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Our Reference: 2022/30550
Enforcement No: ONR-EL-22-009
Unique Number: HPC504229N

Date: 16 May 2022

ONR ENFORCEMENT LETTER

Dear [REDACTED]

NNB GENERATION COMPANY (HPC) LTD HINKLEY POINT C, NUCLEAR SITE LICENCE No. 97A LICENCE CONDITION 17 – MANAGEMENT SYSTEMS

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 its main civils works contractor 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 (primarily RI8661) and the

improvements that have already been implemented in the period since this event occurred.

1. Regulatory requirements:

Licence Condition 17

(1) Without prejudice to any other requirements of the conditions attached to this licence, the licensee shall establish and implement management systems which give due priority to safety.

(2) The licensee shall, within its management systems, make and implement adequate quality management arrangements in respect of all matters which may affect safety.

Construction Design management Regulations (2015)

Regulation 13 Duties of a principal contractor in relation to health and safety at the construction phase:

(1) The principal contractor must plan, manage and monitor the construction phase and coordinate matters relating to health and safety during the construction phase to ensure that, so far as is reasonably practicable, construction work is carried out without risks to health or safety;

(2) In fulfilling the duties in paragraph (1), and in particular when— (a) design, technical and organisational aspects are being decided in order to plan the various items or stages of work which are to take place simultaneously or in succession; and (b) estimating the period of time required to complete the work or work stages; the principal contractor must take into account the general principles of prevention. (3)

The principal contractor must— (a) organise cooperation between contractors (including successive contractors on the same construction site).

2. Remedial action required

I require NNB GenCo to make suitable improvements to ensure that it is appropriately managing quality in the main civils works manufacturing. This includes ensuring that suitable and sufficient quality resource is provided commensurate with the work being undertaken by its contractors and that all its applicable quality arrangements are being effectively implemented by Bylor and the relevant tier 2 contractors. The improvements required are already covered under existing Regulatory Issue 8661. 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. 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, you should note that Regulatory Issue (RI10489) requiring NNB GenCo to cascade nuclear safety culture requirements to its supply chain has been raised to a Level 3 Regulatory issue to ensure that it receives the appropriate level of governance.

The remedial action required is covered by an existing regulatory issue and I recognise that significant progress has been made in remedying the identified shortfalls. However, 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)

[Redacted Distribution List]