

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

Report for period 1 April 2021 – 30 September 2021

Foreword

This report is issued as part of ONR's commitment to make information about inspection and regulatory activities relating to the above site available to the public. Reports are distributed to members for the West Cumbria Sites Stakeholder Group (WCSSG) and are also available on the ONR website (<http://www.onr.org.uk/llc/>).

The ONR Site Inspector usually attends one WCSSG LLWR Working Group meeting each year and will respond to any questions raised there. Any person wishing to inquire about matters covered by this report should contact ONR.



Table of Contents

1	Inspections	3
2	Routine Matters	3
3	Non-Routine Matters.....	4
4	Regulatory Activity	4
5	News from ONR.....	5
6	Contacts	7

1 Inspections

Due to the ongoing covid 19 pandemic, planned inspections were deferred to the second half of the inspection planning year i.e. October 21 – March 22. Routine engagements have continued as discussed in the following section.

2 Routine Matters

Inspections

Inspections are undertaken as part of the process for monitoring compliance with:

- the conditions attached by ONR to the nuclear site licence granted under the Nuclear Installations Act 1965 (NIA65) (as amended);
- the Energy Act 2013
- the Health and Safety at Work Act 1974 (HSWA74); and
- regulations made under HSWA74, for example the Ionising Radiations Regulations 2017 (IRR17) and the Management of Health and Safety at Work Regulations 1999 (MHSWR99).

The inspections entail monitoring licensee's actions on the site in relation to incidents, operations, maintenance, projects, modifications, safety case changes and any other matters that may affect safety. The licensee is required to make and implement adequate arrangements under the conditions attached to the licence in order to ensure legal compliance. Inspections seek to judge both the adequacy of these arrangements and their implementation.

In May 2021 ONR attended via MS Teams the LLWR annual review of safety and security. ONR is content that the review was suitably self-critical, and that Radiological and Nuclear Safety performance remain adequate. Decommissioning and demolition work has been completed without significant incident.

In July 2020, NDA announced its intention to terminate the Parent Body Contract for LLWR and transition the site licence company into being a wholly owned NDA subsidiary in July 2021. ONR has engaged regularly with LLWR to ensure this organisational change has been managed appropriately and nuclear safety is not adversely affected. In June 2021 ONR issued a letter of no objection to the change.

In addition, in January 2021, NDA announced its intention to create a waste management division by bringing together LLWR and Radioactive Waste Management Ltd in 2022. ONR has begun engagement with LLWR to ensure this organisational change is managed appropriately and nuclear safety is not adversely affected.

During the reporting period, ONR judged the arrangements made and implemented by the site in response to safety requirements to be satisfactory in the areas inspected. Where improvements have been identified, the licensee has made a commitment to address those issues, and ONR inspectors will closely monitor progress during future site inspections. Where necessary, ONR will take formal regulatory enforcement action to ensure that appropriate remedial measures are implemented to reasonably practicable timescales. Members of the public, who would like further information on ONR's inspection activities during the reporting period, can view site Intervention Reports at www.onr.org.uk/intervention-records on our website www.onr.org.uk. Should you have any queries regarding our inspection activities, please email contact@onr.gov.uk.

3 Non-Routine Matters

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

Matters and events of particular note during the period were:

Two minor transport related incidents have been reported to ONR. ONR is content that LLWR has investigated the circumstances and is dealing adequately with the matters raised. The LLWR actions identified to help prevent a recurrence continue to be monitored by ONR.

4 Regulatory Activity

ONR may issue formal documents to ensure compliance with regulatory requirements. Under nuclear site licence conditions, ONR issues regulatory documents, which either permit an activity or require some form of action to be taken; these are usually collectively termed 'Licence Instruments' (LIs) but can take other forms. In addition, inspectors may take a range of enforcement actions, to include issuing an Enforcement Notice.

- No LIs, Enforcement Notices or Enforcement letters were issued during this period.

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

5 News from ONR

For the latest news and updates from ONR visit the website and sign up for our ebulletin (<http://www.onr.org.uk/ebulletin/index.htm>).

Enforcement action

- In April, we announced that EDF [complied](#) with a Direction we served on 14 December 2020, under the Pressure Systems Safety Regulations (2000). This followed an inspection, at which found a number of pressure system components at Heysham 1 Power Station were overdue their scheduled examination.
- In May, we agreed to [extend an improvement notice](#) served on EDF in September 2020, recognising the progress made so far. The notice was served after some of the equipment used to measure reactor power at Heysham 2 was incorrectly configured. We judged that Heysham 2 is able to operate safely, and that additional time to demonstrate the required improvements will not pose a risk to safety. EDF must now comply with the improvement notice by 31 July 2021.
- In June, we announced that Rolls-Royce Submarines Ltd (RRSL) had [complied](#) with an improvement notice served on 29 May 2020. The notice was served after RRSL operators brought 21 units of fissile material into the facility – which exceeding the limit defined within the safety case and set out in the Criticality Control Certificate for the facility.
- In July, we served an improvement notice on Devonport Royal Dockyard Ltd (DRDL) for shortfalls in its health and safety arrangements. The notice was served after DRDL failed to demonstrate consistent and effective arrangements to control and monitor the risks associated with working at height at its Devonport site. DRDL must comply with the requirements of the improvement notice by 31 March 2022.
- In August, we announced that Morgan Sindall Infrastructure Ltd had complied with an improvement notice served in January 2021 after workers came close to striking a live high voltage electric cable during excavation work at the Sellafield site. Since this incident occurred, Morgan Sindall has put in place measures to prevent similar occurrences, and we are satisfied that they have complied with the requirements of the improvement notice.

COVID-19: ONR Position

- We are continuing to obtain assurance that nuclear site licensees and other dutyholders are adequately resourced to continue to safely and securely carry out their activities. We remain satisfied with industry's response at this time; there has been no significant change to dutyholders' safety and security

resilience.

- We have measures in place to try and prevent asymptomatic ONR staff unwittingly conveying the virus onto a regulated site. We require all staff to take a circular 1 health (C1H) antigen test in advance of them visiting a site. In addition to the C1H test, we also require them to take a lateral flow test on the morning of their planned site visit. We are keeping our COVID-19 testing guidance under regular review, in-line with the changing national context and any further developments in industry approaches to testing arrangements.

Other

- In April, we published an [article](#) introducing our newest board member, Jean Llewellyn, who joined us in October 2020, as security lead. Jean brings with her a wealth of experience, including serving as a non-executive director on the board of the World Institute for Nuclear Security since 2018 – which has given her a good understating of the global security challenges facing the nuclear industry.
- In May, we issued our e-bulletin '[ONR News](#)' NR News' to subscribers. This issue included farewell reflections from our outgoing chief executive, a leadership update, further information on our COVID -19 response, and the results of our latest stakeholder survey. You can sign up for our e-bulletin [here](#).
- On 1 June, we [announced](#) the full implementation of our new leadership structure. Mark Foy is now our combined Chief Executive and Chief Nuclear Inspector. He is supported by Sarah High as Deputy Chief Executive, and Donald Urquhart as Executive Director of Operations.
- In June, we published our new [Corporate Plan for 2021/22](#), which sets out our key priorities to protect the public by securing safe nuclear operations.
- In June, our State System of Accounting for and Control of Nuclear Material (SSAC) project - which saw ONR become the UK's national nuclear safeguards regulator from 31 December 2020, was [shortlisted for a national award](#) in the Project Management Institute's UK National Project Awards in the 'Project of the Year (Public Sector)' category. Nuclear safeguards are measures to verify that countries comply with international obligations not to use nuclear materials from civil nuclear programmes for non-peaceful purposes.
- In July, our project to become the UK's domestic safeguards regulator was named the public sector's [Project of the Year at the National Project Awards](#).
- In September we invited stakeholders to submit comments on our updated reference papers for Coastal Flood Hazards and Meteorological Hazards for Nuclear Sites. Although supplementary to our normal governance process, we are doing this due to stakeholder interest in these topics and our commitment to being an open and transparent regulator.

The reference papers provide additional detail on the analysis of the external hazards for nuclear sites and have been produced by our [Expert Panel on Natural Hazards](#), a group of academic and industry technical specialists working under contract to provide us with independent expert advice. You can find out more about how to get involved and comment on these papers on our [website](#).

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