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RADIATION (EMERGENCY PREPAREDNESS AND PUBLIC INFORMATION) REGULATIONS 2001 (REPPIR)

HUNTERSTON A OFF-SITE EMERGENCY PLANNING AND PRIOR INFORMATION AREA

Dear Elma Murray

As you are probably aware, the Office for Nuclear Regulation (ONR) has been reviewing the off-site emergency planning area⁽¹⁾ and the area within which prior information shall be supplied by the operator to members of the public⁽²⁾ around the Hunterston A nuclear licensed site.

This process was initiated by the Report of Assessment (RoA), sent to ONR by Magnox Ltd., which indicated that the existing off-site emergency planning area was appropriate when the site was generating electricity and that there are no longer any reasonably foreseeable faults which would result in a radiation emergency. The reduction in hazard is consequent to the phase of the decommissioning the site has now achieved.

This letter is to notify North Ayrshire Council, as the local authority responsible for preparing, reviewing and testing an off-site emergency plan under regulations 9(1) and 10(1) of REPPIR for the Hunterston A nuclear licensed site, that:

REPPIR off-site emergency planning

1. In accordance with the requirements of REPPIR regulations 5 and 6, Magnox Ltd. has reviewed its Hazard Identification and Risk Evaluation and submitted a RoA relating to the Hunterston A to ONR in October 2013;
2. ONR has completed its assessment of this RoA;
3. ONR has concluded that Magnox Ltd.'s RoA satisfies the requirements of regulation 6(4) and Schedule 5 to REPPIR;
4. ONR concurs with the findings of Magnox Ltd. that a radiation emergency (as defined in REPPIR) is no longer reasonably foreseeable at the Hunterston A site;
5. REPPIR regulation 9(1) requires ONR to identify the area in which, in its opinion, any member of the public is likely to be affected by a reasonably foreseeable radiation emergency. Noting ONR's conclusion that a radiation emergency (as defined in REPPIR) is no longer reasonably foreseeable at the Hunterston A site, there is no longer the legal provision within REPPIR for ONR to continue to specify an off-site emergency planning area for the Hunterston A site;



6. Consequently and correspondingly, there is no longer a requirement for North Ayrshire Council to continue to prepare, test and review a REPPiR off-site emergency plan that takes into account a possible radiation emergency for Hunterston A;
7. The Council should be aware that the ONR assessment does not affect the status of the off-site emergency planning area for Hunterston (which reflects the residual potential for a reasonably foreseeable radiation emergency from the Hunterston B site), which will remain as an area represented by a single circle around the site with a radius of 2.4 km until such time as ONR determines otherwise, and

Provision of prior information to the public

8. The Council should also be aware that, on the basis that a radiation emergency (within the meaning of REPPiR) is no longer reasonably foreseeable at the Hunterston A site, there is no longer the legal provision within REPPiR for ONR to specify an area in which Magnox Ltd. must provide prior information to the public. Therefore REPPiR regulation 16(1) no longer applies. ONR has written to Magnox Ltd. to this effect and a copy of this letter is enclosed.

Following the conclusions above and the effective removal of the REPPiR off-site emergency planning and prior information areas in respect to the Hunterston A site, ONR notes that:

9. For as long as work with ionising radiation to which REPPiR applies is carried out on the Hunterston A site, Magnox Ltd. remains legally obliged to assess changes to that work and to periodically review and report assessments as required by regulations 5(1), 5(2), 6(2), 6(3) and 6(4) of REPPiR;
10. The determination set out by ONR in its Project Assessment Report (ONR-COP-PAR-15-003, available on the ONR website) and summarised in this letter does not affect the requirement for Magnox Ltd. to maintain compliance with relevant duties provided through other legislative routes (e.g. the general duty under the Health and Safety at Work etc. Act 1974 to ensure, so far as is reasonably practicable, the safety and welfare of employees and other persons; and under other safety legislation including the Ionising Radiation Regulations (in particular, regulation 12 contingency plans)). Equally, it does not affect the duty of Magnox Ltd. to comply with the conditions – in particular, LC11 - attached to the Hunterston A Site Licence. ONR will continue to seek assurance that Magnox Ltd. remains compliant with these wider duties through its normal inspection activities. However, it is ONR's expectation that Magnox Ltd. will review its compliance arrangements to ensure that they remain adequate and appropriate in light of this determination and, in making any changes that may be necessary, that relevant regulatory due processes be followed; and
11. I understand that bodies such as local authorities also have duties to make emergency arrangements under other legislation such as the Civil Contingencies Act 2004.

I have copied this letter to the Hunterston A Closure Director and the Hunterston B Station Director.

Yours sincerely,


Superintending Inspector (Nuclear Safety)

(1) The Hunterston REPPiR off-site emergency planning area is the area for which North Ayrshire Council is required, when applicable under REPPiR regulation 9(1), to produce an off-site emergency plan for the protection of persons who are, or potentially may be, located in this area in the event of a radiation emergency. The plans will include public information and a range of countermeasures and other protection measures relevant and proportionate to the radiological



hazards associated with the Hunterston A and B nuclear licensed sites at appropriate locations within all or part of this area.

(2) The Hunterston REPPiR off-site prior information area is the area within which the operators are required, when applicable under REPPiR regulation 16(1), to supply to members of the public as a minimum, in an appropriate manner and without their having to request it, the information specified in Schedule 9. The operator shall also make that information publicly available.

(3) The current REPPiR off-site emergency planning area is identified as the 'Detailed Emergency Planning Zone' (DEPZ) as an area represented by a single circle around the site with a radius of 2.4 km.

Distribution

North Ayrshire Council	[Redacted]
Magnox Ltd.	[Redacted]
EDF Energy	[Redacted]
ONR	[Redacted]
Department of Energy & Climate Change	[Redacted]
Nuclear Decommissioning Authority	[Redacted]
Food Standards Agency	[Redacted]
Maritime and Coastguard Agency	[Redacted]
SEPA	[Redacted]