

European Communities

---

EUROPEAN PARLIAMENT

# Working Documents

1983-1984

---

12 March 1984

DOCUMENT 1-1491/83

## Report

drawn up on behalf of the Committee on the Environment,  
Public Health and Consumer Protection

on the communication from the Commission of the  
European Communities to the Council (COM(83) 472 final -  
Doc. 1-804/83) concerning the Community's role as  
regards the safety of nuclear installations and the  
protection of public health and the draft Council  
resolution on trans-frontier radiological problems

Rapporteur: Mrs M. LENTZ-CORNETTE

PE 88.558/fin.  
Or. Fr.



By letter of 30 September 1983, the President of the Council of the European Communities requested the European Parliament to deliver an opinion on the communication from the Commission of the European Communities to the Council concerning the Community's role as regards the safety of nuclear installations and the protection of public health.

On 11 October 1983, the President of the European Parliament referred this communication to the Committee on the Environment, Public Health and Consumer Protection as the committee responsible and to the Committee on Energy, Research and Technology for an opinion.

At its meeting of 22 September 1983, the Committee on the Environment, Public Health and Consumer Protection appointed Mrs LENTZ-CORNETTE rapporteur.

It considered the draft report at its meetings of 3 February and 22 February 1984 and adopted it unanimously at the latter meeting.

The following took part in the vote: Miss Hooper, acting chairman; Mrs Schleicher (replacing Mrs Lentz-Cornette, rapporteur), Mr Berkhouwer, Mr Bombard, Mr Del Duca, Mr Johnson, Mrs Krouwel-Vlam, Mr Mertens (deputizing for Mr Ryan), Mrs Pantazi-Tzifa, Mr Remilly, Mrs Seibel-Emmerling, Mr Sherlock, Mrs Spaak and Mr Verroken (deputizing for Mr Ghergo).

The opinion of the Committee on Energy, Research and Technology is attached.

This report was tabled on 27 February 1984.

The deadline for the tabling of amendments to this report appears in the draft agenda for the part-session at which it will be debated.



C O N T E N T S

	<u>Page</u>
A. MOTION FOR A RESOLUTION .....	5
B. EXPLANATORY STATEMENT .....	8
I. The background to the Commission's communication .....	8
II. Conclusions and recommendations .....	15
OPINION of the Committee on Energy, Research and Technology .....	18



The Committee on the Environment, Public Health and Consumer Protection hereby submits to the European Parliament the following motion for a resolution together with explanatory statement:

MOTION FOR A RESOLUTION

closing the procedure for consultation of the European Parliament on the communication from the Commission of the European Communities to the Council concerning the Community's role as regards the safety of nuclear installations and the protection of public health and the draft resolution on trans-frontier radiological problems

The European Parliament,

- having regard to the communication from the Commission to the Council and the draft resolution (COM(83) 472 final)<sup>1</sup>,
- having been consulted by the Council (Doc. 1-804/83),
- having regard to the report of the Committee on the Environment, Public Health and Consumer Protection and the opinion of the Committee on Energy, Research and Technology (Doc. 1-1491/83),
- having regard to its previous resolutions:
  - on the siting of nuclear power stations in frontier regions<sup>2</sup>,
  - on European nuclear safety policy<sup>3</sup>
  - on the proposal from the Commission of the European Communities to the Council for a directive laying down basic measures for the radiation protection of persons undergoing medical examinations or treatment<sup>4</sup>,
- having regard to the result of the vote on the Commission's proposal,

<sup>1</sup> OJ No. C 338 of 15.12.1983

<sup>2</sup> OJ No. C 327 of 15.12.1980

<sup>3</sup> OJ No. C 87 of 5.4.1982

<sup>4</sup> OJ No. C 149 of 14.6.1982

1. Notes with satisfaction the Commission's initiative in assessing the impact of Community action in the field of nuclear safety with a view to optimizing such action;
2. Expects the Commission to place more emphasis on matters relating to the health protection of the general public and workers against the risks incurred in particular as a result of the increasing number of nuclear plants;
3. Regretting the delays in incorporating the provisions of the Directive of 15 July 1980 laying down basic standards into national law, invites the Commission to take effective action vis-à-vis the Member States to ensure uniform implementation of this directive;
4. Stresses the need to adopt appropriate measures at Community level, in particular for occasional workers and for occupational diseases resulting from irradiation;
5. Requests the Council to adopt as soon as possible the proposal for a directive laying down basic measures concerning the radiological protection of persons undergoing medical examinations or treatment;
6. Welcomes the Commission's initiative in examining at Community level the trans-frontier radiological problems covered by the draft resolution and urges the Member States to support the implementation of this initiative;
7. Requests the Commission to encourage the conclusion of agreements between the Member States concerned on plans for trans-frontier intervention in emergency cases, and the conclusion of such agreements between the Member States and neighbouring third countries;
8. Hopes that the Commission will define the basic criteria for the plans for trans-frontier intervention, which should be the subject of bilateral agreements, and harmonize these criteria so as to provide maximum protection for the general public on either side of the frontier;
9. Underlines the need to ensure, within the framework of the agreements on plans for trans-frontier intervention, that the public in trans-frontier areas are widely informed about the actions to be taken in cases of emergency;

10. Hopes that the Commission will take steps, in concertation with the Member States, to examine existing national contingency plans so as to harmonize the basic criteria and thereby ensure an equivalent level of protection of the public in the event of a nuclear accident;
11. Takes note of the growing number of sources of discharges of radioactive effluent in the marine environment and draws attention to the Community's powers in respect of the prevention of radiological risks within the Community;
12. Calls for the limits on the discharges of radioactive effluent authorized by the Member States to be harmonized to make them more stringent and for the polluter-pays principle to be uniformly implemented at Community level in cases of trans-frontier pollution by nuclear plants;
13. Instructs its President to forward this resolution, as the opinion of the European Parliament, to the Council and the Commission.

EXPLANATORY STATEMENTI. The background to the Commission's communication

1. The Commission has submitted to the Council a communication concerning the Community's role as regards the safety of nuclear installations and the protection of public health, together with a draft Council resolution on trans-frontier radiological problems.

The purpose of this communication is to review the Community's role in the field of nuclear safety, taking account of developments since the entry into force of the Euratom Treaty and, at the same time, to define objectives in the light of the current state of the art in the nuclear energy field.

2. According to the Commission, the Community's activities and general role have developed considerably in several areas since the existence of the Euratom Treaty. This evolution is due to the increasingly rapid development of nuclear technology and its industrial application of which a number of Community countries have made use to secure their energy supply.

3. The increased use of nuclear power has resulted in a change in priorities and actions in response to the specific problems raised by this energy source. Thus, in the field of research and development (Chapter I of the Euratom Treaty), the emphasis has shifted gradually from the development of various types of nuclear reactor towards problems connected with the safety of installations, whilst the relative importance of problems linked with the fuel cycle has increased. Similarly, in the field of health protection (Chapter III of the Euratom Treaty) the growing number of nuclear installations raises a series of problems which must be studied with increasing care so as to identify what action needs to be taken to protect the health and ensure the safety of the general public and workers.

4. These considerations have prompted the Commission to evaluate the scope of Community action in the field of nuclear safety, in an effort to optimize this action. It has also been encouraged in this direction by numerous resolutions, inter alia by the European Parliament, proving, in its view, that the public is highly aware of these problems.

5. Examining the Community's role, the Commission is conscious of the exclusive responsibilities of the governments of the Member States, particularly as regards site selection and the issuing of licences to build and operate nuclear installations.

6. This communication summarizes the conclusions of its examination of the Community's role in the following three areas: research and development, the technical/regulatory aspects of the safety of installations and health protection.

7. In the field of research and development, the Commission underlines the importance of the Community R & D effort with regard to the safety of nuclear installations and the protection of the general public and the environment.

8. With regard to the technical/regulatory aspects of nuclear safety, the Commission considers that it is necessary to embark, in collaboration with the Member States, on a new approach involving an overall assessment of the safety of the most representative types of reactor in the Community (mainly pressurized water reactors).

9. In the health protection field, the Commission emphasizes that, on the whole, implementation of the basic safety standards for the health protection of the general public and workers against the dangers of ionizing radiation has proved satisfactory, but that, at present, certain Member States are experiencing difficulty in incorporating into their national legislation certain provisions of the Directive of 15 July 1980 (5). Nevertheless, the proposal for a directive submitted by the Commission to the Council on 18 December 1980 (6) on the radiation protection of patients, which was designed to supplement the basic standards, is still being considered by the Council. The Commission points out, in this connection, that it attaches the utmost importance to the early adoption of this directive by the Council.

---

(5) OJ No. L 246 of 17.9.1980

(6) Proposal for a Council directive laying down basic measures for the radiation protection of persons undergoing medical examinations or treatment, OJ No. C 350 of 31.12.1980

10. Moreover, further to the European Parliament's resolution of 8 March 1982 on European nuclear safety policy (7), the Commission points out that it is examining the specific problems of workers occasionally employed on repair and maintenance work in nuclear installations and occupational diseases. On the subject of occasional workers, the Commission expects to be able to put forward proposals in 1984 designed to achieve greater compatibility between existing systems of recording received doses and a link-up between them at Community level. As regards occupational diseases, the Commission points out the difficulty of establishing a causal link between exposure to radiation and the existence of an occupational disease, and states that it has initiated a study with a view to establishing new, more reliable criteria for identifying illnesses likely to be caused at work by exposure to ionizing radiation.

11. In the context of the action undertaken by the Community in the field of nuclear safety designed to deal with certain problems having trans-frontier implications, the Commission has submitted to the Council a draft resolution on trans-frontier radiological problems. This draft resolution deals, on the one hand, with plans for trans-frontier intervention in case of accident and, on the other, with the disposal of radioactive effluent in marine waters of Community interest.

Plans for trans-frontier intervention in case of accident in a nuclear installation situated near the border of another Member State

12. Despite the fact that nuclear installations are designed to the most stringent technical safety standards, there is always the possibility of an incident occurring in a nuclear power plant. This is explained in document COM(80) 808 final: 'Many different kinds of accidents of different degrees of severity can occur on a nuclear site. Such accidents may range from minor plant faults or minor incidents involving radioactivity or radiation exposure, through serious failures causing major plant damage or serious exposures of workers, up to accidents causing major damage to plant and releases of radioactivity off-site. The emergency plans must be able to deal with all these situations. They must be designed to limit the damage to the plant and to provide protection for the workers on-site and the surrounding public'.

---

(7) OJ No. C 87 of 5.4.1982

13. The countries which make use of nuclear energy have drawn up their own emergency plans. As far as action at Community level is concerned, Article 45 of the Directive of 15 July 1980 laying down basic standards (8) provides for the establishment, by the Member States, of a system of intervention in the event of an accident. Member States must also immediately inform neighbouring Member States and the Commission, when the circumstances so require, of any accident which involves exposure of the population.

14. Nevertheless, the protection of the population raises specific problems in the case of nuclear plants sited near to the frontiers of other Member States. In such cases, an accident in one of these plants may have radiological implications which go beyond national frontiers; hence the need for contingency plans to be drawn up jointly with the neighbouring countries concerned.

15. It is a fact that existing or planned nuclear installations are frequently sited in frontier regions or on international waterways. According to the Commission's communication of 17 May 1979 (9), 33 nuclear power stations (approximately 25% of the total) which are already in operation, under construction or planned in the Community are sited within 40 kilometres of the national frontiers; of these, 15 are located less than 10 kilometres from the frontier.

16. In view of the concentration of nuclear plants in frontier regions, the Commission considers that it is essential, in the case of such installations, to establish trans-frontier cooperation on contingency plans to deal with accidental discharges of radioactive substances and that such plans should remain operational for as long as is necessary.

17. For its part, the European Parliament invited the Commission and the Council, in its resolution of 20 November 1980 on the siting of nuclear power plants in frontier regions (10), to take steps to ensure that emergency plans concerning abnormal incidents at installations are prepared in advance, arranged and, possibly, implemented with the participation of the Member States concerned.

---

(8) OJ No. L 246 of 17.9.1980

(9) COM(79) 269 final

(10) OJ No. C 327 of 15.12.1980, page 34

18. Having identified which power stations are sufficiently close to national frontiers, the Commission recognizes the need for agreements on contingency trans-frontier plans between the neighbouring countries concerned. It goes without saying that this need exists in a number of regions of the Community.

In the Commission's view these agreements may cover aspects such as:

- alarm systems;
- means of transmitting information;
- definition of incidents to be reported to neighbouring countries;
- crossing of borders by personnel and equipment;
- emergency drills;
- language problems.

19. At present, there are a number of bilateral agreements in existence between certain Member States on the exchange of information and mutual assistance in case of emergency, and other agreements are in preparation. Moreover, some Member States have concluded such agreements with nonCommunity countries.

20. Nevertheless, the Commission, rightly, believes it is necessary to ensure that certain essential aspects are taken into consideration in all these agreements in order to avoid there being too much inconsistency within the Community. Thus it has already taken the initiative and set up a working party whose terms of reference are:

- to collect information concerning existing bilateral contacts and agreements between Member States with regard to trans-frontier emergency plans and on experience gained therefrom;
- to draw up a report on the basis of this information, indicating the main points of the emergency plans to be covered by bilateral agreements between Member States.

In the draft Council resolution the Commission is asked to report to the Council on the results of the work accomplished within two years at the latest. This report will be accompanied, if necessary, by proposals for action at Community level.

The Commission considers that it must be able to count on the full collaboration of the Member States in order to carry out this task successfully. This is why it is calling for the Council's backing for its initiative.

Examination of the overall radiological impact of the discharge  
of radioactive effluent in watercourses and marine waters

21. People living near to nuclear sites are at risk of exposure to radioactive effluent in liquid or gaseous form, discharged into the environment by the nuclear plants. In the case of power stations sited on international waterways, discharges of radioactive effluent may have repercussions on the population living downstream. In practice by virtue of the enforcement of the basic standards, discharges of effluent from nuclear power stations are sufficiently low to avoid affecting other Member States. Nevertheless, as the nuclear industry evolves, the quantity of effluent released by power stations is constantly on the increase. In view of this situation, it is imperative to ensure that discharges in the same aquatic environment do not, in the long term, result in a build-up of radioactivity in certain waterways and additional radiological effects.

22. The national authorities, which are responsible for the permanent monitoring of ambient radioactivity levels, monitor the build-up of radioactivity in the watercourses falling within their authority and ensure that the disposal limits authorized for each installation are sufficiently low to avoid radiological problems. However, given the increasing number of installations sited near to rivers or sounds, which often constitute the frontiers between states, it is clear that collaboration between the states concerned is essential in order to assess the radioactivity of this effluent and take the necessary precautions.

23. The Meuse is a case in point. This river is a special case in that, on the one hand, it receives radioactive effluent from three countries and, on the other, provides drinking water for several million people in Belgium and the Netherlands. It is also used for irrigation and fishing, and dredging sludge from it is used as fertilizer. Consequently, the radiological impact of the radioactive substances discharged into the Meuse merits particular attention.

24. The Commission has accordingly set up a group of experts comprising representatives of the Member States concerned, whose task is to consider the problems affecting this river. The group has been instructed to report periodically to the Commission on:

- the catalogue of radioactive effluent discharged in the Meuse,
- the activity levels measured in the water and products of the Meuse,
- the use of the water and products of the Meuse,
- doses resulting from the actual and planned discharge of radioactive effluent in the Meuse.

The first report from this group of experts is expected in 1984.

25. A similar problem could arise in the case of the Moselle when the French nuclear power station at Cattenom comes on-stream. Since this river serves both Luxembourg and Germany, the Commission should examine, as part of the action which it has undertaken, the likely radiological impact of discharges of effluent in the Moselle on the countries concerned.

26. The issues are the same in the case of marine waters receiving radioactive effluent. This problem also warrants special attention, in particular because of the consumption of fishery products. The Commission is therefore considering setting up a group of experts from all the Member States concerned, to examine the radiological aspects of the discharge of radioactive effluent into marine waters of interest to the Community.

27. In conclusion, the Commission considers that the growing number of installations discharging radioactive effluent into the aquatic environment justifies, in the case of certain watercourses and certain marine waters of Community interest, a forward assessment of the overall radiological impact of these discharges at Community level. It has therefore taken the initiative of examining these matters at Community level. In the draft resolution, the Commission is asked to report periodically to the Council on the results of the work accomplished and, where it seems likely that a situation of concern will develop, to inform the Council thereof and propose whatever measures are considered to be necessary.

28. The tasks conferred on the Commission in this draft resolution, form part of the Community's overall responsibility for ensuring the establishment of equivalent protection for the citizens of the Member States and thereby helping to further the development of nuclear energy. In order to work as effectively as possible, the Commission - which has already taken the initiative of setting up groups of experts to consider the trans-frontier radiological problems - asks for the Council's backing, through the adoption of the draft resolution in question, and the active collaboration of the Member States.

## II. Conclusions and recommendations

29. In view of the growth of the nuclear industry and, thus, the need to protect the population effectively against radiological risks, the Commission's initiative in evaluating the Community's role in the field of nuclear safety should be widely endorsed. This initiative should form a starting point for the new actions required for safety reasons within the Community.

30. While acknowledging the Community's important contribution in the field of nuclear safety, the Commission is advised to place more emphasis on questions relating to the health protection of the general public and workers against the risks resulting in particular from the increasing number of nuclear installations.

Above all, it is important to ensure the uniform application of the Directive of 15 July 1980 laying down basic standards. Secondly, it is important to ensure an equivalent level of protection for occasional workers. The growing number of such workers and their mobility across frontiers calls for the adoption of protection measures at Community level. There should also be harmonized action at Community level concerning occupational diseases and cover of the associated risks.

31. In view of the considerable increase in the use of ionizing radiation in medicine and given that, apart from natural radiation, medical irradiation is by far the greatest artificial source of exposure to ionizing radiation, the Council must adopt, as soon as possible, the proposal for a directive on the radiation protection of persons undergoing medical examination or treatment, on which the European Parliament delivered an opinion on 13 May 1982.

32. The Commission's initiative in proposing to examine, at Community level, the trans-frontier radiological problems covered in the draft Council resolution must be welcomed. In view of the concentration of nuclear power stations in frontier regions, it is essential that concertation be set up between the Member States to ensure an equal level of protection for the general public."

33. With regard to plans for trans-frontier intervention in emergency cases, however, the Commission's attention should be drawn to the following points:

The Community should not confine itself to examining bilateral agreements already concluded between the Member States but should encourage the conclusion of such agreements between all the Member States concerned, and between Member States and neighbouring non-member countries.

Following the examination of the bilateral agreements, the Commission should define the basic criteria for the plans for trans-frontier intervention, which should be covered by agreements between the Member States.

These criteria should be harmonized at Community level and relate to maximum protection levels for the general public on either side of the frontier.

The Commission should ensure that people living in trans-frontier regions close to nuclear power stations are widely informed as to the action to be taken in an emergency.

Nuclear safety is a matter of Community importance, because an accident may have widespread repercussions; the Commission should therefore initiate, in concertation with the Member States, an examination of the national contingency plans in force, with a view to harmonizing the basic criteria on measures for protection of the public in the event of a nuclear accident.

34. It is important to ensure that the increasing number of sources of discharge of radioactive effluent into the marine environment is not allowed to lead in the long term to a build-up of radioactivity.

Consequently, the effluent discharge limits authorized by the Member States must be harmonized on the basis of the most stringent criteria, and the polluter-pays principle should be uniformly implemented at Community level in cases of trans-frontier pollution by nuclear installations.

O P I N I O N

of the Committee on Energy, Research and Technology

Draftsman: Mr GAUTHIER

At its meeting of 29/30 September 1983 the Committee on Energy, Research and Technology appointed Mr GAUTHIER draftsman of opinion for the Committee on the Environment, Public Health and Consumer Protection.

The committee considered the draft opinion at its meeting of 1/2 February 1984 and adopted it unanimously.

The following took part in the vote: Mrs WALZ, chairman; Mr SELIGMAN, vice-chairman; Mr GAUTHIER, draftsman; Mr ADAM, Mr CALVEZ (deputizing for Mr PINTAT); Mr GHERGO (deputizing for Mr DEL DUCA); Mr MARCHESIN (deputizing for Mr SCHMID); Mr PETRONIO; Mrs PFLIMLIN; Mr PRUVOT (deputizing for Mr GALLAND); Mr ROGALLA; Mr SHERLOCK (deputizing for Mr NORMANTON); Mr VERONESI.

## I. Introduction

1. The Commission document (COM (83) 472 final) under consideration has two parts:

- (a) a communication to the Council concerning the Community's role as regards the safety of nuclear installations and the protection of public health,
- (b) a draft Council resolution on trans-frontier radiological problems.

2. Thus, whereas the communication analyses the general issue of safety, the draft resolution proposes action in one specific sector. Accordingly, the present opinion bears chiefly on the draft resolution.

## II. The communication

3. It should be pointed out, however, that the communication provides a useful summary of what the Community is doing about nuclear safety.

4. The references in the communication to resolutions adopted by Parliament are especially to be welcomed. Not only are salient points from these resolutions mentioned in the text: an Annex to the document is also added which lists all the relevant resolutions of the European Parliament from 13 January 1976 to 8 March 1982.

5. Since this list was drawn up, Parliament has also adopted the WALZ report on the disposal of nuclear waste. This was on Thursday, 19 January 1984.

## III. The draft resolution

6. The draft resolution does not propose any new Community action. It is designed to secure two limited ends:

- (i) It seeks the explicit support of the Council for what the Commission is already doing to collect relevant information and to establish 'the main aspects of the emergency plans that would have to be the subject of bilateral agreements between the Member States',<sup>1</sup>

-----  
<sup>1</sup> Article 1a

(ii) It 'requests the Member States to cooperate actively in the activities mentioned above'.<sup>1</sup>

7. Among the general aims of the measure, there is special mention of an examination by the Commission of 'the overall radiological impact of all discharges of radioactive effluents into waterways and marine waters of Community interest'.<sup>2</sup> This is to be applauded.

8. There is also provision for the Commission to report back on its work and, where necessary, to make proposals for action at Community level. The Commission has up to two years to prepare its report.<sup>3</sup>

#### IV. Comments and conclusions

9. In its resolution of 20 November 1980 on the siting of nuclear power stations in frontier regions, to which the Commission refers in its communication, Parliament took the view 'that Community safety standards should be defined as quickly as possible, thereby facilitating the necessary consultation at Community level'. More than three years have now elapsed since Parliament expressed this wish.

10. While regretting that the draft resolution does not propose specific Community standards, the Committee on Energy, Research and Technology welcomes the present Commission proposals and the draft Council resolution and expresses the hope that this initiative will lead to constructive cooperation among all Member States, and between the Member States and the Commission.

11. However, the committee notes that decisive action is needed with the minimum loss of time. The Commission must do everything in its power to report back well within the period of two years allowed for in the draft resolution. Its findings must include firm recommendations for action, including the setting of standards, at both the bilateral and Community levels in the various areas mentioned in the Commission's communication and proposal, including the problem of the overall radiological impact of discharges of radioactive effluents into waterways and marine waters of Community interest.

-----  
<sup>1</sup>Article 3  
<sup>2</sup>Article 2a  
<sup>3</sup>Article 1b

12. The committee considers that the highest priority must go to the definition and allocation of responsibilities. In some Member States responsibilities in this sphere are shared by two or more ministries, not to mention the role played by regional authorities of various types, as well as by the authorities of particular installations. The Community play a useful role in ensuring that responsibilities are fixed and well-known, and that channels of communication are kept clear. In particular any such inter-State arrangements must conform to guidelines formulated by the Commission and at all times the Commission must be brought into closest consultation.

13. It is essential for the Commission to arrive at a view on the correct classification of accidents according to their level of seriousness. Under some existing arrangements, incidents below a certain level of seriousness are dealt with purely on the responsibility of the authorities of the installation concerned. The setting of the threshold at which an incident is treated as being a wider responsibility is clearly of critical importance. It should be subject to criteria at Community level which are both well established and well-known. This is an example of the way in which an appropriate measure of harmonization at Community level could be of practical benefit.

14. At the same time the committee draws attention to the fact that bilateral arrangements already exist in various cases for discussing potential trans-frontier radiological problems and making plans to deal with them while stressing the need for the Commission to make progress as quickly as possible along the lines set out in the present proposal for a Council resolution, the Committee wishes to pay tribute to the work that is already being done by national experts cooperating in this field.

