

Final minutes of the 15th meeting of ENSREG

12-13 May 2011, 09:30 – 17:00
Albert Borschette Building, Brussels

Participants

Related document¹:

- List of representatives from the Member States and Observers (HLG_p(2011-15)_65)

All the EU Member States, with the exception of Latvia and Malta, as well as the European Commission, were represented in the meeting.

Representatives of the Council of the EU, the International Atomic Energy Agency (IAEA), Switzerland and Norway attended the meeting as Observers.

1. Introduction

The EU Commissioner for Energy, Mr Oettinger opened the meeting by presenting the envisaged process and the main milestones for developing the content and modalities of the comprehensive risk and safety assessments of the EU nuclear power plants ('stress tests'), in line with the mandate given by the European Council on 25 March 2011.

2. Replacements in the ENSREG Membership

The ENSREG Chairperson, Mr Stritar informed on the following replacements in the ENSREG Membership:

2.1. Mr Janusz Włodarski (President, National Atomic Energy Agency) will replace Mr Waligórski as an ENSREG Member from Poland.

2.2. Mr Rob Jansen (Program manager New Nuclear Installations and Radiation Protection, Ministry of Infrastructure and Environment, Inspectorate for Infrastructure and Transport) will replace Mr Müskens as an ENSREG Member from Netherlands.

3. Adoption of the Agenda

Related document:

- Adopted Agenda (HLG_A(2011-15)_Final)

The meeting Agenda was adopted without amendments.

¹ Legend: Name of Group_Confidentiality or type of document (Year- Meeting Number)_Document number.version number (if any).

Confidentiality of document:

- **p** for Public. It is HLG final document for release to the public
- **r** for Restricted. Document accessible only for Members and Deputy Members of the Group
- **A** for Agenda
- **M** for minutes

3. EU stress tests after events in Japan

Related documents

- WENRA proposal - 'Stress tests' specifications (version 7 May 2011)
- ENEF Task Force Risks Conclusions on Stress tests
- WG3 - Transparency aspects of EU Stress tests (HLG_r(2011-15)_79)
- Letter of Commissioner Oettinger of 24 May 2011
- Scope and modalities for comprehensive risk and safety assessments (HLG_p(2011-15)_66)

The main item on the agenda of the 15th ENSREG meeting was the **discussion on the content and modalities of the comprehensive risk and safety assessments of the EU nuclear power plants ('stress tests')**. During the meeting, ENSREG members and the European Commission representatives worked intensively to provide a response to the mandate given by the European Council on 25 March 2011.

As requested by the European Council, the discussions made full use of available expertise, notably from the Western European Nuclear Regulators Association (WENRA), which had submitted to ENSREG the final version of its proposal on the scope and methodology of the 'stress tests' (of 7 May 2011).

At the 15th ENSREG meeting, a fair degree of agreement was reached among almost all Members of ENSREG, followed by a period of further consultation which has been finalised on 24 May 2011. During this consultation period, the EU Commissioner for Energy, Mr Oettinger, submitted to ENSREG a letter on the interpretation of the scope of the 'stress tests' proposal.

3.1. Main decisions:

- **Decision:** ENSREG and the European Commission reached consensus on the scope and modalities of the comprehensive and transparent risk and safety assessment ('stress tests') of the EU nuclear power plants. This consensus comprises a Declaration and a technical definition of stress tests and how they should be implemented (Annex I). A separate process to address risks due to security threats which are not part of ENSREG's mandate, accompanied by ENSREG's intention to remain associated to this process (Annex II), was also proposed. Both aspects will form the basis of the stress tests process.
- In relation to the documents endorsed, the following **condition for consensus** was submitted by the ENSREG Members from AT: *"It is understood that any qualified person contracted by a national regulatory organisation to this end is considered as a member of the pertinent national regulatory organisation in the context of the Peer Review mechanism as laid out in Annex I. All Members of ENSREG are entitled to propose experts for these Peer Reviews. The review teams should be set up early to allow for an involvement of the team's experts already in the review of the licensee's reports by the national regulatory organization."*

4. Progress made by the ENSREG Working Groups

ENSREG was informed of, reviewed and took several decisions related to the progress made by its three Working Groups.

4.1. Working Group on Nuclear Safety (WG1)

Related documents:

- WG1 - Progress Report (HLG_p(2011-15)_67)

The Chair of WG1, Mr Hertrich (DE) presented the WG1 Progress Report and requested ENSREG to endorse several decisions.

4.1.1. Main decisions:

4.1.1.1. Sub-group A (SGA) - Format and Guidance for Member States' Reports under Article 9(1) of the Nuclear Safety Directive

- **Decision** – ENSREG agreed on an updated work programme for the finalisation of the Guidelines for the Member States' Reports under Article 9(1) of the Nuclear Safety Directive. The envisaged main milestones for finalising the Guidelines for the Member States' Reports are: (i) ENSREG will discuss the draft Guidelines and designate two volunteer Member States to develop example reports at the next meeting of 11 October 2011; (ii) the two volunteer Member States will develop the example reports between October 2011 – April 2012; (iii) the Guidelines will be finalised to fit for the purpose by mid-2012.
- **Decision** - ENSREG agreed to designate two volunteer Member States (one with nuclear installations and one without nuclear installations) to develop example reports, which could be used as a model for fulfilling the obligation set out in Article 9(1) of the Nuclear Safety Directive. Nominations will be sent beforehand to WG1 by 26 September 2011; the decision on this issue will be then taken at the next ENSREG meeting of 11 October 2011.

4.1.1.2. Sub-group B (SGB) - Self-assessment guidance

- **Decision** - ENSREG took note of the issues identified at the meeting of 12 April 2011, in the framework of the agreed common learning process from the Convention on Nuclear Safety Review Meetings (i.e. Integrated emergency preparedness planning, Conditions for lifetime extensions / Prolonged operation, Peer review of safety design by foreign peers, Adequacy of resources).
- **Decision** - ENSREG agreed to form a view and formulate an opinion on follow-up activities, to be sent beforehand to WG1 by 26 August 2011; this issue will be re-discussed at the WG1 meeting of 6 September 2011 with the objective of reporting results at the next ENSREG meeting of 11 October 2011.

4.1.1.3. Sub-group C (SGC) - Scheduling and resourcing of self-assessments and peer reviews (replaced by the ENSREG IRRS Coordination Group)

- **Decision** - ENSREG agreed with the tasks of the ENSREG IRRS Coordination Group (e.g. maintain an updated indicative programme for IAEA IRRS missions, maintain an updated list of Member States contact points and pool of experts to support the EU IRRS programme, keep close contact with the IAEA in the implementation of the EU IRRS programme).

4.1.1.4. Council of the EU letter - EC-IAEA-Ukraine Joint Project 'Safety Evaluation of Ukrainian Nuclear Power Plants'

Following the Council of the EU letter requesting a technical opinion of ENSREG on the IAEA final Report, WG1 proposed two possible approaches to complete this task: (i) Approach 1 (discussed at the WG1 meeting of 15 February 2011) - a comparison of the final IAEA report on the "Safety Evaluation of Ukrainian Nuclear Power Plants" against the WPNS and WENRA Reference Levels; (ii) Approach 2 (discussed at the WG1 meeting of 6 May 2011) - a technical opinion based on planned improvement programme for all Ukraine NPPs.

- **Decision** - ENSREG selected and approved the second approach proposed.

4.2. Working Group on Waste Management (WG2)

Related documents:

- WG2 - Summary of Activities (HLG_p(2011-15)_68)
- WG2 - Seminar on a better use of the JC in the EU (HLG_p(2011-15)_69)
- WG2 - Methodology and way forward for developing format of and guidance for Member states reports (HLG_p(2011-15)_70)
- WG2 - Methodology and way forward for developing guidance for self-assessment and peer reviews (HLG_p(2011-15)_71)

The Chair of WG2, Mr Minon (BE) presented the WG2 Progress Report and requested ENSREG to endorse several decisions.

4.2.1. Main decisions

- **Decision** - ENSREG agreed with the organisation of the Seminar "Better Use of Joint Convention in the EU" (3-4 November 2011, Vienna).
 - **Decision** - ENSREG agreed with the proposed methodology and way forward for developing format of and guidance for Member States' Reports under the proposed Council Directive on the management of spent fuel and radioactive waste. The need for coordinating this work with WG1 (safety aspects) and WG3 (transparency aspects) was highlighted.
 - **Decision** - ENSREG agreed with the proposed methodology and way forward for developing guidance for self-assessment and peer-review under the proposed Council Directive on the management of spent fuel and radioactive waste.
 - **Decision** - ENSREG agreed with the nomination of an IAEA permanent observer (Mr Vesterlind) in WG2. The Chair of WG2 will send a letter in this sense to the IAEA.
 - **Decision** - ENSREG agreed with the delegation of an observer in the PETRUS project "Towards and European training market and professional qualification in Geological Disposal".
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4.3. Working Group on Transparency (WG3)

Related documents:

- WG3 – Progress on Work Programme (HLG_p(2011-15)_72)
- WG3 - Transparency aspects of EU Stress tests (HLG_r(2011-15)_79)

The Chair of WG3, Mr Molin (AT) presented the WG3 Progress Report.

WG3 recommended to ENSREG to consider transparency aspects in the development, implementation, reporting and follow-up of the 'stress tests'.

5. ENSREG Nuclear Safety Conference

Related documents:

- Steering Group on ENSREG Conference - Progress Report (HLG_p(2011-15)_73)
- Revised programme of the ENSREG First Regulatory Conference (HLG_p(2011-15)_74)

The Chair of the Steering Committee for the organisation of the Conference, Mr Pouleur (BE) presented the current status of the preparations.

5.1. Main decisions

- **Decision** – ENSREG endorsed the revised programme of the Conference.
 - **Decision** – ENSREG invited its Members to continue to encourage participation to the Conference and provide appropriate information to the public.
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6. Second ENSREG Activity Report

Related document:

- Final 2011 ENSREG Activity Report (HLG_p(2011-15)_75)

A first draft ENSREG Activity Report was distributed to the ENSREG Members before the meeting, as a basis for discussions.

6.1. Main decisions

- **Decision** – A revised draft ENSREG Activity Report will be distributed to the ENSREG Members for comments at the beginning of June 2011. The final deadline for ENSREG

approval is 13 June 2011, allowing thus that the Report is available for the ENSREG Nuclear Safety Conference.

- **Decision** - The Chapter dedicated to the Fukushima accident will be further developed by the ENSREG Chairperson in cooperation with the Chair of WG3. The Chapter on the ENSREG Nuclear Safety Conference will be developed by the Chair of the Steering Committee.

7. External dimension of Nuclear Safety

Related document:

- EC Paper - proposed evolution of the role of the EU regulatory authorities in the INSC programming cycle (HLG_r(2011-15)_77)

In line with the request of ENSREG formulated at the 14th meeting of 1 February 2011², the European Commission (Directorate-General for Development and Cooperation - DEVCO) distributed to the ENSREG Members before the meeting a paper on the proposed evolution of the role of the EU regulatory authorities in the Instrument for Nuclear Safety Cooperation (INSC) programming cycle. The representative of the European Commission, Mr Joulia presented his proposal. Discussions continued to focus on the practicalities of the ENSREG envisaged role (e.g. type of strategic advice, expertise, timeframes).

7.1. Main decision

- **Decision** – ENSREG agreed with the WG1 proposal of setting up a group reuniting representatives of the relevant stakeholders to discuss the practical mechanism of this future work with the European Commission. WG1 will report on results at the next ENSREG meeting of 11 October 2011.

8. Adoption of the amended ENSREG Rules of Procedure

Related document:

- Amended ENSREG Rules of Procedure (HLG_p(2011-15)_76)

In line with the request of ENSREG formulated at the 14th ENSREG meeting of 1 February 2011³, the ENSREG Secretariat distributed in advance to all ENSREG Members a proposed revision of the ENSREG Rules of Procedure.

8.1. Main decision

- **Decision** – ENSREG endorsed the revisions to its Rules of Procedure (as proposed, with one additional amendment to Articles 2.1 and 2.2 – using the verb "*shall*" instead of "*should*").

9. Any other business

9.1. Request from Croatia to participate in ENSREG as Observer

9.1.1. Main decision

- **Decision** – ENSREG agreed with this request of Croatia to participate in ENSREG as Observer.

² HLG_M(2011-12_Final – point 6

³ HLG_M(2011-12_Final – point 7

9.2. CIRCA management

The Chair of WG3 requested the ENSREG Secretariat to issue a written guidance on the procedure of uploading documents on the CIRCA website.

9.3. New ENSREG Chairperson

Following the end of term of Mr Stritar as ENSREG Chairperson at the end of 2011, ENSREG Members were invited to consider nominations for this position.

10. Information on the next ENSREG meeting

The next ENSREG meeting will be held on **11 October 2011**.
