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Our Reference: 2022/30548  
Enforcement No: ONR-EL-22-007  
Unique Number: HPC504227N

Date: 16 May 2022

## ONR ENFORCEMENT LETTER

Dear [REDACTED]

### **Subject: BYLOR JV – QUALITY MANAGEMENT ARRANGEMENTS ON HINKLEY POINT C**

NNB GenCo (HPC) Ltd raised an INF/1 (1130) on 10 September 2021 formally notifying ONR that during routine surveillance of radiographs of ASG tank 4 (a nuclear safety class 1 emergency feedwater tank), Bylor JV had noticed some defects on adjacent welds shot as a by-product of other leak tight welds. This led to the identification of six radiographic films that appeared to have been cut, the reason for this modification to the radiographs not being readily apparent.

ONR has carried out a formal investigation into this event. The investigation outcome is that alteration of lifetime quality records (radiographs) represents inadequate compliance and that the compliance failures are of a substantial or material nature. The investigation found that this occurred as a result of a large number of complex organisational and other factors including technical uncertainty regarding inspectability of the welds under question rather than necessarily a deliberate intent to deceive. Having reviewed this outcome against ONR's Enforcement Model, we have decided that although there are no grounds for prosecution, enforcement action (enforcement letters) is necessary to ensure that improvements are implemented to prevent recurrence of such an event. In generating this Enforcement Letter, I have taken due account of existing Regulatory Issues (RI8661 and 10489) and the improvements that have already been implemented in the period since this event occurred.

## **1. Regulatory requirements:**

### **Section 6 Health and Safety and Work Act (1974):**

It shall be the duty of any person who designs, manufactures, imports or supplies any article for use at work or any article of fairground equipment—

(a) to ensure, so far as is reasonably practicable, that the article is so designed and constructed that it will be safe and without risks to health at all times when it is being set, used, cleaned or maintained by a person at work;

(b) to carry out or arrange for the carrying out of such testing and examination as may be necessary for the performance of the duty imposed on him by the preceding paragraph;

## **2. Remedial action required**

I require Bylor JV to ensure that NNB's quality and culture requirements (NNB-308-SOR-000011 Rev 4 Nuclear Safety Culture Requirements) are effectively implemented in the main civils works manufacturing project. This is to include appropriate contract mobilising plans to ensure that suitable and quality personnel requirements are defined, and work scope is controlled commensurate with available resource.

The required improvements in relation to quality arrangements are already covered under existing Regulatory Issue 8661 which requires appropriate action from NNB GenCo. I received an update in relation to this issue during my site visit on 26 April 2022 am generally satisfied with the progress being made. Closure of this Regulatory Issue will require demonstration that the required improvements have been effectively implemented by Bylor and its contractors. This should include adequacy of your mobilisation of contractors' arrangements/management to ensure that ongoing active management of contractors deployment/mobilisation is assured.

In addition, I require Bylor JV to ensure that these requirements are appropriately cascaded to and assured in its supply chain. Bylor nuclear safety culture and expectations should reinforce that nuclear safety/quality must take precedence over commercial considerations. There is an existing Regulatory Issue (RI10489) that requires NNB GenCo to address shortfalls in its nuclear safety culture requirements cascading to the supply chain. Progress with addressing these shortfalls will require commitment and support from your organisation. This issue has been raised to a level 3 Regulatory Issue to ensure that it receives the appropriate level of governance.

ONR has now found quality issues across a number of contractors delivering under the main civils works manufacturing project (Tissot, Darchem and Efinor) and I will be requesting a Holding to Account meeting to ensure that the significance of this enforcement action is recognised by all relevant dutyholders as a complementary enforcement tool. Please provide your response to this letter within four weeks of

receipt, detailing how you propose to remedy the non-compliance and address the actions required.

**Information for employees**

Section 28(8) of the Health and Safety at Work etc. Act 1974 requires me to give information to your employees about matters affecting their health, safety and/or welfare. I have, therefore, sent a copy of this letter to the safety representatives below as representatives of your employees for their information.

Yours sincerely

[Redacted Signature]

[Redacted Name]

**Principal Inspector – Nuclear Safety**

**Distribution:**

**NNB GenCo** (via HPC Site Regulator Interface)

[Redacted Distribution List]

HPC Safety Representatives  
Regulatory Interface Office

**ONR** (by e-mail)

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