

# **The First European Nuclear Safety Conference**

**Transposition of the Council Directive 2009/71/EURATOM  
into Polish legislation**

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**Brussels, 28 –29 June, 2011**

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# Presentation Outline

- **Introduction – a look back in history**
- **Nuclear activities in Poland**
- **Analysis of binding requirements**
- **The way of Directive transposition**
  - **amending the existing Atomic Law**
  - **developing a few new secondary regulations**
- **Examples of new nuclear safety requirements in Polish legislation**
- **Regulatory staff – important element of Directive implementation**
- **Conclusions**

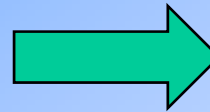
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## MILESTONE IN POLISH REGULATORY INFRASTRUCTURE

- **1955 - first regulations and guidelines on radiological protection**
- **1982 - government decided on the construction of the first NPP**
  - 1985 - construction license for 2 units**
  - 1986 - beginning of construction works**
  - 1991 - Government decided not to continue and cancelled the overall project**
- **1982 - the National Atomic Energy Agency – regulatory body in nuclear and radiation protection field was set up**
- **1986 - first Atomic Law was adopted by the Parliament**
- **2000 - new Atomic Law was adopted by the Parliament - repeatedly amended, as required by the European directives**
  - **several secondary acts regulating detailed matters**
- **Poland signed and ratified the Family of Nuclear Conventions**

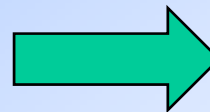
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**Competent authority  
for regulating nuclear safety  
and radiation protection  
and licensing activities related to  
the application of atomic energy**



**National Atomic  
Energy Agency**

**Authority in charge  
of the transposition  
of Council Directive  
2009/71/Euratom**



**National Atomic  
Energy Agency**

# NUCLEAR ACTIVITIES IN POLAND

## □ currently:

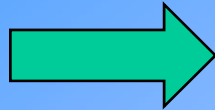
- **Research Reactor EWA (decommissioned)**
  - 1st criticality in 1958
  - Shutdown and decommissioning in 1995
- **Research Reactor MARIA (in operation)**
  - 1st criticality in 1974
  - 80% HEU → 36% HEU in 1999
  - Currently testing of LEU fuel
- **Two spent fuel storages**
- **National Radioactive Waste Repository (planned closure 2020)**
- **3000 ionizing radiation users (medical, industrial and scientific)**

## □ in the future ....

- **13 January 2009 – the Government's statement on nuclear power program development established the target dates:**
  - *first unit in operation in 2020*
  - *2 NPPs (2 sites) until 2030*

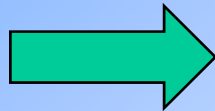
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**Choice of the legal instruments**



**the amendment of the Atomic Law and amendment/development implementing acts (secondary legislation)**

**Current status of works**



**the amended Atomic Law was adopted by the Parliament; in force from 1 July 2011; secondary acts have been drawn up; the process of clearing them up with other ministries is going on**

**It seems that the deadline (22 July 2011), by which this Directive's requirements have to enter into force, will be met.**

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## **The Directive's requirements have been divided into four groups:**

- a) definitions;**
- b) requirements which do not have to be implemented, because the provisions of Atomic Law (or secondary regulations) are already compatible with them;**
- c) requirements the implementation of which necessitates a more detailed elaboration of existing provisions in Atomic Law (or secondary regulations);**
- d) requirements, for the implementation of which new provisions are necessary.**

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# Examples of safety requirements specified in the amended Atomic Law

- **priority to safety**
- **licence for construction, commissioning, operation or decommissioning of nuclear facility**
- **responsibility for safety clearly assigned**
- **defence-in-depth**
- **safety classification of structures, systems, and components**
- **integrated management system**
- **regulatory authority inspections of contractors of works and providers of structures, systems, and components**
- **coordination system between relevant state bodies**
- **regular assessment, verification and permanent improvement of safety**
- **self-assessment of regulatory authority and participation in international reviews**
- **facility decommissioning program and decommissioning fund**
- **personel/trainings**
- **transparency**

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# Secondary regulations

The Council of Ministers' Regulation on :	Scope (examples)
<ul style="list-style-type: none"> <li>• siting of a nuclear facility</li> </ul>	<ul style="list-style-type: none"> <li>- detailed scope of assessment of land intended for siting of a nuclear facility</li> <li>- criteria disqualifying siting,</li> <li>- contents of siting report.</li> </ul>
<ul style="list-style-type: none"> <li>• nuclear safety requirements which are to be fulfilled by a design of a nuclear facility</li> </ul>	<ul style="list-style-type: none"> <li>- safety purposes, sequences of safety levels, safety functions,</li> <li>- safety classification,</li> <li>- operating conditions, design basis accidents, beyond design basis accidents, extended design conditions,</li> <li>- damages due to a common cause, single failure criterion, safe failure</li> </ul>
<ul style="list-style-type: none"> <li>• periodic safety reviews</li> </ul>	<ul style="list-style-type: none"> <li>- the scope of regular safety assessment ,</li> <li>- contents of report.</li> </ul>

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# Secondary regulations

The Council of Ministers' Regulation on :	Scope (examples)
<ul style="list-style-type: none"> <li>• requirements for commissioning and operation of nuclear facilities</li> </ul>	<ul style="list-style-type: none"> <li>- operating limits and conditions,</li> <li>- management of spent nuclear fuel,</li> <li>- contents of NPP commissioning documentation and contents of a report on commissioning,</li> <li>- contents of operating documentation of a NPP.</li> </ul>
<ul style="list-style-type: none"> <li>• requirements for decommissioning of NPP and contents of a decommissioning report</li> </ul>	<ul style="list-style-type: none"> <li>- preparation of decommissioning of a NPP,</li> <li>- management of decommissioning of a NPP,</li> <li>- performance of decommissioning of a NPP,</li> <li>- contents of decommissioning report</li> </ul>

# Conclusions

- **While preparing the said requirements we used the IAEA and WENRA's documents; without these documents, the implementation of Nuclear Safety Directive in a country like Poland, which has got small experience in the nuclear energy sector would have been impossible.**
- **Sticking to the two-year schedule for the implementation of the Directive of such great importance was a challenge for us.**
- **If the implementation of Directive is to be full and complete, we simply cannot forget about suitable personnel which is needed to perform all the required tasks.**

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