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Dear Gareth Leigh,

ONR clarifications on points raised in letter from Together Against Sizewell C (TASC)

We are writing to offer some clarifications on points raised to you in the letter from Together Against Sizewell C (TASC) dated 23 June 2022 and further to our response to the Secretary of State on the final recommendations from the government of Austria (16 June 2022). While we wouldn't ordinarily reply to correspondence addressed to a third party in this late stage of the planning process, given the letter relates to our previous response and makes several assertions, we thought it appropriate to offer some additional clarifications on.

To take these substantive points in turn that we wish to clarify:

In relation to the comments made about our response to **FR1 on fuel storage for Sizewell C (SZC)**, it is incorrect that we are deferring to the developer on this matter. Fuel storage for SZC has been subject to extensive regulatory oversight and this scrutiny would continue if a licence were to be granted. The fuel store proposed at SZC is not significantly different from the design proposed for Hinkley Point C (HPC). Following our assessment through our category 1 modification process, we have accepted the principal of dry storage and the changes required to facilitate it as described in our [published assessment report](#). We found that the modification was subject to appropriate rigorous due process in accordance with the licensee's Licence Condition (LC) 20 arrangements and our assessments concluded that the proposed modified design will ultimately reduce the level of risk as low as reasonably practicable (ALARP).

While the proposed dry store at HPC will be a 'material change' that would require the necessary planning consent, we have accepted that change in principle. However, if implemented, the design would be subject to comprehensive assessment under our permissioning arrangements to ensure it meets our stringent regulatory expectations. Regarding the comments about **FR2 and our response to events in Taishan**, it is incorrect to say our regulatory approach with regard to modifications to fuel assemblies is designed to increase anxiety in the public. Any such modifications are expected to be of the highest safety category and would therefore undergo detailed regulatory scrutiny, and require our agreement, before being implemented. Our regulation of modifications is based on Licence Condition 20, within our licensing regime, which ensures the licensee has arrangements in place that have been subject to our scrutiny, to classify modifications according to their safety significance. This empowers us to call in any modification we choose for assessment and consent.

Regarding TASC's comments on our response to **FR4 in relation to the applicant's assertions about flooding**, we can assure you our assessment has given thorough consideration to flooding risks presented to the proposed nuclear licensed site. We have not accepted the applicant's assertions but applied the appropriate oversight within our legal vires for safety. Flooding behind the SZC platform has been assessed and judged as not presenting a significant risk to the site, even when conservative estimates have been applied in line with our regulatory expectations, which are widely recognised to be among the highest in the world.

On **FR9**, we would like to clarify that affordability is not a legitimate factor in the consideration of cost for 'as low as reasonably practicable' (ALARP). We do consider the balance of the cost of implementing measures (in time, trouble and money) against the level of risk reduction that will be achieved, but cost would need to be 'grossly disproportionate' to the risk reduction for measures not to be implemented. While we cannot make a licensee go beyond the requirements of the law, with regards to a nuclear safety-related risk the standard is set very high.

As the UK's independent nuclear regulator, we are driven by **our mission** to protect society by securing safe nuclear operations. We are accountable to Parliament and are regularly subject to independent scrutiny including via the Integrated Regulatory Review Service (IRRS), co-ordinated through the International Atomic Energy Agency (IAEA), which concluded that we are fulfilling our core purpose. ONR's independence is established in law, and we are unwavering in our independent, proportionate and consistent regulation in the public interest. Our dedicated, highly-trained inspectors take their responsibilities extremely seriously and approach their work with vigour and integrity.

The **UK EPR™ design has been subject to robust assessment** through our Generic Design Assessment process in addition to our thorough assessment of the site licence application. If a licence were granted, we would use the powers within it to require the licensee to request our permission for starting nuclear safety related construction. Similarly, the licensee would be required to seek our permission to proceed to subsequent, key construction and commissioning stages up to the start of commercial operation and beyond, with robust regulatory scrutiny applied at each appropriate stage, helping to ensure the safety of workers and the public.

I hope this response provides clarification on the matters raised in the TASC letter. We meet regularly with TASC and other interested parties, and have corresponded and discussed these topics previously. We value our ongoing dialogue with them and would be happy to provide any further details at our regular ONR NGO Forum and/or other stakeholder meetings as appropriate.

Please do get in touch if you require any further information.

Yours sincerely

Tim Parkes

Superintending Inspector

Head of Sizewell C Regulation, New Reactors Division, ONR