced that as part of our new leadership arrangements, we had appointed three new deputy chief nuclear inspectors (DCIs) to our regulatory and senior leadership teams: Jane Bowie, Paul Dicks and Steve Vinton, currently all senior superintending inspectors at ONR. All three new DCIs have a strong track record of delivering regulation across the organisation, and will help us maintain a focus on our Strategy 2020-25

Stakeholder Engagement

In February 2021, we encouraged interested parties to take part in a Nuclear Energy Agency (NEA) survey about building and maintaining trust between nuclear safety regulators and the stakeholders they engage with.

For the latest news and updates from ONR visit the website and sign up for our ebulletin.

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Published April 2021

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