



**COUNCIL OF
THE EUROPEAN UNION**

Brussels, 11 June 2014

10234/14

ATO 44

INFORMATION NOTE

from: General Secretariat of the Council
to: Delegations
Subject: Nuclear safety
- Information from the Commission

Delegations will find attached the abovementioned information note.

Nuclear issues

With the adoption of the 2009 Nuclear Safety Directive¹, the European Union became the first major regional actor in the field of nuclear energy with legally binding nuclear safety rules. Since then, further key breakthroughs have been achieved at the level of the European Union, with the objective of ensuring that the highest levels of nuclear safety are always applied.

Only two years after the adoption of the Nuclear Safety Directive, the European Union adopted for the first time binding standards for the safe and responsible management of spent fuel and radioactive waste². While reaffirming the ultimate responsibility of Member States for the management of such waste, the Radioactive Waste Directive ensures that Member States provide for national legislative, regulatory and organisational framework to avoid imposing undue burdens on future generations and sets out key principles on which national policies should be based.

Another major achievement was recently accomplished with the adoption of new basic safety standards for the protection of the health of workers and the general public against the dangers arising from exposure to ionising radiation³. The new Basic Safety Standards Directive modernises and consolidates the European radiation protection legislation by taking account of the latest scientific knowledge, technological progress and operational experience with current legislation and by merging the existing set of directives into one single piece of legislation.

Several actions have also been undertaken together by the Commission and the Member States in the aftermath of the Fukushima accident, in line with the mandate given by the European Council in March 2011⁴. The comprehensive risk and safety assessments ('stress tests') of nuclear power plants carried out between 2011 and 2012 demonstrated that nuclear power plants in the European Union have very high nuclear safety standards, but also identified tangible safety improvements in all plants.

¹ Council Directive 2009/71/Euratom of 25 June 2009, OJ L 172, 02/07/2009, p. 18–22.

² Council Directive 2011/70/Euratom of 19 July 2011, OJ L 199, 2.8.2011, p.48-56.

³ Council Directive 2013/59/Euratom of 5 December 2013, OJ L 13, 17.1.2014, p. 1–73.

⁴ European Council Conclusions, 24/25 March 2011, EUCO 10/1/11.

This unprecedented exercise, made possible by the work and commitment of all actors involved, showed the added value of enhanced cooperation and coordination at the level of the European Union. All Member States utilities and safety regulators involved in the process are now addressing the recommendations highlighted during the stress tests and have committed to implement them.

At the international level, the Commission has been continuously cooperating with EU neighbouring countries and with third countries, in particular in the context of international conventions in the nuclear field, to promote the highest standards for nuclear safety also beyond EU borders. In addition, Euratom has entered in 2013 into a Memorandum of Understanding with the International Atomic Energy Agency, for a partnership between them on nuclear safety cooperation.

On the basis of the mandate of the March 2011 European Council, the Commission, with the input of the European Nuclear Safety Regulator Group, also engaged in a comprehensive review of the existing legal and regulatory frameworks for nuclear safety in the European Union, leading to the adoption of a proposal to amend the 2009 nuclear safety directive. The Commission welcomes the agreement reached by Member States on this proposal¹, as noted at the COREPER II meeting of 11 June 2014. This agreement, which follows the supportive opinion adopted by the European Parliament on 2 April 2014², paves the way for the swift adoption of this major proposal by the Council, less than one year after its formal adoption by the Commission.

¹ Proposal for a Council Directive amending Directive 2009/71/EURATOM establishing a Community framework for the nuclear safety of nuclear installations, 17 October 2013, COM(2013)715.

² European Parliament legislative resolution of 2 April 2014 on the proposal for a Council directive amending Directive 2009/71/EURATOM establishing a Community framework for the nuclear safety of nuclear installations, T7-0274/2014.