

Final minutes of the 14th meeting of ENSREG

1 February 2011, 09:30 – 17:00
Albert Borschette Building, Brussels

Participants

Related document¹:

- List of representatives from the Member States and Observers (HLG_p(2011-14)_52)

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

Mr. Schwarz (Swiss Federal Nuclear Safety Inspectorate) attended the meeting as Observer.

1. Introductory address by the ENSREG Chairperson

The ENSREG Chairperson informed on the following replacements in the ENSREG Membership:

1.1. Mr Johan Anderberg (Head of Department for Radioactive Materials - Swedish Radiation Safety Authority) will replace Mr Jende as an ENSREG Member from Sweden.

1.2. Mr Stefano Laporta (Director General - ISPRA) will replace Mr Mezzanotte as an ENSREG Member from Italy.

1.3. Mr Michael Hertrich (Federal Ministry for the Environment, Nature Conservation and Nuclear Safety) will replace Mr Majer as an ENSREG Member from Germany.

2. Adoption of the Agenda

Related document:

- Adopted Agenda (HLG_A(2011-14)_Final).

The meeting Agenda was adopted without amendments.

3. Election of new ENSREG Vice-Chairpersons and of new Chairs of the Working Groups on Nuclear Safety and Transparency

The new ENSREG Member, **Mr Hertrich** (DE) and **Mr Molin** (AT) were elected in the positions of ENSREG Vice-Chairpersons. Mr Hertrich will also take over the position of Chair of the Working Group on Nuclear Safety and Mr Molin that of Chair of the Working Group on Transparency.

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

Confidentiality of document:

- **c** for Consultation. Document discussed at HLG meetings and accessible for public
- **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

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:

- Presentation of the WG1 progress report (HLG_p(2011-14)_53)
- Revised WG1 Report Self-assessments and peer-review missions (HLG_r(2011-14)_72; HLG_p(2011-14)_54)
- Council of the EU letter - EC-IAEA-Ukraine Joint Project 'Safety Evaluation of Ukrainian Nuclear Power Plants' (HLG_r(2011-14)_74)

Mr Weightman (UK) presented the WG1 Progress Report and requested ENSREG to endorse several decisions.

4.1.1. Main decisions/Actions:

4.1.1.1. Sub-group A (SGA) - Format and Guidance for Member States' Reports

- **Decision A.1** – ENSREG agreed on the reformulated SGA work programme.
- **Decision/Action A.2** - ENSREG agreed that the membership of SGA should be reinforced.
- **Decision A.3** - ENSREG noted that the future objective of SGA to develop an example report, which could be used as a model for fulfilling the obligation set out in Article 9(1) of the Nuclear Safety Directive, requires a volunteer Member State. A request for such a volunteer to develop this project will be made at the next ENSREG meeting on 12 May 2011.

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

- **Decision B.1** - ENSREG agreed that the European Commission takes over the interim Chairmanship of SGB, up to and including the organisation of the special meeting of 12 April 2011, during the Review Meeting of the Convention on Nuclear Safety.
- **Decision/Action B.2** - ENSREG agreed that its Members should inform the ENSREG Secretariat of their representative(s) to the special meeting of 12 April 2011 in the framework of the Convention on Nuclear Safety Review Meeting by end-February 2011.
- **Decision/Action B.3** - ENSREG agreed that the membership of SGB should be reinforced.

4.1.1.3. Sub-group C (SGC) - Scheduling and resourcing of self-assessments and peer reviews

- **Decision C.1** - ENSREG endorsed the text of the Memorandum of Understanding with the IAEA on the European programme of IAEA IRRS missions.
- **Decision C.2** - ENSREG noted the indicative programme for international peer review missions.
- **Decision/Action C.3** - ENSREG encouraged those Member States, which have not yet provided the information requested for the indicative programme for international peer review missions, to do so as soon as possible.
- **Decision/Action C.4** - ENSREG agreed that its Members should nominate a contact point and suitable experts to the pool of experts for the European IRRS missions by end-February 2011.

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, for the ENSREG agreement, an outline programme comprising:

- A preliminary analysis of the IAEA Report to identify (i) those areas where it addresses the same issues as the Working Party on Nuclear Safety (WPNS) report; (ii) those areas where the issues in the WPNS report are not addressed; (iii) where institutional and regulatory

weaknesses are identified (also by cross referencing previous Ukraine reports to the Convention on Nuclear Safety) and (iv) those technical NPP issues identified by IAEA where the Western European Nuclear Regulators Association (WENRA) reference levels are more demanding (the so called 'European deltas'). This preliminary analysis should be carried out under WG1 supervision.

- Subsequent analysis by WG1 would be decided, with agreement of ENSREG, on the basis of the feedback from the preliminary analysis.

WG1 proposed to ENSREG to agree that a preliminary analysis of the IAEA Report should be carried out by a Consultant/TSO with WG1 supervision. WG1 considered that funding from the European Commission is needed for this task.

The European Commission Member, **Mr Faross** clarified that the Commission at present has not reserved any financial means for such assessment, as it had already contributed financially to the preparation of the IAEA Report. Several ENSREG Members raised questions on the general procedure of responding to such requests for third countries' safety assessments, on the related financing mechanisms and on the estimation of the resources involved for the preliminary assessment of the IAEA Report.

- **Decision/Action** – ENSREG agreed that WG1 reviews this task (e.g. work programme, estimation of resources needed) at its meeting of 15 February 2011 and informs the European Commission thereof. Subsequently, the way forward will be re-discussed at the next ENSREG meeting of 12 May 2011.

4.2. Working Group on Waste Management (WG2)

Related documents:

- WG2 Joint Statement on the Proposal for a Council Directive on the management of spent fuel and radioactive waste (HLG_r(2011-14)_73)
- ENSREG Statement on the Proposal for a Council Directive on the management of spent fuel and radioactive waste (HLG_r(2011-14)_73rev and HLG_p(2011-14)_55)

Mr Minon (BE) presented the WG2 Progress Report (i.e. the cooperation with WG1, the progress in the proposal of organising a seminar on the better use of the Joint Convention review process).

The main WG2 document discussed was an expert Joint Statement on the European Commission proposal for a Council Directive on the management of spent fuel and radioactive waste. The discussions focussed on the status of the Statement and its link to the ongoing discussions in the Council of the EU Working Party on Atomic Questions.

On the text of the Joint Statement (Section 4 dedicated to Article 4(3) from the Commission proposal), several amendments were made during the meeting in order to highlight: (i) the possible contradiction with the Global Threat Reduction Initiative; (ii) that the issue of the export of radioactive waste outside the EU has generated different positions and (iii) that "the issue of export of waste as addressed in Article 4.3 should be revisited."

4.2.1. Main decisions/Actions

- **Decision** - ENSREG endorsed the WG2 proposed Statement on the European Commission proposal for a Council Directive on the management of spent fuel and radioactive waste, with the above-mentioned caveats.

4.3. Working Group on Transparency (WG3)

Related documents:

- Presentation of the WG3 progress report (HLG_p(2011-14)_56)
- Guidance for National Regulatory Organisations - Principles for Openness and Transparency (HLG_r(2011-14)_69, HLG_p(2011-14)_57)

- Proposed format of Second ENSREG report to the European Council and European Parliament (HLG_r(2011-14)_70, HLG_p(2011-14)_58)
- Current Community and International Law with relevance to Transparency - Obligations and Opportunities for the Regulators: "Case Study" – Summary Document (HLG_r(2011-14)_71)

Ms McGarry (IE) presented the WG3 Progress Report (i.e. ENSREG website, the Guidance for national regulators on principles for openness and transparency, the EU and international legal framework for transparency in the nuclear field, the template for the second 2011 ENSREG Activity Report, the support for the European Nuclear Safety Conference). **Mr Molin** made a specific presentation on the proposed Summary document "case study" related to the current Community and International law with relevance for transparency.

4.3.1. Main decisions/Actions

- **Decision** – ENSREG agreed with the proposed Guidance for National Regulatory Authorities on principles for openness and transparency.
- **Decision** – ENSREG agreed with the proposed structure and timetable for the preparation of the second 2011 ENSREG Activity Report addressed to the European Parliament and to the Council (with one timing amendment: the first draft Report should be sent to the ENSREG Chairperson by 15 March 2011, instead of 1 March 2011).
- **Decision/Action** – On the proposed Executive Summary of the Report, for the final Section containing future actions, the Working Groups' Chairs were requested to propose to the ENSREG Chairperson such actions together with other material by 15 March 2011. The future actions will be discussed at the next ENSREG meeting of 12 May 2011.

5. European Nuclear Safety Conference

Related documents:

- Presentation of the progress of the European Nuclear Safety Conference preparations (HLG_p(2011-14)_59)
- Draft Programme - 2011 European Nuclear Safety Conference (HLG_r(2011-14)_67, HLG_p(2011-14)_60)
- Guidelines for the speakers and chairs - 2011 European Nuclear Safety Conference (HLG_r(2011-14)_68, HLG_p(2011-14)_61)

Mr Pouleur (BE) presented the current status of the preparations for the Conference. On this occasion, the issue of the final number of assigned places for each Member State was clarified (i.e. it covers the corresponding national quotas, with the exception of journalists). The main issue discussed was the financing of the Conference (*n.b.* to that date, 15 Member States had sent positive commitments, 2 negative replies were received from MT and LV, 10 Member States had not yet sent any replies - CY, CZ, DE, HU, NL, PL, PT, RO, SK, UK). The European Commission Member, **Mr Faross** highlighted that the Commission also needs to commit finances for the Conference and that, in the absence of the commitments from the Member States, the preparations for the event will have to stop. The Member States which had not yet sent their commitments were requested to inform on whether they are ready to participate or not. During the meeting, no negative replies have been received. PT and CZ informed that they are ready to pay the contribution directly, without a preliminary commitment letter.

5.1. Main decisions/Actions

- **Decision/Action** – ENSREG requested the remaining (mentioned above) Member States to send their commitment letters / financial participation by 15 February 2011 at the latest.
- **Decision/Action** – Mr Pouleur will circulate an information message to the ENSREG Members containing the model commitment letter and the bank details for the payment.
- **Decision/Action** – The ENSREG Chairperson will send a letter to the 2 Member States that refused to commit (LV and MT) requesting them to reconsider their position.
- **Decision/Action** – As a consensus on a financing solution for a dinner in the framework of the Conference was not reached, the Conference Steering Committee was requested to explore alternative financing solutions.

- **Decision/Action** – ENSREG requested the Steering Committee to produce posters and final programme for advertising the Conference.
 - **Decision/Action** – ENSREG requested its Members to nominate 2 National Contact Points each (one for the national participants and one for the media).
 - **Decision/Action** – ENSREG decided that national stands are not needed. The Conference Steering Committee was requested to look into several alternative advertising possibilities (e.g. materials distributed outside the Conference room, leaflets with web addresses of the regulators).
 - **Decision/Action** – ENSREG requested its Members which have not yet nominated their corresponding speakers for the Conference (FI, FR, RO, IT), to do so as soon as possible.
 - **Decision/Action** – ENSREG endorsed the revised programme of the Conference and requested that it is made public.
 - **Decision** – ENSREG endorsed the proposed Guidelines for speakers and Chairs for the Conference.
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6. External dimension of Nuclear Safety

Related document:

- Paper - Assistance requested on the ENSREG in the domain of cooperation with nuclear regulatory bodies from third countries (HLG_p(2011-14)_62)

Following the distribution of a European Commission (Directorate-General for Development and Cooperation - DEVCO) paper requesting the involvement of ENSREG in providing advice to the Commission in the high-level policy definition of its activities with regulatory bodies in third countries, **Mr Jean-Paul Joulia** (Head of Unit, DEVCO) made a presentation of the functioning of the Instrument for Nuclear Safety Cooperation (INSC). Discussions in ENSREG focussed on the practicalities of the ENSREG envisaged role, on its position in the existing decision-taking system and on the resources involved by the European Commission proposal.

6.1. Main decisions/Actions

- **Decision/Action** – ENSREG agreed in principle with the European Commission request for assistance. However, it requested that a concrete proposal from the Commission, clarifying the type of advice requested, practicalities of the Group's envisaged role, resources needed is presented for discussion at the next ENSREG meeting of 12 May 2011.
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7. Amendment of the current ENSREG Rules of Procedure

Related document:

- Proposal for the amendment of the ENSREG Rules of Procedure (HLG_r(2011-14)_66)

The ENSREG Secretariat **Mr Garribba** made a presentation of the proposed revisions to the ENSREG Rules of Procedure, followed by an exchange of views.

7.1. Main decisions/Actions

- **Decision** – ENSREG endorsed the revisions to its Rules of Procedure (as proposed, plus one addition to Article 3.5 – "with the approval of ENSREG"). The exception was Article 2.7, whose wording needs to be re-drafted for consistency.
 - **Decision/Action** – ENSREG requested the ENSREG Secretariat to prepare a revised wording of Article 2.7 of the Rules of Procedures, which will be discussed at the next ENSREG meeting of 12 May 2011.
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8. Any other business

8.1. Information on the European Human Resources Observatory (EHRO-N)

Following a preliminary European Commission (Joint Research Centre) request for ENSREG to be involved in this initiative, the discussions in the Group focussed on the practical way of cooperation and on the differing situations as regards human resources in various Member States and nuclear actors.

8.1.1. Main agreements/Actions

- **Decision/Action** – The ENSREG Chairperson will reply to the European Commission request, highlighting the differences between various countries, advising that individual replies would be more efficient, and informing that the Group as a whole will not propose any nomination.
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8.2. Design licence harmonisation

Related document:

- Paper - ENEF task description for potential EC initiative on design licence harmonisation (HLG_r(2011-14)_75)

Following the preliminary distribution of a proposed task description for the corresponding European Nuclear Safety Forum (ENEF) working group, the European Commission Member, **Mr Faross** informed that the issue of licensing harmonisation is on the agenda of the Commission and will be included in its Work Programme, that various working groups are already assessing this topic and that the Commission invites ENSREG to also present its views.

8.2.2. Main decision/Actions

- **Decision** – ENSREG took note of the proposal and will follow-up the developments.
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8.3. CIRCA management

8.3.1. Main decision/Actions

- **Decision/Action** – ENSREG requested the ENSREG Secretariat to issue a written guidance on the correct procedure of uploading documents on the CIRCA website.
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9. Information on the next ENSREG meetings

The next ENSREG meetings for 2011 were agreed for 12 May and 11 October.
