



FORATOM position paper on nuclear safety in the enlarged EU

Introduction

This position paper presents the views of the nuclear industry on the European Commission's Draft Proposal for an EU Council Directive on nuclear safety in the enlarged EU, presented on 6 November 2002.

The nuclear industry acknowledges the interest in nuclear safety at Community level and the discussions that have taken place concerning common safety standards. While we consider that the existing arrangements for ensuring nuclear safety have delivered excellent results over many years, we also acknowledge the views of those who believe that a common frame of reference for nuclear safety is desirable. Against this backdrop, the industry would like to contribute its own particular views to the discussion.

Nuclear safety is the first priority of the European nuclear industry. All EU member states with nuclear installations have implemented regulatory systems. Under the control of independent national safety authorities, the systems place prime responsibility for safety on the operators of nuclear installations. The rules and practices applied under the national systems comply with the standards developed by the International Atomic Energy Agency, which plays a seminal role in ensuring nuclear safety on a world-wide basis. The national safety authorities define rules in compliance with these standards and the operators are bound to work to them.

The European nuclear industry as a whole has been a driving force behind many measures contributing to the very high safety record of nuclear power generation. Harmonisation in particular has been driven at utility level, where best practice has been shared over many years. The industry sees its actions as part of its long-term strategy towards supporting nuclear as a sustainable energy source. This is the case, for example, with the World Association of Nuclear Operators (WANO). This association promotes exchanges on good practices and, with the help of relevant indicators, enables comparisons to be made regarding the performance of each installation. It is also the case with the EUR (European Utility Requirements) document. Drawn up in collaboration with reactor designers, the EUR defines comprehensive requirements for the design and development of future reactors. Still in the same area, western vendors have set up user groups with a view to feeding operational experience back into reactor design. Finally, FORATOM's Quality Management Working Group has endeavoured for over 25 years to identify and disseminate best practice in nuclear safety in all European countries, including the EU candidate states.

Nuclear operators in the applicant countries have made significant progress concerning safety and quality of operation, some of them reaching a level comparable with that of the current member states. This improvement is the result of efforts made by the operators and the national safety authorities, with the assistance of the European Community.

Position of the European nuclear industry

We would like to draw attention to the following points.

- * The European nuclear industry fully supports the principle of further harmonisation and strengthening of nuclear safety standards in a global context. In connection with this, it would welcome actions from the European Commission directed at supporting the ongoing programme of standards development at the IAEA. Using an internationally accepted system is the best and least costly way to establish a common reference system. It also provides the best guarantee that the evolution of the applicable safety standards will remain governed only by sound technical considerations. Departing from this principle would only lead to systems that would impose an additional burden on the industry – without any additional benefits in terms of public safety.
- * In the EU, further harmonisation could be achieved by encouraging national authorities to base their legislation on IAEA standards, and by encouraging safety authorities and operators to exchange information and co-operate to implement best practices.
- * Any EU initiative in this area should support the role of the national safety authorities, encourage co-operation between them on nuclear safety matters and, where necessary in particular in accession countries, should provide support to strengthen the structure of the national authorities.
- * Although plant inspections by bodies other than the national regulators do not form part of the proposed framework Directive, the industry is concerned that this might be suggested as part of a future development of the initiative on nuclear safety standards. In this context, it is important to underline the importance of the principle of subsidiarity, and to stress that plant inspections should only ever be carried out by suitably qualified and experienced professionals of the national regulatory body. Any decision concerning the future licensing and operation of a nuclear facility should only ever be taken by the competent national authority. Introducing additional steps into licensing procedures would have no effect other than increases in costs and timescales.

Conclusion

FORATOM recognises that this proposal aims to strengthen nuclear safety in the EU.

The European nuclear industry has always actively promoted harmonisation of nuclear safety rules and practices. As far as existing reactors are concerned, it considers that the safety system developed under the aegis of the IAEA constitutes the only appropriate framework to make further progress in this direction. A further layer of standards at the EU level would not seem to offer any added value. For new reactor designs, the industry has made considerable progress towards including appropriate safety norms in the EUR.

Furthermore, the nuclear industry considers it to be of utmost importance that any new proposal for legislation should reaffirm that nuclear safety is the prime responsibility of the operator.

Likewise, such a proposal must uphold the role of national safety authorities and, if necessary, strengthen it, e.g. by encouraging co-operation between them.

The European nuclear industry also has a major contribution to offer in this area, and is more than willing to provide it on the basis of sound technical considerations.