



Final minutes of the 20th meeting of ENSREG
 27th September 2012
 Brussels

Participants

Members from all EU Member States as well as the European Commission, with the exception of, Latvia, Lithuania, Malta, Estonia, were represented in the meeting. Observers from Switzerland, IAEA, JRC and European Council were also present.

1) Introductory address by the ENSREG Chairperson

The Chairperson welcomed the participants and announced 3 new members of ENSREG

Lithuania : **Mr Sigitas Šlepavičius**
 VATESI - Lithuanian Nuclear Power Safety Inspectorate

Romania : **Mr Constantin Popescu**
 National Commission for Nuclear Activities Control (CNCAN)

ENSREG Secretariat : **Mr Stuart McAllister**

2) Adoption of the Agenda

Several members expressed their wish for items 4.2) and 4.3) of the draft agenda to be taken first ahead of the other agenda points. The revised meeting agenda was adopted.

4.2) Status/Discussion of the Commission's draft communication to council on stress test and peer review exercise

The EC opened the agenda point by stating that the Stress Test Exercise (STE) was completed and that it was now for the EC to issue its communication on the exercise itself, the extension of the STE to "neighbouring countries" and to consider the need or potential for a review of the legal framework on nuclear safety. The European Council has mandated the EC in each of these areas.

The communication reflects the agreed ENSREG Action Plan, the EC desire to implement the national regulator findings, through National action plans to be submitted by the end of 2012, which will themselves be peer reviewed by ENSREG early 2013 in an ENSREG workshop. The EC will report on the implementation programmes in the summer of 2014, with the EC's expectation that most of the recommendations will be implemented by the end of 2015.

The EC is considering new legislation the Nuclear Safety domain. Any future proposals would likely address the issues of:

- 1) Improved governance and regulatory independence
- 2) Improved transparency – both from regulators and operators
- 3) Technical issues

Finally the communication addresses neighbouring countries and international cooperation

The EC understood that some countries would prefer improved implementation of the current nuclear safety directive and not new legislation, despite the fact that the EC has been committed to reviewing legislation since 2011.

In relation to the communication, the EC proposed that any political feedback should be made directly to the Commissioner via national channels, but that technical issues could be discussed within the current forum.

Many countries indicated that they had been privy to a draft of the communication and that they held strong reservations regarding its content. There were repeated calls to the EC for the tabling of the draft communication to allow ENSREG scrutiny and comment. The EC maintained that they did not have the authority to table the document but that they would seek guidance on the matter.

Given that some countries had not seen any draft, a proposal was received and accepted to table one of the copies of a draft communication with a view to preparing a first feedback to the EC.

The following position reflect the views of the ENSREG members

ENSREG key comments on the preparation of a Commission Communication on stress tests

The following key points were agreed

- The communication should be an accurate and unbiased description of the stress test process and results.
- There should be emphasis on the fact that the stress test exercise was a voluntary and collaborative undertaking. The roles of all parties in the exercise; national regulators, operators and the EC should be clearly identified.
- The scope of the stress test exercise should be clearly identify, highlighting what it covered but equally well, what it did not cover. In this respect references to airplane crashes in the context of security, and nuclear liability issues were out with the stress test exercise itself.
- The communication requires to be carefully phrased and presented, to avoid undermining public confidence. To avoid confusion the communication should use language and terminology consistent with that already established in the ENSREG report.
- The communication should highlight that the findings of the stress tests did not require the shutdown or closure of any European NPPs, on safety grounds. Nonetheless several areas for safety enhancements were identified at the national level and these issues will be implemented in the context of the national action plans.
- Detailed examples should be avoided in the communication with emphasis being rather placed on generic findings.
- The point should be clearly made that, for the EU members, the stress test process is now complete and that we are now already in the implementation phase. ENSREG will monitor and peer review the implementation of the national action plans.
- Implementation requires to be performed in a safety conscious manner. While actions should be performed without undue delay. Some actions may take longer to implement than others. Arbitrary time frames for implementation are to be avoided as these may give rise to a reduction in overall safety.
- It should be pointed out that the regulators will report to the Commission on the progress of the follow-up of the stress test implementation in the context of the existing Nuclear Safety regulation.
- The stress test exercise focused on the effect of external impacts on nuclear safety. It is to be emphasized that operational safety remains the key priority for national regulators.

4.3) Meeting of Commissioner Oettinger with ENSREG members of the 4th October 2012 .

The EC stressed that Mr Oettinger's motivation for the meeting with ENSREG on the 4th October was to express his personal appreciation in respect of the close collaboration with ENSREG and to offer a first privileged presentation of the EC position before the presentation to the EP and the Press.

Many members questioned the value of the meeting given that they had not been consulted on the Communication and would be presented with a "fait accompli" text and position. Several expressed their clear intention to not attend the meeting, preferring instead to read the text of the Communication. Others indicated that they would attend. It was agreed that the ENSREG Chair would attend and represent ENSREG at the meeting with Commissioner Oettinger. This would not exclude the participation of other ENSREG members.

3) Developments in DOEL 3 NPP, Belgium

Relevant Documents :

HLG_r(2012-20)_131

HLG_r(2012-20)_132

HLG_r(2012-20)_140

A summary status report on DOEL 3 was presented by the BE. The current understanding is that the Ultrasonic Inspection indications arise from H flakes dating from the forging phase, which was not detected at the production or early operational phases.

Tihange 2 RPV is of a similar age and manufacturing history as DOEL 3. UT inspections of the Tihange 2 RPV will be performed in September 2012 during routine outage period.

Since 16th Aug meetings have taken place between regulators of countries potentially affected by the issue. 3 expert groups created focussing on, origins, characterisation and justification and confirmation. The group will meet in October to consider the issues in more detail together with an International panel of experts from IAEA and NEA. The Belgian scientific advisory committee have also been informed of the issue and will consider and report back in due course. Any justification for a restart of Doel 3 could be based upon either a deterministic and a probabilistic approach; however there is little experience with the probabilistic route in Belgium.

UK commended BE on detail and quality of the information provided and enquired if there had been an acceptance criteria in place at the time of the inspections. BE replied that the original focus of the investigation had been the cladding interface and not the base material. FR also appreciated the transparency shown by BE on the issue and enquired if NRC had been involved. No enquiry had been forthcoming from NRC on the issue to date.

CH: reported that their Mullerberg plant (40y 1972) reactor vessel had some similarities with Doel 3 based on the age of the RPV (fabricated in 1960's). The vessel had been inspected during the annual outage in August 2012 according to the ASME Code fabrication standard with no indications being detected.

NL reported that their Borssele reactor RPV had similar characteristics to that of Doel 3. Notably it shared the same forging supplier (KRUPP) and ring shells (RDM); different but similar base metal; DOEL RPV: SA 508 cl.3 (~20MnMoNi55), Borssele RPV: 22NiMoCr37 (~ SA 508 cl.2), a smaller geometry, but perhaps crucially a lower hydrogen concentration. A preliminary conclusion that the formation of H flakes is unlikely for the Borssele RPV.

SP reported that it was currently reviewing 2 Spanish NPPs having RPV's exhibiting essentially similar characteristics and production process routes as those of BE, CH and NL. Operators had been requested to collect information from the manufacturing period. The regulator would review and evaluate the operators' reports focusing on a review of manufacturing data and inspection reports from the period 2005-2009. In the meantime they continue to monitor progress on Belgian case

The Chairman summarised the situation:

It was appreciated that Belgium colleagues had provided openly lots of information early on. Analysis of UT inspection results was on going to establish if there was safety significance. Currently the event was rated in the international INES scale as 1. Considering that inspections were performed in the context of ASME 3 it could be pertinent for regulators to review if they considered such an approach to be sufficient to assure safety.

6) ENSREG conference

A first meeting to arrange the next ENSREG conference had been held. The conference is foreseen for the 11-12 June in Brussels. Organisational arrangements are on-going to this end. Budgetary aspects needs still to be fully defined but ASN will work as the conference “banker”.

7.1) Progress made by ENSREG WG1

Relevant documents:

HLG_r(2012-20)_136

HLG_r(2012-20)_137

HLG_r(2012-20)_138

HLG_r(2012-20)_139

HLG_r(2012-20)_141

Due to lack of available time the WG1 Chairman was only able to present a very short status of the work performed by WG1.

ENSREG document **HLG_r(2012-20)_130** Compilation of Recommendations and Suggestions from the Review of the European Stress Tests was endorsed by ENSREG.

Permission was requested, to continue preliminary developments for National Action Plan Seminar in spring 2013, and its structure. Agreement was given.

In the context of the 7th Chapter of the stress test programme (national initiatives), the ENSREG Peer review of national action plans will be performed on the dimensions of – appropriateness and timeliness. A brief presentation was given on a proposed unified structure for the individual national action plans, with a view to facilitating the later ENSREG review process on this issue. Reports would be aligned with the 6 topics identified at the CNS extraordinary meeting of which the first 3 points correspond to 3 dimensions of the stress tests. WG1 had compiled document from recommendations and suggestions, to be used a basis for the national action plans **HLG_r(2012-20)_141**.

Countries emphasised the urgency of this action and the need to share this outline in light of the December 2012 deadline to present the national action plans. WG1 proposed to distribute a table with all ENSREG recommendations and suggestions merged with the CNS derived ones. This proposal was approved.

SE emphasised their objection to the mandatory reporting frame in the light of the stress tests, insisting that a lighter approach would be better received.

7.2.1) New Chair WG2

SE responded to the call for candidates for a new chair for WG2 and proposed to nominate a non-ENSREG member candidate after consultation at the country level. There were no objections.

8.1) Status of developments regarding Nuclear Safety Directive

The EC indicated that the timing of the submission of any legislative proposal on Nuclear Safety would depend upon the European Council's consideration of the stress test communication. Given that the next 2 European Council agendas were already rather full, the EC would be unlikely to submit its proposal before the end of the year.

8.4) AoB – A.C.Lacoste

The chair informed the members that this meeting would be the last ENSREG meeting attended by A.C Lacoste who was retiring from his regulatory function. Mr.Lacoste was a long standing, respected and highly valued member of ENSREG and the European nuclear community as a whole and had supported the integration of the nuclear industry at the European level through such initiatives as WENRA, ENSREG, stress tests. He would be greatly missed!

Next meeting : 19th November, Borschette, Brussels

ENSREG key comments on the preparation of a Commission Communication
on stress tests

1. Define exactly what the stress tests were and what they were NOT. Human factor issues were not addressed.
2. The EC will invite the regulators to report on the progress of the implementation of the stress tests in the scope of the reporting under the NSD
3. The general tone and real message (at the top ?); it should be remembered that there were no fundamental issues which could give rise to immediate safety concerns. No NPPs required closure on safety grounds arising from the stress test. There are several areas for future safety enhancements were nonetheless identified which could contribute to improved safety. These were national findings and positions, not an ENSREG position. ENSREG endorsement of National positions and reports.
4. Style and language; active and not passive tense should be used. Limit content to the title of the document. The conclusions should be coherent and consistent with the rest of the document and the stress test exercise.
5. An accurate and unbiased description of the stress test process and results (pros and cons) needs to be reported
 - The responsibilities of all parties; regulators, operators, and EC should be correctly highlighted and the robustness of the current regulatory systems should be highlighted. The stress test process was a voluntary process.
 - Positive outcome of the whole process should be recognised therefore should be no immediate shut down necessary. But there are issues to be addressed in due time. Annex and detailed examples should be deleted (reconsider – prepare in a better way – data can be found in the national and facility reports). Could be replaced with the 4 areas requiring improvement identified in the stress test report. (see page 7)
 - The differences in National approaches should not necessarily be considered as weaknesses.
 - Stress test process is now over for the EU member states and we are now in the implementation phase. ENSREG will monitor and peer review the implementation of the National action plans. The 2015 deadline is not to be imposed. It is an impossibility. We should take actions without undue delays, recognising that there are legal and safety arguments which will require longer implementation times.
6. Relation between security and safety
 - Delete references to airplane crashes in the context nuclear security
7. Liability issues should either be separated from the stress test issues or deleted.
8. All wording should mirror the action plan or the ENSREG report to avoid confusion.
9. When drafting a new Directive, respect sharing of competence between MS and the EU
10. Operational safety of plants is still of primary concern to the regulators