



Health and Safety Executive		Operational Minute	
		OM 2001/101	
Cancellation Date	31/07/2006	Open Government Status	Fully Open
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To:

All FOD Field Staff (Bands 0-6)

All NSD Inspectors (Bands 0-3)

Members of NSD Division 1 Administrative Team (Bands 4-6)

All HID Staff (Band 3 and above)

ACTION FROM RECEIPT

INSPECTION OF NON-NUCLEAR HAZARDS AT NUCLEAR SITES

This OM revises and replaces OM 1996/126. It reaffirms a recommendation from the OSD/NSD review that NSD should take lead responsibility for non-nuclear hazards at nuclear sites. The content of this OM is essentially similar to OM1996/126 but some of the detail has changed and references have been updated.

INTRODUCTION

1 This OM outlines the revised arrangements which have been agreed between FOD, HID and NSD for implementation of the recommendation that NSD should take lead responsibility for non-nuclear hazards at nuclear sites. The original arrangements came into effect on 1 October 1996.

2 The arrangements rest on 2 key principles. First, where team working is necessary to deliver HSE purpose, members from different parts of HSE must work together as a whole, with, for example, regular team meetings. Secondly, enclaves inspected independently, should be avoided in order to maintain consistency of approach.

CATEGORIES OF SITE

3 Sites where there is a nuclear activity have been allocated to one of 3 categories shown in the lists at [Appendix 1](#). On all such sites NSD inspectors have the responsibility for:

- (1) ensuring that the off-site risks from nuclear hazards are acceptably low;
- (2) ensuring adequate public safeguards are in place; and
- (3) where relevant, all activities associated with nuclear site licences.

The balance of these interests with those of conventional non-nuclear issues is what then determines where the HSE lead lies for dealing with the site as a whole.


4 The following are the demarcation arrangements for each site category:

- (1) **category 1 sites** - NSD site inspectors will carry out all inspection duties, subject to the provision of 'specialist' assistance as requested (see [para 8](#));
- (2) **category 2 sites** - NSD will have overall HSE lead responsibility. But in order to apply the right expertise, and subject to local agreement, FOD will supply support to NSD on conventional safety. HID inspectors will also supply 'specialist' input where appropriate (see [paras 6-8](#));
- (3) **category 3 sites** - FOD/HID will have overall HSE lead responsibility.

GENERIC ARRANGEMENTS

5 For those sites listed as category 1 at [Appendix 1](#). 

- (1) Filing: responsibility transferred to NSD E by 1 October 1996.
- (2) FOCUS: responsibility for FOCUS records was transferred to NSD on 1 October 1996. FOD/HID recording will follow current procedures.
- (3) Specialist support: heads of specialist groups (SG) and EMAS should be aware of the changes and the need to respond to requests from NSD site inspectors.
- (4) Fire certification: HID will undertake inspections and preparation of certificates, NSD will sign the certificates.
- (5) Management of health and safety: NSD will interface with senior management, contractors and HSW Act s.6 matters (but see [paras 14-16](#) on enforcement arrangements).
- (6) Sector arrangements: In order to develop and implement sector strategies and work plans, heads of sectors will need to identify the effects of the revised arrangements and hold discussions with appropriate NSD inspectors (see also [para 17](#)).

6 For category 2 and 3 sites, local arrangements for team working, site inspection and enforcement should be agreed between NSD/FOD/HID inspectors responsible for the sites and any revisions to these agreements are to be recorded as soon as possible after the issue of this OM. An example of an agreement for a category 2 site is attached at [Appendix 2](#). 

Local agreements


7 Local agreements, for category 2 sites and category 3 sites as appropriate, should take the following into account:

- (1) FOD/HID work programmes for each year should be implemented;
- (2) FOD/HID reactive work will be undertaken where appropriate;
- (3) NSD will issue fire certificates on category 2 sites;
- (4) FOD/HID will issue fire certificates on category 3 sites;

(5) the lead directorate or division will co-ordinate approaches to senior management;

(6) team members will agree arrangements for keeping the HSE team leader abreast of any dealings with licensees, contractors and employees;

(7) meetings are arranged to discuss future plans of work and resource allocation;

(8) NSD may undertake some primary inspection for conventional safety on category 2 sites by local agreement with FOD or HID where there is appropriate expertise within NSD and resource is available. Responsibilities for administration matters, FOCUS input and file records should be agreed in the local arrangements (see [para 6](#) and [Appendix 2](#)). 

SPECIALIST REQUIREMENTS

8 Specialist expertise that could be provided by FOD or HID to NSD at category 1 and 2 sites may include:

(1) inspection of major construction activities;


(2) management and inspection of asbestos work ;

(3) SG (including EMAS) support; and


(4) explosives support.

9 At nuclear sites, inspectors will request SG (including EMAS) assistance using the established procedures.

10 Radiography notifications received by FOD in relation to work at category 1 sites should be transferred by fax to NSD at Bootle. NSD inspectors will input any inspection information to the contractor's FOCUS record. Current inspection arrangements will be followed for category 2 and 3 sites. The head office visit procedures to independent radiography companies by FOD inspectors are unchanged.

11 Diving operations at category 1, 2 and 3 nuclear sites (see [Appendix 1](#) ) will be inspected by Offshore Division.

INCIDENT AND COMPLAINT INVESTIGATION AND RECORDING

12 Employers on sites listed in category 1 at [Appendix 1](#)  should report all RIDDOR events directly to the Incident Contact Centre (ICC) who will forward those to NSD in line with current arrangements. On category 1 sites, FOD field staff locally will not be expected to provide assistance unless it is appropriate to do so in the particular circumstances. Procedures for the other listed sites remain unchanged.

13 Complaints about non-nuclear health or safety issues at category 1 sites should be transferred immediately to NSD for the attention of the designated site inspector and the complainant advised of the FOD action. Current procedures for receiving and investigating complaints for the other listed sites remain unchanged. FOCUS inputs for category 1 sites which record actions following a non-nuclear complaint are still required and will be input by

NSD as necessary.

ENFORCEMENT ARRANGEMENTS

14 The general principle to be followed for enforcement is that the team leader should be consulted before enforcement action is taken. The exception to this is where immediate prohibition notices are appropriate and prior consultation would impose unacceptable delay. But the team leader must be informed as soon as practicable after such notices have been issued. FOD/HID inspectors should discuss with NSD site inspectors local arrangements and procedures, eg cases where site management are interviewed or where there should be discussion with senior site personnel about management standards of non-nuclear health and safety.

15 On category 1 sites, NSD site inspectors will carry out all enforcement in relation to activities for which they have inspection responsibility and the NSD site inspector should be advised of any intention by FOD or HID inspectors to take notice or prosecution action against contractors, clients etc. (But immediate prohibition notice procedure should not be delayed - see para 14.)

16 The lead responsibility for decisions on notices or prosecutions lies with NSD for category 2 sites and with FOD or HID for category 3 sites. Notices will be issued or proceedings instituted by the enforcing directorate or division with the relevant knowledge or expertise (after consultation with the team leader).

SECTOR ARRANGEMENTS

17 For category 2 and 3 sites the current arrangements for preparing and implementing sector strategic plans and local work programmes are unchanged by the arrangements in this OM. Representations to industry and other bodies including other government departments on non-nuclear matters are unchanged by these arrangements.

ADMINISTRATION MATTERS

18 For category 1 and 2 sites, it is recommended that NSD site inspectors discuss with FOD/HID colleagues any non-RIDDOR communications in relation to nuclear sites which may be sent to HSE to ensure that communications go to that part of HSE which has the responsibility for appropriate action. Following such discussions NSD site inspectors will communicate with the management and safety representatives at nuclear sites about the revised inspection arrangements and communication links.

19 If communications are addressed to the wrong directorate/division they should be re-addressed or sent by fax as soon as practicable.

REVIEW

20 This OM has been agreed by FOD, HID and NSD who will jointly review it according to need. If any difficulties arise, staff should contact FOD Strategy and Information Unit, NSD Unit 1E or HID Central Division Strategy Unit as appropriate.

Cancellation of instructions

21 OM 1996/126 - **cancel** and **destroy**.

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(220/FOD/181/1996)

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OM 2001/101 - APPENDIX 1
(paras 3, 5,11 and 12)

CATEGORY 1 SITES

Sites where NSD inspects all non-nuclear hazards but with appropriate specialist assistance from FOD, HID (including OSD for diving inspection).

BNFL Magnox

Berkeley Power Station, Berkeley, Glos.
Berkeley Technology Centre, Berkeley, Glos.
Bradwell Power Station, Bradwell-on-Sea, Essex
Dungeness A Power Station, Romney Marsh, Kent
Hinkley Point A Power Station, Nr Bridgwater, Somerset
Hunterston A Power Station, West Kilbride, Ayrshire
Oldbury Power Station, Thornbury, Avon
Sizewell A Power Station, Leiston, Suffolk
Trawsfynydd Power Station, Blaenau Ffestiniog, Gwynedd
Wylfa Power Station, Cemaes Bay, Gwynedd

British Energy

Dungeness B Power Station, Romney Marsh, Kent
Hartlepool Power Station, Cleveland
Heysham 1 Power Station, Lancs
Heysham 2 Power Station, Lancs
Hinkley Point B Power Station, Nr Bridgwater, Somerset
Sizewell B Power Station, Leiston, Suffolk

British Energy UK

Hunterston B Power Station, West Kilbride, Ayrshire
Torness Power Station, Dunbar, East Lothian

BNFL

Chapelcross Works, Annan, Dumfriesshire
Drigg, Cumbria

UKAEA

Harwell (within the licence boundary), Oxfordshire
Winfrith (within the licence boundary), Dorset
Windscale, Cumbria

Nycomed Amersham

Harwell, Oxfordshire

CATEGORY 2 SITES

Sites inspected by teams led by NSD but with appropriate specialist assistance from FOD and HID (including OSD for diving inspection).

Site	Other team members
BNFL	
Sellafield, Cumbria (includes Calder Hall)	FOD and HID
Springfields Works	FOD and HID
Capenhurst Works	HID
Nycomed Amersham	
Amersham	HID
Cardiff	HID
AWE	
Aldermaston, Berks	FOD and HID
Burghfield, Berks	FOD and HID
Dockyards	
Devonport Dockyard, Devon	FOD and HID
Rosyth Dockyard, Fife	FOD and HID
UKAEA	
Dounreay, Caithness	FOD and HID
Rolls Royce Manufacturing Division, Reactor site, Derby	FOD
MoD (N)	
Vulcan, Dounreay	FOD

CATEGORY 3 SITES

Sites inspected by teams led by FOD or HID (including OSD for diving inspection)

Site	Team leader
MoD (N)	
Coulport, Dumbarton	FOD
Faslane, Dumbarton	FOD
Research Reactor Sites	
ICI Triga, Billingham	HID
Imperial College, Ascot	FOD
Scottish University, East Kilbride	FOD
Dockyards	
VSEL Barrow	FOD
Torbay	FOD*
Portsmouth & Southampton	FOD*
Cardiff	FOD*
Liverpool	FOD*

Shetland Islands	FOD
Cambeltown, Glen Mallen, Isle of Skye Loch Eure, Loch Goil, Loch Striven, Rothsay	FOD*
<p>* These MoD Z berths are listed collectively in category 3. NSD will provide specialist expertise on nuclear matters including nuclear emergency arrangements. Other berths are already listed as part of category 2 or 3 sites, eg Faslane, Devonport, and Barrow.</p>	

OM 2001/101 - APPENDIX 2
(paras 6 and 7(8))

MEMORANDUM OF AGREEMENT BETWEEN NSD/FOD/HID ON INSPECTION OF
NON-NUCLEAR MATTERS AT

INTERFACE TOPIC	PRIMARY RESPONSIBILITY	SECONDARY RESPONSIBILITY	WORKING ARRANGEMENTS
1 Confirm and explain transfer of responsibility to site management and staff.	FOD		Action FOD. NSD and HID to be kept informed.
2 Management of safety. Interface with senior management, contractors and HSW Act s.6 matters	NSD	Support by FOD/HID as required	Other directorates/divisions to be kept informed.
3 Significant incidents, emergencies and notifications.	NSD co-ordinate response.	Relevant directorate/division	Other directorates/divisions to be kept informed as appropriate.
4 Enforcement action	Relevant directorate/division		All directorates/divisions to keep each other informed of any intention to take enforcement action. FOD and HID to send enforcement/prosecution papers to NSD prior to proceeding with action.
5 PQs, briefing Press Office and HSE Secretariat	NSD	FOD/HID to provide information as necessary.	NSD to co-ordinate information to answer PQs seeking information from FOD/HID where appropriate.
6 Contact with other government departments.	NSD	Support by FOD/HID as required	NSD to co-ordinate response, meetings, correspondence etc.
7 Inspection under IRRs and management of safety	NSD		Other directorates/divisions to be kept informed of significant issues.

8 Complaints	NSD	FOD/HID to provide information as necessary.	NSD to co-ordinate information to respond, seeking information from FOD/HID where appropriate.
9 Requests for factual statements or civil disclosures	NSD	FOD/HID to provide information as necessary.	NSD to co-ordinate request seeking information from FOD/HID where appropriate.
10 Asbestos notifications	FOD		NSD and HID to be advised by FOD of any significant work on nuclear or explosive facilities.
11 RIDDOR notifications	FOD		NSD/HID to be advised of any incidents of relevant interest. NSD and HID to advise FOD of matters of special interest on which that they wish to be kept informed.
12 Requests for SG (incl EMAS) advice and support.	Directorate/division requesting advice.		Copies of SG request forms to be sent to other directorates/divisions if of relevant interest. Requests for EMAS to be made through FOD.
13 Construction notifications	FOD		Copies of relevant notifications to be sent to NSD and/or HID where of particular relevance. NSD and HID to advise FOD of matters of special interest on which that they wish to be kept informed.
14 Fire certification	NSD	HID to undertake inspections and preparation of certificates.	NSD to sign fire certificates
15 Local Liaison Committee	NSD	Support by FOD/HID as required.	NSD to co-ordinate attendance and any other input.

16 Emergency exercises	NSD	Support by FOD/HID as necessary	NSD to lead seeking assistance from FOD/HID as necessary.
17 Six-monthly meetings with staff representatives	NSD		NSD to arrange meetings together with FOD and HID at mutually convenient times.
18 Work planning (FOD)	FOD		NSD to be kept informed at quarterly intervals of time spent by FOD.
19 Administration	FOD	NSD/HID to provide information as necessary.	NSD/HID to input FOCUS records for any inspection and enforcement action taken by NSD/HID inspectors respectively.
20 Filing	FOD	Support by NSD/HID as required.	NSD/HID to record and store information in their respective filing systems. FOD to be informed of any matters of special interest on which they wish to be kept informed.