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| Business Planning Nuclear Decommissioning Authority Herdus House Westlakes Science and Technology Park Moor Row Cumbria CA24 3HU businessplanning@nda.gov.uk29 January 2024 | Redgrave CourtMerton Road Bootle Merseyside L20 7HS Contact@onr.gov.ukUnique ref: 2024/3923 |

To whom it may concern

**Consultation Response - Nuclear Decommissioning Authority (NDA) Draft Business Plan 1 April 2024 to 31 March 2027**

The Office for Nuclear Regulation (ONR) has a strong interest in the successful delivery of the NDA’s mission. This includes the activities of the NDA (its site licence companies and supply chain) which contribute to significant hazard and risk reductions, and to the achievement of important safety, security and nuclear safeguards improvements across the NDA’s estate. It is therefore important to ONR that the NDA’s work is well planned, resourced and delivered. As a statutory consultee under Schedule 3 to the Energy Act 2004, we are providing comments on the NDA’s Draft Business Plan covering the period 1 April 2024 to 31 March 2027.

The three-year Business Plan provides a reminder of the significant amount of important work that is being carried out by the NDA and its subsidiaries to deliver the NDA’s mission. This document provides a good summary of both the breadth and depth of the technical work and challenges for the next three years and beyond, and of the enablers that are crucial to delivering the technical work.

In comparing our response to that of last year, we note that there are some very similar themes emerging which we would urge NDA to consider. A recurring theme that we have noticed in written and verbal exchanges with NDA and its Operating Companies in the recent past is a tendency toward optimism bias in timescales and performance. We fully support the ambitions of NDA but it would be helpful to ensure there is the right balance between the drive to deliver and a realistic and pragmatic assessment of what can be delivered and when.

Please note that ONR’s comments reflect our positive interactions with the NDA and, in broad terms, we support the proposals. We hope these comments are constructive and helpful, and we will be very pleased to discuss them with the NDA in more detail as necessary.

Yours sincerely

**Paul Dicks**

**Director of Regulation – Sellafield, Decommissioning, Fuel and Waste Division**

**ONR’s consultation response - NDA Draft Business Plan**

**1 April 2024 to 31 March 2027**

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| **ONR’s general comments** |
| 1. We welcome the emphasis on achieving mission progress on a broad number of fronts, reducing hazards at your sites, and the opportunities that may be gained from the recent group restructuring. However, we note that many of our comments are similar to those we made on NDA’s Business Plan 2023-2026.
2. We advise you to consider the balance in the report. The CEO’s introduction recognises on notable achievements from the previous year but there is a tendency towards optimism bias throughout the report. For example, on page 23 there is mention of the success of the first retrievals from the Pile Fuel Cladding Silo meaning retrievals have commenced in all four legacy ponds and silos without reference to the challenges of continued retrievals and associated lengthy timescales. Noting you publish details on progress in other annual reports, it would be helpful to include any significant non-delivery or changes that had to be made against the objectives set out in last year’s NDA Business Plan.
3. There is a lack of detail around the AGR transfer preparations. Although it is referenced in the CEO introduction and represents the single biggest increase in NDA’s site portfolio, further references are scattered throughout the report; however it is not clear how the milestones will be achieved. There is no mention of regulatory approval as a key enabler in the planned transfers.
4. Where end dates for workstreams to achieve the strategic objectives are in the very long-term, consider adding interim targets to better enable measurement of progress.
5. Timescales are very vague, with the majority of the group key activities having timescales stated as 2024-2027. This presumably indicates these are long-term activities which continue throughout the period, as opposed to defined activities which will be completed within the period. Consider highlighting specific activities that will occur within the business plan period rather than simply identifying ongoing workstreams.
6. Individual NRS sites’ plans are short on detail, with vague timescales and ‘TBD’ used frequently for site progress milestone dates. Where dates are necessarily uncertain owing to other factors then it would be useful to identify when NDA expects greater clarity to be achieved to enable identification of SMART objectives.
7. Consider listing the NDA’s important business cases planned in the next three years which support the business plan.
8. The NDA’s role in development of guidance and promoting relevant good practice could be given more prominence in the plan.
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| **ONR’s page specific comments**  |
| Page 11 | Consider identifying the locations of the seven AGR stations, particularly given Hunterston B is expected to transfer into NDA ownership during the business plan period. |
| Page 14 | Consider highlighting that some of the biggest overall cost savings are likely to come from earlier hazard and risk reduction activities. |
| Page 15 | Consider adding a note to explain what the various costs relate to; for example, why have NRS not been assigned any “total operations costs”? |
| Page 19 | Consider defining ‘exotic fuels’ for non-technical readers. |
| Page 19 | Although the ultimate strategic aim of the Site Decommissioning and Remediation (SDR) theme is to release land for other uses, the near- and mid-term activities (especially those in the business plan period) will focus on continuing reduction of risk and hazards from plants, facilities, and buildings; that is, post-operational clean-out and decommissioning. Consider expanding the narrative on the SDR theme more fully reflect these elements of its scope. |
| Page 21 | There appears to be a discrepancy between objective 3 which states all Magnox fuel reprocessing is complete and objectives 4 and 5 which make it clear not all Magnox fuel has been reprocessed. |
| Page 21 | Suggest amending the text under AGR defueling to read “NRS will manage the decommissioning of all seven AGRs after they have stopped generating electricity and progressively move to the NDA group over the next ten years.” |
| Page 23 | It is not clear what is meant by “All HLW produced by 2030” given that reprocessing has now ceased. We would also exercise caution on dates quoted for “All HLW treated” and “All HLW waste in interim storage” since based on our current understanding, these dates appear unlikely to be met |
| Page 24 | It would be helpful to add information on why the Berkeley blower house demolition has been brought forward to demonstrate why this is an example of “delivering its mission better, faster and even safer.”  |
| Page 32 | We would have expected more key activities under the major topic of integrated waste management, for example, the work underway on waste package development and standardisation, as this could have a significant impact on lifecycle safety, security and costs. |
| Pages 38 and 57  | The key activity to support the higher activity waste thermal treatment strategic case for change is listed under Critical Enablers for Sellafield, but Integrated Waste Management for NWS; we query why the same activity appears under different strategic themes for different operating companies. We also query why there is no discussion of this activity under either driving theme, especially since we understand this will be brought to the IWM TOG during 2024/25. |
| Page 46 | Remove ‘wastes’ after ILW from first line under Intermediate Level Waste |
| Page 48 | The site progress box states that the milestone of Harwell being free from nuclear materials has been achieved, but the first key activity is to “continue the programme for the transfer of nuclear materials”.  |
| Pages 56 and 57 | In the important milestones box, the introduction of a standard container catalogue is stated as being due by 2025/26, but the same activity in the list of key activities is stated as having a timescale of 2024-2027. |