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| ONR Joint Regulatory Guidance  Guidance to support the joint regulatory Memorandum of Understanding between the Office for Nuclear Regulation and the Environment Agency on matters of mutual interest in England |



ONR Joint Regulatory Guidance

Guidance to support the joint regulatory Memorandum of Understanding between the Office for Nuclear Regulation and the Environment Agency on matters of mutual interest in England

**Authored by**: Nuclear Liabilities Specialist Inspector,

Adviser, Environment Agency

**Approved by**: Head of Profession for Nuclear Liabilities, Chemistry and Chemical Engineering, Office for Nuclear Regulation

Manager, Nuclear & Radioactive Substances Regulation Strategy, Environment Agency

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Revision commentary

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| Issue | Description of update(s) |
| 3 | Major update - Updates to reflect changes to legislation and joint working practices since the previous issue, including the Nuclear Safeguards (EU Exit) Regulations 2019; the Transfrontier Shipment of Radioactive Waste and Spent Fuel (EU Exit) Regulations 2019; and, the inclusion of guidance on ONR and EA’s joint working in relation to   * sustainability and climate change * research and innovation * international engagement * engagement with government * new reactors |

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# Introduction

1. In 2014 the Office for Nuclear Regulation (ONR) entered into separate Memoranda of Understanding (MoUs) with the Environment Agency, the Scottish Environment Protection Agency (SEPA) and Natural Resources Wales (NRW) on matters of mutual interest. The MoU with the Environment Agency has been revised since the initial agreement with the most recent revision published in 2025.
2. Each MoU establishes the high-level working relationships between ONR and the appropriate environment regulator. It was further agreed to develop detailed operational arrangements for regulatory interactions within “joint guidance”. Specifically, the MoU [1] states that joint guidance should where possible identify the body which has primary responsibility in key interface areas. This joint guidance document will be updated, amended as necessary and made available via the appropriate websites.

# Purpose and scope

1. This document is intended to provide standalone, operational guidance to inspectors and regulators representing ONR and the Environment Agency concerning the working-level implementation of the MoU between the ONR and the Environment Agency on matters of mutual interest in England [1]. In this respect the document can be considered as guidance on the joint regulatory approach.
2. The MoU and this guidance document, relate principally to the regulation of nuclear safety, safeguards, security, transport, and environmental protection and improvement on nuclear licensed sites, and other sites where both ONR and Environment Agency have respective regulatory functions.

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# Working-level arrangements

## Establishing, managing and reviewing liaison

1. Contacts between the Environment Agency and ONR will arise in the context of day-to-day regulatory activities on nuclear licensed sites in England as well as in relation to wider policy or strategic developments relating to nuclear activities in the UK. It is the responsibility of individual relevant technical and policy staff in both organisations to identify topics needing liaison as they arise, and ensure they are dealt with effectively.
2. Regular exchanges of information and learning relating to incidents and events of relevant regulatory interest will be undertaken. The format of this exchange will be dependent on the significance and nature of the learning and may take the form of an annual review.
3. The ONR site inspector and the Environment Agency[[1]](#footnote-2)§ site lead regulator/inspector should liaise regularly to discuss matters of mutual interest, including forward intervention and inspection work plans, findings from site inspections, and any learning from experience.
4. Appropriate ONR representatives and Environment Agency managers should liaise regularly to discuss matters of mutual interest relating to policy and strategic developments relevant to nuclear activities, including potential implications for nuclear regulation of sites in England, to identify opportunities for improvements to current arrangements and to help ensure appropriate co-ordination or collaboration, where relevant, in respect of national and international developments.
5. Appropriate managers in ONR and the Environment Agency are responsible for raising awareness of the MoU and this supporting guidance with their staff and establishing that suitable liaison and contacts are occurring.
6. Appropriate managers in ONR and the Environment Agency shall establish annual reviews to ensure matters are being managed consistently within the purpose and objectives of the MoU.

## Coordination of strategic planning

1. ONR and the Environment Agency individually plan, organise and deliver their inspection or strategic engagement activities as required to deliver their primary responsibilities or in support of other commitments (for example, the MoU with NDA). However, appropriate ONR and Environment Agency managers responsible for resource and/or business planning should:

* where practicable, co-ordinate inspection plans avoiding unnecessary duplication, and otherwise be in accordance with the aims of the MoU;
* agree a programme of joint inspections as appropriate;
* exchange information about the matters of mutual interest, this may include agreements to produce joint work plans where appropriate, e.g. the development of joint guidance, strategic objectives and position statements.

## Interactions with operators

1. In dealing with operators on matters of mutual interest to both ONR and the Environment Agency, it should be the practice, wherever practicable, to organise tripartite (operator / agency or agencies where appropriate / ONR) discussions rather than holding separate bilateral (operator/ONR and operator/agency or agencies where appropriate) discussions.
2. Although the aim should be for tripartite discussions with the operator, either regulator may seek clarification directly from the operator on any aspects if that is the most effective way to progress the matter. In such cases they should keep the other regulator informed of such discussions.

## General procedures for consultation

1. Where the MoU, or the supporting guidance, indicate that ONR and the Environment Agency should consult on a regulatory decision or matter, they will aim to consult each other at the earliest opportunity and on the fullest information possible to make the process of coming to such a decision, or dealing with a matter, as effective as possible. This may involve consultation at more than one stage of the regulatory process. Each case will need to be considered on its merits, but typically consultation between ONR and the Environment Agency may be appropriate, for example:

* on notification by an operator of an intention or matter likely to attract regulatory interest;
* on receipt of an application for a licence, permit, consent or other licence instrument, or as soon as possible after an event or decision that initiates regulatory action;
* where this is to be carried out, on the proposed content of any public consultation or public body notification on such an application;
* where this has been carried out, on the responses to a public consultation or public body notification, particularly where issues raised are relevant to the other body;
* on the proposed final decision, particularly if this has changed substantially from versions previously consulted on;
* on matters relating to the management of High Activity Sealed Sources (HASS) and the National HASS database.

1. The above list is not intended to be exhaustive nor imply that consultation be limited to formal regulatory decision making. Less formal consultation should be considered whenever it is practicable and mutually beneficial to do so to improve regulatory efficiency and effectiveness. Examples of “informal consultation” may include discussions concerning aspects of NDA strategy development, the progress of the Implementing Geological Disposal (IGD) policy and the related plans for a Geological Disposal Facility (GDF), and on the interpretation of new legal duties, etc.

## Dutyholder arrangements

1. The Nuclear Site Licence; Nuclear Site Security Plan or Transport Security Statement approved in accordance with Nuclear Industries Security Regulations 2003 (NISR); Accountancy and Control Plan produced in accordance with Nuclear Safeguards (EU Exit) Regulations 2019; transport provisions; and disposal permits for nuclear licensed sites require the duty holder to have adequate arrangements to meet the requirements for nuclear safety, security, safeguards, transport of radioactive material, and environmental requirements. ONR and the Environment Agency will work together to:

* promote integrated arrangements where appropriate that address all relevant requirements; and
* ensure that the arrangements do not conflict where practicable.

## Site Stakeholder Groups (SSGs)

1. Subject to availability, both the ONR’s site inspector and the Environment Agency’s site lead regulator will routinely report to, attend and answer questions at the appropriate Site Stakeholder Group (SSG) or similar group(s) (for example Non-Government Organisation (NGO) Forums), set up by the duty holder for interacting with the local community. The ONR’s site inspector and the Environment Agency’s site lead regulator will copy their reports to the other, and if there are matters referred to that affect the other, they will consult on their content. On some issues, for example joint investigations, it may be appropriate to issue a joint report. The Environment Agency and ONR should discuss issues likely to arise at SSG or similar group(s) meetings before they attend so that, as far as possible, a common regulatory position can be presented.

## Engagement with Government

1. ONR and the Environment Agency engage with the UK Government to keep each other informed of significant matters, share information on project planning, and share good practice, skills and experience.
2. Engagement is predominantly done through the Radiological Safety Group (RSG) and Radiological Safety Working Group (RSWG), both of which are led by the Department for Energy Security and Net Zero (DESNZ). ONR and the Environment Agency are represented on and are the major contributors to both of these groups.

## COMAH Competent Authority Joint Working

1. There are other applicable MoUs between ONR and the Environment Agency covering specific legislation, for example on the Control of Major Accident Hazards Regulations 2015 (COMAH).
2. COMAH 2015 is enforced in GB by the COMAH Competent Authority (CA). For nuclear establishments, the CA is the Office for Nuclear Regulation (ONR), working jointly with the appropriate environment agency; in England the competent authority on nuclear licensed sites is ONR and the Environment Agency.
3. Both ONR and the Environment Agency participate in the COMAH CA Strategic Management Group (CASMG), the COMAH CA Business Support Group (CABSG) and the COMAH Strategic Forum (CSF).
4. Further information on ONR and the Environment Agency’s joint working in relation to COMAH is available in the COMAH CA MoU which can be found on the ONR website.

# Responsibilities and working arrangements on selected topics

1. Regulatory responsibilities and associated working arrangements on the following topics are described in tables within the [Appendix](#_Appendix:_Regulatory_responsibiliti)[[2]](#footnote-3)§.

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# Abbreviations

The following abbreviations are used in this guidance document:

|  |  |
| --- | --- |
| ACP | Accountancy and Control Plan |
| ALARA | As Low As Reasonably Achievable |
| BAT | Best Available Techniques |
| CA | Competent Authority |
| CABSG | Competent Authority Business Support Group |
| CASMG | Competent Authority Strategic Management Group |
| CDG2009 | Carriage of Dangerous Goods and Use of Transportable Pressure Equipment Regulations 2009, as amended |
| CEAR | Compilation of Environment Agency Requirements |
| COMAH | Control of Major Accident Hazards Regulations |
| CSF | COMAH Strategic Forum |
| CSS | Commission on Safety Standards (IAEA) |
| DESNZ | Department for Energy Security and Net Zero |
| EIADR | Nuclear Reactors (Environmental Impact Assessment for Decommissioning) Regulations (1999; as amended) |
| EMP | Environmental Management Plan |
| EPR16 | The Environmental Permitting (England and Wales) Regulations 2016 |
| EU | European Union |
| GB | Great Britain |
| GDA | Generic Design Assessment |
| GDF | Geological Disposal Facility |
| HASS | High Activity Sealed Sources |
| HAW | Higher Activity Radioactive Waste |
| HERCA | Heads of the European Radiological Protection Competent Authorities |
| HSWA | Health and Safety at Work etc. Act 1974 |
| IAEA | International Atomic Energy Agency |
| ICRP | International Commission on Radiological Protection |
| IGD | Implementing Geological Disposal |
| IPPAS | International Physical Protection Advisory Service (IPPAS) |
| IRR17 | Ionising Radiations Regulations 2017 |
| IRRS | Integrated Regulatory Review Service (IAEA) |
| MoU | Memorandum of Understanding (on matters of mutual interest) |
| NIA65 | Nuclear Installations Act 1965 (as amended) |
| NISR | Nuclear Industries Security Regulations 2003 |
| NDA | Nuclear Decommissioning Authority |
| NGO | Non-Government Organisation |
| NRW | Natural Resources Wales / Cyfoeth Naturiol Cymru |
| NSSP | Nuclear Site Security Plan |
| ONR | Office for Nuclear Regulation |
| OECD NEA | Organisation for Economic Cooperation and Development Nuclear Energy Agency |
| OSPAR | Convention for the Protection of the Marine Environment in the North-East Atlantic |
| PAO | Pre-Application Opinion |
| PSRE | Public Sector Research Establishment |
| RDI | Research, Development and Innovation |
| RGP | Relevant Good Practice |
| RSG | Radiological Safety Group |
| RSR | Radioactive Substances Regulation |
| RSWG | Radiological Safety Working Group |
| SEPA | Scottish Environment Protection Agency |
| SSC | Safety Standards Committee |
| SSG | Site Stakeholder Group |
| SWESC | Site Wide Environmental Safety Case |
| TEA13 | The Energy Act 2013 |
| TptSP | Transport Security Plan |
| TSP | Temporary Security Plan |
| UKCP18 | UK Climate Projections 2018 |

# References

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| [1] | ONR, “Memorandum of Understanding between the Office for Nuclear Regulation and the Environment Agency on matters of mutual interest in England,” [Online]. |

# Appendix: Regulatory responsibilities and associated working arrangements on key topics of mutual interest

Table 1 - Granting, Varying and Revoking of Licences under Nuclear Installations Act 1965 (as amended)

|  |  |
| --- | --- |
| Primary Responsibility | Secondary Responsibility |
| ONR will be responsible for the: granting, revocation, or variation of a nuclear site licence; or attachment, variation or revocation of the conditions attached to a licence in accordance with the requirements of the NIA65. | The Environment Agency will check that the granting or revocation of a nuclear site licence or variation of a nuclear site licence, or addition / variation / revocation of a licence condition is consistent with the statutory duties and responsibilities of the Environment Agency, including environmental protection and improvement, and will not prejudice any legal process under EPR16 or other environmental legislation for which the Environment Agency has responsibility. |
| **Working Arrangements** | |
| ONR will consult the Environment Agency as a statutory consultee before:   1. granting or revoking a nuclear site licence[[3]](#footnote-4); 2. varying a nuclear site licence, or adding/ varying/ revoking a licence condition, which relates to, or affects, the statutory duties and responsibilities of the Environment Agency.   In consequence of that consultation:   1. the Environment Agency will advise ONR of those matters that are likely to align with or conflict with its statutory duties and responsibilities, including environmental protection and improvement responsibilities. 2. the Environment Agency will advise ONR if in its opinion the issue of a licence would prejudice any legal process under EPR16 or other relevant environmental legislation. 3. ONR will not issue, vary or revoke a licence without consultation with the Environment Agency and taking full and meaningful account of the Environment Agency’s opinions. 4. ONR will not add, vary or revoke a licence condition that relates to, or affects the statutory duties and responsibilities of the Environment Agency, including the creation, accumulation or disposal of radioactive waste without consultation with the Environment Agency and taking full and meaningful account of the Environment Agency’s opinions. | |

Table 2 - Granting, Varying, Revoking and Accepting Surrender of Permits under Environmental Legislation

|  |  |
| --- | --- |
| Primary Responsibility | Secondary Responsibility |
| The Environment Agency will be responsible for granting (including transferring to another Operator), varying, revoking or accepting surrender of permits under EPR16, in particular permits for the disposal (which includes transfer) of radioactive waste under Schedule 23 and any permits required under other schedules. The Environment Agency will ensure that this will be in accordance with its statutory duties and responsibilities including that of environmental protection and improvement. The conditions in the permit for radioactive substances activities at nuclear sites may provide for the commissioning, operation and decommissioning of the facilities in question in so far as that impacts on the creation, accumulation or disposal of radioactive waste.  Other relevant legislation[[4]](#footnote-5) includes the Transfrontier Shipment of Radioactive Waste and Spent Fuel (EU Exit) Regulations 2019. | ONR will check that any permit granted, or any variation or revocation or surrender of a permit will not prejudice any legal process under NIA65 or any other relevant statutory provision of HSWA or TEA13. |
| **Working Arrangements** | |
| The Environment Agency will consult ONR as a statutory consultee:   1. on any application for a permit at a nuclear licensed site, before deciding whether to grant a permit and, if so, subject to what limitations or conditions; 2. on any proposal to carry out a significant variation to an existing permit at a nuclear licensed site before deciding whether to vary the permit and if so whether by attaching, revoking or varying any limitations or conditions or by attaching further limitations or conditions; and 3. on any proposal to revoke or accept surrender of any relevant permit at a nuclear licensed site before deciding whether to revoke or accept surrender of the permit.   In consequence of that consultation:   1. ONR will advise the Environment Agency of those matters that are likely to conflict with its statutory responsibilities. 2. ONR will advise the Environment Agency if in its opinion the issue, revocation, variation or surrender of a permit would prejudice any legal process under NIA65 or other relevant statutory provisions of HSWA or TEA13. 3. the Environment Agency will not issue, vary, transfer or revoke or accept surrender of a permit without consultation with ONR to ensure that it would not prejudice any legal process under NIA65 or other relevant statutory provisions of HSWA or TEA13. 4. where a Direction under Schedule 23 of EPR16 is issued, or the Environment Agency is informed that such a Direction is intended to be issued, in respect of a permit under EPR16, the Environment Agency will advise ONR so that ONR can, if necessary, advise the Government on whether such a Direction or proposed Direction would prejudice any legal process under NIA65 or other relevant statutory provisions of HSWA or TEA13. | |

Table 3 - Assessment and Review of Plant and Processes Relevant to Decommissioning and Waste Management.

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| **Primary Responsibility** | **Secondary Responsibility** |
| ONR has responsibility for the assessment of the nuclear safety case for all new nuclear installations to be licensed; the continued operation or modifications to existing licensed facilities; and for decommissioning and delicensing, for the purposes of the relevant statutory provisions of HSWA and TEA13.  The Environment Agency has responsibility to assess systems, equipment and procedures relevant to ensure compliance with EPR16 and other applicable environmental legislation at a nuclear licensed site. This includes assessment of the site-wide environmental safety case.  With the exception of any off-site use of “mobile radioactive apparatus” the Environment Agency’s duty to regulate the keeping and use of radioactive material does not apply on nuclear licensed sites. ONR will therefore ensure that its regulation will provide equivalent standards as would otherwise have been applied by the Environment Agency. | The Environment Agency has responsibility for checking that the licensee’s nuclear safety case is consistent with applicable environmental legislation and relevant permits. |
| **Working Arrangements** | |
| ONR will be the contact point for the operator for the submission of nuclear safety documents and the programme for review, licensing or plant modification. ONR will alert the Environment Agency and request advice from the Environment Agency on any nuclear safety-related assessment or review that relates to, or affects, the creation, accumulation or disposal of radioactive waste or other activities regulated in accordance with permits granted by the Environment Agency.  Where a plant or process bears primarily on the Environment Agency’s statutory responsibilities, the Environment Agency will alert ONR to any potential conflict with legislation for which ONR has responsibility. The Environment Agency will be the contact point for the operator submission of environmental safety cases and will keep ONR updated.  As a consequence:   1. the Environment Agency may seek clarification directly from the operator on matters affecting their arrangements for managing radioactive waste or aspects of compliance with other environmental legislation and permits granted by the Environment Agency. 2. the Environment Agency will advise ONR of those matters that are likely to conflict with its statutory duties and functions including that of environmental protection and improvement. 3. the Environment Agency will advise ONR if in its opinion the ONR’s consent or agreement to the licensee’s proposals would prejudice any legal process under EPR16 or any other applicable environmental legislation. 4. ONR will not issue a consent or other licence instrument that relates to, or affects, the creation, accumulation or disposal of radioactive waste without seeking advice from the Environment Agency and taking full and meaningful account of any environmental protection and improvement issues. 5. ONR will, to the extent that its legal powers allow, take account of any environmental issues raised by the Environment Agency in seeking improvements from the licensee. 6. These arrangements do not preclude the Environment Agency from using its statutory powers, where applicable. | |

**References:**

The management of higher activity radioactive wastes on nuclear licensed sites. Joint guidance from ONR, EA, SEPA, NRW, July 2021.

Table 4 - Inspection of Nuclear Licensed Sites

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| **Primary Responsibility** | **Secondary Responsibility** |
| ONR will inspect the site as relevant to ensure compliance with the Nuclear Site Licence, the approved Nuclear Site Security Plan or Transport Security Statement, Nuclear Safeguards (EU Exit) Regulations 2019 and other relevant statutory provisions of the TEA13 or HSWA.  The Environment Agency will inspect the site as relevant to ensure compliance with permits under EPR16 and other environmental legislation. | xx |
| **Working Arrangements** | |
| ONR and the Environment Agency individually plan, organise and deliver their inspection activities as required to deliver their primary responsibilities, however, ONR and the Environment Agency will for each site:   * where practicable, co-ordinate inspection plans avoiding unnecessary duplication, and otherwise be in accordance with the aims of the MoU; * agree a programme of joint inspections where appropriate; * exchange information about the matters of mutual interest. | |

Table 5 - Generic Design Assessment, Early Engagement and Construction of New Nuclear Power Stations

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| **Primary Responsibility** | **Secondary Responsibility** |
| ONR is responsible for regulating prospective licensees that wish to construct and operate new nuclear power stations in Great Britain, to ensure they are safe and secure.  Before construction can begin, a nuclear site licence covering the area where the new reactor(s) will be located must be in place (see Table 1). This gives ONR the necessary legal powers to enforce relevant regulations and permission activity on the site.  The Environment Agency will be responsible for granting (including transferring to another Operator), varying, revoking or accepting surrender of permits under EPR16, in particular permits for the disposal (which includes transfer) of radioactive waste under Schedule 23 and any permits required under other schedules.  ONR and the Environment Agency may undertake Generic Design Assessment (GDA) of new nuclear power stations to ensure that the design and its potential operators meet the high safety, security, safeguards and environmental standards required. ONR carries out its assessment in up to three steps with each stage of the assessment getting increasingly more detailed. The Environment Agency’s process consists of a preliminary and detailed assessment, followed by a consultation. | xx |
| **Working Arrangements** | |
| ONR and the Environment Agency have developed the early engagement process to give advice and guidance on both the technical reactor design and potential pathways through optional and mandatory regulatory processes. The multi-tiered approach includes one-day engagements, workshops and preliminary design reviews. The scope and timescales of this early engagement are agreed with potential applicants in advance with all costs recovered.  During this early engagement, ONR and the Environment Agency will work together to provide advice on the expectations of standards of safety, security, safeguards, and environmental protection to construct a new nuclear facility.  During GDA, ONR and the Environment Agency will work together to ensure that any new nuclear power stations built in Great Britain meet the standards of safety, security, safeguards, and environmental protection required. This is facilitated by the Joint Programme Office (JPO) that plans and administers the nuclear design assessment work.  ONR and the Environment Agency will liaise with one another at the appropriate level during the construction of a new nuclear power station(s) on matters of mutual interest.  ONR and the Environment Agency will interact with DESNZ, other UK regulatory bodies, NGOs, and other UK and international stakeholders with an interest in our regulatory strategies and approaches to new reactor construction. | |

Table 6 - Notification and Investigation of Incidents and Accidents

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| **Primary Responsibility** | **Secondary Responsibility** | |
| ONR will investigate events, incidents and accidents that occur on nuclear licensed sites that could represent a breach of the site licence, NISR, transport regulations, Nuclear Safeguards (EU Exit) Regulations 2019 or other relevant statutory provisions of HSWA or TEA13.  The Environment Agency will investigate events, incidents and accidents that could represent a breach of conditions and limitations of permits under EPR16 or other environmental legislation on a nuclear licensed site.  ONR and the Environment Agency will advise each other and the relevant UK Government Department as appropriate on such incidents and accidents within their respective vires that are of mutual interest. | xx |
| **Working Arrangements** | | |
| ONR will inform the Environment Agency of any event, incident or accident with potential consequences for environmental protection and, where this is the case, that it intends to conduct an investigation of such events. This will be done at the earliest opportunity to ensure both organisations share data, information and intelligence, that we work together effectively during the response and to allow a joint or coordinated investigation to be organised if appropriate.  The Environment Agency will inform ONR of any event, incident or accident with potential consequences under NIA65 or other relevant statutory provisions of HSWA or TEA13 for areas of mutual interest (for example involving transport). This will be done at the earliest opportunity to ensure we share data, information and intelligence, that we work together effectively during the response and to allow a joint or coordinated investigation to be organised if appropriate.  In the investigation of incidents and accidents that are of mutual interest, there will, where appropriate, be joint working and a single joint report.  In all cases where both ONR and the Environment Agency are investigating, the two regulators will co-ordinate their work to make the most efficient use of regulatory effort.   1. the body with the primary responsibility will co-ordinate investigations. Responsibilities will be decided at the operational level. 2. ONR and the Environment Agency will share event, incident or accident information and intelligence to identify root causes, and underlying trends to inform the scope of future regulatory interventions via appropriate points of contact. | | |

Table 7 - Enforcement Action

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| **Primary Responsibility** | **Secondary Responsibility** |
| ONR will take appropriate enforcement action, including advice, the use of powers under the nuclear site licence, Improvement and Prohibition Notices, Security Directions and prosecution, in respect of possible breaches of nuclear site licence conditions, NISR, transport regulations, Nuclear Safeguards (EU Exit) Regulations 2019 or other relevant statutory provisions of HSWA or TEA13.  The Environment Agency will take appropriate enforcement action, including advice; the issue of, for example, Enforcement and Prohibition Notices; and prosecution, in respect of possible breaches of the EPR16 or other applicable environmental legislation. | The Environment Agency will advise ONR if the use of any enforcement action might prejudice its statutory duties and functions including that of environmental protection and improvement, and if prosecution would affect any legal action it may have proposed.  ONR will advise the Environment Agency if the issue of any Notice might prejudice any legal process under NIA65 or other relevant statutory provisions of HSWA or TEA13, and if prosecution would affect any legal action it may have proposed. |
| **Working Arrangements** | |
| ONR will advise the Environment Agency in advance of its intention to use enforcement action relevant to environmental protection and improvement duties and responsibilities except where there is a need to take immediate action and, in such cases, will advise as soon as possible after it has done so.  The Environment Agency will advise ONR in advance of its intention to use enforcement action relevant to nuclear safety except where there is a need to take immediate action and, in such cases, will advise as soon as possible after it has done so.  Where both ONR and the Environment Agency intend to issue notices relating to the same event, they will coordinate so that no contradictory requirements are placed on the operator, and, as far as possible, requirements are similarly worded and timed. Where prosecution is being considered for an incident involving both breaches of environmental and, for example. health and safety legislation, ONR and the Environment Agency will consider and where possible undertake joint action. | |

Table 8 - Site Licence Conditions and Environmental Permitting Provisions

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| **Primary Responsibility** | **Secondary Responsibility** |
| ONR will administer provisions of relevant nuclear site licence conditions, EIADR and consents required under the Ionising Radiations Regulations 2017 (IRR17).  The Environment Agency will administer provisions of the Environmental Permitting (England and Wales) Regulations 2016 and associated provisions such as the Transboundary Radioactive Contamination (England) Direction 2020. | The Environment Agency will advise ONR if any proposed action might prejudice its statutory duties and functions including those of environmental protection and improvement.  ONR will advise the Environment Agency if any proposed action might prejudice nuclear safety. |
| **Working Arrangements** | |
| Subject to Table 3 requirements, ONR will, as appropriate, advise or consult the Environment Agency on any licence instruments and consents under EIADR and IRR17 that relate to, or may affect, the creation, accumulation or disposal of radioactive waste, discharges of radioactive material to the environment, or otherwise relate to or affect environmental protection and improvement at a site.  The Environment Agency will, as appropriate, advise or consult ONR on any requirements, specifications, approvals, agreements, notifications or Compilation of Environment Agency Requirements (CEAR) under the provisions of an environmental permit that may affect nuclear safety.  ONR and the Environment Agency management procedures will define the appropriate level of consultation in relation to licence instruments, consents under EIADR and IRR17, and actions under environmental permitting provisions.  Where there is a possibility that the provisions of nuclear site licence and environmental permit conditions may overlap, then ONR and the Environment Agency will work together to ensure that any action by the licensee meets the requirements of both regulators. | |

Table 9 - Regulation of High Activity Sealed Sources (HASS) and Similar Sources on a Nuclear Licensed Site

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| --- | --- |
| **Primary Responsibility** | **Secondary Responsibility** |
| **(a) Safe Management of Sources**. ONR will ensure, under Licence Conditions and IRR17, that the licensee has made adequate arrangements to ensure the safe use, storage and movement of sources on the nuclear licensed site, and, for sources under the responsibility of a licensee, their safe management once they are no longer used. ONR will consult the Environment Agency with respect to the above arrangements as appropriate to ensure that they cover aspects that would have been necessary had EPR16 applied. The Environment Agency will issue a permit under EPR16 to ensure that the holder has made adequate arrangements to ensure not only safe use but also safe management of its sources once they are no longer used, where the holder is not the licensee or where the source is mobile. The Environment Agency has primary responsibility for regulation of the disposal of sources, and will consult ONR, as appropriate, with respect to disposal of sources held by licensees.  **(b) Security of Sources**. Where a high-activity or similar source is, or will be, kept, used, or accumulated on a licensed site, ONR will satisfy itself under NISR that there are in place measures concerning physical protection that are appropriate to the source and premises question.  **(c) Records of Sources.** ONR will ensure, under Licence Conditions and IRR17 that the licensee has adequate arrangements for keeping records of all sources under its responsibility, their location and their transfer. For HASS, such arrangements must provide for provision of an electronic or written copy of all or part of the records to ONR. The licensee must also inform ONR in writing whenever they acquire a HASS source and/or when a HASS source decays below HASS levels. In addition, licensees must provide ONR with a return of all HASS holdings every four years.  Where such sources contain qualifying nuclear material, they will also be subject to the reporting requirements of Nuclear Safeguards (EU Exit) Regulations 2019.  The Environment Agency will ensure, under EPR16 permit, that a user of sources other than the licensee has adequate arrangements for keeping records of all sources under his responsibility, their location and their transfer. For HASS, such arrangements must provide for provision of an electronic or written copy of all or part of the records to the Environment Agency. The Environment Agency will enter these records into the national HASS database (held by SEPA).  **(d)** [**Shipping radioactive sources between the UK and EU**](https://www.gov.uk/guidance/shipping-radioactive-sources-between-the-uk-and-eu). ONR will act as competent authority in relation to The Shipments of Radioactive Substances (EU Exit) Regulations 2019 when the consignee is a nuclear licensee. The Environment Agency will be act as competent authority in relation to The Shipments of Radioactive Substances (EU Exit) Regulations 2019 on shipments of radioactive substances between the UK and EU when the consignee is not a nuclear licensee.  It should be noted that under TEA13 additional regulations may be made.  See also Tables 2 and 16 on transport and transfers between duty holders etc. | The Environment Agency will advise ONR of any aspects of the arrangements that would have been deficient had EPR16 applied.  The Environment Agency is the security regulator for HASS not on a nuclear licensed site.  ONR will check that the conditions of a permit do not prejudice any legal process under NIA65 or other relevant statutory provisions of HSWA or TEA13. |
| **Working Arrangements** | |
| ONR and the Environment Agency will share relevant information.  Where ONR or the Environment Agency receive information from a source holder which is in the primary responsibility of the other authority, they will forward this information, as appropriate. ONR and the Environment Agency will liaise, as appropriate, to ensure consistency and share operational experience on enforcing these regulatory requirements.  In relation to conducting site inspections and taking regulatory and enforcement decisions, ONR and the Environment Agency will work cooperatively. | |

Table 10 - Assessment and Review of Flood and Coastal Risk Management on a Nuclear Licensed Site

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| **Primary Responsibility** | **Secondary Responsibility** |
| ONR has responsibility for the assessment of the safety cases provided in accordance with nuclear site licence conditions in relation to the hazards arising from flooding and coastal erosion.  EA has responsibility for the assessment of any disposal safety case(s) and site-wide environmental safety case (SWESC) provided under the EPR16 in relation to the hazards arising from flooding and coastal erosion.  ONR and the Environment Agency are statutory consultees for planning applications for new nuclear sites and consultees on planning applications for existing nuclear sites. | The Environment Agency is the principal flood risk management authority with a strategic overview role. The Environment Agency will advise ONR on flood and coastal risk management as required, in particular on how flood hazards may affect off-site supporting infrastructure. |
| **Working Arrangements** | |
| ONR will consult the Environment Agency and seek advice as appropriate on matters involving the assessment and management of external flooding hazard,  The Environment Agency will provide advice and information to ONR in accordance with its statutory remit. | |

**References:**

Office for Nuclear Regulation and Environment Agency (2022). Principles for Flood and Coastal Erosion Risk Management, Joint Advice Note, Revision 2. [Principles for Flood and Coastal Erosion – Risk Management - July 2022](https://www.onr.org.uk/documents/2022/principles-for-flood-and-coastal-erosion-risk-management.pdf)

Table 11 - Sustainability and Climate Change

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| **Primary Responsibility** | **Secondary Responsibility** |
| EA has a principal aim set out in the Environment Act 1995 s4 in discharging its functions so to protect or enhance the environment, taken as a whole, as to make the contribution towards attaining the objective of achieving sustainable development as set out in Statutory Guidance. This is subject to and in accordance with other provisions of the Environment Act 1995 or other enactment and considering costs. Climate Action is UN Sustainable Development Goal 13 and includes climate change mitigation through reduction in greenhouse gas emissions (e.g. achievement of ‘net zero’) and climate change adaptation/resilience.  With regards to climate change impact, ONR and the EA expect that dutyholders in the nuclear industry will take account of the UK Climate Projections 2018 (UKCP18) when assessing the impacts of climate change in their safety submissions or on permit compliance respectively (reference Joint Guidance on UKCP18).  ONR has responsibility for the regulation of licensees’ management of the safety and security risks arising from climate change and other natural hazards. ONR will ensure safety cases adequately consider the potential effects of climate change, for example during Generic Design Assessment (GDA), site licensing, regulatory hold points and Periodic Safety Review. In addition, the implications of climate change on nuclear safety and security may be considered as part of on-site interventions.  EA has responsibility for the regulation of permit holders’ management of the environmental risks arising from climate change. This includes the assessment and review of climate change risk assessments and adaptation plans provided under EPR16 for pollution prevention purposes (for risks not covered by ONR).  EA has responsibility for the assessment of disposal safety case(s) and site-wide environmental safety case (SWESC) provided under the EPR16 in relation to the risks arising from climate change. | ONR and the Environment Agency are statutory consultees for planning applications for new nuclear sites and consultees on planning applications for existing nuclear sites.  The Environment Agency is the principal flood risk management authority with a strategic overview role. The Environment Agency will advise ONR on flood and coastal risk management as required, in particular on how flood hazards may affect off-site supporting infrastructure. (see also Table 10) |
| **Working Arrangements** | |
| ONR will consult the Environment Agency and seek advice as appropriate on matters involving the assessment and management of climate change risks,  The Environment Agency will provide advice and information to ONR in accordance with its statutory remit.  Where ONR and the Environment Agency have joint interests with regards to the management of risks and hazards associated with climate change they will work together to ensure that any action taken by the licensee/permit holder meets the requirements of both regulators. | |

Table 12 - Site Restoration - Decommissioning

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| **Primary Responsibility** | **Secondary Responsibility** |
| ONR has responsibility for enforcing the relevant statutory provisions of HSWA and TEA13, for example in relation to risks to workers on the site and risks to the public from accidents, until such time as ONR gives notice in writing to the licensee that in its opinion there has ceased to be any danger from ionising radiations from anything on the site in accordance with the period of responsibility under NIA65  The Environment Agency is responsible for granting, varying, revoking, and accepting surrender of permits on a nuclear licensed site (including for the disposal of radioactive waste) in accordance with the requirements of the EPR16 or other environmental legislation for which the Environment Agency has responsibility. | ONR will check that any permit granted, or any variation, revocation or surrender of a permit will not prejudice any legal process under NIA65 or any other relevant statutory provision of HSWA or TEA13.  The Environment Agency will provide advice to ONR on operators’ decommissioning arrangements, including: (i) the extent to which the arrangements adequately consider RSR and other relevant environmental matters; (ii) whether the proposals, when implemented, are likely to comply with RSR and other environmental requirements, and if necessary (iii) any changes we consider necessary to the decommissioning proposals. |
| **Working Arrangements** | |
| The generic working arrangements in the preceding tables remain valid in this specific phase of a site’s activities which may extend over many decades. It is important to note that during the decommissioning of sites where there are significant risks, emphasis may be placed on hazard reduction where a short-term/temporary increase in risk (with respect to both environment and safety) may be necessary in order to achieve a significant long-term reduction in risk. Thus, the need for ONR and the Environment Agency to co-ordinate working arrangements at both strategic and working levels is essential. Working arrangements should have regard to the Joint Regulators’ Statement of Common Understanding on the On-site disposal of solid radioactive waste on nuclear licensed sites. | |

Table 13 - Site Restoration - Land Quality and Groundwater

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| --- | --- |
| **Primary Responsibility** | **Secondary Responsibility** |
| ONR has the lead responsibility for regulating the use and storage of radioactive substances and wastes on nuclear licensed sites, including unintended releases to land or groundwater in England. Nuclear site licences granted under the NIA65 contain specific conditions intended to ensure adequate arrangements for the storage of nuclear matter and the accumulation of radioactive waste, and to prevent the leakage and escape of radioactive material and radioactive waste. In addition, ONR has health and safety, radiological protection and other regulatory responsibilities in relation to land quality management activities on nuclear sites.  ONR is the lead regulator for the remediation of land and groundwater resulting from a leak of radioactive substances or radioactive waste on or from a nuclear site.  The Environment Agency has lead responsibilities on nuclear sites for regulating aspects of non-radioactive land contamination and the disposal of wastes (radioactive or non-radioactive) on or from sites. This includes regulating the disposal of radioactive waste arising from the remediation of land contaminated with radioactivity, and the in-situ disposal of buried structures. Where such activities are also groundwater activities under Schedule 22 of EPR16, the requirements of Schedule 22 are implemented through the RSR permit. | The Environment Agency has responsibility to ensure that best available techniques (BAT) are being used to prevent leaks of radioactive wastes as part of the requirement to reduce radioactive discharges to a level that is as low as reasonably achievable (ALARA).  ONR and the Environment Agency will liaise with one another at the appropriate level on land quality and groundwater matters on a nuclear licensed site to seek to avoid and where necessary resolve any conflict between the requirements of NIA65, HSWA, TEA13, and EPR16, and in relation to other aspects of environmental protection and legislation that may be relevant. |
| **Working Arrangements** | |
| As there is an interface between ONR’s role and responsibilities on nuclear sites and those of the environment agencies the regulators work together on land quality and groundwater protection matters at the individual site level to regulate historical and any current leaks of substances or wastes should they occur. The regulators have established a joint working group to develop a common regulatory perspective of land quality issues at nuclear sites and this group has produced a ‘regulatory expectations’ document (see below) The regulators continue to liaise closely as regulatory approaches to the decommissioning and restoration of nuclear sites develop.  See also <http://www.onr.org.uk/land-quality-management.htm> | |

**References:**

The Office for Nuclear Regulation (ONR), the Environment Agency, Natural Resources Wales and the Scottish Environment Protection Agency (SEPA) – Regulatory Expectations for Successful Land Quality Management at Nuclear Licensed Sites, June 2014, available on the ONR website.

The Office for Nuclear Regulation (ONR), the Environment Agency, Natural Resources Wales and the Scottish Environment Protection Agency (SEPA) – On-site disposal of solid radioactive waste on nuclear licensed sites. Joint Regulators’ Statement of Common Understanding, February 2021, available on the ONR website.

Environment Agency, RSR guidance for nuclear sites undergoing decommissioning, February 2024, available on gov.uk

Table 14 - Nuclear Reactors (Environmental Impact Assessment for Decommissioning) Regulations

|  |  |
| --- | --- |
| **Primary Responsibility** | **Secondary Responsibility** |
| ONR has responsibility for granting an EIADR consent for projects to decommission nuclear power stations and nuclear reactors in scope of the regulations. In addition to this, ONR considers the potential for any significant adverse effects that may be associated with proposed changes to ongoing decommissioning projects under Regulation 13 of EIADR.  Where requested by the licensee, ONR will provide a Pre-Application Opinion (PAO) which provides advice to the licensee on what issues and environmental aspects ONR considers should be covered in the subsequent application for EIADR consent.  ONR will ensure compliance with EIADR and the conditions of the EIADR consent for each decommissioning site, including review of Environmental Management Plans (EMPs) and conduct of periodic EIADR compliance inspections. In discharging its responsibilities ONR will engage with the Environment Agency, as appropriate, for example via consultation on EIADR submissions. | The Environment Agency will advise ONR on aspects of environmental impact assessment as required, in particular on how proposed decommissioning activities may affect the off-site environment.  For decommissioning projects in England, ONR will consult with the Environment Agency on any request for a PAO, application for consent and with regard to any notification received in accordance with Regulation 13 of EIADR (relating to changes to decommissioning plans) such that the Environment Agency can check that proposals are consistent with applicable environmental legislation and relevant permits.  The ONR will engage with the relevant Environment Agency site regulator in undertaking its review of relevant Environmental Management Plans (EMPs) applicable to the site so as to help ensure sharing of knowledge and information and avoidance of any conflict with Environment Agency regulatory duties or vires. |
| **Working Arrangements** | |
| ONR will include the Environment Agency as a statutory consultee in all EIADR consultations. ONR will take meaningful account of Environment Agency comments to inform its decisions.  ONR and the Environment Agency will share information and enter into discussions on issues of common interests appropriate.  ONR will provide regulatory oversight of compliance with EIADR. ONR and the Environment Agency will work cooperatively, for example conducting joint site inspections or entering discussions on issues of common interest where appropriate. | |

Table 15 - Higher Activity Radioactive Wastes

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| **Primary Responsibility** | **Secondary Responsibility** |
| ONR has responsibility for regulating the management and storage of HAW.  The Environment Agency has responsibility for regulating the disposal of HAW (including aspects of its pre-disposal management that may affect the impact of disposals on people and the environment), the environmental discharges associated with management of HAW, and the transfer of HAW from one site to another.  ONR and the Environment Agency will work together on matters relating to HAW, as set out in the Regulatory–Position Statement - 2021 Update. (These arrangements include Natural Resources Wales and the Scottish Environment Protection Agency). | Through the joint working arrangements, ONR and the Environment Agency will together ensure that arrangements for the packaging and storage of HAW over its entire life-cycle are optimised, with disposability in mind. An optimised approach needs to balance safety, security and environmental factors.  Each organisation will inform the other of any proposed action that might prejudice the other organisation’s statutory duties and functions. |
| **Working Arrangements** | |
| The UK Regulators’ HAW Board is responsible for overseeing coordination of the regulators’ joint work on HAW management.  ONR and the Environment Agency will work together to interact with the licensee to ensure HAW management proposals are identified for regulatory oversight by their Nuclear Liabilities and Nuclear Waste Assessment teams.  Neither the ONR nor the Environment Agency will issue, vary or revoke any relevant legal instrument without taking full and meaningful account of the other organisation’s advice. | |

**References**

Office for Nuclear Regulation, Environment Agency, the Scottish Environment Protection Agency and Natural Resources Wales. Regulatory Arrangements for the Management of Higher Activity Radioactive Waste on Nuclear Licensed Sites. Regulator– Position Statement - 2021 Update, available on the ONR website.

Table 16 - Approval of Nuclear Site Security Plans and Temporary Site Security Plans under the Nuclear Industries Security Regulations 2003

|  |  |
| --- | --- |
| **Primary Responsibility** | **Secondary Responsibility** |
| ONR is responsible for the: approval, revocation, or amendment of a Nuclear Site Security Plan (NSSP); or approval of a Temporary Security Plan (TSP) in accordance with the requirements of the NISR 2003.  ONR will regulate to ensure that any NSSP, subsequent amendment or TSP achieves the security objectives and fundamental security principles described in the Security Assessment Principles.  The NSSP or TSP will describe the security regime that the site will adopt. | The Environment Agency will check that the approval, revocation or amendment of a NSSP; or approval of a TSP, that is relevant to radioactive waste management is consistent with its statutory duties and responsibilities including those of environmental protection and improvement and will not prejudice any legal process under EPR16 or other environmental legislation. |
| **Working Arrangements** | |
| ONR will consult the Environment Agency before:   * granting, revoking or amending a NSSP * approving a TSP, which relates to, or affects, the creation, accumulation or disposal of radioactive waste.   In consequence of that consultation:   1. the Environment Agency will advise ONR of those matters that are likely to conflict with its statutory duties and responsibilities including those of environmental protection and improvement. 2. the Environment Agency will advise ONR if in its opinion the approval of the NSSP or TSP would prejudice any legal process under EPR16 or other environmental legislation. 3. ONR will not approve, revoke or amend any relevant NSSP likely to have an environmental impact without consultation with the Environment Agency and taking full and meaningful account of any environmental issues. 4. ONR will not approve a TSP that relates to, or affects, the creation, accumulation or disposal of radioactive waste without consultation with the Environment Agency and taking full and meaningful account of any environmental issues. | |

Table 17 - Approval of Transport Security Statements and Transport Security Plans under Nuclear Industries Security Regulations 2003

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| **Primary Responsibility** | **Secondary Responsibility** |
| ONR will be responsible for the: approval, revocation, or amendment of a Transport Security Statement (TSS); or approval of a Transport Security Plan (TptSP) in accordance with the requirements of the NISR.  ONR will regulate to ensure that any TSS, subsequent amendment or TptSP achieves the security objectives described in the Security Assessment Principles.  The TSS or TptSP will describe the security regime that the carrier will adopt. | The Environment Agency will check that the approval, revocation or amendment of a TSS; or approval of a TptSP, that is relevant to radioactive waste management is consistent with its statutory duties and responsibilities including those of environmental protection and improvement and will not prejudice any legal process under EPR16 or other environmental legislation. |
| **Working Arrangements** | |
| ONR will consult the Environment Agency before:   * granting, revoking or amending a TSS; * approving a TptSP, that relates to, or affects, the creation, accumulation or disposal of radioactive waste.   In consequence of that consultation:   1. the Environment Agency will advise ONR of those matters that are likely to conflict with its statutory duties and responsibilities including those of environmental protection and improvement. 2. the Environment Agency will advise ONR if in its opinion the approval of the TSS or TptSP would prejudice any legal process under EPR16 or other environmental legislation. 3. ONR will not approve, revoke or amend any relevant TSS likely to have an environmental impact without consultation with the Environment Agency and taking full and meaningful account of any environmental issues. 4. ONR will not approve a TptSP that relates to, or affects, the creation, accumulation or disposal of radioactive waste without consultation with the Environment Agency and taking full and meaningful account of any environmental issues. | |

Table 18 - Inspection, Assessment and Enforcement of Radioactive Materials Transport

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| **Primary Responsibility** | **Secondary Responsibility** |
| ONR is responsible for the approval, revocation, or amendment of certain package and material designs; certain shipments; special arrangements; unlisted radionuclide ‘A’ values for transport; and other items requiring GB competent authority approval in relation to radioactive material transport in accordance with the requirements of the Carriage of Dangerous Goods and Use of Transportable Pressure Equipment Regulations 2009 as amended (CDG2009) insofar as they relate to the Civil Carriage of Class 7 Goods.  ONR will sample compliance against CDG2009 requirements in so far as they relate to the Civil Carriage of Class 7 Goods within GB, including “storage in transit”. | The Environment Agency will share appropriate permissioning data on holders of radioactive material under EPR16, or other environmental legislation, where considered relevant to ONR responsibilities.  ONR will share appropriate information with the Environment Agency where considered relevant to Environment Agency responsibilities.  The Environment Agency is responsible for administering the transfrontier shipment of radioactive waste under the Transfrontier Shipment of Radioactive Waste and Spent Fuel (EU Exit) Regulations 2019. |
| **Working Arrangements** | |
| ONR will consult the Environment Agency, with respect to:   1. any matters which might conflict with the Environment Agency’s statutory duties and responsibilities including those of environmental protection and improvement; and 2. inform the Environment Agency of any potential infringement of EPR16 or other environmental legislation if found as part of ONR inspection duties.   The Environment Agency will inform ONR of any potential infringement of CDG2009 found as part of Environment Agency inspection duties under environmental legislation.  The Environment Agency and ONR will keep each other informed of transfrontier shipments. | |

Table 19 - Nuclear Material Accountancy, Control and Safeguards

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| **Primary Responsibility** | **Secondary Responsibility** |
| ONR is responsible for working with duty holders and the IAEA safeguards inspectorate to ensure that the UK domestic and international safeguards requirements are met. Details of the safeguards requirements are detailed in Nuclear Safeguards (EU Exit) Regulations 2019 and associated ONR guidance, and is applicable to all Qualifying Nuclear Material (QNM) irrespective of whether a nuclear site licence is in place.  For sites that do not have a nuclear site licence under NIA65, but hold Qualifying Nuclear Material (QNM), ONR is responsible for safeguards and the Environment Agency is responsible for radioactive substances regulation as set out in the EPR16. |  |
| **Working Arrangements** | |
| ONR will keep the Environment Agency informed about issues of nuclear material accountancy and control that arise in the course of implementing domestic and international safeguards requirements – including in particular instances where those issues may result in escalation by the IAEA.  The Environment Agency will keep ONR informed of issues of nuclear material accountancy and control that arise in the course of implementing the requirements of the EPR16. | |

Table 20 - Research, Development and Innovation related to Nuclear Licensed Sites

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| **Primary Responsibility** | **Secondary Responsibility** | |
| ONR is committed to embracing innovation, new approaches and technologies in how and what it regulates, sharing best practice, and encouraging dialogue by engaging widely. The work of the innovation hub is centred on developing relevant good practice (RGP) and engaging with licensees on the deployment of innovation where it is in the interest of society and consistent with safety, security and safeguard expectations.  As part of ONR’s duties outlined in the Energy Act 2013, ONR can carry out or commission research, The research is used to enhance regulatory capability and effectiveness, and to fulfil ONR’s duty as an independent regulator.  The Environment Agency is required under the Environment Act 1995 to:  “*follow developments in technology and techniques for preventing or minimising, or remedying or mitigating the effects of, pollution of the environment*”.  and to:  “*make arrangements for the carrying out of research and related activities (whether by itself or by others) in respect of matters to which its functions relate*”.  Research and development should be done on the basis of clearly stated aims and objectives. Both ONR and EA should ensure that there is no unnecessary overlap between or significant omissions from their respective research programmes.  Both ONR and Environment Agency regulate in line with the Regulators’ Code to be enabling regulators and in line with the Growth Duty. Both ONR and the Environment Agency have made clear commitments to help support innovation, whilst acting as objective, robust and independent regulators to ensure continued protection ofpeople, the environment and society. | The Environment Agency is a Public Sector Research Establishment (PSRE). PSREs *“play an important role in the UK’s science, research, development, and innovation (RDI) landscape. Principally, they support government by providing science advice to policymakers, by acting as a strategic capability in policy delivery and by delivering critical science services for government, business, and society. Given the wide-ranging policy and operational needs of government departments, PSREs themselves vary greatly in function and mission. Some are highly research intensive…whilst others play critical operational and regulatory roles necessary for running the country (for example, the Environment Agency).* |
| **Working Arrangements** | |
| ONR and the EA collaborate where possible as we have similar requirements to understand the technical underpinning of safety and environmental cases and to keep abreast of developing and emerging technologies. ONR and EA work to promote and enable safe and sustainable innovation in the nuclear industry.  The ONR and EA Research Teams meet on an annual basis to compare their respective approach to research, their portfolio of research projects, and to discuss areas of mutual interest. This ensures that each organisation is aware of the other’s research programmes and avoids duplication of research projects. | |

**References:**

Environment Act 1995, Part 1, Chapter 1A, Section 5, Paragraph 4

Environment Act 1995, Part 1, Chapter 3, Section 37, Paragraph 5 (a)

DESNZ, Scottish Government, Welsh Government, DAERA, 2024, UK policy framework for managing radioactive substances and nuclear decommissioning BIS, 2014. Regulators’ Code

Legislative and Regulatory Reform Act 2006

BEIS, 2017. Growth Duty: Statutory Guidance

ONR, 2020. ONR Strategy 2020-2025

ONR, 2020. Approach to regulating innovation

Environment Agency, 2022. Regulatory statement

Environment Agency. 2024. Review of activities regulated by the Environment Agency, 2022

Government Office for Science, 2022. Guidance on assessing performance and value of PSREs

Table 21 - International Engagement

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| --- | --- |
| **Primary Responsibility** | **Secondary Responsibility** |
| Nuclear safety, security, safeguards and environmental safety in England are guided by international standards and guidance. ONR and the Environment Agency shall coordinate their engagement with international organisations, such as IAEA, OECD NEA, HERCA, ICRP, etc and also ensure they collaborate as necessary in bilateral discussions with other countries, as set out in ONR’s Strategic Framework for International Engagement to 2025, and the Environment Agency’s International Strategy, and International Strategy Delivery Plan for Radioactive Substances Regulation.  On behalf of the UK, ONR and the Environment Agency actively contribute to and influence the development of international standards and guidance in the IAEA Commission on Safety Standards (CSS) and its associated Safety Standards Committees (SSCs) which shape key elements of the Agency’s work on the peaceful use of nuclear technologies and underpin global nuclear safety, security and sustainability.  ONR and the Environment Agency actively support the IAEA’s Integrated Regulatory Review Service (IRRS) and International Physical Protection Advisory Service (IPPAS) missions, which review regulatory policies and practices against IAEA safety standards and security guidance respectively.  The UK is a signatory to various international treaties and conventions which place legally binding obligations on the UK to demonstrate compliance, including the Convention on Nuclear Safety, Joint Convention on Safety of Spent Fuel and Safety of Radioactive Waste, Convention on the Physical Protection of Nuclear Material, the Convention for the Protection of the Marine Environment of the North-East Atlantic (OSPAR) and the Code of Conduct on the Safety and Security of Radioactive Sources.  The role of a nominated UK representative to any international committee is to act as a focal point for UK interaction with that committee. It should be borne in mind that they represent the UK and not any individual organisation or interest group.  Through the UK’s membership of the IAEA, ONR and the Environment Agency will help to support the IAEA mandate regarding the 17 sustainable development goals.  Contributing towards sustainable development is a core statutory duty of the Environment Agency. Sustainable development is integral and fundamental to what they do. The Environment Agency is required under the Environment Act 1995, to: “protect or enhance the environment, taken as a whole, as to make the contribution towards attaining the objective of achieving sustainable development” | ONR and the Environment Agency will support other countries to reach for the same high standards in safety, security, safeguards and environmental safety.  The Environment Agency supports the UK Government ambitions to be a global leader in environmental policy. They will play their part in delivering the international goals and commitments laid out in key UK government strategies, as detailed in the Environment Agency’s International Strategy. |
| **Working Arrangements** | |
| ONR and the Environment Agency acting as UK representatives on international committees will provide guidance and direction to their assigned committee, ensuring that it remains viable for the UK’s needs by playing an active role within it.  ONR and the Environment Agency acting as UK representatives on international committees will share documents for each meeting or interaction with each other, to garner relevant information and views that should be shared whilst representing the UK at that meeting or interaction.  ONR and the Environment Agency acting as UK representatives on international committees will produce a report from each meeting or interaction, whilst representing the UK at that meeting or interaction, and will share a copy of that report with each other and, where relevant, with Government. The report shall include the benefits which can be realised from their interactions.  ONR and the Environment Agency will ensure that the Department for Energy Security and Net Zero (DESNZ) is informed, in a reasonable timeframe, of those meetings they intend to attend acting as UK representatives and what information and knowledge they intend to gather and impart. This will enable DESNZ to offer briefing and direction where necessary.  ONR and the Environment Agency will discuss and agree who is the most appropriate organisation to represent the UK on international committees according to their legal vires.  ONR and the Environment Agency will share with each other any information they are made aware of as a result of taking part in international conferences and meetings that may be relevant to their legal vires.  ONR and the Environment Agency are each responsible for ensuring they handle export control licence information appropriately and in accordance with their own organisation’s arrangements. | |

**References:**

UK Framework for International Atomic Energy Agency (IAEA) Safety Standards and Guidance

ONR, Strategic Framework for International Engagement to 2025

Environment Act 1995, Part 1, Chapter 1, Section 4, Paragraph 1

Environment Agency’s International Strategy

Environment Agency’s International Strategy Delivery Plan for Radioactive Substances Regulation, May 2024

1. § Note here, and elsewhere, for sites in Wales. NRW has a service level agreement with the Environment Agency who provide dedicated site regulators on nuclear licensed sites in Wales. For such interactions, the guidance applicable to the MoU between ONR and NRW should be consulted, as appropriate. [↑](#footnote-ref-2)
2. § There are other applicable MoUs between ONR and Environment Agency that exist or are under preparation covering specific legislation, for example on the Control of Major Accident Hazards Regulations (COMAH) which are out with the scope of this guidance document. [↑](#footnote-ref-3)
3. the integrated team approach adopted between the Environment Agency and ONR on new reactor licensing activities is cited as a relevant case study of effective joint working. [↑](#footnote-ref-4)
4. **Note** - there are other applicable MoUs between ONR and the Environment Agency that exist or are under preparation covering specific legislation, for example on the Control of Major Accident Hazards Regulations (COMAH). [↑](#footnote-ref-5)