

Regulatory Updates

Nuclear safety...

In margins of the 65th annual regular session of the IAEA General Conference held from 20th to 24th September in Vienna, B. Doroszczuk, the ASN Chairman, had several bilateral meetings with his counterparts.

September 2021

• Canada-France Bilateral Meeting:

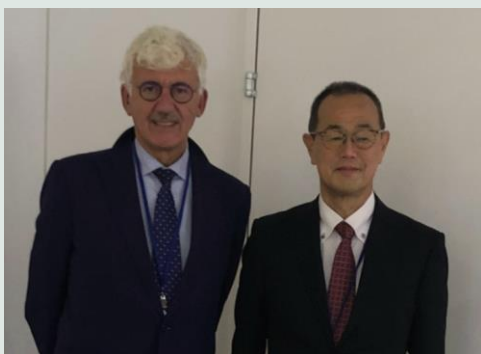
He met in particular Rumina Velshi, Chairman, and Ramzi Jammal, Executive Vice-President of the CNSC, the Canada nuclear regulator. This was an opportunity to discuss various topics of mutual interest, such as safety and precaution culture and SMR.



©ASN/CNSC-ASN Meeting

• Japon-France Bilateral Meeting:

He met Toyoshi Fuketa, Chairman of NRA, the Japanese nuclear regulator. They discussed various topics of mutual interest, such as the status of the Fukushima power plant and risk culture.



©ASN/NRA-ASN Meeting

• Suisse-France Bilateral Meeting:

He also met Marc Kenzelmann, General Director of ENSI, the Swiss nuclear regulator. An opportunity to discuss various safety related topics of mutual interest, in particular the review meeting of the Joint Convention on the Safety of Spent Fuel Management and on the Safety of Radioactive Waste Management, which will be chaired next June by Hans Wanner, former DG of ENSI.

• India-France Bilateral Meeting:



©ASN/AERB-ASN Meeting

He finally met Shri G. Nageswara Rao, Chairman of the AERB, the Indian nuclear regulator. The two chairmen signed an arrangement of mutual cooperation and information sharing in the field of nuclear safety and radiation protection to reinforce relationships between their organisations in the future.

ASN hosted the WENRA Fall 2021 plenary meeting

October 2021

ASN hosted the WENRA plenary meeting on the 14th and the 15th October 2021. The meeting was the opportunity for WENRA to make progress on several topics such as its membership, the 2023 Topical Peer Review on fire protection and the Small Modular Reactors.

<https://wenra.eu/node/186>



©ASN/WENRA Meeting

Storage capacity for plutonium-bearing materials: the ASN Commission calls Orano to a hearing

November 2021

On 28 September 2021, the ASN Commission called Mr. Knoche, CEO of Orano, to a hearing. The hearing first of all reviewed the worsening of the difficulties the licensee of the Melox plant is experiencing for the fabrication of MOX fuel.

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After presenting its analysis of the problems observed at Mélox, Orano presented its action plan for overcoming the production difficulties.

Orano also presented the improvement prospects and its MOX production forecasts. These are mainly based on the use of a "wet process" uranium powder, that should be produced as of 2023 in the new unit called the New Wet Process (NVH) in Orano's Malvési plant, currently under construction.

In the short term, the Melox problems result in faster than anticipated saturation of the storage capacity for plutonium-bearing materials. Orano indicated that, in the coming weeks, it intends to submit several authorisation applications to ASN for the creation of new plutonium-bearing storage premises at La Hague.

On the occasion of this hearing, the ASN Commission underlined its concern with regard to the rapid deterioration of the available margins for plutonium-bearing materials in the La Hague storage facilities. It also observed that, were these difficulties to persist, this information predicts saturation of the spent fuel pools far more rapidly than anticipated.

ASN therefore asked Orano to reinforce its forward planning approach, notably by taking account of pessimistic scenarios regarding the Melox plant's return to nominal operation, in order to define arrangements and storage solutions offering a high level of safety.

ASN also reminded Orano of the importance of rapidly issuing appropriate information to the CLI and, if necessary, to propose a more in-depth dialogue with the stakeholders concerned.

Nuclear safety and radiation protection: ASN installs its administrative enforcement committee

November 2021

In accordance with the provisions of the Environment Code, ASN installed its administrative enforcement committee on Tuesday 19 October 2021. The creation of this committee supplements the arsenal of enforcement measures available to ASN. When referred to by the ASN Commission, it will have the power to issue administrative fines on the licensees of basic nuclear installations (BNI), those responsible for the transport of radioactive substances, the operators of nuclear pressure equipment (NPE), or indeed those responsible for nuclear activities regulated by the Public Health Code. Its independence is guaranteed by law.

Composition

The Committee comprises four regular members, two State councilors appointed by the Vice-President of the Council of State and two councilors from the "Cour de cassation" (Court of appeal) appointed by the first President of the "Cour de cassation". It also comprises four alternate members. The duration of the members' mandate is six years. During their first meeting, on Tuesday 19 October 2021, the regular members elected M. Maurice MEDA as Chair of the committee for the next three years. They also adopted the internal rules of procedure which will be published in the Official Journal.

Working

As set out by law, the committee will meet exclusively when referred to by the ASN Commission. This latter may decide to open a procedure leading to issue of a fine after clearly determining that the person responsible for nuclear activities has not complied with a formal notice, in other words has not taken the measures required by this formal notice.

The fines will be proportional to the seriousness of the observed violations and in particular take into account the extent of the impact on the environment. The maximum amount of the fines is set by law at 10 million euros, in the event of a breach of the provisions applicable to basic nuclear installations, one million euros for a

breach of the provisions applicable to nuclear pressure equipment, 30,000 euros in the field of transport of radioactive substances, and 15,000 euros for small-scale nuclear activities.



@ ASN administrative enforcement committee

ASN's enforcement and sanctions policy

The primary objective of the oversight conducted by ASN is to ensure that those responsible for nuclear activities assume their responsibility to protect people and the environment. In the light of this objective, the oversight resources shall allow a certain reactivity. The regulations relating to nuclear safety and radiation protection tend more to cover the achievement of results rather than deployment of resources. However the basic nuclear installations (BNI) sector should be differentiated from the "small-scale nuclear activities" sector (medical, industrial and veterinary sectors).

ASN therefore reserves the use of enforcement means for situations in which, given the significant safety and radiation protection implications, the behaviour of those responsible for the activity is reprehensible or results in undue delay. When rapid reaction is required, ASN uses the interim measures at its disposal, such as suspension of the operation of a facility.

With regard to measures used to trigger criminal sanctions, ASN has regularly used tools such as the violation report or notification under Article 40 of the Criminal Procedure Code.

On the basis of the oversight methods and the results of its past actions in this regard, ASN envisages referring to the administrative enforcement committee those cases which combine significant safety, or environmental or population protection implications, and behaviour by a person responsible for an activity that leads to undue delay or is inconsistent.

To find out more: [ASN Resolution regarding the installation of the administrative enforcement committee.](#)

Legacy radioactive sources and residual radioactive contamination in the University Hospitals of Strasbourg (HUS)

September 2021

The discovery by the University Hospitals of Strasbourg (HUS) of legacy radioactive sources and residual radioactive contamination in a building on the site of the Civil Hospital of Strasbourg was reported on the ASN website on 12 October 2020. Since that date, substantial investigations and characterisation work have been carried out by the HUS teams.

This radioactive contamination and the sources discovered originate from the use first of radium-226 and then caesium-137 in the treatment of breast cancer by brachytherapy in the University Hospitals of Strasbourg (HUS) services and the Paul Strauss Centre (CPS) from the 1930's to the 1970's.

Over and beyond rendering the building safe, the work carried out served in particular to map and characterise the identified points of contamination, to isolate and package the legacy sources, to cross-reference these elements with the available archives, and lastly to initiate the dosimetric evaluation of the people having worked in the premises concerned.

ASN sent staff to the site to check that the premises and the sources had been made safe, and is keeping regular track of the ongoing work with the teams of the HUS and the CPS.

In view of the characterisations performed, the HUS evaluation of the cumulative activity of the radioactive sources and the observed contamination led ASN to provisionally reclassify this event as level 2 on the International Nuclear and Radiological Events Scale (INES), rated from 0 to 7 in increasing order of severity.

A rehabilitation project is to be submitted for the buildings, possibly proposing several scenarios depending on the potential future uses of the premises and the clean-out methods that can be envisaged. The chosen scenario shall then be implemented by HUS and CPS under the oversight of the Prefecture and ASN.

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