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**Sellafield and Windscale
Approval of the revised terms of reference of the Sellafield Ltd. Nuclear Safety
Committee**

Project Assessment Report ONR-SEL-PAR-14-014
Revision 0
22nd December 2014

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EXECUTIVE SUMMARY

Title

Approval of the Terms of Reference for the Sellafield Ltd. Nuclear Safety Committee

Permission Requested

In October 2014 Sellafield Ltd (SL) submitted revised Terms of Reference for its Nuclear Safety Committee for approval by ONR and upon approval, the withdrawal of the Licence Instruments granting previous regulatory approval to these terms of reference (i.e. Licence Instruments 860 and 861 for the Sellafield (Windscale Works and Calder Works) Site and 530 and 531 for the Windscale Site).

Background

Sellafield Ltd. is the site licence company (the Licensee) that operates the Sellafield (Windscale Works and Calder Works) and Windscale Sites. As required by LC 13(1) the licensee must establish a nuclear safety committee or committees to which it shall refer for consideration and advice.

Following a major review in 2013, SL rationalised its Nuclear Safety Committee (NSC) arrangements. Under these arrangements SL's approved Terms of Reference are for a single NSC overseeing both the Sellafield (Windscale Works and Calder Works) and Windscale licensed sites. There are also common approved arrangements for obtaining consideration or advice on urgent safety proposals.

The proposed revision to the Terms of Reference for the Sellafield Ltd. NSC resulted from SL internal regulator findings. The main change is the requirement to review independent membership every 3 years; in addition there are minor changes to the titles of some NSC members.

The submitted amendment is a relatively minor update and demonstrates a good practice of the Licensee learning from its own internal reviews.

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

An ONR specialist inspector in organisational capability has assessed the relevant documents that justify the changes to the Terms of Reference. ONR also inspected the functioning of the NSC arrangements in July 2014 and the proposed changes are in line with our inspection recommendations.

Matters arising from ONR's work

There are no findings from the work that prevent ONR from approving the changes to the Terms of Reference of the Sellafield Ltd Nuclear Safety Committee.

Conclusions

ONR's assessment and inspection provide sufficient confidence to approve the revised Terms of Reference of the Sellafield Ltd Nuclear Safety Committee for the Sellafield and Windscale nuclear licensed sites.

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Recommendation

The revised Terms of Reference for the NSC should be approved by issuing Licence Instruments Numbers 884 and 885 for the Sellafield (Windscale Works and Calder Works) Site and Licence Instrument Numbers 538 and 539 for the Windscale Site.

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LIST OF ABBREVIATIONS

EHS&Q	Environment, Health, Safety & Quality
LI	Licence Instrument
NSC	Nuclear Safety Committee
ONR	Office for Nuclear Regulation
SL	Sellafield Ltd.
SLNSC	Sellafield Ltd. Nuclear Safety Committee
TOR	Terms of Reference

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1 PERMISSION REQUESTED

1. In October 2014 Sellafield Ltd (SL) submitted revised Terms of Reference (TOR) for its Nuclear Safety Committee (NSC) for approval by ONR and upon approval, the withdrawal of the Licence Instruments granting previous regulatory approval to these terms of reference (i.e. Licence Instruments 860 and 861 for the Sellafield (Windscale Works and Calder Works) Site and 530 and 531 for the Windscale Site). (Ref 1).

2 BACKGROUND

2. Sellafield Ltd. is the site licence company (the Licensee) that operates the Sellafield (Windscale Works and Calder Works) and Windscale Sites. As required by LC 13(1) the licensee must establish a nuclear safety committee or committees to which it shall refer for consideration and advice.
3. Following a major review in 2013, SL rationalised its Nuclear Safety Committee (NSC) arrangements. Under these arrangements SL's approved Terms of Reference are for a single NSC overseeing both the Sellafield (Windscale Works and Calder Works) and Windscale licensed sites. There are also common approved arrangements for obtaining consideration or advice on urgent safety proposals.
4. The proposed revision to the terms of reference for the Sellafield Ltd. NSC resulted from SL internal regulator findings (Ref 2), (Ref 3). The main change is the requirement to review independent membership every 3 years; in addition there are minor changes to the titles of some NSC members.
5. The revisions are relatively minor and demonstrate a good practice of the Licensee learning from its own internal reviews.

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

3.1 ONR ASSESMENT

6. I have assessed the specific changes from the existing terms of reference (Ref 4) to the NSC TOR submitted in October 2014 (Ref 5). My findings are given below.
7. The key change is the new statement that all independent members will have their continued membership reviewed by the Sellafield Ltd Managing Director on a 3-yearly basis.
8. Other specific changes to the Terms for Reference are the changes in the role names, clarification of NSC quorum, and a document title change.
9. ONR performed a LC 13 Benchmarking Inspection in July 2014 (Ref 6). During this inspection we held discussions with SL's Head of Nuclear Safety, the Nuclear Safety Committee (SLNSC) Secretary and the Internal Regulator who undertook the review of the SLNSC arrangements.
10. We concluded that the SLNSC arrangements were adequate. We found good practice in the review of SLNSC effectiveness, including an annual review of performance by the committee itself and an independent review of performance undertaken by the Internal Regulator. The reviews have resulted in a recommendation to change the Terms of Reference of the SLNSC.
11. ONR held a further meeting with the Head of Nuclear Safety in December 2014 (Ref 7):

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- SL provided a document highlighting the changes to the existing arrangements (Ref 4), (Ref 5).
 - SL confirmed it is still going to have just one NSC (as the request letter mentions 'strategic Nuclear Safety Committees').
 - SL confirmed that the roles of the Chief Environment, Health, Safety & Quality (EHS&Q) Officer and of the Director of EHS&Q are the same and provided the Roles, Responsibilities, Authorities, and Accountabilities for both roles as evidence. (Ref 8), (Ref 9), (Ref 10).
 - SL confirmed that there are no subsequent changes required to supporting guidance (SLSPs). (Ref 11), (Ref 12). (Ref 13), (Ref. 14).
 - SL provided an extract of the minutes of the Sellafield Ltd Executive Committee Meeting held on 9th June 2014 referencing discussion of changes to the NSC Terms of Reference (Ref. 15).
 - We noted that the change of the Director of EHS&Q title name had taken place before the change of the TOR. Though this is not a regulatory issue, we have suggested that SL considers amending the NSC TOR wording so that changes to specific position names would not require changes within the TOR. SL will consider this change at a suitable point when further changes to the TOR are being made such as combining the Security and Nuclear Safety Committees.
12. I have reviewed the changes to the arrangements for obtaining consideration or advice on urgent safety proposals. The only change is in a role name. I find this change to be acceptable.
13. I have reviewed the new Terms of Reference as a whole to ensure that they fulfil the requirements of LC13 and that the recommendations arising from our inspection have been adequately addressed where appropriate. I find that the changes made to the Terms of Reference are in line with the recommendations arising from our inspection of the NSC and I consider that the requirements of LC13 will be met under the revised Terms of Reference.
14. From the discussion above, there are no issues that should prevent ONR from approving the new Terms of Reference.

3.2 LIAISON WITH OTHER REGULATORS

15. I have confirmed the Environment Agency has no issues with the changes to the arrangements for SL's Nuclear Safety Committee. (Ref 16).

3.3 LICENCE INSTRUMENT

16. Two licence instruments are required for each site to firstly approve the Nuclear Safety Committee terms of reference and secondly to approve the arrangements for obtaining consideration or advice on urgent safety proposals. Consequently I have drafted the following standard licence instruments:
- LI 884: Sellafield (Windscale Works and Calder Works) Site Licence Number 31G Licence Instrument for Approval of alteration or amendment to the Sellafield (Windscale Works and Calder Works) Nuclear Safety Committee's Terms of Reference. (Ref 17).
 - LI 885: Sellafield (Windscale Works and Calder Works) Site Licence Number 31G Licence Instrument for Approval of alteration or amendment to the Sellafield (Windscale Works and Calder Works) Nuclear Safety Committee's arrangements for obtaining consideration or advice on urgent safety proposals. (Ref 18).

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- LI 538: Windscale Site Licence Number 83 Licence Instrument for Approval of alteration or amendment to the Windscale Nuclear Safety Committee's Terms of Reference. (Ref 19).
- LI 539: Windscale Site Licence Number 83 Licence Instrument for Approval of alteration or amendment to the Windscale Nuclear Safety Committee's arrangements for obtaining consideration or advice on urgent safety proposals. (Ref 20).

4 MATTERS ARISING FROM ONR'S WORK

17. No issues preventing the issue of the requested Licence Instruments arose from the assessment of the Licensee's submission.

5 CONCLUSIONS

18. This report presents the findings of ONR's assessment of the Licensee's proposal to revise the Terms of Reference of the Sellafield Ltd. NSC.
19. To conclude, I am broadly satisfied with the approach taken by SL to review the arrangements of the NSC, the process that has been used to consider the alterations to the arrangements, the evidence provided, and that the resulting changes meet the requirements of LC13.
20. I consequently recommend that ONR should approve the revised Terms of Reference for the Sellafield Ltd. Nuclear Safety Committee and upon approval, withdraw Licence Instruments 860 and 861 for the Sellafield (Windscale Works and Calder Works) Site and Licence Instruments 530 and 531 for the Windscale Site.

6 RECOMMENDATIONS

21. I recommend that the Sellafield Programme Deputy Chief Nuclear Inspector signs Sellafield Licence Instrument Numbers 884 and 885 and Windscale Licence Instrument Numbers 538 and 539.

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7 REFERENCES

1. Letter Ref. ONR/12/10986/27 and Sellafield Limited Charter for the Nuclear Safety Committee SLC 2.05.01 Issue 2. Trim Reference 2014/380976.
2. SLNSC Paper 2014.21 - Tier 3 Review of SL NSC Arrangements. Trim Reference 2014/466594.
3. SL NSC Minutes of the 113th meeting held on 3rd April 2014. Trim Reference 2014/466476.
4. SLC 2.05.01 Issue 1 Nuclear Safety Committee. Document with highlighted changes. Trim Reference 2014/466443.
5. SLC 2.05.01 Issue 2, Nuclear Safety Committee Terms of Reference. Document with highlighted changes. Trim Reference 2014/466440.
6. Intervention Record ONR-SEL-IR-14-101, Sellafield Site Benchmark Inspection of LC13: Nuclear Safety Committee arrangements, July 2014. Trim Reference 2014/276309.
7. Contact Record ONR-SEL-CR-14-426, Corporate Inspection Meeting/ Nuclear Safety Process and Nuclear Safety Committee Terms of Reference amends, December 2014. Trim Reference 2014/467275.
8. Email explaining the deficiencies of current R2A2. Trim Reference 2014/466450.
9. SLF 4.01.01, Roles, Responsibilities, Accountabilities and Authority. Role: Chief Environmental Health, Safety and Quality Officer. Document with highlighted changes. Trim Reference 2014/466452.
10. SLF 4.01.01, Roles, Responsibilities, Accountabilities and Authority. Role: Director, Environmental Health, Safety and Quality Officer. Document with highlighted changes. Trim Reference 2014/466455.
11. SLSP Screen print. Trim Reference 2014/466459.
12. SLSP 2.05.01 Issue 1, Nuclear Safety Committee Guidance. Trim Reference 2014/470741.
13. SLSP 2.05.02 Issue 1, Annual Review of Safety Guidance. Trim Reference 2014/466466.
14. SLSP 2.05.03 Issue 1, Guidance for SLNSC Paper Authors, Presenters and Sponsors. Trim Reference 2014/466465.
15. Excerpt of the Minutes of the Sellafield Ltd Executive Committee Meeting held on 9 June 2014. Trim Reference 2014/466472.
16. Email from Environment agency confirming no issues with changes to SLNSC Terms of Reference. Trim Reference 2014/467258.
17. LI 884: Sellafield (Windscale Works and Calder Works) Site Licence Number 31G Licence Instrument for Approval of alteration or amendment to the Sellafield (Windscale Works and Calder Works) Nuclear Safety Committee's Terms of Reference. Trim Reference 2014/467662.
18. LI 885: Sellafield (Windscale Works and Calder Works) Site Licence Number 31G Licence Instrument for Approval of alteration or amendment to the Sellafield (Windscale Works and Calder Works) Nuclear Safety Committee's arrangements for obtaining consideration or advice on urgent safety proposals. Trim Reference 2014/467663.

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19. LI 538: Windscale Site Licence Number 83 Licence Instrument for Approval of alteration or amendment to the Windscale Nuclear Safety Committee's Terms of Reference. Trim Reference 2014/467664.
20. LI 539: Windscale Site Licence Number 83 Licence Instrument for Approval of alteration or amendment to the Windscale Nuclear Safety Committee's arrangements for obtaining consideration or advice on urgent safety proposals. Trim Reference 2014/467665.

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