

# WORKING PROGRAMME FOR THE EUROPEAN HIGH LEVEL GROUP ON NUCLEAR SAFETY AND WASTE MANAGEMENT

May 2008

## Introduction

The European High Level Group on Nuclear Safety and Waste Management (HLG) was created with the aim of maintaining and further improving the safety of nuclear installations, the safety of the management of spent fuel and radioactive waste, and the financing of the decommissioning of nuclear installations. Its objective is to address the actions, as far as practicable, as set out in the conclusions of the 2798<sup>th</sup> meeting of the Council of the European Union (Economic and Financial Affairs) of 8 May 2007.

Nuclear safety and the safe management of spent fuel and radioactive waste is a national responsibility of Member States, and decisions concerning safety actions and the supervision of nuclear installations remain solely with the operators and national authorities. In this context, the HLG will strive to establish the conditions for **continuous improvement** in nuclear safety and the safe management of spent fuel and radioactive waste throughout the Community. This is intended to achieve and maintain a high level of nuclear safety and radioactive waste management throughout the Community in the design, siting, construction, maintenance, operation and decommissioning of nuclear installations.

Striving for continuous improvement is a vital safeguard against any sense of complacency in the operation of a nuclear facility and nuclear regulatory arrangements, and must be at the heart of any organisation's safety culture. It is a continuous leadership challenge. In adopting this as the fundamental principle for the work of the HLG, it does not imply in any way that the HLG considers that nuclear facilities in EU Member States are unsafe or that nuclear oversight arrangements are inadequate.

Initiatives at the EU level will be encouraged where they add value, in improving nuclear safety and radioactive waste management, to the activities undertaken in international and national contexts. As all EU Member States follow the basic principles set for assuring nuclear safety and safe management of radioactive waste and spent fuel established in the Convention on Nuclear Safety and Joint Convention on the Safety of Spent Fuel Management and on the Safety of Radioactive Waste Management, the HLG will build on the experience and information available from these Conventions, and the IAEA Safety Standards, to seek to continuously improve safety in the Community.

Additionally, the HLG considers that a vital aspect of its work, as an independent authoritative expert body, is to develop proposals to improve the cooperation and openness between Member States, and the overall transparency, on issues relating to the safety of nuclear installations and effective radioactive waste management practices within their jurisdiction.

In this context, the HLG has set up working groups covering three areas, but recognising that in some matters overlaps will occur. These areas are:

Working Group 1 (WGNS) – improving Nuclear Safety arrangements;

Working Group 2 (WGRWMD) – improving Radioactive Waste Management, Spent Fuel and Decommissioning arrangements;

Working Group 3 (WGTA) – improving in Transparency arrangements.

All three groups have developed initial working programmes with the aim of the HLG reporting against these programmes to the Council and Parliament by July 2009.

## **Working Groups programmes**

The terms of reference for each working group are outlined below together with timescales, reporting arrangements, and initial work plans to meet the July 2009 reporting timeframe<sup>1</sup>.

The deliverables of this working programme are reports underlining particularly the progress made in further enhancing EU and/or worldwide improvements in nuclear safety and the safe management of spent fuel and radioactive waste.

Working groups should report to the HLG about the progress of their work towards the end of 2008 and prepare the draft for inclusion in the HLG report for the Council and Parliament, by Spring 2009. The summary report should be submitted to the Council and Parliament by the HLG before July 2009.

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<sup>1</sup> It is anticipated that reports will be made every three years thereafter.

## **Working Group 1 - Improving Nuclear Safety Arrangements (WGNS)**

[To be completed at the 15 October 2008 meeting]

### **Activity WGNS 1 – The Convention on Nuclear Safety.**

#### **Objective**

To maximise the nuclear safety improvement benefits of the Convention on Nuclear Safety ('the Convention') by:

1. ensuring that all EU Member States are full Contracting Parties to the Convention;
2. encouraging all EU Member States to contribute fully to the activities of the Convention, particularly the preparation and review of national reports and participation in the Review Meetings;
3. making all reports, questions and responses, and presentations to the Review Meetings publicly available;
4. establishing a process that will bring together all EU Member States after each Convention cycle, to agree on common lessons learned and issues raised, and give suggestions for improvements to be taken forward at national level on an agreed timescale. These would lead towards co-ordination of national follow-up actions among EU Member States and a structured exchange of experience acquired from the actions taken;
5. develop the process (and a procedure) where the lessons/improvements of common interest would be identified and agreed with the Member States, national follow up actions established and common reporting on progress to the HLG, via WGNS, defined. The process should include steps necessary for the HLG (via WGNS) to advise EU Member States on the themes that the Convention Review process should target as the most appropriate to improve world wide nuclear safety.
6. undertake a pilot study, based the outcome of the fourth review meeting of the CNS and including an appropriate (relevant) number of the Member States, to assess each step of the process, and inform the HLG on the outcome
7. reflecting on the result of the pilot study, enhance and finalise the process (procedure) to be used in subsequent Convention cycles

## **Activity WGNS 2 – The National Arrangements for Regulating Nuclear Safety**

### **Objective**

To enhance the transparency and mutual understanding and foster continuous improvement in the national arrangements for nuclear safety regulation in all EU Member States by:

1. achieving benchmarking and continuous learning by encouraging all EU Member States to provide senior regulatory experts to participate in IAEA International Regulatory Review Service (IRRS) missions to other states;
2. encouraging all EU Member States to invite an independent review of their nuclear safety regulatory arrangements by the IAEA and making public in a timely manner the reports of such missions and the Member State's response together with any action plan of reasonable practicable improvements;
3. committing all EU Member States that have not benefited from an IAEA IRRS (IRRT) mission in the last ten years by March 2009 to plan, by that date, a self assessment and make such an assessment public together with any action plan of reasonable practicable improvements;
4. encouraging all EU Member States that undertake such a self assessment to invite suitable experts from other EU Member States to assist;
5. Undertake a compilation of all the IAEA and self assessment reports produced under 3. and 4. above to establish (generic) lessons learnt and identify areas for reasonable practicable improvements of the regulatory approaches in EU Member States
6. To compile the findings for the HLG, to report to the Council and European Parliament in July 2009;
7. to develop a process (and a procedure) that would establish for repeating the exercise every 6 years, to include reporting on progress on the implementation of generic lessons and priority areas to the HLG, via WGNS, bi-annually.
8. Use the outcome of the exercise to enhance and finalise the process

## Schedule and deliverables

- I. April 2008: Creation of Working Group (WGNS).
- II. April-June 2008: Initial Work Plan agreed to target first report of HLG
- III. October 2008: Initial report of the WGNS, for approval by HLG as necessary, on
  - a. Initial Design of the process of utilisation of the results of the 2008 Convention on Nuclear Safety including identification of common lessons learned from the fourth Review meeting of CNS ;
  - b. an initial summary of Member States regulatory experts involvement in IAEA IRRS missions over the last ten years and in each others self assessments;
  - c. an initial summary of IRRS missions to Member States over the last ten years including initial identification of any generic areas of improvement and listing good practices.
- IV. October 2008 - April 2009:
  - d. Finalise the lessons learned from the fourth review meeting of the Convention on Nuclear Safety as relevant for all the EU Member States, including the finalisation of the process (procedure);
  - e. Update and expanded identification of the generic areas for improvement; and
  - f. Prepare a process (procedure) for the review of the areas for improvements on 6 year cycle
  - g. prepare a report to the HLG.
- V. May - June 2009: Approval of the results and reports by HLG (decision on how to formalize the process and preparation of the report with recommendations).
- VI. July 2009 – submission of report to Council of European Union and European Parliament.

## **Activity WGNS 3 – The Pros and Cons of EC Directives or other Instruments covering Nuclear Safety**

### **Objective**

To provide a compilation of the pros and cons of five options for an EC Directive or other Instrument on Nuclear Safety. The five options being:

1. No need – use existing international mechanisms to address any issues.
2. A General Directive (similar to that proposed by the Chair of the HLG).
3. A General Directive with a provision to develop detailed safety standards (similar to that proposed by the Austrian representative on the WGNS).
4. A detailed Directive including “safety standards”.
5. A non-binding Instrument (detailed or not).

It is noted that there may be variations around these general descriptions but it is considered that they are sufficient to provide the information required.

### **Method and Milestones**

1. 15 May WGNS – set up subgroup (completed with Eric Jende, Sweden as Chair)
2. 30 June - first draft of compilation to subgroup members for comment.
3. 1 July – discussion of first draft of compilation at next WGNS meeting and distribution to HLG members
4. 1 September 2008 – Comments by HLG members
5. 15 September 2008 – Finalization of the draft by WPNS
6. October 2008 – draft to be discussed at HLG
7. March – May 2009 – finalized document taking account of the emerging results of WGNS 1 and 2 as input to the report to the Council and Parliament

## **Working Group 2 - Improving Radioactive Waste Management and Decommissioning Arrangements (WGRWMD)**

The WGRWMD is working on behalf of the HLG in order to improve the safety of the management of spent fuel and radioactive waste and decommissioning in the European citizen interest. In this purpose, the WGRWMD should act in the following fields:

- consultations between review meetings held under the relevant IAEA Conventions;
- building on activities in international contexts such as IAEA standards, WENRA activities and consideration, NEA/OECD work, the Joint Convention process;
- developing strategies for the safe management of all types of spent fuel and radioactive waste. It must be reminded that the Conclusions urge "each EU member state to establish and keep updated a national programme for the safe management of radioactive waste and spent fuel that includes all radioactive waste under its jurisdiction and covers all stages of management";
- exchange of ideas on how to answer the challenges regarding qualified staff and knowledge resources during and beyond the decommissioning phase;
- monitoring progress on financing of spent fuel and radioactive waste management and decommissioning;
- exchange information on good practices and legal framework in the field of decommissioning and the radioactive waste management.

### **Objectives**

1. To identify elements, approaches and measures for a continuous improvement of the safe management of spent fuel and radioactive waste and of the decommissioning
  - To identify and promote elements necessary for ensuring progress on spent fuel and radioactive waste management and decommissioning practices in the EU, covering all stages up to the final solutions, such as National Radioactive Waste Management policies, strategies and plans, as well as inventories.
  - To propose common principles of radioactive waste management policy and identify mutually agreed reference levels on safety, using WENRA, IAEA and others international reference standards;
  - To identify and make proposals to promote good practices on radioactive waste, spent fuel management and decommissioning.
2. To strengthen cooperation
  - To promote the use of international peer reviews by the Member states, such as offered by IAEA and the OECD/NEA or organised by Member States themselves;
  - To make better benefits from the Joint Convention on the Safety of Spent Fuel and on the Safety of Radioactive Waste Management Cycle by:
    - promoting better focused national reports and further elaborate in the review process under the Convention;
    - identifying joint safety issues and joint ways of addressing them;
    - leading towards co-ordination of national follow-up actions among EU Member States and the Commission, and a structured exchange of experience acquired from the actions taken;
  - To promote joint effort in building and maintaining competence and knowledge, particularly in order to answer the challenges regarding qualified staff and knowledge resources during and beyond the decommissioning phase.

3. To monitor the enhancement of the financing of the decommissioning of the nuclear installations and the safe management of spent fuel and radioactive waste,

This point will be undertaken notably on the basis of the monitoring of the works of the Decommissioning Funding Group. It will be done through the proposal of methods and criteria to evaluate funding, placed in a national framework and including a comprehensive review of the adequacy, the availability and the transparency of the funding

### **Deliverables**

The deliverables of this working programme are reports underlining particularly the progress made in further EU and/or world-wide improvements and good practices as well as proposals for the future.

The final deliverable is a final report in 2009.

In the course of the next 12 months and in order to reach this goal, the WG should work on specific papers addressing specific topics. These documents could be, upon validation by the HLG, a basis for propositions to the Commission and the Council all along the year. The whole documentation will be synthesised in a final report in April 2009.

To this purpose the working programme of the WG is scheduled as follows:

**April-may 2008:** establishing of the global working programme of the working group.

**30<sup>th</sup> of May:** adoption of the working programme by the HLG

**July 2008:** transmission to the Chair of the HLG of a 1<sup>st</sup> intermediate Report on topics:

- Better use of Joint Convention process taking into account a similar process under way in Working Group 1
- Guidelines for the content and objectives of national programs and plans for waste management and waste safety (from birth to grave)
- Identification of drivers and obstacles for the progress in waste management and waste safety

**October 2008:** transmission to the Chair of the HLG of a 2<sup>nd</sup> intermediate Report on topics:

- Proposing common principles of radioactive waste management policy taking into account the work of WENRA, IAEA and others
- Enhanced use of peer reviews and advisory groups
- Identification and enhanced use of best practices

**December 2008:** transmission to the Chair of the HLG of a 3<sup>rd</sup> intermediate Report on topics:

- Better use of waste safety experience
- Waste Safety reviews of new nuclear power plants

**Spring 2009:** final report



## **Working Group 3 - Improving Arrangements for Transparency (WGTA)**

The WGTA should act in the following fields:

1. A high level of transparency on issues relating to the safety of nuclear installations within their jurisdiction
2. Provision of information to the public in an accurate and timely manner about important nuclear safety issues, while making full use of Council Directive 89/618/Euratom and to that effect taking into account Commission Communication 91/C 103 to implement the abovementioned Directive. Establishment of a dedicated EU website with a public space to provide the public and other stakeholders with coordinated and easy access to information on nuclear safety.
3. Making available annual report by Member States on safety-relevant incidents
4. Assessing the effectiveness of these transparency actions.

Under Article 7 of the Commission Decision of 17 July 2007 establishing the European High Level Group on Nuclear Safety and Waste Management, it was stated that the High Level Group shall consult extensively with all stakeholders and the interested public in an open and transparent manner.

Having regard to the actions proposed by the Council of the European Union and the HLG's stated aims with regard to openness and transparency and being mindful not to duplicate similar work already undertaken or planned in relation to openness and transparency by national and international groups, the Working Group on Improvements in Transparency Arrangements has defined its goal and objectives.

### **Goal:**

Make nuclear safety information and the work of the HLG in regulating nuclear safety accessible to interested EU citizens.

### **Objectives:**

- To promote good practice among Member States with regard to openness and transparency on issues relating to the safety of nuclear installations
- To propose the features of a website that, once established, will improve the access of European citizens to accurate and timely information on important nuclear safety issues within the EU.
- To identify appropriate methods for notifying interested parties of the existence of website and other methods of accessing information and providing feedback to the HLG or other EU bodies (e.g., European Commission, European Parliament).
- To consider other ways for making information accessible and comprehensive and allowing engagement with and feedback from EU citizens e.g. submitting to the European Parliament periodic situation reports on NPPs.
- To propose methods for gauging the effectiveness of efforts made to improve transparency and openness in nuclear safety (such as through the use of Eurobarometer surveys).
- To disseminate to all EU member states, via the HLG, guidance on the types of nuclear safety information that should be made available to stakeholders and means of achieving this.

The WGTA will engage with key groups involved in similar work internationally and will invite presentations on the work of the groups to facilitate an exchange of views. These groups include NEA's CNRA Working Group on Public Communication of Nuclear Regulatory Organisations (WGPC), the European Nuclear Energy Forum (ENEF) and the EC's think-tank on inclusive risk governance (TRUSTNET).

**Methods and Milestones:****Spring - Autumn 2008**

1. Review of EU and international legal framework surrounding transparency, communication and openness in the field of nuclear safety.
2. Review of international best practice in the field of transparency, communication and openness in nuclear safety
3. Produce a plan for the HLG website.
4. Simple first draft of homepage of HLG.

**Autumn 2008**

5. Approval by HLG of HLG website design and content

**Autumn 2008 - Spring 2009**

6. Implementation of HLG website and actions to advertise the existence of the website
7. Prepare guidance for national nuclear regulators and, where appropriate, other competent authorities on good practice in the area of transparency on nuclear safety and radioactive waste management.

**Spring 2009**

8. Guidance for national regulators and, where appropriate other competent authorities, on transparency approved by HLG
9. Launch of HLG website

**Spring 2009 – Autumn 2009**

10. Consider other potential avenues of promoting transparency

**Autumn 2009**

11. Review the Eurobarometer surveys on nuclear issues to identify public feeling on transparency and access to nuclear safety information in the EU.

**Spring 2010**

12. Identify additional questions that could be used in the next Eurobarometer survey on nuclear safety to gauge the impact of the work undertaken.