

INTERNATIONAL REGULATORY ACTIVITIES

International Atomic Energy Agency

Adoption of Action Plan against Nuclear Terrorism (2002)

On 19 March 2002, the IAEA Board of Governors adopted an action plan against nuclear terrorism.

The Report on Protection against Nuclear Terrorism, formally presented to the Board of Governors on 30 November 2001, identified four main categories of potential threat: acquisition of a nuclear weapon; acquisition of nuclear material to construct a nuclear weapon or to cause a radiological hazard; acquisition of other radioactive materials to cause a radiological hazard; and violent acts against nuclear facilities to cause a radiological hazard. The report makes clear that activities within the action plan are not a substitute for national measures, but rather are designed to supplement and reinforce national efforts in areas where international co-operation is indispensable to strengthening nuclear security.

It is estimated that the programme will cost 11.5 million United States dollars (USD) per year for IAEA activities, with a further USD 20 million per year to upgrade emergency response. Although some countries favoured introducing assessments to fund the programme from the outset, it was finally decided that this action plan would be financed entirely by voluntary contributions. A number of pledges were made immediately, including financial contributions, secondment of cost-free experts and contribution of expertise.

European Union

Recommendation on the protection of the public against exposure to radon in drinking water supplies (2001)

On 20 December 2001, the Commission of the European Communities adopted Recommendation 2001/928/Euratom on the protection of the public against exposure to radon in drinking water supplies (OJ L 344 of 28 December 2001, p. 85). This Recommendation, which concerns the radiological quality of drinking water supplies regarding radon and long-lived radon decay products, supplements Council Directive 96/29/Euratom of 13 May 1996 laying down the basic safety standards for the protection of the health of workers and the general public against the dangers arising from ionising radiation (OJ L 159 of 29 June 1996, p. 1; see *Nuclear Law Bulletin* No. 58), and completes the guidelines on radon contained in Commission Recommendation 90/143/Euratom, of

21 February 1990, on the protection of the public against indoor exposure to radon (OJ L 80 of 27 March 1990, p. 26; see *Nuclear Law Bulletin* No. 46).

The Recommendation aims to minimise exposure of the general public to radon and its decay products with a view to reducing the related health risk and to provide guidance to Member States on means to control such exposures. In order to reduce the concentrations of radon and its decay products in drinking water supplies, the Commission recommends the Member States to:

- conduct surveys to determine the activity concentration of radon and certain decay products in ground water sources and wells;
- set suitable reference levels for radon and its most relevant decay products both for private wells and public water supplies;
- if reference levels are exceeded, take remedial action and inform the concerned consumers;
- provide guidance on methods for removing radon and its decay products from water.

Amendment to the legislation implementing the Regulation on imports of agricultural products originating in third countries following the Chernobyl accident (2001)

On 8 August 2001, the European Commission adopted Regulation (EC) No. 1621/2001, amending Regulation (EC) No. 1661/1999 as regards the export certificate required for agricultural products and the list of customs offices permitting the declaration of products for free circulation in the Community (OJ L 215 of 9 August 2001, p. 17). Regulation (EC) No. 1661/1999 lays down detailed rules for the application of Council Regulation (EEC) No. 737/90 on the conditions governing imports of agricultural products originating in third countries following the accident at the Chernobyl nuclear power station (the text of which is reproduced in *Nuclear Law Bulletin* No. 45).

The purpose of the amending Regulation is to revise Annexes II and III of Regulation (EC) No. 1661/1999. Annex II contains the model of the export certificate which must be provided for each consignment of non-cultivated mushrooms, originating in certain third countries, imported into the European Union. Annex III contains the list of customs offices in which imported non-cultivated mushrooms may be declared for free circulation in the European Union.

Resolution on the Commission Green Paper Towards a European Strategy for the Security of Energy Supply (2001)

In response to the Commission Green Paper Towards a European Strategy for the Security of Energy Supply, the European Parliament approved this Resolution on 15 November 2001 to be forwarded to the EU Council, the Commission and the parliaments of the Member States.

While recognising the need to increase the proportion of renewable energy sources in electricity generation, the European Parliament considers that the most appropriate strategy to ensure energy supply consists in diversifying energy sources and origins of supply. Accordingly, it suggests retaining nuclear energy as an electricity generation source.

Furthermore, in order to reach the objectives as set by the Kyoto Protocol to the UN Framework Convention on Climate Change in relation to reduction of greenhouse gas emissions, the Parliament “calls on all EU institutions to encourage the shift towards zero-carbon emission fuels for power”,

notably electricity generation from nuclear energy, by removing the existing legislative and fiscal barriers. In addition, according to the Parliament, achieving the targets for 22.1% electricity from renewable energy sources by 2010, maintaining the present level of nuclear electricity production and building new clean coal power plants are all essential for security of supply and in order to attain the Kyoto emission reduction targets.

The Parliament also recommends that the Commission take the necessary measures to ensure that current human resource levels in the nuclear sector do not shrink to such an extent as to jeopardise the existence of the valuable wealth of knowledge and experience in the field of safety and security of operating reactors, decommissioning or waste management. It also calls on those Member States who presently enjoy the benefits of nuclear generation of electricity but which have not already made provision for the treatment and disposal of their own radioactive waste material, to adopt appropriate measures as soon as possible.

International Maritime Organisation

Declaration of Mandatory Nature of the International Code for the Safe Carriage of Packaged Irradiated Nuclear Fuel, Plutonium and High-level Radioactive Wastes on Board Ships (1999)

On 27 May 1999, the Maritime Safety Committee (MSC) of the International Maritime Organisation (IMO) adopted amendments to the International Convention for the Safety of Life and Sea (SOLAS) 1974, aimed at making the International Code for the Safe Carriage of Packaged Irradiated Nuclear Fuel, Plutonium and High-Level Radioactive Waste on Board Ships (INF Code) mandatory. The amendments relate to Chapter VII of SOLAS (Carriage of Dangerous Goods).

The INF Code sets out how the material covered by the Code should be carried, including specifications for ships. It applies to all ships regardless of the date of construction and size, engaged in the carriage of INF cargo. Ships are assigned to one of three categories, depending on the radioactivity of their INF cargo. The INF Code contains eleven chapters respectively entitled: General Provisions; Damage Stability; Fire Safety Measures; Temperature Control of Cargo Spaces; Structural Consideration; Cargo Securing Arrangements; Electrical Power Supplies; Radiological Protection; Management and Training; Shipboard Emergency Plan; and Notification in the Event of an Incident involving INF Cargo.

The INF Code provides that an International Certificate of Fitness for the Carriage of INF Cargo must be issued to every ship involved in transporting a cargo of packaged irradiated nuclear fuel, plutonium or high-level radioactive waste. The ship is then subject to inspections and surveys in order to ensure that the structure, equipment, fittings, arrangements and material comply with the provisions of the Code.

The Code reproduces a Model International Certificate of Fitness for the Carriage of INF Cargo. This Certificate must be established in the official language of the issuing State; if the official language is not English, Spanish or French, it must provide a translation in one of these languages.

The INF Code was first adopted as a recommendatory code by the IMO Assembly on 4 November 1993. The amendments making the INF Code mandatory entered into force on 1 January 2001.