



**COUNCIL OF  
THE EUROPEAN UNION**

**Brussels, 3 December 2013**

**16833/13**

**ATO 154**

**INFORMATION NOTE**

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from: General Secretariat of the Council  
to: Delegations  
Subject: Recent developments in the nuclear energy field

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Based on information provided by the Commission services delegations will find attached information on stress tests and work on the proposal for a Directive amending Directive 2009/71/EURATOM establishing a Community framework for the nuclear safety of nuclear installations.

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## **Recent developments in the field of nuclear energy**

In line with the mandate given by the European Council, at its meeting of 24-25 March 2011, "to review the existing legal and regulatory framework for the safety of nuclear installations" and to propose any improvements that may be necessary, the European Commission adopted a draft legislative proposal for a revision of the 2009 Nuclear Safety Directive on 13 June 2013.<sup>1</sup>

This draft proposal was submitted for the Opinion of the European Economic and Social Committee (EESC) according to the procedure laid down in Article 31 of the Euratom Treaty. In its Opinion adopted on 18 September 2013,<sup>2</sup> the EESC expressed its support for the draft proposal and welcomed: the ambitious safety objectives put forward; the clarification of regulatory responsibilities, competence and capacity; the enhanced independence of national regulators; the action on on-site emergency preparedness and response, as well as the strengthened approach to transparency. The Committee proposed to further reinforce some areas and recommended to deepen public involvement in planning, review and decision-making.

The Commission's formal proposal was adopted on 17 October 2013<sup>3</sup> and was transmitted to the Council on the same day. As required under Article 31 of the Euratom Treaty, the Parliament has been invited by the Council to provide its opinion on the proposal. The responsible Committee is the Committee for Industry, Research and Energy (ITRE) and on 20 November 2013, Ms Romana Jordan (EPP, SI) was appointed rapporteur for the file.

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<sup>1</sup> Draft proposal for a COUNCIL DIRECTIVE amending Directive 2009/71/EURATOM establishing a Community framework for the nuclear safety of nuclear installations, 13 June 2013, COM(2013)243.

<sup>2</sup> Opinion of the European Economic and Social Committee on the "Draft proposal for a Council Directive amending Directive 2009/71/Euratom establishing a Community Framework for the nuclear safety of nuclear installations", OJ C341, 21.11.2013, p. 92 – 96.

<sup>3</sup> 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.

The aim of the proposal of the Commission is to:

- introduce EU-wide nuclear safety objectives aiming at drastically limiting the consequences of potential nuclear accident, as well as addressing the safety of the entire lifecycle of nuclear installations (siting, design, construction, commissioning, operation, and decommissioning of nuclear plants), including on-site emergency preparedness and response;
- reinforce monitoring and exchange of experiences, by establishing a European system of topical peer reviews of nuclear installations;
- further strengthen the independence and role of the national regulatory authorities;
- further enhance transparency on nuclear safety matters.

In addition to the adoption of the proposition on the revision of the Nuclear Safety Directive, the European Commission also continues to closely follow up the implementation of the safety improvement measures resulting from the comprehensive risk and safety assessments ("stress tests") on nuclear power plants in the European Union, which were carried out in 2011 and 2012. The measures identified by Member States in their National Action Plans on the implementation of the stress tests recommendations were discussed by national regulators at the National Action Plans Workshop organised by the European Nuclear Safety Regulators Group (ENSREG) on 22-26 April 2013 in Brussels. The discussion showed the commitment of all countries to follow-up the implementation of identified improvement actions until their finalisation.

The Commission has also been continuously cooperating with EU neighbouring countries to promote the highest standards for nuclear safety beyond EU borders. It organised on 29 October 2013 a meeting in Luxembourg with participation of neighbouring countries that had not been fully involved in the European stress tests (Armenia, Belarus and Turkey) as well as from ENSREG. The Russian Federation was also invited but declined participation at the last moment. The objective of the meeting was to present and discuss the status of the stress tests already performed or planned in these countries for existing nuclear power plants (Armenia) and/or for nuclear new builds (Belarus, Turkey).

Outcomes of the meeting were as follows:

- an EU peer review of the stress tests performed by Armenia (which should be finalised in spring 2014), could take place from the 2<sup>nd</sup> half of 2014 onwards;
- an EU peer review could take place for Belarus in 2015, after the consultation by the Belorussian authorities of the Russian vendor on a stress tests type of evaluation for siting and design; and,
- an EU peer review could be organised for Turkey in the 1<sup>st</sup> half of 2015, after the communication of its final national stress test report, foreseen in the 2<sup>nd</sup> half of 2014.

Regarding Russia, the Commission intends to propose the organisation of a new meeting on stress tests for Russian-designed reactors with the participation of Russia and possibly other countries. These actions were also accompanied by trying to ensure a further enhancement of the international nuclear safety regime, in particular through the following actions:

- the reinforcement of the relations between the European Commission and the International Atomic Energy Agency (IAEA) with the signature of a Memorandum of Understanding on 17 September 2013 on nuclear safety cooperation;
- the support to the IAEA Action Plan for Nuclear Safety;
- the work of the "Effectiveness and Transparency" Working Group of the Convention on Nuclear Safety (CNS) and the preparation of the Sixth Review Meeting of the Contracting Parties to the CNS;
- the collaboration with the Lithuanian Presidency on a nuclear safety conference with the ASEM Countries; and,
- the support, provided together with national regulatory authorities, to the peer reviews of Taiwanese nuclear power plants.