

	NUCLEAR SAFETY DIRECTORATE - BUSINESS MANAGEMENT SYSTEM	
	TECHNICAL INSPECTION GUIDANCE: LC31 SHUTDOWN OF SPECIFIED OPERATIONS	T/INS/031
	Approved By:	R Gray
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1. Purpose and scope

- 1.1 The purpose of this guidance is to facilitate a consistent approach to LC 31 compliance inspection and to provide assistance to inspectors while carrying out their duties in this area. The guidance should not be regarded as either comprehensive or mandatory.
- 1.2 The guidance provided is split into four main elements:
- 1) Purpose of the Licence Condition
 - 2) Guidance on arrangements for LC 31.
 - 3) Guidance on inspection of arrangements.
 - 4) Guidance on inspection of implementation of arrangements.

2. Licence Condition

LICENCE CONDITION 31: SHUTDOWN OF SPECIFIED OPERATIONS

- (1) The licensee shall, if so directed by the Executive, shut down any plant, operation or process on the site within such period as the Executive may specify.
- (2) The licensee shall ensure that when a plant, operation or process is shut down in pursuance of paragraph (1) of this condition it shall not be started up again thereafter without the consent of the Executive.

3. Purpose of Licence Condition 31.

- 3.1 The purpose of this Condition is to give discretionary powers to the Executive to require the licensee to shut down any plant or process within a given period and to require its consent thereafter to any start-up of any process shut down under this condition.
- 3.2 A direction under this Condition requires shutdown within some specified period. In drafting a direction, consideration should be given to the action required of the licensee before the Executive will give consent to the plant, operation or process being started up again. The necessary action may involve plant modifications, improvements and the preparation or revision of a safety case in respect of the plant, operation, or process.

4. Guidance on arrangements for LC 31.

- 4.1 Arrangements should clearly identify the person responsible for ensuring that the licensee complies with any LC 31(1) direction to shut-down any plant operation or process within the time specified, and for keeping it shut down until consent for restart has been issued.
- 4.2 Arrangements should outline the process by which the licensee will seek to obtain consent from the Executive to start-up of a system or process which had been subject to shut-down in accordance with 31(1), eg management of shut-down programmes, reports, reviews, safety cases, start-up meetings etc.
- 4.3 Arrangements should also trigger a review and reassessment of the actions needed to maintain and demonstrate safety during the shutdown period, paying particular attention to any reasons or causes which initiated the direction and / or others which may be pertinent to or challenge safety while shutdown.

5. Guidance on inspection of arrangements for LC 31.

- 5.1 Confirm that the arrangements are such that they are capable of dealing with the requirement that an unscheduled shutdown take place within any period specified by the Executive, noting that this may be immediate. Confirm that they address all necessary management aspects.
- 5.2 Confirm that the arrangements require that the plant remain shutdown until a Consent has been obtained from the Executive.
- 5.3 Confirm that the arrangements outline the due process within the licensee required to seek consent for restart. It is clearly inappropriate to be specific since the reason for the direction is unknown in advance, but it would be difficult to imagine any procedure less rigorous than that required for the most safety significant modifications or safety case changes as being adequate.
- 5.4 Confirm that the arrangements initiate promptly a review and reassessment of the actions needed to maintain and demonstrate safety during the shutdown period and the implementation of any necessary changes or additional actions.

6. Guidance on inspection of implementation of arrangements for LC 31.

- 6.1 Confirm by discussion with responsible staff that their obligation to respond to any LC31(1) direction is clearly understood.
- 6.2 Where an LC 31(1) direction that a plant or process should be shut down has been issued, check that the arrangements for shutdown were followed.
- 6.3 Confirm that a review of safety during the shutdown had been carried out and that any necessary changes to station operating procedures or surveillance and monitoring practices had been implemented.
- 6.4 Establish by sample checking and discussions with station personnel that during the shutdown the requirements of LC 28 were maintained or any variations formally justified.

- 6.5 Should the licensee wish to restart the plant, agree, taking advice as necessary, with the licensee a process and programme for the submission of a request for a restart consent and the necessary supporting safety justification. Given that the issue of a direction under LC 31(1) will have arisen from a concern as to the safety of continued operation, it necessarily follows that a rigorous and robust demonstration of the safety of a restart and future operation and its assessment by NII will be a prerequisite to any issue of a consent for restart. It would be prudent to remind the licensee of the relevance of, inter alia, licence conditions 13, 14, 21, 22 and 28 in connection with any application for restart.
- 6.6 Should the licensee not wish to seek a consent for restart, the requirements of LC 35 and other legislation may be relevant and authoritative discussions on the future of the plant should be sought.