

NO MARKING REQUIRED



Sellafield Ltd

Sellafield Ltd Supporting Practice

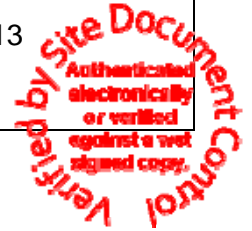
Sellafield Safeguards Department Regulatory Interfaces and Protocols

SLSP 4.07.04

Issue 1

Effective date 03/2014

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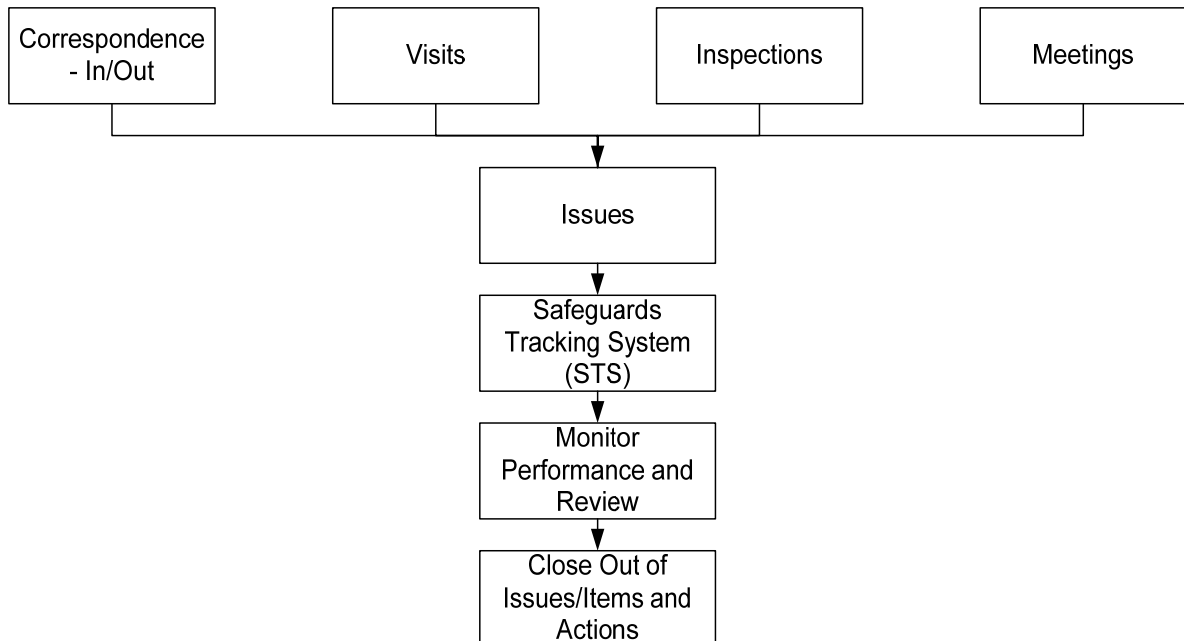
Purpose and scope

The purpose of this Sellafield Ltd Supporting Practice (SLSP) is to outline the rules of engagement for the interface between Sellafield Ltd and the Safeguards regulatory bodies, how these interfaces operate and the use of the Safeguards Tracking System (STS) to record them. This SLSP also provides guidance on the management of information for all interactions between the Sellafield Safeguards Department (SSD), Operating Units (OUs) and other stakeholders relating to Safeguards matters. This includes both formal and informal arrangements.

1 Instruction

The STS will handle information relating to Nuclear Material Control, Accountancy and Safeguards (NMCA&S) matters for the following Safeguards Regulators and Stakeholders:

- Directorate General of Energy - I (DG ENER I)
- Directorate General of Energy - D (DG ENER D)
- Office of Nuclear Regulator, UK Safeguards Office (ONR)
- Department of Energy and Climate Change (DECC)
- International Atomic Energy Agency (IAEA)
- Euratom Supply Agency (ESA)
- Export Control Office (ECO) – Department for Business Innovation and Skills



Information relating to other matters from other regulators is managed via the Regulator Tracking System (RTS).

1.1 Correspondence with Safeguards Regulators and Stakeholders

Incoming Correspondence

Incoming correspondence will be entered by SSD on STS and actioned appropriately to the relevant Issue, Item or Action owner. The system will automatically provide an Issue number which will provide an audit trail for any information relating to the Issue.

The STS will automatically default to a standard 28 days for turnaround of actions, should this be insufficient time to respond to an Issue, Item or Action, then a holding response should be sent, detailing a target date for completion. The information will be recorded on STS to ensure an audit trail is available.

NOTE: Access to the STS is limited (due to the restricted nature of the information contained) therefore only authorised persons can be nominated as an Issue, Item or Action owner on the STS.

Outgoing Correspondence

Outgoing correspondence reference numbers will be generated via the STS, will be issued by SSD, and will relate back to the relevant Issue, Item or Action number to ensure a consistent audit trail.

All outgoing correspondence must be sent via SSD.

Copying Correspondence to other Regulators and Stakeholders

Letter distribution should be included within the letter content, however as SSD is responsible for issuing the letter, copying of letters to 'other' stakeholders will be done as a matter of routine by SSD.

1.2 Visits Relating to Safeguards Matters

Visits by any of the Safeguards Regulators mentioned above will be managed by SSD. SSD is responsible for arranging access to site and ensuring that the relevant parties are notified of the visit and the reason for the visit.

When any of the Safeguards Regulators mentioned above are inside plant areas, they must be escorted at all times. This is generally the responsibility of the Material Custodian (MC), although SSD can help in arranging escort arrangements.

Visits, meetings and discussion with Safeguards Regulators, including those held at locations off site, and actions/issues raised, must be recorded as follows:

- Raise a visit report/note for the record if:
 - You have agreed something with a regulator outside a formal meeting where agreements etc would be recorded in the minutes. (If appropriate include the regulators on the distribution for the visit report, for example, to progress actions raised).
 - You have discussed something which you wish to record, or which may need to be referred to at a future date.
 - The visit will be of interest to other parties within Sellafield Ltd.

- If none of the above criteria applies, send an e-mail to SSD stating that a visit report is not required.
- If the subject matter is part of an existing issue on the STS then you should update the Issue/Item/Action with details of your meeting/visit.

NOTE: Any actions arising from the visit report should be recorded separately as an action via the STS so they can be tracked to completion with a full audit trail.

1.3 Safeguards Inspections

Inspections carried out by DG ENER will be facilitated via the SSD as defined in section 1.2. Recording information regarding outcomes of inspections etc should be done so by creating meeting minutes or a note for the record (NFR). Any immediate actions that may have already been completed during the inspection must be recorded on the STS to ensure a clear audit trail remains.

1.4 Meetings Relating to Safeguards Matters

All meetings should be recorded with meeting minutes or in the form of an NFR. It is the responsibility of the person chairing the meeting to ensure that this action has been completed and recorded on the STS. In all cases the meeting minutes or NFR must be copied to all persons present at the meeting. These will be distributed with a letter via SSD.

1.5 Safeguards Tracking System

The STS is a database used by the SSD for tracking the issues, items and actions resulting from correspondence, visits and meetings with various Regulators and Authorities associated with Safeguards. The process flow overleaf describes the steps required to process correspondence within the STS.

Correspondence received from these will be scanned and processed electronically by SSD, and will then be added to the STS and then sent to Issue Owners for information/action. The system will enable authorised users to raise Items and Actions arising from the associated Issue and will then assign a unique number to them. The Items/Actions will then be assigned to Owners and tracked to completion.

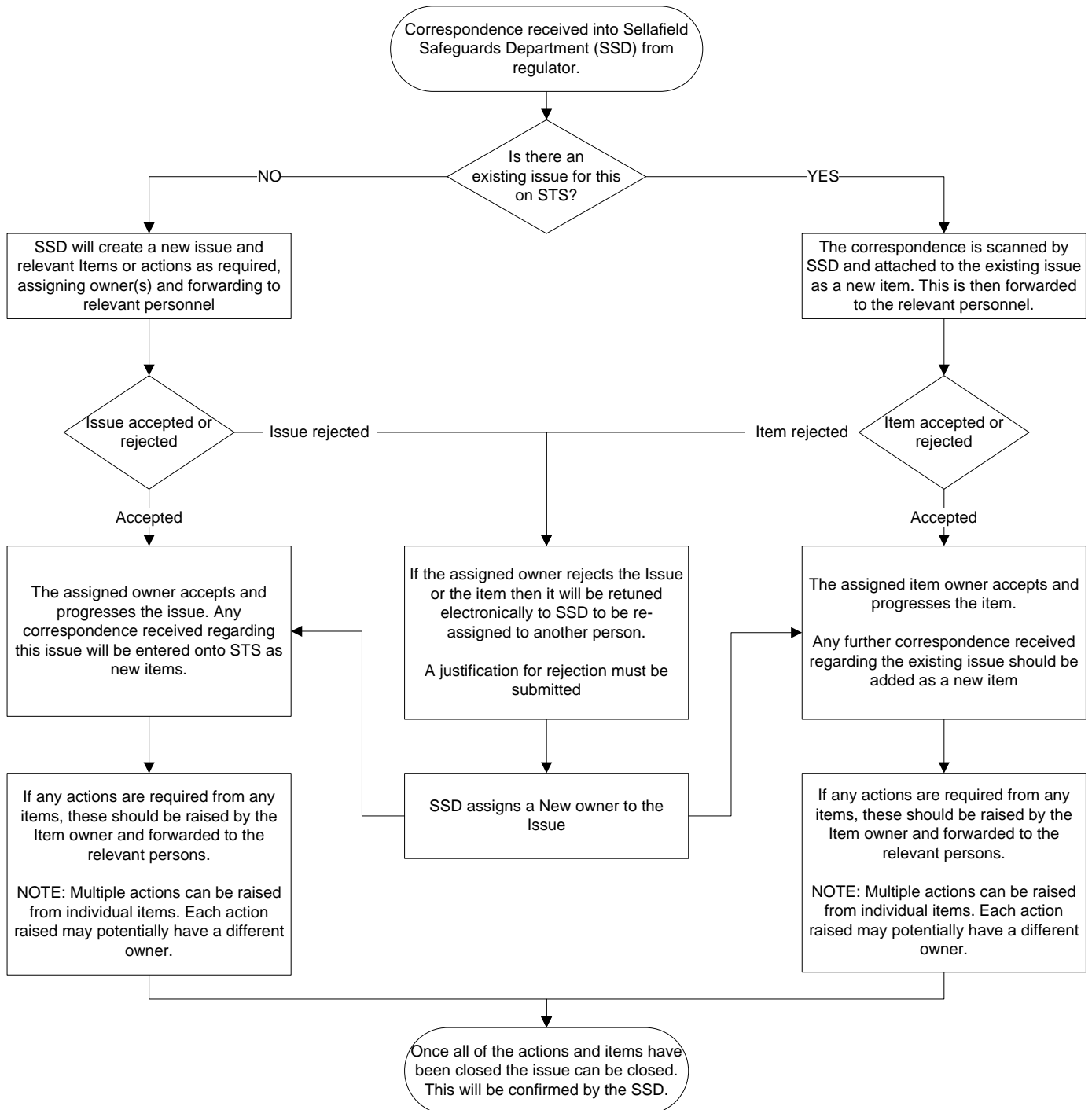
SSD is responsible for:

- carrying out maintenance and updating of STS.
- entering all 'incoming' correspondence onto STS.

SSD have a responsibility to respond to all incoming correspondence within 28 days, even if this is only a holding response.

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STS Process Flow



To access the STS, users need to:

- confirm they have authorisation via SSD
- go onto their Lotus Notes Work Space, and
- select the STS icon.

NOTE: The STS User Guide provides a more detailed guide on how to use the STS, and is available on the STS under the 'Help' section.

1.6 Monitoring and Performance Review

The STS has a means of measuring, from a site wide, OU, Material Balance Area (MBA) or personal basis, our performance in responding to requests from regulators. The aim is to ensure that all formal Issues/Items/Actions are considered and that appropriate responses are made within the timescale agreed.

SSD will run monthly reports to monitor progress: Monthly Report – Overdue Issues/Items and Actions Report, which shows any Issues/Items/Actions that have gone past their required completion date. This report is reviewed by the Head of SSD.

NOTE: Issue/Item/Action Owners are able to run regular reports to view outstanding actions via the search engine in the STS.

1.7 Rules of Engagement

The rules of engagement define the interface between Sellafield Ltd and the Safeguards regulatory bodies, how these interfaces (including correspondence) operate and the use of the STS to record them.

The following Regulators and Governmental bodies have responsibilities with respect to Nuclear Material and Safeguards matters at Sellafield:

- DG ENER E
- DG ENER D
- IAEA
- ONR

1.7.1 Directorate General of Transport and Energy - E (DG ENER - E)

Role

DG ENER-E are responsible for inspecting Sellafield Ltd's arrangements and for confirming the information provided against the regulations (302/2005) is correct. Their powers are bounded by regulation 302/2005 and the Euratom Treaty.

DG ENER-E Correspondence

Incoming & Outgoing Correspondence

All incoming and outgoing correspondence should be processed using STS as defined in section 1.5 of this SLSP. All incoming correspondence must be responded to within 28 days of receiving the letter, even if it is only a holding response that is sent.

All official letters will be marked Eura Restricted. This implies amongst other things that they can not be sent via fax. If correspondence needs to be sent urgently then, subject to confirmation that a classification of 'Commercial' is sufficient, a fax can be used. If correspondence is sent via fax it should be sent to a Commission Official fax number to ensure it is properly logged and also to a fax near to the relevant inspector. Official communications should not normally be sent via email although this may be useful for administrative tasks.

As noted above, all incoming and outgoing correspondence should be processed as defined in the STS supporting procedure. In each case a new reference number should be generated on the STS for each piece of correspondence. Plant or project personnel can generate these

reference numbers and include the document on the STS. Once completed in draft any outgoing letters will be signed by the Head of SSD prior to issue to DG ENER-E.

Correspondence – Informing other regulators and stakeholders

All official correspondence should be distributed as defined on the distribution list. NDA and (HSE) UKSO should be copied in on all correspondence.

DG ENER-E Inspections

Inspections

All inspections are coordinated by Sellafield Safeguards Department (SSD). This includes liaising with DG ENER-E regarding the agenda, organisation of site passes, escorts etc. When visits are arranged, these shall comply with SLM 4.07.01, SLM 2.01.01 and any other relevant Sellafield Ltd Practices.

DG ENER-E have a statutory right under the Treaty to enter the site to undertake safeguards inspections. However, they also have a statutory duty to comply with safety rules. Also it should be noted that their right of access only extends as far as the inspection of safeguarded nuclear material. Therefore, the right of access is only related to matters regarding Safeguards.

DG ENER-E inspectors are normally issued with 'limited access' passes. This allows them to enter the site to go their offices and other agreed places outside the radiological controlled areas. Inspectors with limited access P4 passes must always be escorted when inside radiological controlled areas. The responsibility for escorting is with the plant being inspected.

Inspections – Opening & Closing meetings

Inspections will generally include an opening and a closing meeting. The inspectors *may* provide some feedback during the closing meeting. However, they are not officially required to do so as the formal route for this is to write to Sellafield Ltd with a letter detailing their findings.

Both parties are encouraged to discuss the findings at the closing meeting to reach agreement on the nature of the findings and what action might be taken. It also enables corrective actions to commence prior to the receipt of formal notification which can take several weeks to be provided. If the inspectors provide their preliminary inspection findings in the form of a note, specific issues raised will be added to the STS.

NOTE: SSD will raise a new 'Issue' on STS for each new Inspection. This 'issue' should be the reference used for all subsequent 'items' and 'actions' that are raised as a result of the inspection. All minutes and actions from the opening and closing meetings should be recorded on the STS under the appropriate 'issue' number.

Inspections – Informing other regulators and stakeholders

All information relating to inspections should be copied to the ONR by SSD.

DG ENER-E Technical Meetings

Technical meetings

Technical meetings may be set up by plant representatives or SSD. All correspondence regarding technical meetings should be recorded on the STS.

If plant representatives require support in arranging any technical meetings, SSD will provide support.

Meeting minutes should be taken and recorded on the STS. A new 'action' should be raised on the STS for each action that arises from the meeting.

Technical Meetings – Informing other regulators and stakeholders

All information relating to technical meetings should be copied to SSD. If appropriate, SSD should be invited to attend.

For significant technical meetings, NDA and ONR should be informed that the meeting is taking place and of the agenda with the option to attend if appropriate.

DG ENER-E Technician Visits

Technician visits

Technician visits are made by DG ENER-E technical inspectors or their contractors to maintain DG ENER owned equipment on the Sellafield Site. Technician visits will be coordinated between SSD and plant. SSD will arrange Site access and ensure all relevant information is recorded on STS. Plant must ensure that any necessary Safe Systems of Work (SSOW), Safety Equipment etc are in place to ensure the safety of the technician while they are working on the plant.

Technician Visits– Informing other regulators and stakeholders

No other regulators or Stakeholders need to be informed of technician visits. The exception to this is that if the technicians and inspectors are gaining access to the site using their status as inspectors, then ONR should be informed (by the inspectors).

DG ENER-E Telephone calls

Telephone calls

Significant telephone conversations with DG ENER- E should be recorded on the STS (and copied to other stakeholders as deemed appropriate via STS). Where formal agreements are being made this should be discouraged as all requests, actions, observations should be made in writing. These shall be confirmed in writing.

Telephone Calls – Informing other regulators and stakeholders

Where a telephone call has taken place that stakeholders need to be aware of, the person recording this on STS should consider how important this information is and judge whether additional action needs to be taken to inform ONR/NDA (Note – They will only have access to STS while on Site).

DG ENER-E Faxes

Faxes

If correspondence needs to be sent urgently then, subject to confirmation that a classification of 'Commercial' is sufficient, a fax can be used. If correspondence is sent via fax it should be sent to the Commission Official fax number to ensure it is properly logged and also a copy should be faxed to a fax machine near to the relevant inspector. Faxes should only ever be sent by SSD and must be recorded on STS.

DG ENER-E On Site Accommodation

On Site accommodation

SSD provide operational control management of the inspectors when they are on site. This will include enforcing the rules they need to comply when they are in their offices.

DG ENER-E Contracts

Under the Treaty and Article 6 of Regulation 302/2005, DG ENER-E can reimburse Sellafield Ltd charge for services provided as a result of a special request by DG ENER, on the basis of an agreed estimate. Such services may include:

- Provision and maintenance of monitoring equipment
- Provision of accommodation
- Disposal of samples

However we can not charge for anything necessary to give the inspectors access to verify material. This includes:

- Provision of relevant safety equipment
- Making material available to the inspector to verify.

Where Sellafield Ltd charge for providing a service to DG ENER-E, all correspondence relating to establishing and running a contract to do so must be handled by the relevant commercial manager. This type of correspondence will not necessarily be placed on STS and will not be copied to NDA and ONR.

1.7.2 Directorate General of Transport and Energy-D (DG ENER - D)

Role

DG ENER - D are responsible for checking that Sellafield Ltd have submitted their accounts and regulatory reports in a timely manner and for confirming consistency of reports from Sellafield Ltd both internally and against other operators reports.

DG ENER - D Accountancy

All accountancy reports are submitted to DG ENER-D by SSD.

The timescales for submitting these accounts are defined in regulation 302/2005.

Safeguards Accounts – Informing other regulators and stakeholders

Accountancy reports are sent to DG ENER - D via ONR. Copies of accountancy reports are usually provided to on site inspectors from DG ENER - E.

DG ENER-D Correspondence

Correspondence with DG ENER-D should be managed in the same way as DG ENER-E (defined in section 1.7.1). All correspondence with DG ENER-D must be via SSD.

1.7.3 DECC and ONR (UK Safeguards Office)

Role

As of 1 April 2007, the operational aspects of the United Kingdom Safeguards Office (UK SO) transferred from the Department of Trade and Industry to the Health and Safety Executive. However the office with responsibility for policy issues arising from operational safeguards activities, as well as other nuclear safeguards related aspects of international and non-proliferation policy remained with the Department of Trade and Industry, subsequently becoming part of DECC.

The United Kingdom Safeguards Office oversee the implementation of international agreements entered into by the UK government on behalf of the nuclear operations, i.e.

- EURATOM Treaty.
- UK Voluntary Offer under the Nuclear Proliferation Treaty.
- Other international bi-lateral agreements e.g. UK/Japan.

It is noted however that the responsibility for policy issues remains with the DECC, including other nuclear safeguards related aspects of international and non-proliferation policy. Therefore although below the emphasis is on communication with the ONR, the information applies equally to the policy unit in DECC.

The ONR may also answer parliamentary questions on behalf of Sellafield Ltd. Any information provided to ONR in such circumstances must be given via Sellafield Ltd communications press officer.

Sellafield Ltd is obliged to provide some reports to the ONR, including additional protocol submission and international accounts.

ONR Correspondence

Incoming & Outgoing Correspondence

All incoming and outgoing correspondence should be processed using STS (see section 1.5). All incoming correspondence must be responded to within 28 days of receiving the letter, even if it is only a holding response that is sent.

Letters should be security marked in accordance with Site security policy.

Correspondence – Informing other regulators and stakeholders

There is no formal requirement to copy information to other regulators or stakeholders.

ONR Inspections

Inspections

ONR UK Safeguards Office has the right to accompany inspectors on inspections. When they do attend, all arrangements shall be made via SSD (as defined in section 1.5).

ONR Meetings

All meetings with the ONR should be coordinated via SSD. Meeting minutes should be taken and recorded on the STS. A new 'action' should be raised on the STS for each action that arises from the meeting.

ONR Office Faxes

No special rules apply.

ONR Office Phone Calls

No special rules apply.

1.7.4 International Atomic Energy Authority Agency (IAEA)

Role

To make sure that the state i.e.UK are not diverting Special Nuclear Material (SNM), the UK has signed onto a voluntary agreement to allow IAEA Inspectors to inspect any safeguarded nuclear facility in the UK.

IAEA Inspections

IAEA will attend site for inspections. They work to joint team procedures during inspections and PIVs. Findings from inspections will be agreed jointly with IAEA and DG ENER-E. However, the formal response will be sent by DG ENER-E.

All inspection reports are always sent to ONR, who in turn send them to Sellafield Ltd. These reports are marked as "Safeguards Confidential" (see below). IAEA have a right under the Safeguards agreements to enter the site to undertake safeguards inspections. It should be noted that their right of access only extends as far as the inspection of safeguarded nuclear material. In particular they have no right to inspect anything related to security.

IAEA inspectors are normally issued with 'limited access' passes. This allows them to enter the site to go to their offices and other agreed places outside the radiological controlled areas. Inspectors with limited access P4 passes must always be escorted when on site. The responsibility for escorting is with the plant being inspected although the site security wardens often assist with this duty.

IAEA Annual Reports

IAEA produce annual reports early in the calendar year, these reports are not in the public domain. All reports are sent directly to ONR who in turn send to Sellafield Ltd. ONR may ask Sellafield Ltd questions regarding the content of the report.

IAEA Correspondence

Formal correspondence should not be sent directly to the IAEA, it should be routed via either DG ENER-E or ONR. For matters related to INFIRC/263 correspondence sent to the IAEA via the ONR will be copied to DG ENER-E. When letters are passed on to Sellafield Ltd which would come from the IAEA they will often be marked "Safeguards Confidential" this is the equivalent of the UK marking 'Restricted'.

1.7.5 Euratom Supply Agency (ESA)

Role

The ESA is a separate agency under the European Commission. Its role is defined in the Treaty. Its main role stems from the assumption in the Treaty that the ESA has a first right of option to receive all nuclear materials. All contracts involving trading nuclear material or processing nuclear material to change its form must either be concluded by or notified to the ESA. All dealings with the ESA are via SSD.

The STS is used to track correspondence.

1.7.6 Export Control Office (ECO)

Role

The ECO issue licenses for export of goods, where licenses are required under the export control act. They undertake audits to ensure licenses are complied with. When on site, the ECO are managed in the same way as any other quality auditor.

All dealings with ECO are via SSD. The STS is used for recording all correspondence with a new issue being set up for each license application or prospective application.

2 Definitions/Abbreviations

2.1 Definitions

See SLM 4.07.01:

Safeguards Tracking System: The Safeguards Tracking System (STS) is a database for tracking the Issues/Items and Actions resulting from correspondence, visits and meetings with various Safeguards Regulators and Authorities.

It is very similar to the Regulator Tracking System (RTS) in that it is a Site Wide system that is used for the same purpose, however due to the sensitivity and restrictions of some of the documents and information that is to be held in the STS it was agreed that it shall be operated as a stand alone system.

Regulators: Safeguards Regulators (or Regulatory Agencies and Authorities) are local, national, European and international bodies that inspect, observe, monitor, audit, sanction, control and discipline Sellafield Ltd operations. They provide advice, counseling, guidance, make agreements, approvals and consents with respect to plans, proposals, specifications, records and legislation.

EURATOM: Part of the European Commission, in this context Officials inspecting compliance with the European Atomic Energy (EURATOM) Treaty

Formal correspondence means:

- Compliance correspondence.
- A response closing out actions from audits, inspections, improvement notices, enforcement notices, specifications, directions, prosecutions etc.
- Making a commitment to a programme/target date.
- Any performance statement which will be held in a published report.
- A reply to a demand/request from the Regulator, where there is a requirement for Sellafield Ltd to do something.
- Requests for consents, approvals, agreements and acknowledgements.
- Raising issues with Safeguards Regulators.
- Regulator asks for justification from Sellafield Ltd.
- Regulator provides written advice (though not necessarily seeking a response).

Informal Correspondence means:

- Matters of administration for example, confirming the date of a meeting, or forwarding a document that has been referred to in conversation (but not one that commits to or prejudices an existing agreement).

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- Checking on attendance numbers of visits or meetings.
- Transmittal of draft documents, explicitly outside a formal response agreement.
- Seeking feedback on a draft document or proposal (but note the Regulator will not be used to peer review).
- Where the regulator seeks clarification from Sellafield Ltd.
- Regulator provides verbal feedback, observations etc (may keep his own record in notebook, and we may choose to put this onto STS as a visit).

NOTE: Information may be cut and pasted from Regulator emails etc into the STS where necessary to give the whole picture or an accurate reflection of what was stated.

Visit or Meeting: Is any contact with a Regulator relating to Sellafield Ltd matters, this includes meetings held off site and video conferences.

Compliance Correspondence: Includes improvement notices, enforcement notices, prohibitions, directions, specifications etc. Its purpose is to ensure that Sellafield Ltd fulfils its legal obligations and follows a process that ensures compliance.

2.2 Abbreviations

DECC	Department of Energy and Climate Change
DG ENER	Directorate General of Energy
DST	Departmental Support Team
ECO	Export Control Office
ESA	Euratom Supply Agency
IAEA	International Atomic Energy Authority Agency
MBA	Material Balance Area
MC	Material Custodian
NDA	Nuclear Decommissioning Authority
NFR	Note for the Record
NMCA	Nuclear Material Control and Accountancy
NMCA&S	Nuclear Material Control, Accountancy & Safeguards
ONR	Office for Nuclear Regulation
OU	Operating Unit
PIT	Physical Inventory Take
PIV	Physical Inventory Verification
PMP	Plant Modification Proposal
RTS	Regulator Tracking System
SLSP	Sellafield Ltd Supporting Practice
SNM	Special Nuclear Material
SSD	Sellafield Safeguards Department
SSOW	Safe System of Work
STS	Safeguards Tracking System
UK SO	United Kingdom Safeguards Office
XNP	Export and Non- Proliferation

NO MARKING REQUIRED

3 References

- SLM 2.01.01 Sellafeld Ltd Security Manual
- SLM 4.07.01 Regulatory Interface Manual
- DG ENER Directorate General for Energy, also known as EURATOM (European Regulator)
- No 302/2005 Commission Regulation (Euratom) (8 February 2005) on the Application of Euratom Safeguards

4 Records

Record	Retained Locally	Site Archive Required	Total Required Retention Time
Documents relating to prosecutions, enforcement or improvement notices (Paper)	Yes	Yes	Date of record + 30 years
Records of correspondence with Safeguards Regulators (including all master copies of formal correspondence from Safeguards Regulators and signed copies of correspondence to Safeguards Regulators) (Paper)	Yes	Yes	Date of record + 30 years
Visit Reports/Meeting Minutes & NFRs (Paper)	Yes	Yes	Date of record + 30 years

5 Training

None

6 Amendment record

First issue. Replaces the following documents:

- SP/SW/4.03/02 Sellafeld Safeguards Department Regulatory Interfaces and Protocols;
- Safeguards Tracking System (STS) Working Instruction (SP/SSD/6.16/014); and
- SSD/ADMIN/0001, Rules of Engagement.

No change to working practice.