

ABR

June 13, 2014

**Convention on nuclear Safety and the Nuclear
Safety Directive
Evolution of the international framework**

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The Chernobyl accident triggered the Establishment of the CNS

- Entered into force 1996
- As of 9 January 2014, 77 parties, 65 signatories
- Main principles:
 - Priority to safety Prime responsibility of operator
 - Central role of a well staffed and independant RB
 - Transposition of safety standards principle as base for siting design and construction
 - Peer reviews
- Incitative convention: special type!
- Was innovative in 1996, not anymore.

CNS challenges

- Provided for transparency and the development of a certain peer pressure for about 15 years.
- Is since 2011, after Fukushima, confronted with severe challenges
 - Did not help to avoid the catastrophe
 - Parties are not ready to cross the border line of enforcement
 - Attempts to even slightly improve the CNS meet enormous opposition

Modest improvements

- August 2012: extraordinary meeting of the CNS
 - Promotion of stress tests
 - Emphasis on off site contamination and prevention of...
 - OEWG on CNS amendments and INFCIRC amendments
- 2014 CNS meeting
 - Approval of a package of modification of INFCIRC. 571, 572, 573
 - Aiming at increasing peer pressure by
 - detailing recommendation of review process
 - Improving transparency
 - On the line, approval of a diplomatic conference on the Swiss amendment

Art. 18. (Design and Construction), new para. iv

“Nuclear power plants shall be designed and constructed with the objectives of preventing accidents and, should an accident occur, mitigating its effects and avoiding releases of radionuclides causing long-term off-site contamination. In order to identify and implement appropriate safety improvements, these objectives shall also be applied at existing plants”.

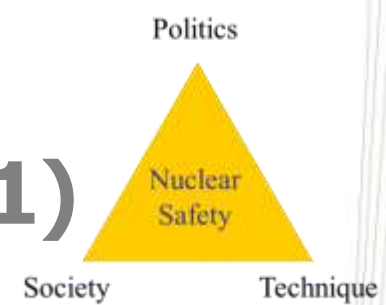
CNS limitations

- During the extraordinary meeting of the CNS in 2012 the question was explicitly tabled
 - The energy security of supply has a prime importance for States. None is ready to leave the ultimate decision of closing a NPP to others
 - Any significant reinforcement of the CNS would imply enforcement actions that will lead soon or later to inspections. Is this realistic? As a point of comparison the safeguards require worldwide hundreds of inspectors, its budget 131 Meuro/year.

CNS is part or have contributed to trigger other initiatives

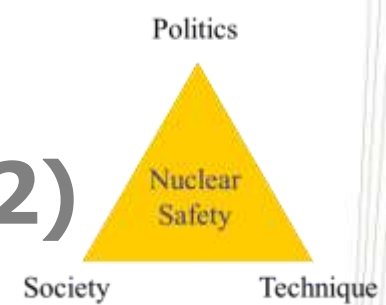
- The CNS has undoubtedly opened road for international cooperation, transparency and peer pressure.
- The statute of IAEA safety standards increases (slowly)
 - IAEA missions OSART, IRRS... are becoming standards
- WENRA has initiated (1999) an efficient process of harmonisation of nuclear safety approach. Reference level
- ENSREG and WENRA have given a content and an added value to the so called stress tests
- Operators have also their cooperation groups (WANO...)

Valeur ajoutée des stress tests (1)



- Il y a manifestement des améliorations de la sûreté qui découlent de l'exercice. Illustre le principe d'amélioration continue.
- Le coût en terme de ressources humaines est énorme (opérateur et régulateurs). L'exercice a été qualifié par les responsables de la peer review comme ne pouvant se dérouler qu'exceptionnellement.
- L'exercice ne porte que sur un volet bien précis de la sûreté nucléaire et ne doit pas monopoliser toutes les forces disponibles n'y l'attention exclusive.

Valeur ajoutée des stress tests (2)



- Il constitue une vitrine unique de promotion des principes de sûreté et de transparence au niveau européen qui soutient l'effort de WENRA, de l'ENSREG et de la Commission.
- Il a développé la dynamique européenne en sûreté nucléaire. Une réponse régionale en phase avec le risque de nature transfrontalière.
- Il a permis de progresser dans le dialogue avec les parties prenantes et a soulevé de nouvelles attentes, publiques et institutionnelles.

EU specific developments

- After the failure of the so called 'nuclear package' in 2006, ENSREG was created and eased the approval of a framework directive in 2009
- This was possible because:
 - The EU system is based on the subsidiarity (at least for directives)
 - The COM accepted to base its proposal on the international principles, examined by ENSREG and on the responsibilities of operators, Safety authorities and members states.

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The EU Council two weeks after Fukushima

- **Mandate:**

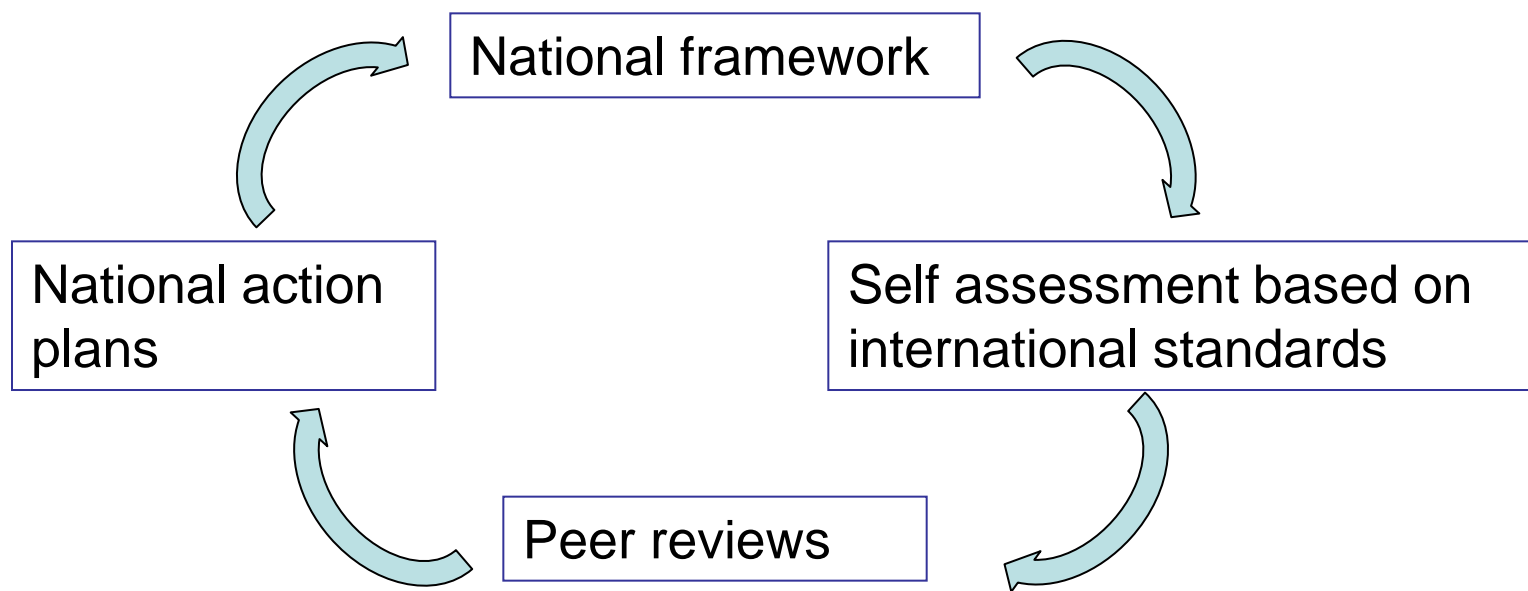
The Commission will review the existing legal and regulatory framework for the safety of nuclear installations and will propose by the end of 2011 any improvements that may be necessary. Member States should ensure the full implementation of the Directive on the safety of nuclear installations. ...The Commission is invited to reflect on how to promote nuclear safety in neighbouring countries;

The COM answered two years later

The Com consulted ENSREG and targeted modest evolution:

- Reinforcement of RB independance
- Set objectives for new nuclear installations, to be used as reference point for existing nuclear installations
- European topical peer reviews
- Shall be adopted early July

Vers un cercle vertueux ?



Ou un régulateur européen ?

Politics

Nuclear
Safety

Society

Technique

