

WORK PROGRAMME FOR THE  
EUROPEAN NUCLEAR SAFETY REGULATORS GROUP (ENSREG)  
 2012-2013

**Introduction - ENSREG Main Activities 2012-2013**

ENSREG's central mission is to strive for the continuous improvement in nuclear safety and radioactive waste and spent fuel management and their regulation, and to promote openness and transparency in those areas. In light of this, ENSREG's main activities in 2012-2013 will be focused on:

1. completion of the first phase of the **stress test exercise**, following the specifications developed by ENSREG; mechanisms for follow-up the implementation in the Member States under the authority of national regulators.
2. seeking **continuous improvement** through:
  - 2.1 pushing forward a programme of self-assessments and peer reviews of Member States (MS) nuclear safety regulatory bodies in cooperation with the IAEA;
  - 2.2 facilitating a consistent and high standard of implementation of the Nuclear Safety Directive by the 27 MS to include providing guidance on:
    - the framework and methodologies that may assist in addressing the challenges of ensuring suitably qualified staff and knowledge resources in the nuclear field;
    - the information in relation to the regulation of nuclear safety to be made available to the workers and the general public;
    - the format of the reports to the Commission under the Directive.
  - 2.3 facilitating the implementation of the Council Directive 2011/70/Euratom of 19 July 2011 establishing a Community framework for the responsible and safe management of spent fuel and radioactive waste (Waste Directive) in respect to:
    - preparation of MS reports at EU level,
    - establishment of a coordinated self-assessment and peer review process, and
    - implementation of systems for spent fuel and/or radioactive waste management at national level.
3. seeking **enhanced openness and transparency** by:
  - 3.1 maintaining a comprehensive ENSREG web-site as providing independent authoritative information on nuclear safety, radioactive waste and spent fuel management, and their regulation in the EU;
  - 3.2 organising an ENSREG led European Conference, accessible to all stakeholders, to be held every two years, dedicated to furthering the central mission of ENSREG for continuous improvement.

### **Working Group Programmes**

ENSREG has set up Working Groups covering three areas, namely:

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.

The specified directions and tasks of the Work Group Programmes were proposed by the Working Groups and approved by ENSREG. They underpin the main ENSREG activities for 2012-2013 with corresponding deliverables and milestones.

Working Groups will report to ENSREG about the progress of their work and provide inputs for the ENSREG Report to the Council and Parliament, envisaged for the summer of 2013.

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

The work of WGNS was delegated to three Sub-groups focussed on arrangements related to the implementation of the obligations under the Council Directive 2009/71/Euratom establishing a Community framework for the nuclear safety of nuclear installations (Nuclear Safety Directive). In addition WG 1 was tasked with additional requests by ENSREG regarding nuclear safety in Ukraine and the international dimension of nuclear safety.

### **Sub-Group A – Format of and Guidance for the MS Reports under Article 9(1) of the Nuclear Safety Directive**

#### **Review of work in 2010 – 2011**

Sub-group A has largely discharged its responsibilities for this year, subject to ENSREG agreement.

#### **Future Work**

Sub-group A will reconvene after May 2012 to analyse lessons learned from the draft reports prepared by volunteer Member States (Germany, Ireland and UK).

The subsequent revisions to the Guidelines are not anticipated to take too much time, with the aim to have the final working drafts with ENSREG by June 2012. Thereafter the sub-group could be disbanded.

Taking this into account, SGA resources may consequently be reformulated to consider aspects of the new work below.

### **Sub-Group B – Scheduling and resourcing of self-assessments and peer reviews – Article 9(3) of the Nuclear Safety Directive**

#### **Review of work in 2010 – 2011**

Sub-group B has fulfilled its responsibilities for a provisional schedule for self-assessments and peer reviews for all MS over the next 10 years on the basis of MS input. Further cooperation with IAEA will be based on an MoU signed by the ENSREG chair and the DDG of the IAEA, which is supported at present by a contract between the Commission and the IAEA. The ENSREG IRRS coordination group has been established.

#### **Future Work**

This group has a continuing function, as outlined in the MoU. This task is of importance for a systematic approach towards implementation of self-assessments and peer reviews under Article 9.3 and important for promoting a common understanding of key factors for effective nuclear safety regulation in Europe. The task is a necessary ongoing monitoring and oversight function that requires leadership as proven in the past.

### **Issue U – Safety Evaluation of the Ukrainian NPPs – Technical opinion on the EC-IAEA-Ukraine Joint Project**

#### **Review of work in 2010 – 2011**

ENSREG has been requested by the Working Group of the Working Party on Atomic

Questions (WPAQ) on 16 June 2010 to provide a ‘technical opinion ... in a European context’ on the IAEA report on the “Safety Evaluation of Ukrainian Nuclear Power Plants”, February 2010. There was agreement that ENSREG has the technical capabilities to provide such an opinion. On ENSREG’s request, WPAQ clarified that this “technical opinion” would serve as part of the regular monitoring of nuclear safety which is in line with the commitments of the 1995 MoU on Cooperation in the field of Energy between EU and Ukraine. The Council made reference to the mandate (doc. 10658/00) and the reports (such as doc. 13789/00 ) prepared in the context of the enlargement with regard to the Union’s position on a “high level of nuclear safety” and taking into account common principles and views on nuclear safety issues reached by the EU. The ENSREG Chairperson has sent a letter to the Chair of the Council of the EU WPAQ, informing that ENSREG will follow the approach of continuous improvement as practiced in the context of enlargement.

ENSREG tasked WG 1 with the work. A Technical Report has been developed and agreed by WG1 and, based on this Report, a WG1 Technical Opinion has been drafted as a basis for a response from the ENSREG Chair to the Chair of the Council of the EU WPAQ.

The WG1 Technical Opinion provides an updated review of the status of safety evaluations for Ukrainian NPPs and a comprehensive assessment of ongoing safety upgrade programs based on EU expertise. Lessons learned from Ukraine’s participation in the European stress test are addressed. This technical opinion should serve the Council as part of the regular monitoring of nuclear safety and of the implementation of the road map on nuclear safety in line with the commitments of the 1995 and 2005 MoU on Cooperation in the field of Energy between EU and Ukraine. This completes this area of work.

### **Future Work**

If requested by the Council, ENSREG may be able to provide ongoing monitoring of the implementation of the upgrading programme. However, this work would need adequate resourcing (both financial and experts), as well as its own sub-group and chair.

## **Issue ED: External Dimension of Nuclear Safety**

### **Review of work in 2010 – 2011**

In January 2011, ENSREG received a request from the Commission in the domain of cooperation with nuclear regulatory bodies in third countries. This request is related to two Council Regulations, INSC and IPA, that were adopted, 2006-2007, creating new financing instruments with new objectives and scope for the years 2007 - 2013. The Commission has requested that ENSREG advise the Commission on the following topics:

- Assessment of needs in third countries and potential effectiveness and opportunity of cooperation with their regulatory bodies;
- Prioritisation of needs and definition of strategic objectives of cooperation with regulatory bodies in third countries;
- Preliminary definition of high-level programming instruments (Strategy Papers and Multi-annual Indicative Programmes), with respect to the envisaged activities of cooperation with the regulatory bodies in third countries;
- Availability of resources in the EU Member States to implement the proposed strategy for cooperation with regulatory bodies in third countries; and
- Policy for the promotion of international cooperation in nuclear safety, including through relevant international organisations (mainly IAEA).

ENSREG agreed in principle with the European Commission request for assistance and tasked WG 1 to clarify the type of advice requested and practicalities of the ENSREG’s envisaged

role or resources needed.

WG 1 was tasked to form a group reuniting representatives of the relevant stakeholders (COM, INSC-C, RAMG, ENSREG) to discuss and elaborate concrete proposal for providing advice for regulatory cooperation with third countries under the INSC and other related instruments. For the current instruments it is already too late for for ENSREG's strategic advice.

### **Future Work**

WG 1 proposes a special, separate ENSREG Working Group (independent from any of the existing ones) set out for ENSREG international nuclear safety cooperation and assistance activities. This group should not only give strategic advice to the Council and the Commission but address all international activities that ENSREG decides to be important.

In order to offer a starting point for launching this separate process, WG1 will elaborate a first proposal for a mandate for the separate ENSREG Working Group (including, inter alia, key topics, working methods), taking account taken of clarifications received from other relevant stakeholders such as DG DEVCO and will be submitted to the consideration of ENSREG at its April 2012 meeting.

### **New Nuclear Safety Issues**

WG 1 is ready to extent its work programme on further nuclear safety arrangements and specific topics. However, at this stage WG 1 does not propose a definite work programme in itself. The Commission programme for Stress Test national reports and peer reviews will need to be completed, by mid-2012, before ENSREG may wish to form a view on whether further work is appropriate. On that basis WG 1 suggests that this issue is reconsidered at a future WG1 meeting towards the end of 2012 and not included in the 2012-13 WG1 programme at this time.

## **Working Group 2 - Improving Radioactive Waste Management, Spent Fuel and Decommissioning arrangements (WGRWMD)**

### **Task 1: Format of and Guidance for MS Reports under Article 14 of Directive 2011/70/Euratom**

#### **Phase 1**

- Propose main objectives of Reports and how they will be used.
- Identify all common points to be dealt with in the national reports under the Joint Convention and in the MS reports under the Directive.

#### **Phase 2**

- Prepare outline structure of Report.
- Determine of the interactions with other reports (Joint Convention, Nuclear Safety Directive), optimising the work required by MS to prepare all the reports.
- Identify compliance topics needing further guidance or advice.
- Develop detailed guidance on content of MS reports.
- Develop guidance on principles to be applied when responding on specific articles (as agreed by ENSREG).
- Develop a unified radioactive waste classification system, on the basis of the IAEA system<sup>1</sup>, and guidance on how to transform national classification systems into the unified one for communication purposes in the EU (MS reports to the EC and EC reports to the Council and the EP).

#### **Timetable**

- Status reported to ENSREG meetings.
- To be dealt by Task Group 1 which will organise its work and present its view on implementation of the task by the end of 2011.
- To be coordinated with WG1 and WG3.

### **Task 2: Self-assessment Guidance – Article 14 (3) of Directive 2011/70/Euratom**

- Identify and review existing IAEA and NEA(and other) self-assessment guidance.
- Prepare outline of a proposal of an appropriate set of self-assessment guidance (questions, process, reporting) to be used for ENSREG to consider.
- Propose appropriate processes how to identify and take into account key issues arising from each JC review meeting.

#### **Timetable**

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<sup>1</sup> Classification of Radioactive Waste, GSG-1, IAEA, Vienna, 2009

- Status reported to ENSREG meetings.
- To be dealt by Task Group 2 which will organise its work and present its view on implementation of the task by December 2011.
- To be coordinated with WG1 and WG3 and on a subsequent stage with IAEA and NEA.

### **Task 3: Peer Review Guidance – Article 14 (3) of Directive 2011/70/Euratom**

#### **Phase 1**

- Clarify the scope of peer reviews under the Directive, based on both the relevant elements from the Directive and the consensus of the WG2 that an integrated approach (safety related and policy and management related aspects) should be followed.
- Examine the possibility of a joint peer review under both Nuclear Safety Directive and Directive 2011/70/Euratom

#### **Phase 2**

- Identify and review existing IAEA, NEA (and other) Peer Review guidance.
- Prepare outline of a proposal of an appropriate Peer Review Guidance for ENSREG to consider.
- Propose appropriate processes how to identify and take into account key issues arising from each JC review meeting.

#### **Timetable**

- Status reported to ENSREG meetings.
- To be dealt by Task Group 2 which will organise its work and present its view on implementation of the task by the December of 2011.
- To be coordinated with WG1 and WG3, and on a subsequent stage with IAEA and NEA.

### **Task 4: Scheduling and resources of self-assessments and peer reviews**

- Develop a provisional schedule for self-assessments and peer reviews for all MS over 2014-2024 on the basis of MS input.
- Develop a mechanism how to organise peer reviews and respective teams.
- Identified with IAEA and NEA what they can support regarding peer reviews and scope the necessary MS resources to meet the objectives.

#### **Timetable**

- Status reported to ENSREG meetings.
- To follow the development of the implementation of task 4.
- To be coordinated with WG1 and WG3, and on a subsequent stage with IAEA and NEA.

### **Task 5: Implementing National Management Systems according to the Directive 2011/70/Euratom**

#### **Phase 1**

- Identify the steps to implement a comprehensive management system at national level, including interdependencies (interactions) among all steps of (actors in) long-term management for all radioactive waste and spent fuel.
- Determine of the interactions with respect to the obligations under the Directive for self-assessments and peer reviews.
- Concept development.

## **Phase 2**

- Develop follow-up activities on the basis of the concept endorsed by ENSREG.

### **Timetable**

- Status reported to ENSREG meetings.
- To be coordinated with WG1 and WG3.

## **Task 6: Exchange of information, discussions on waste safety implementation issues**

- Exchange of information related to functions and operations of national regulatory systems.
- Discussions on waste safety issues and possible events, sharing of lessons learned etc.

### **Timetable**

- Ongoing, at each meeting as need arises.



### **Working Group 3- Improving in Transparency arrangements (WGTA)**

**Goal:** Make nuclear safety information and the work of ENSREG in regulating nuclear safety accessible to interested EU citizens.

**Objectives:**

- To promote good practice among MS with regard to openness and transparency on issues relating to the safety of nuclear installations.
- To propose further development of the ENSREG website to 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 the website and other methods of accessing information and providing feedback to ENSREG 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 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 via ENSREG, guidance on the types of nuclear safety information that should be made available to stakeholders and means of achieving this.
- To assist, upon request, in communication matters of ENSREG.

## **Review of Work Programme for 2010 – 2011**

The membership of ENSREG WG3 comprises 19 members from 13 Member States and the European Commission. The Working Group held six meetings between February 2010 and September 2011 and the main achievements are summarised below.

### **1. ENSREG Website**

WG3 established a process for website maintenance and developed criteria for material to be uploaded under “News” and “Documents”. The country profiles were extended and updated. Information regarding the ENSREG conference was provided via a special section on the website. A task group to make recommendations on the future direction of the website was established. A new contractor will make proposals to enhance the website content. A dedicated subsite for uploading Stress Tests documents and information is under consideration.

### **2. EU International and legal framework for transparency in the nuclear field**

A comprehensive document setting out the EU and international legal framework surrounding transparency, communication and openness in the field of nuclear safety was developed by WG3 and agreed by ENSREG. Based on this document a case study was conducted to identify roles for regulators and a summary document analysing the results of the case study was developed. Finding the right balance between transparency and security was defined as the crucial challenge.

### **3. Principles for National Regulators on common practices for improving transparency**

The development of “Principles for Openness and Transparency” was finalised and agreed by ENSREG. These principles shall apply to the EU Stress Tests.

### **4. Implementation of Article 8 of the Nuclear Safety Directive on Information to the Public**

The preparation of recommendations for ENSREG on the implementation of Article 8 of the Nuclear Safety Directive, taking into account the “roles” identified under Activity 2 and “principles” developed under Activity 3, is still under progress.

### **5. ENSREG sponsored Conference**

WG3 contributed actively to the organisation and programme of the first European regulatory conference on nuclear safety.

### **6. Contacts with other groups**

WG3 discussed the possibility of closer co-operation with other groups dealing with transparency issues, e.g. ENEF working group on transparency. It was decided to contact the chair of this group with the aim to support mutual exchange of information about work of both transparency groups.

### **7. Other activities**

Beyond that WG3 developed the template for the ENSREG Report July 2011 and contributed to the content of the report regarding its own work.

Due to the Fukushima accident ENSREG developed the scope and modalities for comprehensive risk and safety assessments (Stress Tests) of EU nuclear power plants based on a mandate of the EU Council. WG3 developed a paper regarding the transparency aspects of EU Stress Tests and recommended to ENSREG to consider transparency aspects in the development, implementation, reporting and follow-up of the Stress Tests. WG3 has been mandated to make proposals in this regard, taking into account the “principles” developed under Activity 3.

## **Work Programme for 2012 – 2013**

The work programme for WG3 in the period 2012 – 2013 will build on the work undertaken over the previous two years. A major aspect of the work of ENSREG over the coming period will be the implementation of the EU Stress Tests, and the follow up of the outcomes. It is clear from the ENSREG members that there is a great deal of public interest in the Stress Tests, their outcome and follow up. This is the first time that such an exercise has been undertaken at the European level and it is important that the communication of the process and its outcome enhances public understanding of nuclear safety regulators and their role.

Another key development has been the adoption of the Council Directive establishing a Community framework for the responsible and safe management of spent fuel and radioactive waste in July 2011, following the adoption of the Council Directive establishing a Community framework for the nuclear safety of nuclear installations in June 2009. The new Directive includes an article concerning transparency.<sup>i</sup>

The key activities to be undertaken by WG3 in the period 2012 – 2013 are

### **1. EU Stress Tests**

- Lead the transparency aspects of the Stress Tests
- Provide guidance on the development of peer review and consolidated reports from a transparency perspective, including consideration of the balance between transparency and security
- Advise on and assist with the development of processes to engage stakeholders in the Stress Tests
- Develop a communications plan for the Stress Tests
- Develop a micro-site of the ENSREG website for the Stress Tests

### **2. ENSREG Website**

- Maintain website (ongoing)
- Conduct review of website content and traffic
- Based on review, enhance website content and features
- Encourage ENSREG members to promote the use of the website (ongoing)
- Prepare recommendations on the future direction of the website based on the proposals of the task force

### **3. Implementation of Article 8 of the Nuclear Safety Directive on Information to the Public**

- Prepare recommendations for ENSREG on the implementation of Article 8 of the Nuclear Safety Directive<sup>ii</sup> if not done so by end 2011

### **4. Implementation of Article 10 of the Waste Directive on Transparency**

- Prepare recommendations for ENSREG on the implementation of Article 10 of the Waste Directive

## 5. EU International and legal framework for transparency in the nuclear field

- Prepare a paper regarding the balance between transparency and security

## 6. ENSREG Report 2013

- Develop the template for the ENSREG Report 2013 and contribute content on its own work and for the introduction

## 7. 2<sup>nd</sup> ENSREG Conference

- Contribute to the organisation and programme of the 2<sup>nd</sup> ENSREG conference (proposed for mid-2013)

## 8. Contacts with other Groups

- Maintain contact with the NEA CNRA WGPC (Working Party on Public Communication of Nuclear Regulatory Organisations) on areas of mutual interest. E.g. ENSREG WGTA members will participate in the NEA CNRA WGPC workshop on crisis communication, envisaged to take place in Madrid, May 2012.
- Explore the possibility of closer co-operation with IAEA on areas of mutual interest
- Establish more formal contact with the European Nuclear Energy Forum's working group on transparency

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### <sup>i</sup> **Directive 2011/70/Euratom, Article 10:**

#### **Transparency**

1. Member States shall ensure that necessary information on the management of spent fuel and radioactive waste be made available to workers and the general public. This obligation includes ensuring that the competent regulatory authority inform the public in the fields of its competence. Information shall be made available to the public in accordance with national legislation and international obligations, provided that this does not jeopardise other interests such as, inter alia, security, recognised in national legislation or international obligations.

2. Member States shall ensure that the public be given the necessary opportunities to participate effectively in the decision-making process regarding spent fuel and radioactive waste management in accordance with national legislation and international obligations.

### <sup>ii</sup> **Directive 2009/71/Euratom, Article 8:**

#### **Information to the public**

Member States shall ensure that information in relation to the regulation of nuclear safety is made available to the workers and the general public. This obligation includes ensuring that the competent regulatory authority informs the public in the fields of its competence. Information shall be made available to the public in accordance with national legislation and international obligations, provided that this does not jeopardise other interests such as, inter alia, security, recognised in national legislation or international obligations.