



## Final

### Minutes of the 27<sup>th</sup> meeting of ENSREG 27<sup>th</sup> May 2014 Brussels

#### Participants

Official ENSREG members from all EU Member States as well as the European Commission, with the exception of Cyprus, Malta, and Romania were represented in the meeting. Observers from Switzerland, the Council of the European Union, IAEA, and OECD-NEA were also present.

#### **1.0) Introductory address by the ENSREG Chairperson**

The chairman, Mr Gerald Hennenhöfer, opened the meeting and welcomed the new members to ENSREG:

Mr Boris Ilijaš (HR)  
Mr Szabolcs Hullán (HU)  
Mr Daniel Ionescu (RO)  
Mr Les Philpott (UK)

He also welcomed Dr Michael Siemann of the OECD-NEA as an observer.

#### **2.0) Adoption of agenda**

The agenda was adopted without change.

#### **3.0) Chairman's report**

##### ***HLG\_r(2014-27)\_246 ENSREG-Followup of Stresstest\_CNS-sideevent-1April2014***

The Chairman reported that he had represented ENSREG at three events since the last meeting

- the stress test follow-up session at the CNS meeting in April 2014
- the European Parliament public hearing on the NSD on 12<sup>th</sup> February 2014.
- the workshop organised by the Greek presidency of the Council, on the issue of "Topical Peer reviews" associated with the new Safety Directive.

#### **4.0) Considerations on the procedure for electing the ENSREG Chairperson**

##### ***HLG\_r(2014-27)\_247 Draft 0 Procedure for ENSREG Chairman***

Mr Laporta presented a paper on some considerations for selection of the Chairperson of ENSREG. In the discussion, it was said that as well as the experience and background of the candidate, the personal qualities are important. As the current Chairman had agreed to continue in this role until the present meeting, it would be necessary to select a new Chairperson. This selection would be made at the conclusion of the meeting (see note below).

### **5.0) Revision of Nuclear Safety Directive**

Mr Housiadas reported on progress with the Nuclear Safety Directive. With the help of the Member State delegations discussions on the text had advanced very well. Technical working groups had worked on the articles dealing with the nuclear safety objective, and on peer reviews. The seminar held in February paved the way for identifying a number of solutions on how to implement topical peer reviews. The current version of the text is expected to be discussed at the next meeting of the European Council's Atomic Questions Group with a view to resolving the final remaining issues. He acknowledged the input of ENSREG members and particularly that of Mr Hennenhöfer. The EC agreed that there had been significant progress since the last ENSREG meeting, and that there was broad agreement on the contents. The current version retains all the principles discussed with ENSREG at the beginning of the process, as well as adding provisions on nuclear safety culture. Given that discussions in the Council have reached this stage less than a year after the proposal was presented, the work of the Lithuanian and Greek presidencies deserved much credit, and the constructive input of the national regulators through ENSREG should be acknowledged.

Members agreed that despite several difficulties, the outcome seems well balanced, and the EC had demonstrated flexibility on several issues. Some members expressed the view that the new Directive would not change dramatically the role of the regulators. The Chairman indicated that despite some initial reservations about the value of a new Directive at this time, the text preserves the national responsibility for nuclear safety and sets up the framework for the future. However, plant safety will depend on content of national regulations and how the rules are applied.

The EC indicated that the Directive would give a clear role to ENSREG for topical peer reviews. The concept would need to be developed and applied in a common way, and ENSREG should take a lead role in this process.

### **6.0) Potential support to ENSREG/small country regulators**

#### **HLG\_r(2014-27)\_245 TOR - Consolidation of nuclear safety related data**

Mr Stritar explained that the demands of reporting of Member State and regulatory activities according to the international and regional legal requirements has increased the burden on reporting authorities. Given that there is some overlap in the contents of these reports, a tool could be used to make the task more effective and less burdensome. A web based application could allow nuclear safety information to be kept and updated centrally, organised in a comprehensive and transparent way so that it is always available for consultation by the public, other Member States and the Commission. The content and details would take account of the reporting requirements under the Nuclear Safety Directive, Radioactive Waste and Spent Fuel Management Directive and the international conventions.

EC explained that the intention was to identify a project to assist regulators in smaller countries, and the support on reporting was one suggestion. To take the present proposal forward would require stronger justification of how the burden on regulatory authorities would be reduced, as well as a detailed estimate of the required resources. The EC could help with developing the concept. It should be noted that under the text of the NSD amendment proposal, the next reporting date after 2014 is 2020. Secondly, given that in the NSD proposal the first topical peer reviews would take place in 2017, there is need to discuss how the peer review process would work, if it would follow the stress-test process, and to evaluate the resources needed. In any case any request for support to the EC would need to follow the financial rules and to identify precisely where and for what purpose it is needed.

In the discussion that followed, there were mixed views about the benefits of such a tool and mention was made of the cyber security issues, but the majority agreed that if done well, such a tool could be useful. Support to regulators would be welcome not only in the smaller countries and the resource needs of hosting IRRS reviews as well as future peer reviews needs attention. However, it was also mentioned that the MS's had agreed to these requirements, and that adequate resources should be made available nationally. ENSREG could contribute to the case for rationalisation of reporting, and of regulatory reviews, taking account of IAEA self-assessment tools, and develop a common view on the technical and organisational aspects of topical peer

reviews. WG1 was charged with developing a proposal on support for topical peer reviews, whilst Mr Stritar will prepare a more detailed proposal for a reporting tool, aided by the EC, for the next meeting.

### **7.0) ENSREG Conference 2015**

In view of the June 2015 date for the next ENSREG conference, it would be timely to start preparations now. As well as identifying an organising committee, first ideas on topics and themes and speakers would be needed. Members welcomed the offer from the UK to lead the committee, with the assistance of members from Belgium, Italy, France, and Germany, and Austria to serve on the committee. The EC would organise the venue and provide facilities as previously. Mr Hennenhöfer was nominated to be President of the conference.

### **8.0) ENSREG Workprogramme 2014-2016**

#### **HLG\_r(2014-27)\_244 ENSREG Workprogramme 2014-2016**

The tabled workprogramme was approved by members.

### **9.0) ENSREG Working Groups**

#### **9.1) Report back from the IRRS Lessons Learnt Workshop**

#### **HLG\_r(2014-27)\_254 WG1 Report on IRRS lessons learnt Workshop**

Mr Munuera, presented the findings and outcomes of the workshop. In the discussion that followed, members asked if there were specific conclusions relevant at the European level, and if a specific EU level workshop was justified every 2 years. It was explained that although the conclusions presented were quite generic, the workshop offers the opportunity to look at specific topics in more detail. Some members felt that workshop was useful as it allowed exchanges within smaller groups and considered the practical application of the reviews in EU countries rather than fundamental principles. The IAEA supported the idea of such a workshop which could concentrate on specific topics that were of interest regionally. Some members indicated that the current IRRS approach was very demanding and resource intensive and there was scope to optimise it. The responsibility of MS's to request such reviews was mentioned. Some members suggested that the IAEA SARIS tool could be simplified and improved, which was accepted by the IAEA.

#### **9.2) Presentation and approval of draft ToR for the 2015 NAcP Workshop**

#### **HLG\_r(2014-27)\_261 ToR for the 2015 NAcP Workshop WG1**

#### **HLG\_r(2014-27)\_252 ENSREG NAcP Status Workshop 2015 ToR Draft for ENSREG Approval**

Mr Munuera, described the terms of reference drafted by WG1 for the next national action plans workshop. In the discussion, it was indicated that transparency and accountability aspects should be included and asked if the WENRA safety objectives for new reactors was being taken account of in the ToR. Mr Munuera explained that after the workshop, the activities report prepared by the workshop president would be made public and could be discussed in the ENSREG conference. However, the aim was to send updated national action plans to the EC by the end of this year, and it was upto each country to make public their report.

It was pointed out that as some dates were not quite consistent in the tables presented, members needed to provide feedback. Some members pointed out that not all actions would be complete by 2016, and some work would continue beyond 2020. Furthermore, a clear understanding was needed of the common reference levels being aimed at. In relation to the possibility of combining efforts with the IAEA technical meeting to review measures taken post-Fukushima, it was indicated that the EU stress test process was independent, and carried its own obligations about transparency and follow-up. It was suggested that for reasons of transparency and openness, the ToR should indicate that the rapporteurs report as well as the peer review report of the regulators would be published.

ENSREG took note of the document, and agreed to it in principle subject to the comments made. A new draft should be presented at the next meeting for endorsement.

### **9.3) Presentation and approval of draft guidelines for reporting to the Waste Directive**

***HLG\_r(2014-27)\_260 WG2 report to ENSREG-presentation***

***HLG\_r(2014-27)\_255 Cover letter final draft guidelines MS reports Waste Directive***

***HLG\_r(2014-27)\_256 Final draft guidelines MS Reports Waste Directive***

Mr Hedberg presented new draft guidelines prepared by WG2 for national reports under Art.14.1 of Directive 2011/70/Euratom.

Draft guidelines had previously been approved by ENSREG in 2013 for trial use by volunteer MS. Experiences from this trial exercise have been incorporated in the latest draft. In the discussion it was indicated that wording on a 'national management system' had been taken out. However, the importance of lifecycle concept, defining routes for waste at national level, defining common rules and procedures by countries using shared repositories, and clear national policies on back end activities of the fuel cycle were highlighted.

The revised guidelines were endorsed by ENSREG, and as recommended by WG2, they could be revised following experience with the first reporting cycle after August 2015.

### **9.4) Proposal for amendment to the ENSREG-IAEA MoU regarding Waste Directive Peer Reviews**

***HLG\_r(2014-27)\_260 WG2 report to ENSREG-presentation***

***HLG\_r(2014-27)\_257 Proposal amended ENSREG-IAEA MoU***

***HLG\_r(2014-27)\_258 Supporting material for proposal amended ENSREG-IAE MoU***

Mr Hedberg presented proposals for amendment to the ENSREG-IAEA memorandum of understanding covering self-assessment and international peer review missions to EU MS's Directives 2009/71/Euratom and 2011/70/Euratom, with a view to agreeing the way forward. Taking account of the IAEA's IRRS system and the ARTEMIS process for an integrated review service for spent fuel and radioactive waste management, the proposal provides flexibility to address safety and policy aspects and allow for specific needs of MS's. Given the different situation with nuclear power use in MS's and differing views about separate or joint peer reviews, the current proposal aims to provide a range of options.

During the discussion, some members expressed concern about the resources involved and were wary of too strong an emphasis on ARTEMIS, preferring to extend the IRRS mechanism and optimise the process, thus requiring only minor changes to the existing MoU. A single mission could serve both requirements. Others felt that given the somewhat different scope of the requirements under the NSD and Waste Directives, there were limited possibilities of simplifying the process and that the proposed MoU has sufficient flexibility. The options whilst referring to the IAEA review services need not make them ARTEMIS specific. Additionally, IAEA could be requested to simplify their mechanisms. Overall, it was generally agreed that there were possibilities to improve the proposed MoU.

In summary, it was decided to request WG1 and WG2 to consider the options further with a view to optimising the process and looking for efficiencies. A revised MoU should be presented at the next meeting for approval.

### **9.5) Update on transparency issues**

***HLG\_r(2014-27)\_248 Graphic Workprogramme 2014-2016***

***HLG\_r(2014-27)\_249 List of Country profile updates***

***HLG\_r(2014-27)\_250 WGTA Activity Report for ENSREG plenary 27 May 2014***

***HLG\_r(2014-27)\_251 ENSREG 27 (27-05-14) - Progress Report for WG3***

Mr Molin presented the activity report for WG3. With the approval of the ENSREG workprogramme 2014-2016, discussions had started on how the tasks of the work programme could be implemented. It was intended to produce a single guidance paper for nuclear regulators, taking account of a 'bench-marking' exercise on national implementation of ENSREG principles for openness and transparency, current and

international law with relevance to transparency, as well as the review of the rulings of the Aarhus Convention Compliance and the Espoo Convention Implementation Committees. Further, the outcome of a survey on implementation of the public information requirements under NSD, and of transparency requirements in the waste directive, as well as the issues arising from competing needs of security/intellectual property rights and transparency should be taken into account.

The ENSREG website statistics show the worldwide interest in ENSREG's activities. However, some country profiles on the website have not been updated for quite a while, and it is encouraged to do so.

#### **10.0) A.O.B.**

##### **10.1) Letter from FORATOM**

###### **HLG\_r(2014-27)\_253 Letter from FORATOM**

Following discussion it was decided to respond positively to the request of FORATOM-ENISS to meet with ENSREG to discuss current and planned activities of common interest by inviting them to make a presentation at the next meeting.

##### **10.2) Contacts with, and offer of assistance to the Japanese regulator**

The Chairman explained that although it had been decided at a previous meeting to write to the Japanese regulators offering ENSREG assistance, he felt it was necessary to review the timing given that they have already a number of international offers of assistance. The issue could be discussed again at a later time.

##### **10.3) Request from Turkey for observer status in ENSREG**

###### **HLG\_r(2014-27)\_259 Request from Turkey for observer status**

Following discussion, it was felt beneficial to have an observer from the Turkish regulatory authority to participate in future ENSREG plenary meetings.

#### **11.0) Next Meeting**

The next meeting will take place on 16<sup>th</sup> October 2014, and provisionally after that on 8<sup>th</sup> January 2015.

#### **Note: Selection of the new Chairperson of ENSREG**

Mr. Andy Hall of the Office for Nuclear Regulation, UK, was endorsed as the new Chairman of ENSREG, supported by Mr. Andreas Molin and Mr. Petr Krs in the role of Vice-Chairs. Members thanked the outgoing Chairman, Mr. Gerald Hennenhöfer for his valuable contribution to the work of ENSREG.

Agenda Point	Document	ENSREG Approval
3	HLG_r(2014-27)_246 ENSREG-Followup of Stresstest_CNS-sideevent-1April2014	
4	HLG_r(2014-27)_247 Draft 0 Procedure for ENSREG Chairman	
6	HLG_r(2014-27)_245 TOR - Consolidation of nuclear safety related data	
8	HLG_r(2014-27)_244 ENSREG Workprogramme 2014-2016	Approved
9.1	HLG_r(2014-27)_254 WG1 Report on IRRS lessons learnt Workshop	
9.2	HLG_r(2014-27)_252 ENSREG NAcP Status Workshop 2015 ToR Draft for ENSREG Approval	Approved in principle subject to comments
9.2	HLG_r(2014-27)_261 ToR for the 2015 NAcP Workshop WG1 presentation	
9.3, 9.4	HLG_r(2014-27)_260 WG2 report to ENSREG-presentation	
9.3	HLG_r(2014-27)_256 Final draft guidelines MS Reports Waste Directive	Approved
9.3	HLG_r(2014-27)_255 Cover letter final draft guidelines MS reports Waste Directive	
9.4	HLG_r(2014-27)_257 Proposal amended ENSREG-IAEA MoU	
9.4	HLG_r(2014-27)_258 Supporting material for proposal amended ENSREG-IAEA MoU	
9.5	HLG_r(2014-27)_248 Graphic Workprogramme 2014-2016	
9.5	HLG_r(2014-27)_249 List of Country profile updates	
9.5	HLG_r(2014-27)_250 WGTA Activity Report for ENSREG plenary 27 May 2014	
9.5	HLG_r(2014-27)_251 ENSREG 27 (27-05-14) - Progress Report for WG3	
10.1	HLG_r(2014-27)_253 Letter from FORATOM	
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