

ANNEX M (B) APPENDIX 2

REGULATION OF OPERATIONS AT AWE SITES

A Letter of Understanding in respect of the Regulation of Operations at AWE Sites was signed by Chief Inspector ND and the then DG(Nuc) on 16 June 1997. This appendix contains the text of that letter, suitably updated, for organisational and legislative changes.

1 The purpose of this letter is to establish a mutually agreed understanding and interpretation of the disapplication of the use of the conditions attached to the Nuclear Site Licence granted under the provisions of the NIA. It is in addition to Annex B of the General Agreement between MOD and HSE which is amplified by this letter.

2 It is agreed that the intent of the wording of paragraph 6(1) of the Schedule to the AWE Act is to exclude HSE from consideration of the design of a nuclear device. The following points are agreed as an aid in identifying the operations where design issues may arise.

- Operations involving a nuclear device when it incorporates fissile and explosive material. These specifically include all activities on a nuclear warhead from the point in the assembly process at which the explosive components are brought into proximity with the fissile components, until the point in disassembly at which the explosive components are separated from the fissile components, and removed from the assembly facility.
- Operations intended to simulate the properties of nuclear devices. These specifically include all experiments in which fissile material and explosive material (or simulated explosive material) is incorporated in an experimental assembly. It also includes experiments where energy is applied to fissile materials in order to investigate processes which occur in a nuclear device.

3 It is understood that, irrespective of the disapplication of the use of licence conditions where they affect the design of a nuclear device, AWE operations are legally subject to ND inspection in respect of the HSWA and regulations made under the Act.

4 In respect of ND's non consideration of nuclear device design issues, the following points of agreement apply:

- MOD is implementing and will maintain an adequate oversight arrangement which considers the adequacy of the safety assessment for nuclear device related activities. This includes design considerations and the standards set for process safety controls.
- MOD undertakes to ensure that the nuclear site licensee considers carefully any comments given by ND that are intended to improve nuclear safety in areas of their interest but which may affect nuclear device design matters.
- ND will liaise with the Defence Nuclear Safety Regulator to ensure the boundaries between MOD and ND assessments are defined and understood.
- ND will not seek information on the design of nuclear weapons which is not relevant to radiological safety.
- ND undertakes not to challenge or seek changes in the design of nuclear weapons including materials used in their construction.

- A HIRE based on the requirements of REPPIR will be produced to summarise the hazards, risks and consequences associated with possible accidents involving nuclear devices as an input to the assembly process safety case and the facility safety case.
- Any such HIRE will not include detailed information on the design of nuclear devices nor will it provide a detailed analysis of the likelihood of events which could lead to accidental initiation of explosives in the device. It will include, however, an identification and specification of the system and controls which are required to avoid accidents/incidents, and identify the measures taken to mitigate the consequences of any accidents.

ND retains the right to investigate fully any accident/incident on AWE Sites