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ATO 7

NOTE

From:	Presidency
To:	Delegations
Subject:	Reducing administrative burden of national reporting requirements under international nuclear legislative regimes

Delegations will find attached a note from the Presidency on "Reducing the administrative burden of national reporting requirements stemming from the EURATOM and IAEA legislative regimes".

This paper will be discussed at the meeting of the Working Party on Atomic Questions on 9 March 2016. The Presidency's objective is to find ways, together with the European Commission, to reduce administrative burden by avoiding duplication of reporting and by (partially) re-using existing reports (replicability).

Cooperation in the field of nuclear safety, waste management, radiation protection and emergency preparedness and response between Member States and the Commission is well established and gives an added value in terms of safety, transparency and openness for stakeholders at the European and international (IAEA) level.

Most treaties, directives, regulations and conventions related to nuclear safety and radiation protection require the contracting parties to regularly report on the state of affairs in national implementation. This reporting obligation helps to monitor the implementation, to support the continuous improvement of nuclear safety and radiation protection as well as to contribute to transparency and openness towards stakeholders and citizens.

But unfortunately there is an overlap and duplication in the existing reporting obligations or requirements, which results in reports unnecessarily updated with yearly intervals. These reporting requirements represent an administrative burden on national governments, annually claiming a substantial part of the limited human and financial resources available. Clear advantages might thus be obtained by streamlining and/or harmonising national reporting and in doing so reducing the administrative burden.

It should be noted that representatives of the key competent authorities in the Member States and the Commission have discussed the issue of administrative burden during meetings, workshops and conferences dealing with the requirements stemming from national reporting obligations. Working groups of ENSREG have also already provided guidelines for Member States' reports that have to be drafted according to the Waste Directive and the Nuclear Safety Directive, in order to provide a unified structure for reporting and thus contributing to an efficient process. Furthermore, EU Member States have suggested ways to benefit from related reporting to the Joint Convention¹ and to the Convention on Nuclear Safety. Current reporting guidelines have thus been drafted to streamline the reporting processes and to reuse elements of reports for certain treaties, conventions, directives and regulations.

¹ Joint Convention on the Safety of Spent Fuel Management and on the Safety of Radioactive Waste Management

However, there is scope for more efficiency in this field. For instance, reports drawn up especially under the Joint Convention (JC) can be used (re-used) as such to meet the reporting obligations under Council Directive 2011/70/Euratom. This would imply a reduction of the administrative burden of future reporting obligations for the Member States under Council Directive 2011/70/Euratom by harmonising the frequency of reporting as well as the content of the reports with the reporting requirements of the JC. Especially the international review of the reports to the JC is a benefit which enhances the quality of the information.

In addition, Council Directive 2014/87/Euratom gives an opportunity to focus on a specific topic in a national assessment on a coordinated basis. This conceptual amelioration might be applied also in waste management, radiation protection and emergency preparedness and response.

More of these examples might be found to illustrate that there is scope for further efficiency.

That is why the Presidency proposes to Member States and to the Commission to draw up together a document or analysis on the reduction of the administrative burden of national reporting requirements, and to present this to Vice-President of the European Commission, Mr Šefčovič.

The analysis/document will ideally start with a survey of current reporting requirements (see pages 5 and 6), that are directly related to nuclear safety, radiation protection and emergency preparedness and response, and a survey of the overlap that exists between these reporting requirements. It would continue with some efforts of the international community that contribute to lessening the administrative burden of the cumulative reporting requirements.

It is worth considering conceptually streamlining relevant directives with Council Directive 2014/87/Euratom and to investigate the possibility to identify topics of common interest related to radioactive waste and/or final disposal for a national assessment on a coordinated basis. Therefore the document could end with some preliminary recommendations to further reduce the aforementioned administrative burden which may cover the following subjects:

- the desired periodicity of reporting for various treaties, directives, regulations and conventions;
- possibilities of synchronising reporting for related conventions, regulations, directives, treaties and other agreements that may benefit the efficiency of the reporting process;
- other options and alternatives contributing to harmonising and streamlining of reporting processes;
- information the Commission needs in addition to the report for the JC, together with information about its use or purpose (not nice-to-know but need-to-know);
- the feasibility of identifying topics of common interest for a national assessment on a coordinated basis related to radioactive waste and/or final disposal.

CURRENT REPORTING REQUIREMENTS

Table 1 Reporting requirements for the coming years

Treaty/Directive/etc.	Every ...	2016	2017	2018	2019	2020
CNS	3 yr	7 th report	7 th RM ^a		8 th report	8 th RM
JC	3 yr		6 th report	6 th RM		7 th report
EU radwaste (art 14) ¹	3 yr			2 nd report		
EU radwaste (art 14) ²	10 yr					
EU nucl saf (art 9.1) ³	--					2 nd report
EU nucl saf (art 9.3-IRRS) ⁴	10 yr					
ENSREG ⁵	ad hoc	3 rd NAcP ^b		4 th NAcP		5 th NAcP
ENSREG TPR ⁶	6 yr		1 report	1 report + 1 RM		
PARCOM ⁷	4 yr		report			
OSPAR ⁷	1 yr	report	report	report	report	report
Euratom (art 36) ⁷	1 yr	report	report	report	report	report
WENRA ⁸	ad hoc	report	??	??	??	??

1) Implementation/compliance Directive; 1st in 2015

2) Self assessment national programme radioactive waste management; 1st in 2015, 2nd in 2025

3) Implementation/compliance Directive; first edition Directive prescribed triennial reporting (1st time in 2014); in the update of the Directive reporting one last time in 2020.

4) Self assessment and IRRS mission, recommended periodicity: every 10 years

5) National action plans post-Fukushima; 1st RM in 2013, 2nd RM in 2015, probably there will be no RMs in the coming years, but still reports will be published biennially.

6) Topical peer review (EU Directive nuclear safety, art 8e.2 and 8e.3); 1st RM in 2018

7) Reporting on releases by nuclear power plants

8) Reporting in working groups on the implementation of reference levels. No official status. In 2016 reporting on implementation of lessons learned after Fukushima.

a) RM – Review Meeting

b) NAcP – National Action Plan

Table 2 Various reporting requirements, organised along main topics and coordinating international organisation

	IAEA	EU	OSPAR	WENRA
safety (overall)	<ul style="list-style-type: none"> • CNS • xCNS² 	<ul style="list-style-type: none"> • 2009/71/EURATOM art 9.1 • 2009/71/EURATOM art 9.3 • NAcP³ (Stress test) 		<ul style="list-style-type: none"> • RL
waste	<ul style="list-style-type: none"> • JC 	<ul style="list-style-type: none"> • 2011/70/EURATOM art 14.1 • 2004/2/EURATOM (art 36 Treaty) 		
discharges		<ul style="list-style-type: none"> • 2004/2/EURATOM (art 36 Treaty) 	<ul style="list-style-type: none"> • OSPAR Agreement 2010-3 • PARCOM 91/4/BAT 	
security	<ul style="list-style-type: none"> • CPPNM 			

² 'xCNS meetings are 'extraordinary' CNS meetings, organised on special occasions and thus not periodic events. The 2nd xCNS was organised after the Fukushima Daiichi accident.

³ The NAcP, National Action Plan, follow-up of the post-Fukushima 'stress test' and its evaluation by the competent regulatory authorities and listing the status of actions/measures planned.