

Application to the relevant hazardous substances authority (planning authority)

The Planning (Hazardous Substances) Act 1990 - Section 13

England - The Planning (Hazardous Substances) Regulations 2015 (Regulation 5)

Wales - The Planning (Hazardous Substances) (Wales) Regulations 2015 (Regulation 5)

Application for modification or removal of condition(s) attached to a hazardous substance consent

[application for Hazardous Substances Consent without a condition(s) subject to which a previous consent was granted]

1	Applicant	Sellafield Limited
	Address	Sellafield
		Seascale, CUMBRIA
	Post code	CA20 1PG
	Telephone number	
	Person in control of the land to which the application relates, if different to above	
Address	Sellafield Limited	
	Albion Square One	
	Albion Street	
	Whitehaven, Cumbria	
Post code	CA28 7NE	
Telephone number		
2	Address or other location details of application site	
		Sellafield Site
		Seascale, CUMBRIA
	Post code	CA20 1PG
	OS grid ref	303417, 504803

3 Substances covered by the application

[consented substance(s) for which a variation in condition(s) is being applied for

NB. Substances authorised by an existing consent (4/12/2273/0H1) and not being altered are greyed-out for clarity. Substances requiring new authorisation and/or updated maximum quantities are not greyed-out]

- (a) In the Table below, list named substances falling within Part 2 of Schedule 1 to the Regulations first, then list any substances falling within the categories in Part 1 of that Schedule; finally list substances falling within the description in Part 3.
- (b) Substances falling within Parts 1 or 3 of Schedule 1 to the Regulations may be listed under the relevant category or description or named specifically. Where a substance falls within Part 1 and 2 list under Part 2 only; where a substance falls within more than one category in Part 1 list under the category which has the lowest controlled quantity. Where a substance falling within Part 1 or 2 also falls within Part 3 list under the Part which has the lowest controlled quantity. The “controlled quantity” means the quantity specified for that substance in column 2 of Parts 1, 2 or 3 of Schedule 1 to the Regulations.

<i>Name, or relevant category or description of substance</i>	<i>Part number in Schedule 1 to the Regulations, and entry number if Part 2, category if Part 1, identity if Part 3</i>	<i>Do you have a current PHS consent* in respect of this substance? (Yes/No)</i>	<i>If "yes", state quantity for which consent granted</i>	<i>Maximum quantity proposed to be present in tonnes</i>
Hydrogen	Part 2 – 15, Part 1 - P2	Yes	0.7	0.7
LPG	Part 2 – 18, Part 1 - P2	Yes	11.0	11.0
Acetylene	Part 2 – 19, Part 1 - P2	Yes	0.2	0.2
Oxygen	Part 2 – 25, Part 1 - P4	Yes	130.0	130.0
Petroleum Products	Part 2 – 34 Part 1 - P5c, E2	Yes	7,500.0	7,300.0
Nitrogen Dioxide	Part 1 - H2, P4	Yes	3.0	3.0
Sodium Nitrite	Part 1 - H2, P8, E1	Yes	85.0	85.0
Hydrazine Nitrate	Part 1 - H2, E1	Yes	30.0	30.0
Hydroxylamine Nitrate	Part 1 - E1	Yes	45.0	45.0
Barium Nitrate	Part 1 - P8	Yes	2.7	2.7
Gadolinium Nitrate	Part 1 - P8	Yes	8.1	8.1
Calcine Product	Part 1 - P8	Yes	1.0	1.0
Sodium Hypochlorite	Part 2 – 41, Part 1 - E1	Yes	4.5	10.0
Mixed Metal Nitrates	Part 1 - P8	Yes	20.0	20.0

Sodium Nitrate	Part 1 - P8	Yes	2.3	3.0
Nitric Acid	Part 1 - H2	No	-	1,225.0

4 Application for modification or removal of a condition(s) attached to a previous consent

- (a) Describe any condition previously attached to the relevant consent which it is proposed should no longer be attached to the consent, or which should only be attached in a modified form. In the latter case, indicate the proposed modification–

No.	Condition previously attached	Action (modification or removal)	If modification, details of proposed modification
1	The hazardous substance(s) shall not be kept or used other than in accordance with the application particulars provided in the Hazardous Substances Consent Application Form, nor outside the areas marked for storage of the substances(s) on the plans which formed part of the application and Location Plan 'Sellafield Ltd Chemical Areas, N Penn 06.03.12'	Modification	Inclusion of condition noting updated chemical storage location map "Sellafield Ltd Chemical Locations" (Dated September 2020).
3	Consent is granted in accordance with the petroleum products sub categories set out in Table A (Part A, Category 36) of the HSE's consultation response dated 1 October 2012 (attached)	Modification	With the update of the CLP Regulations, this condition requires corresponding update by the HSE.

- (b) Give the reasons why the condition(s) referred to in (a) should not be attached, or should only be attached in a modified form–

No.	Reason
	N/A

- (c) Describe any relevant changes in circumstances since the date of the relevant consent–

(Will print as blank space if no entry provided)

5 Additional Information

Give any additional information which you consider to be relevant to the determination of this application–

Sellafield Limited operates a number of processes on the Sellafield nuclear licensed site some of which involve the storage and use of hazardous substances. Following discussions with the relevant regulator (HSE), Sellafield Ltd wishes to apply for a variation to the existing Hazardous Substances Consent.

The substances, which are the subject of the application, have been used on the Sellafield site for many years. Accordingly, there is minimal change to the types or volumes of hazardous substances used on the Sellafield site marked by the submission of this application. This application is formalisation of the HSE request to include further hazardous substances used at the Sellafield site on the consent.

The application is a variation to the existing consent granted in 2012 and is not a full new application, and is intended to do four things:

- Seek a consent for the storage of nitric acid on the site. This is not a new activity and has been the case for more than 60 years and pre dates the planning regulation requirements. The consent is being sought now, as historically Sellafield Ltd believed it had “deemed consent” for nitric acid as its presence on the site in the current quantities predated the regulations. The question of consent for this material has come to light recently due to a question being raised by the Control of Major Accident Hazards (COMAH) Competent Authority (CA) during a CA review of the recently submitted Sellafield COMAH Safety Report. The report was produced by Sellafield Ltd following the Sellafield site becoming an “Upper Tier COMAH Site” due to the reclassification of the hazard category for nitric acid. Hence, Sellafield Ltd now wishes to apply for a consent for this material.

The nitric acid is being used to support major hazard reduction activities across the Sellafield site, including:

- The MAGNOX Operating Programme (MOP) which covers the reprocessing of irradiated MAGNOX fuel from the first generation of UK civil nuclear power stations. This process converts the fuel into a safer and more manageable form suitable for long term storage. This programme is currently due to conclude in 2022.
- Conversion of highly active waste from a liquid form into solid vitrified glass, making the waste safer and more manageable in the long term. This process is likely to continue until about 2028.
- Post Operational Clean Out (POCO) of redundant plants and facilities, prior to them being put into safe care and maintenance or being decommissioned. This will be an on-going programme for some years to come.
- To seek an increase to the consent for the quantity of sodium hypochlorite held on the Sellafield Site. The material is predominantly used in the disinfection of cooling water systems and its use has increased due to improvements made to legionella management regimes across the site.
- To seek an increase to the consent for the quantity of sodium nitrate held on the Sellafield Site. The material is used as an additive to cooling water systems as a corrosion inhibitor, and has seen an increased usage due to the commissioning of new plant which are required to support major hazard reduction programmes such as the processing and vitrification of highly active wastes.

Whilst it is recognised that these substances are hazardous in nature, they have been stored, managed and used safely on the Sellafield site for many years. They are essential for enabling major hazard reduction programmes and, in the case of sodium hypochlorite, for managing the risk of legionella to both persons on-site and off-site from cooling water systems in plants which are used to support major hazard reduction activities.

- To inform of the proposed relocation of the diesel storage tanks located at Fellside. New tanks are to be installed approximately 20 metres from their existing position and the previously used tanks removed. Three smaller tanks have been constructed to replace the two existing larger tanks which will be removed on commissioning of the three new tanks.

The new tanks will not permit additional storage capacity but are being relocated as part of the New Steam Generation Plant (NSGP) project to replace the existing Fellside Combined Heat and Power Plant.

Measures taken to limit any risks of a major accident occurring

Sellafield Ltd ensures compliance with chemical industry “relevant good practice” and the COMAH regulations. The Site has a COMAH safety report covering all the plant areas which have chemical major accident hazards. This report is currently under assessment with the COMAH Competent Authority. The implementation of the safeguards contained in this report seek to ensure that the risk of a major accident hazard is reduced to levels that are as low as reasonably practicable. The company also complies with all relevant legislation such as the Control of Substances Hazardous to Health (COSHH) Regulations and the Dangerous Substances and Explosive Atmospheres (DSEA) Regulations as well as a series of environmental authorisations and permits.

Transport of Hazardous Substances to and from the site

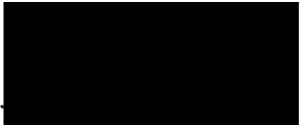
The materials are transported onto the Sellafield site by road transport. In the case of nitric acid, by road tanker in 20 cubic metre quantities, in the case of sodium nitrate, in solution in 1 metre cubed Intermediate Bulk Containers (IBCs) and in the case of sodium hypochlorite, in 30 litre plastic drums secured to pallets. In all cases these materials are transported in compliance with the Carriage of Dangerous Goods and Transportable of Pressure Equipment Regulations (CDG) and the European Agreement Concerning the International Carriage of Dangerous Goods by Road (ADR) requirements. Likewise, should any of these materials be transported off the site as surplus material or waste the same standards apply.

Attach in relation to any relevant consent, **a copy of the consent, claim or direction.**

Attach a change of location plan if the application relates to a condition restricting the location of a hazardous substance.

A “**change of location plan**” is a plan of the land to which the application relates, drawn to a scale of not less than 1:2,500 which identifies the location of the hazardous substance at the date of the application, and the proposed location requiring the application.

I/We hereby apply for hazardous substances consent in accordance with this application

Signed ..  ..

on behalf of SELLAFIELD LTD.
(insert name of person in control of the land if different to applicant)

Date 1st JANUARY 2021

To be accompanied by the notices and certificates required by regulations 6 and 7 of the Planning (Hazardous Substances) Regulations 2015