

MEMORANDUM OF UNDERSTANDING
between
THE OFFICE FOR NUCLEAR REGULATION
and
THE NATURAL RESOURCES BODY FOR WALES
on
MATTERS OF MUTUAL INTEREST
in
WALES

Introduction

- 1 This Memorandum of Understanding (MoU) is between the Office for Nuclear Regulation (ONR) and the Natural Resources Body for Wales (“Natural Resources Wales”).
- 2 The MoU relates principally to the regulation of nuclear safety, security, transport, and environmental protection on nuclear licensed sites and other sites where both ONR and Natural Resources Wales have regulatory functions¹.

Purpose and Objectives

- 3 In accordance with legislation, UK and Welsh Government policy and international obligations, the goals of both ONR and Natural Resources Wales are together:
 - i) to deliver effective and efficient regulation of the nuclear industry in Wales, and ensure international safeguards obligations for the UK are met;
 - ii) to maintain and improve standards of protection of people and the environment from the potential hazards from ionising radiations; and
 - iii) to ensure that radioactive wastes are appropriately managed in both the short and long term.
- 4 The purpose of this MoU is to provide the high level framework for how the regulatory activities of ONR and Natural Resources Wales will be coordinated to achieve the above goals. Such coordination should improve the effectiveness with which public sector resources are deployed and avoid the difficulties which might otherwise arise.

¹ Working arrangements concerning COMAH sites are detailed in the Competent Authority Memorandum of Understanding of which ONR and NRW are signatories.

- 5 Shared objectives, to comply with the provisions of the Regulators' Code are to facilitate better regulation by ensuring that:
- i) activities of Natural Resources Wales and ONR are consistent, coordinated and comprehensive;
 - ii) early engagement with dutyholders is encouraged in order to minimise uncertainties and impact from potentially conflicting requirements;
 - iii) synergies are exploited and the appropriate balance of precautions is attained;
 - iv) duplication of activity is minimised; and
 - v) public confidence in the regulatory system is maintained.

Working Arrangements

- 6 ONR and Natural Resources Wales will produce joint guidance as necessary to manage working arrangements in key areas where there are regulatory synergies.
- 7 Working arrangements, both in general and those contained within joint guidance, are based on mutual trust and respect, and are guided by the following principles:
- i) ONR and Natural Resources Wales continue to develop and maintain a co-operative working relationship and, in doing so, build structured interactions at all levels, including areas of strategy, work planning and programming, and operational regulation;
 - ii) ONR and Natural Resources Wales continue to consult each other at the earliest opportunity, and with the fullest of information, during the process of formal regulatory decision making on matters that may affect the other taking full account of each other's views;
 - iii) ONR and Natural Resources Wales engage, as appropriate, in joint working and, where appropriate to do so, engage with other nuclear site regulators, site licensees/operators and other stakeholders;
 - iv) ONR and Natural Resources Wales do nothing which inhibits ONR or Natural Resources Wales in the exercise of their respective statutory powers, functions and duties, (including taking enforcement action);
 - v) ONR and Natural Resources Wales establish mechanisms and methods of working together which facilitate dialogue and encourage better regulation;

- vi) ONR and NRW provide, in a timely manner, all such information requested by ONR or NRW in pursuance of ONR or NRW regulatory activities;
- vii) ONR and Natural Resources Wales act in accordance with and, over time, review and improve the operation of this MoU as a basis for the regulation of nuclear licensed sites in Wales;
- viii) ONR and Natural Resources Wales do not issue, vary or revoke any regulatory instruments that may affect the other, without prior consultation with the other, taking full and meaningful account of the other's regulatory locus;
- ix) Either Natural Resources Wales or ONR will, whenever possible, be identified as the body having the primary responsibility in relation to each of the regulatory interfaces under joint guidance;
- x) The body having the primary responsibility will be the normal contact point for the operator for all matters relevant to that particular interface. This will not, however, remove the requirement for the dutyholder to obtain all necessary permits, licences or other consents required from Natural Resources Wales or ONR

Resolution of Disputes

- 8 ONR and Natural Resources Wales will, in the first instance, resolve any disputes at a working level, escalating to relevant managers as appropriate. In the rare occurrence where agreement not be possible at this level, the ONR Chief Nuclear Inspector and Natural Resources Wales Head of Business for Regulation and Economics will meet to resolve the issues.

Provision of Services and Advice

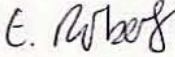
- 9 ONR and Natural Resources Wales will provide advice to each other for the purpose aims of this MOU. Unless agreement is made to the contrary, ONR and Natural Resources Wales will provide this advice at no cost.
- 10 Where allowed by relevant legislation, ONR and Natural Resources Wales may, by mutual agreement, enter into arrangements to pay for advice or services from the other.

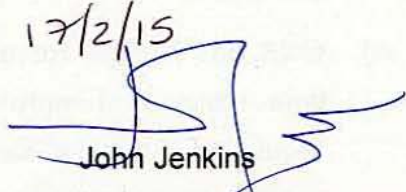
Review of the Memorandum of Understanding

- 11 ONR and Natural Resources Wales will review this MoU not later than three years after it has been signed.

Termination

12 Either ONR or Natural Resources Wales may terminate this MoU on two months' notice in writing to the other party.

Signed 17/12/14

Emyr Roberts
Chief Executive
for Natural Resources Wales

17/2/15

John Jenkins
Chief Executive Officer
for the Office for Nuclear Regulation