

ORDER

**Order of 7 February 2012 setting the general rules relative to basic nuclear installations**

NOR: DEVP1202101A

Persons concerned: the basic nuclear installation licensees mentioned in article L. 593-2 of the environmental code.

Subject: Defining general rules applicable to all basic nuclear installations as provided for in article L. 593-4 of the environment code.

Entry into effect: 1<sup>st</sup> July 2013, with the exception of two measures that come into effect on 1<sup>st</sup> July 2012; this being said, for the existing installations, some measures apply as from 1<sup>st</sup> January 2014, or from 1st July 2014, or from the first periodic safety review or from the first notable modification of the installation after 1<sup>st</sup> July 2015.

Notice: this order updates, with regard to the new legislative framework introduced by Act No. 2006-686 of 13 June 2006 relative to transparency and security in the nuclear field, three interministerial orders relative to basic nuclear installations (Order of 10 August 1984 relative to the quality of the design, construction and operation of basic nuclear installations; Order of 26 November 1999 setting the general technical requirements relative to the limits and conditions of basic nuclear installation water intakes and discharges that are subject to authorisation; Order of 31 December 1999 setting the general technical regulations for preventing and mitigating detrimental effects and the off-site risks resulting from the operation of basic nuclear installations).

It also includes provisions resulting from the harmonisation work carried out by the Western European Nuclear Regulators' Association (WENRA), and the regulation of nuclear activities. It also transposes certain European Community provisions to the nuclear facilities.

The topics treated are safety management, public information, accident risk control, control of the impact on health and the environment, waste management and emergency situations.

The order contains the essential requirements applicable to basic nuclear installations in these areas. These essential requirements will be supplemented and clarified later on by the regulatory technical decisions of ASN, the French nuclear safety authority.

New provisions introduced by this order include the monitoring of outside contractors by the nuclear licensees, extension of the principles of quality to all the activities contributing to the protection of the interests covered by the law, the consideration of combined situations to demonstrate nuclear safety, the application to the basic nuclear installations of certain regulatory texts relative to the installations classified on environmental protection grounds.

References: articles L. 593-1 and following of the environment code.

The minister of ecology, sustainable development, transport and housing, the minister of the economy, finance and industry, and the secretary of state to the minister of the economy finance and industry, responsible for industry, energy and the digital economy.

Having regard to directive No. 96/82/EC of the Council of 9 December 1996 on the control of major accident hazards involving dangerous substances;

Having regard to directive No. 2000/60/EE of the European Parliament and Council of 23 October 2000 establishing a framework for a European Community action in the field of water policy;

Having regard to the regulation (EC) No. 166/2006 of the European Parliament and Council of 18 January 2006 concerning the establishment of a European pollutant release and transfer register;

Having regard to the directive No. 2006/11/EC of the European Parliament and Council of 15 February 2006 on pollution caused by certain dangerous substances discharged into the aquatic environment of the European Community;

Having regard to Council directive No. 2009/71/EURATOM of 25 June 2009 establishing a European Community framework for the nuclear safety of nuclear installations;

Having regard to Council directive No. 2011/70/EURATOM of 19 July 2011 establishing a European Community framework for the responsible and safe management of spent fuel and radioactive waste;

Having regard to the commercial code;

Having regard to the defence code;

Having regard to the environment code, particularly title IX of book V;

Having regard to the public health code, particularly chapter III of title III of book III of the first part;

Having regard to the transport code, particularly chapter II of title V of book II of the first part;

Having regard to the labour code, particularly title IV of the fourth part;

Having regard to act 2006-739 of 28 June 2006 of the programme relative to the sustainable management of radioactive materials and waste;

Having regard to decree 2005-1158 of 13 September 2005 amended, relative to the off-site emergency plans concerning certain structures or fixed installations and taken in application of article 15 of act 2004-811 of 13 August 2004 relative to the civil security;

Having regard to decree 2007-1557 of 2 November 2007 amended, relative to basic nuclear installations and to the regulation of the transport of radioactive substances in terms of nuclear safety;

Having regard to the order of 20 April 1994 amended, relative to the classification, packaging and labelling of substances;

Having regard to the order of 23 January 1997 amended, relative to the limitation of noise emitted into the environment by installations classified on environmental protection grounds;

Having regard to the order of 2 February 1998 amended, relative to water intake and consumption, and to emissions of all types from installations classified on environmental protection grounds and subject to authorisation;

Having regard to the order of 10 November 1999 relative to the monitoring of operation of the main primary system and the main secondary systems of pressurized water nuclear reactors;

Having regard to the order of 10 May 2000 amended, relative to the prevention of major accidents involving hazardous substances or preparations present in certain categories of installations classified on environmental protection grounds;

Having regard to the order of 20 June 2002 amended, relative to boilers present in a new or modified installation of power exceeding 20 MWth;

Having regard to the order of 30 July 2003 amended, relative to boilers present in existing combustion facilities of power exceeding 20 MWth;

Having regard to the order of 13 December 2004 relative to facilities for cooling by water dispersion in a flow of air, subject to authorisation on account of heading No.2921;

Having regard to the order of 29 September 2005 relative to the evaluation and integration of the probability of occurrence, the kinetics, the intensity of the effects and the severity of the consequences of potential accidents in the hazard studies of classified installations subject to authorisation;

Having regard to the order of 12 December 2005 relative to nuclear pressure equipment;

Having regard to the order of 31 January 2008 amended, relative to the register and annual declaration of polluting emissions and waste;

Having regard to the order of 23 July 2010, relative to boilers present in combustion facilities of thermal power of 20 MWth or more, licensed or modified as from 1st November 2010;

Having regard to the order of 26 April 2011 relative to the implementation of the best techniques available provided for in article R. 512-8 of the environment code;

Having regard to the opinion of French High Council for technological risk prevention, dated January 17, 2012;

Having regard to the ASN opinion dated 24 January 2012,

Decide:

- TITLE 1: GENERAL PROVISIONS

## Article 1.1

This order sets the general rules applicable to the design, construction, operation, final shutdown, dismantling, maintenance and monitoring of basic nuclear installations, to protect the interests mentioned in article L. 593-1 of the environment code.

Their application is based on an approach that is proportional to the extent of the risks or drawbacks inherent to the installation. It takes into consideration all the technical aspects and relevant organisational and human factors.

## Article 1.2

The licensee ensures that the provisions adopted for exercising the activities mentioned in article 1.1:

- in view of the state of knowledge, practices and the vulnerability of the environment, enable the risks and drawbacks mentioned in article L. 593-1 of the environment code to be brought to as low a level as possible under economically acceptable conditions;
- comply with the principles set forth in article L. 1333-1 of the public health code;
- take advantage of the best techniques available;
- are compatible with the protection requirements set in application of chapters II and III of title III of book III of the first part of the defence code;
- comply with the other applicable regulatory provisions.

The licensee complies with the provisions adopted in the applicable versions of the documents constituting the files mentioned in articles 8, 20, 37 and 43 of the abovementioned decree of 2 November 2007.

## Article 1.3

The following definitions are used in the application of this order:

— activity important for protection: activity important for protection of the interests mentioned in L. 593-1 of the environment code (public security, health and safety, protection of nature and the environment), that is to say activities participating in the technical or organisational provisions mentioned in the second paragraph of article L. 593-7 of the environment code, or that could affect them;

— internal hazard, external hazard: any event or situation originating respectively inside or outside the basic nuclear installation, and that can directly or indirectly lead to damage to elements important for protection or call into question compliance with the specified requirements;

— authorisation decree: decree authorising the creation or the final shutdown and dismantling or the final shutdown and entry into monitoring phase of a basic nuclear installation in application of articles L. 593-7, L. 593-14, L. 593-25 or L. 593-30 of the environment code;

— internal failure: malfunction, failure or damage of an element of the installation or present in the installation, including as a result of inappropriate human action;

— demonstration of nuclear safety: all the elements contained or used in the preliminary safety report and the safety reports mentioned in articles 8, 20, 37 and 43 of the abovementioned decree of 2 November 2007 and contributing to the demonstration mentioned in the second paragraph of article L. 593-7 of the environment code, which prove that the risks of an accident - radiological or not - and the scale of their consequences, given the current state of knowledge, practices and the vulnerability of the installation environment, are as low as possible under acceptable economic conditions;

— deviation: noncompliance with a defined requirement, or noncompliance with a requirement set by the licensee's integrated management system that could affect the provisions of the second paragraph of article L. 593-7 of the environment code;

— effluent: any fluid - liquid or gaseous - produced by the installation that could be directly or indirectly released into the receiving medium;

— radioactive effluent: effluent whose nature, origin or radiological characteristics justify the deployment of measures to protect populations and the environment against the risks or detrimental effects associated with ionising radiation;

— element important for protection: element important for the protection of the interests mentioned in article L. 593-1 of the environment code (public security, health and safety, protection of nature and the environment), that is to say structure, equipment, system (programmed or not), hardware, component or software present in a basic nuclear installation or placed under the responsibility of the licensee, fulfilling a function necessary for the demonstration mentioned in the second paragraph of article L. 593-7 of the environment code, or checking that this function is ensured;

— emission: direct or indirect introduction of substances, vibrations, heat or noise into the air, water or ground, from point or diffuse sources in the installation;

— initiating event: internal failure, or internal or external hazard that could directly or indirectly cause an incident or accident situation;

— significant event: deviation of particular importance, according to criteria specified by ASN;

— specified requirement: requirement assigned to an element important for protection, so that it fulfils - with the required characteristics - the function provided for in the demonstration mentioned in the second paragraph of article L. 593-7 of the environment code, or to an activity important for protection so that it meets its objectives with respect to that demonstration;

— establishment: all the areas situated on a given site under the supervision of the licensee;

— licensee: natural or legal person operating a basic nuclear installation, whether its situation is in order or not, or having made a creation authorisation application provided for by article L. 593-7 of the environment code with a view to operating such an installation;

— organisational and human factors: factors influencing human performance, such as skills, working environment, task characteristics, and the organisation;

— degraded mode operation: operation outside normal operating conditions, whose acceptability for a limited period of time with respect to the interests mentioned in article L. 593-1 of the environment code is demonstrated on account of the second paragraph of L. 593-7 of that same code;

— normal operation: operation of the installation that includes all the standard states and functions of the installation, including scheduled maintenance or shutdown situations, whether radioactive materials are present or not; also considered as normal operation is any situation defined as such in the demonstration mentioned in the second paragraph of article L. 593-7 of the environment code;

— incident or accident: any event not planned for in normal or degraded mode operation and that could be detrimental to the protection of the interests mentioned in article L. 593-1 of the environment code; the potential or actual consequences of an accident are more serious than those of an incident;

— outside contractor: natural or legal person other than the licensee and its employees, performing operations or supplying goods or services:

— which participate in an activity or an element important for protection;

— or which participate in an action linked to such an activity and provided for in the present order,

this particularly concerns the service providers and subcontractors, experimenters and users;

— radioactive materials, nuclear fuels and spent fuels: as defined in article L. 542-1-1 of the environment code;

— on-site transport operation: transport of hazardous goods within the perimeter of the basic nuclear installation, outside the buildings and storage yards, or operation contributing to transport safety, including within the buildings and storage yards;

— planned discharge: discharge of effluent channelled towards a monitored outfall, for a limited period of time and subject to particular conditions;

— diffuse discharge: discharge of effluent that is not channelled towards a monitored outfall;

— emergency situation: radiological emergency situation as defined in article R. 1333-76 of the public health code, or any other situation that could seriously affect the interests mentioned in article L. 593-1 of the environment code and requiring an immediate response on the part of the licensee;

— hazardous substance: substance, preparation or mixture that meets the criteria relative to the physical hazards or hazards for health or hazards for the environment defined by the abovementioned order of 20 April 1994 amended;

— nuclear safety: as defined in the second paragraph of article L. 591-1 of the environment code;

— area where nuclear waste production is possible: area in which the waste produced is contaminated or activated or likely to be so.

- TITLE II: ORGANISATION AND RESPONSIBILITY

- Chapter I: Technical capacities

- Article 2.1.1

- I. — The licensee has, either internally or through third party agreements, adequate technical capacities to master the activities mentioned in article 1.1.

- II. — The licensee holds, either internally, in its subsidiaries, or in companies it controls as defined in articles L. 233-1 et L. 233-3 of the commercial code, the technical competencies necessary to understand and lastingly appropriate the foundations of these activities.

- III. — The licensee has sufficient internal technical capacities to take, with knowledge of the facts and in appropriate time, any decision and implement any conservative measure that comes under its responsibility as mentioned in article L. 593-6 of the environment code.

- Article 2.1.2

- I. — The licensee describes in the notice mentioned in II of article 8 of the abovementioned decree of 2 November 2007, the technical skills necessary for application of article 2.1.1 and the capacities at its disposal to achieve this, distinguishing those available internally, those available within its subsidiaries or companies under its control mentioned in II of article 2.1.1, and those at its disposal through the agreements mentioned in I of article 2.1.1.

- II. — Any change in the licensee's technical capacities presented in the said notice is subject to the provisions of chapter VII of title III of the abovementioned decree of 2 November 2007 and, where applicable, article 31 of this decree.

- Chapter II: Monitoring of outside contractors

- Article 2.2.1

- The licensee notifies the outside contractors of the necessary provisions for application of this order.

## Article 2.2.2

I. — The licensee monitors the outside contractors so that it can ensure:

- that they apply its policy mentioned in article 2.3.1, which was communicated to them in application of article 2.3.2;
- that the operations they perform, or that the goods or services they supply, comply with the specified requirements;
- that they comply with the provisions mentioned in article 2.2.1.

The monitoring is proportional to the importance of the activities performed, for the demonstration mentioned in the second paragraph of article L. 593-7 of the environment code. It is documented in the conditions set in article 2.5.6. It is ensured by persons with the necessary skills and qualifications.

II. — The licensee does not however monitor the independent organisations or laboratories who are authorized, approved, delegated, designated, acknowledged or notified by the administration, when they perform the technical controls or conformity assessments provided for by the regulations. The licensee checks the validity of the authorisation, approval, delegation, designation, acknowledgement or notification of the organisation it calls upon to perform the activities concerned, and on their date of performance. For these activities, the licensee and the organisation are bound by specific contracts.

## Article 2.2.3

I. — Monitoring of the accomplishment by an outside contractor of activities important for protection must be ensured by the licensee itself, who may not subcontract the task. This being said, in particular cases the licensee can call upon assistance in the monitoring task on condition that it retains the skills necessary to maintain monitoring control. The licensee ensures that the organisations that assist it have the necessary skills, independence and impartiality to provide the services in question.

II. — The licensee communicates to ASN, at the latter's request, a list of the occasions on which it has called upon assistance, indicating the reasons why and the way in which it implements the obligations defined in I.

## Article 2.2.4

The licensee presents the methods used to monitor outside contractors in the general operating rules mentioned in 2° of II of article 20 of the abovementioned decree of 2 November 2007, in the general rules of monitoring and maintenance mentioned in 10° of II of article 37 of the said decree, in the general monitoring rules mentioned in 10° of II of article 43 of the said decree or, before commissioning of the installation, in the notice

mentioned in II of article 8 of the said decree. It specifies more particularly the principles and organisation of this monitoring and the resources assigned to it.

- Chapter III: Policy in terms of protection of the interests mentioned in article L. 593-1 of the environment code.

#### Article 2.3.1

I. — The licensee establishes and undertakes to implement a policy for the protection of the interests mentioned in article L. 593-1 of the environment code, explicitly asserting:

— the priority granted to the protection of the abovementioned interests, firstly by the prevention of accidents and mitigation of their consequences on account of nuclear safety, with respect to the economic or industrial advantages resulting from the operation of its installation or the progress of the research activities associated with this operation;

— the constant search for improvements in the measures taken to protect these interests.

This policy specifies objectives, indicates the licensee's strategy to achieve them and the resources it undertakes to assign to it.

II. — The licensee formalises this policy and its commitment to implement it in a document held at the disposal of ASN and the bodies representing its personnel.

#### Article 2.3.2

The licensee ensures that the policy defined in article 2.3.1 is disseminated, known, understood and applied by all the personnel required to implement it, including outside contractor personnel.

#### Article 2.3.3

The licensee evaluates the policy defined in article 2.3.1, and the effectiveness of its implementation when there is any significant change in its organisation and, whatever the case, at least once every five years. This evaluation takes into account the results of the management system reviews mentioned in article 2.4.2.

The licensee analyses the results of this evaluation, and revises its policy and its implementation if necessary. It holds these results at the disposal of ASN and the bodies representing its personnel.

- Chapter IV: Integrated management system

#### Article 2.4.1

I. — The license defines and implements an integrated management system that ensures that the requirements relative to protection of the interests mentioned in article L. 593-1 of the environment code are always taken into account in any decision concerning the installation. This system aims primarily at ensuring compliance with the requirements of the acts and regulations, the authorisation decree, and the prescriptions and decisions of ASN, and conformity to the policy mentioned in article 2.3.1.

II. — The integrated management system specifies the measures implemented in terms of organisation and resources of all types to meet the objectives mentioned in I. It is based on written documents and covers all the activities mentioned in article 1.1.

III. — The integrated management system notably includes provisions enabling the licensee:

— to identify the elements and activities important for protection, and their specified requirements;

— to ensure compliance with the specified requirements and the provisions of articles 2.5.3 and 2.5.4;

— to identify and deal with the deviations and significant events;

— to collate and capitalise on experience feedback;

— to define appropriate effectiveness and performance indicators with regard to the targeted objectives.

#### Article 2.4.2

The licensee sets up an appropriate organisation and resources to define , implement, maintain, assess and improve the effectiveness of its integrated management system. It periodically reviews its integrated management system to assess its performance, identify possible improvements, and schedule application of the adopted improvements.

- Chapter V: Elements and activities important for protection

#### Article 2.5.1

I. — The licensee lists the elements important for protection and the related specified requirements, and keeps the list up to date.

II. — The elements important for protection are subject to qualification proportional to the importance of what they protect, aiming in particular at guaranteeing the ability of these elements to fulfil their assigned functions, with respect to the stresses and environmental conditions associated with the

situations in which they are necessary. Design, construction, tests, inspection and maintenance provisions enable this qualification to be maintained for as long as necessary.

III. — The licensee sets out the qualification procedure in the files mentioned in articles 8, 20, 37 and 43 of the abovementioned decree of 2 November 2007. It lists the key information relative to the obtaining of this qualification in the file mentioned in article 20 or 43 of the said decree. The licensee shall keep the documents attesting qualification of the elements important for protection until the basic nuclear installation is delicensed.

#### Article 2.5.2

I. — The licensee identifies and keeps an up-to-date list of the activities important for protection and the related specified requirements.

II. — The activities important for protection are carried out using methods and means that in principle should satisfy the requirements defined for the activities and the elements important for protection concerned, and enable this to be checked retrospectively. The organisation implemented provides for preventive and corrective actions appropriate for the activities, in order to deal with any identified deviations.

#### Article 2.5.3

Each activity that is important for protection is subject to technical control to ensure that:

— the activity is exercised in accordance with the requirements specified for that activity and, if applicable, for the elements important for protection concerned;

— the appropriate corrective and preventive actions have been defined and implemented.

The technical control of an activity important for protection is carried out by persons other than those who accomplished the activity.

#### Article 2.5.4

I. — The licensee schedules and implements appropriate random verifications of the measures taken in application of articles 2.5.2 and 2.5.3, and periodic assessments of their suitability and effectiveness.

These verifications and assessments are performed by persons other than those having accomplished the activity important for safety or its technical control. They report directly to a person having authority over the latter.

II. — When the activities important for protection or their technical control are performed by outside contractors, the ensuing verifications and assessments constitute monitoring of the outside contractors concerned, and the provisions of article 2.2.3 apply.

#### Article 2.5.5

The activities important for protection, their technical control, the verifications and assessments are carried out by persons with the necessary skills and qualifications. To this end, the licensee takes the necessary training measures to maintain these skills and qualifications among its personnel and to develop them as necessary, and ensures that the outside contractors do likewise for their personnel accomplishing the abovementioned operations.

#### Article 2.5.6

The activities important for protection, their technical control and the verifications and assessments are documented and tracked such that compliance with the specified requirements can be demonstrated in principle and verified retrospectively. The corresponding documents and records are kept up to date, readily accessible and legible, protected, conserved under satisfactory conditions, and archived for an appropriate and justified length of time.

#### Article 2.5.7

In the file enclosed with its application for basic nuclear installation creation authorisation, the licensee identifies those activities important for protection that were initiated prior to the date of application submittal. It justifies that these activities were performed in compliance with the present title.

- Chapter VI: Management of deviations

#### Article 2.6.1

The licensee takes all necessary measures to detect deviations concerning its installation or the associated on-site transport operations. It takes all necessary measures to enable outside contractors to detect the deviations that concern them and report them to the licensee as soon as possible.

#### Article 2.6.2

The licensee examines each deviation as soon as possible in order to determine:

— its importance for the protection of the interests mentioned in article L. 593-1 of the environment code and, if appropriate, whether it represents a significant event;

- whether it constitutes a failure to comply with the applicable legislative and regulatory requirements or ASN prescriptions and decisions that concern it;
- whether protective measures must be taken immediately.

#### Article 2.6.3

I. — The licensee ensures that the deviations are handled within times appropriate for the risks involved, which more particularly involves:

- determining the technical, organisational and human causes of the deviation;
- defining the appropriate curative, preventive and corrective actions;
- implementing the defined actions;
- assessing the effectiveness of the actions implemented.

This being said, deviations that are proved to be of minor importance for protection of the interests mentioned in article L. 593-1 of the environment code can be dealt with by simply defining and implementing curative actions.

II. — The licensee keeps an up-to-date list of the deviations and the state of progress of their processing.

III. — The processing of a deviation constitutes an activity important for protection.

IV. — When the deviation or its persistence constitutes a non-compliance as mentioned in the third paragraph of article 2.6.2, the licensee takes all necessary measures without delay to restore a situation that complies with these requirements, decisions or prescriptions. Without prejudice to the provisions of article 2.6.4, if the licensee considers that it cannot rapidly restore a compliant situation, it informs ASN.

#### Article 2.6.4

I. — The licensee notifies ASN of each significant event as soon as possible. The notification includes more particularly:

- the characterisation of the significant event;
- a description of the event and its chronology;
- the actual and potential consequence with respect to protection of the interests mentioned in article L. 593-1 of the environment code;
- the measures already taken or envisaged to deal with the event either provisionally or definitively.

II. — The notification of a significant event is supposed to satisfy the obligation to notify ASN, set by other legislative or regulatory texts, when the notification is carried out in accordance with the most stringent provisions of these texts, particularly in terms of deadlines. The notifications provided for in article L. 591-5 of the environment code, article R. 1333-109 of the public health code and article R. 4451-99 of the labour code are particularly concerned.

Notifying ASN does not provide exemption from notifying the other authorities or addressees provided for by these texts.

#### Article 2.6.5

I. — The licensee makes an in-depth analysis of each significant event. Within two months following notification of the event, the licensee draws up a report for ASN containing the following information:

- the detailed chronology of the event;
- a description of the technical and organisational provisions that detected the event;
- a description of the technical and organisational measures taken immediately after detecting the event, particularly the curative measures;
- an analysis of the technical, human and organisational causes of the event;
- an analysis of the actual and potential consequences on protection of the interests mentioned in article L. 593-1 of the environment code;
- the lessons learned, the preventive, corrective and curative actions decided and their implementation schedule.

II. — The licensee ensures that the preventive, corrective and curative actions decided upon are effectively implemented. If any of these actions cannot be carried out within the times stipulated in the abovementioned report, the licensee sends ASN an update of the report indicating the new completion dates.

### o Chapter VII: Continual improvement

#### Article 2.7.1

In addition to the individual handling of each deviation, the licensee periodically reviews the deviations to assess the cumulative effect of as-yet uncorrected deviations on the installation, and to identify and analyse trends concerning the recurrence of similar deviations.

#### Article 2.7.2

The licensee takes all necessary measures, including with respect to outside contractors, to systematically collect and analyse information that could enable it to improve the protection of the interests mentioned in article L. 593-1 of the environment code, whether the information results from the experience of the activities mentioned in article 1.1 on its own installation or on other installations - similar or not - in France or abroad, or from research and development activities.

#### Article 2.7.3

On the basis of the analyses performed in application of articles 2.7.1 and 2.7.2, the licensee:

- identifies any possible preventive, corrective or curative actions;
- prioritises them according to the expected improvement and schedules their deployment accordingly;
- implements them in compliance with the modification procedures defined in chapters VII and VIII of title III of the abovementioned decree of 2 November 2007.

#### o Chapter VIII: Public information procedures

##### Article 2.8.1

The licensee determines the procedures to allow any person:

- to have access to the information made public on the initiative of the licensee or pursuant to the legislative or regulatory provisions applicable to it;
- to obtain the information mentioned in article L. 125-10 of the environment code.

These procedures are published on the web site chosen by the licensee, updated periodically and transmitted for information to the local information committee.

##### Article 2.8.2

The licensee publishes the report provided for in article L. 125-15 of the environment code on the web site of its choice.

### • TITLE III: DEMONSTRATION OF NUCLEAR SAFETY

#### Article 3.1

I. — The licensee applies the principle of defence in depth, which consists in deploying successive and sufficiently independent levels of defence aiming, with regard to the licensee, at:

- preventing incidents;
- detecting incidents and applying measures that will firstly prevent them from leading to an accident, and secondly restore a situation of normal operation or, failing this, place and maintain the installation in a safe condition;
- controlling accidents that could not be avoided or, failing this, limit their aggravation by regaining control of the installation in order to return it to and maintain it in a safe condition;
- managing accident situations that could not be controlled so as to mitigate the consequences, especially for humans and the environment.

II. — Application of the principle of defence in depth is based chiefly on:

- the choice of an appropriate site, with particular consideration for the natural or industrial risks weighing on the installation;
- identifying the functions necessary to demonstrate nuclear safety;
- a cautious design approach, integrating design margins and wherever necessary introducing adequate redundancy, diversification and physical separation of the elements important for protection that fulfil functions necessary for the demonstration of nuclear safety, to obtain a high level of reliability and guarantee the functions mentioned in the preceding paragraph;
- the quality of the activities mentioned in article 1.1;
- preparation for the management of incident and accident situations.

### Article 3.2

I. — Nuclear safety is demonstrated by a prudent deterministic procedure. This procedure integrates the technical, organisational and human dimensions, and takes into account all the possible statuses of the installation, whether permanent or transient.

II. — In addition to the postulated single initiating events, the demonstration of nuclear safety addresses plausible situations of combined initiating events, selected in accordance with criteria justified notably in the light of the analyses and assessments mentioned in articles 2.7.2 and 3.3.

### Article 3.3

The nuclear safety demonstration shall also include probabilistic analyses of accidents and their consequences, unless the licensee demonstrates that this is irrelevant. Unless otherwise specified by ASN, these analyses can be carried out in accordance with

methods applied to the installations mentioned in article L. 512-1 of the environment code. They integrate the technical, organisational and human dimensions.

#### Article 3.4

I. — The demonstration of nuclear safety describes how the following functions are ensured:

- control of nuclear chain reactions;
- evacuation of the thermal power produced by the radioactive substances and nuclear reactions;
- containment of the radioactive substances;
- protection of persons and the environment against ionising radiation.

II. — On account of the control of nuclear chain reactions, the licensee demonstrates that the measures taken prevent the risk of criticality when criticality is not desired.

III. — The function of radioactive substance containment is ensured by placing one or more successive and sufficiently independent barriers between these substances and people and the environment, and if necessary by a dynamic containment system. The number and effectiveness of these systems are proportional to the potential extent and impact of the radioactive releases, including in the event of an incident or accident.

#### Article 3.5

The internal hazards to be considered in the demonstration of nuclear safety include:

- projections of projectiles, notably those induced by the failure of rotating equipment;
- pressure equipment failures;
- load collisions, falling loads;
- explosions;
- fires;
- hazardous substance emissions;
- floods originating within the perimeter of the basic nuclear installation;
- electromagnetic interference;
- malevolent acts;

- any other internal hazard identified by the licensee or, if appropriate, that ASN considers must be taken into consideration;
- plausible combinations of the above hazards.

### Article 3.6

The external hazards to be considered in the demonstration of nuclear safety include:

- the risks induced by the industrial activities and communication routes, including explosions, hazardous substance emissions and airplane crashes;
- earthquakes;
- lightning and electromagnetic interference;
- extreme meteorological or climatic conditions;
- fire;
- floods originating outside the perimeter of the basic nuclear installation, including their dynamic effect;
- malevolent acts;
- any other external hazard identified by the licensee or, if appropriate, that ASN considers must be taken into account;
- plausible combinations of the above hazards.

### Article 3.7

I. — The demonstration of nuclear safety includes an assessment of the potential consequences, radiological or not, of the envisaged incidents and accidents. For each scenario, this assessment includes:

- a presentation of the assumptions used in the release calculations and exposure scenarios; the release calculation assumptions must be reasonably pessimistic and the exposure scenarios must be based on realistic parameters, but without considering any population protection actions that could be implemented by the public authorities;
- an estimation of the effective doses and the intensity of the non-radiological phenomena to which persons and the environment could be exposed in the short, medium and long term, distinguishing the different age classes where necessary, and considering the different hazardous substance transfer pathways; the estimation includes equivalent doses to the thyroid in the event of radioactive substance releases that justify this;
- an estimation of the extent of the areas likely to be affected;

— for incidents or accidents having consequences outside the site, the kinetics of the development of the hazardous phenomena and the propagation of their effects.

II. — The intensity of the non-radiological hazardous phenomena is defined with respect to reference values expressed as toxic effects, overpressure effects, thermal effects, and effects associated with the impact of a projectile on humans and structures. The reference values to use are those figuring in appendix II of the order of 29 September 2005.

III. — The intensity of the hazardous radiological phenomena is defined with respect to reference values expressed as levels of intervention of the public authorities in radiological emergency situations, as defined by ASN in application of article R. 1333-80 of the public health code.

#### Article 3.8

I. — The demonstration of nuclear safety is based on:

— up-to-date and referenced data; it takes into account the available information mentioned in article 2.7.2;

— appropriate, clearly explained and validated methods, integrating assumptions and rules adapted to the uncertainties and limits of knowledge of the phenomena in play;

— calculation and modelling tools qualified for the areas in which they are used.

II. — The licensee specifies and justifies its criteria for validating the methods, for qualifying the calculation and modelling tools and for assessing the results of the studies carried out to demonstrate nuclear safety.

#### Article 3.9

The demonstration of nuclear safety must prove that accidents that could lead to large releases of hazardous substances or to hazardous effects off the site that develop too rapidly to allow timely deployment of the necessary population protection measures are physically impossible or, if physical impossibility cannot be demonstrated, that the measures taken on or for the installation render such accidents extremely improbable with a high level of confidence.

#### Article 3.10

The licensee keeps itself informed of any changes made or planned in the vicinity of its installation that could alter the nature, the extent or the probability of an external hazard. If necessary it updates the demonstration of the nuclear safety of its installation in the framework of the appropriate regulatory procedures.

- TITLE IV: CONTROL OF DETRIMENTAL EFFECTS AND IMPACT ON HEALTH AND THE ENVIRONMENT

## Article 4.1

I. — The inconveniences mentioned in article 1.2 include firstly the impacts of the installation on health and the environment due to the water intakes and discharges, and secondly the detrimental effects it can have, such as the dispersion of pathogenic micro-organisms, noise, vibration, odours and dust.

II. — With regard to the abovementioned inconveniences, the best available techniques mentioned in article 1.2 are those defined by the abovementioned order of 26 April 2011 in the version mentioned in appendix I.

III. — Whenever possible, the licensee takes measures to compensate for these inconveniences if it has been impossible to avoid or sufficiently reduce them.

- Chapter I: Water intakes and effluent discharges into the atmosphere and water
  - Section 1: General provisions

### Article 4.1.1

I. — The licensee takes all necessary measures from the design stage to limit effluent discharges from the installation.

II. — The licensee takes all necessary measures to avoid unplanned runoffs and discharges into the environment.

### Article 4.1.2

I. — The limit values for emissions, water intakes, and effluent discharges from the installation are set on the basis of the best available techniques under technically and economically acceptable conditions, considering the characteristics of the installation, its geographical location and the local environmental conditions.

II. — Effluent discharges shall not exceed the limits set in articles 27, 31, 32, 34, and in 14° of article 33 of the abovementioned order of 2 February 1998 in the version mentioned in appendix I, unless otherwise provided for by an ASN decision taken in application of 2° of IV of article 18 of the abovementioned decree of 2 November 2007, on the basis of the justifications provided by the licensee concerning the optimal nature of the proposed limits and the acceptability of their impacts, and after consulting the departmental council mentioned in article R. 1416-1 of the public health code.

### Article 4.1.3

I. — The structures and facilities for intake from and discharge into the water courses do not constitute an obstacle to the ecological continuity

mentioned in 7° of article L. 211-1 of the environment code. In the water courses or sections of water courses and canals that are listed in application of article L. 432-6 of the environment code, these structures must include systems allowing the movement of migratory fish.

II. — The licensee maintains in good condition and at its expense the intake and discharge structures and facilities and they land they occupy. When restoration work is necessary, the licensee informs the service responsible for policing the environment concerned beforehand.

III. — The discharge structures and facilities are designed, equipped and operated so as to ensure satisfactory distribution of the effluents in the receiving environment.

#### Article 4.1.4

Any transfer of liquid effluents or water withdrawn from the environment to another installation - whether a basic nuclear installation or not – that is under the responsibility of another licensee, is subject of a prior agreement between the licensee of the basic nuclear installation and the licensee of the other installation. This agreement sets the characteristics and quantities of effluents or water transferred. It also reiterates the obligations of the two licensees in terms of verification and monitoring. This agreement and any amendments thereto are made known to ASN before they are implemented.

#### Article 4.1.5

On a site comprising one or more basic nuclear installations using solvents under the responsibility of a single licensee, if the quantity of solvents consumed per year exceeds 1 tonne for all the installations, the licensee sets up a solvent management plan indicating the solvent entries and exits for each installation. If the annual solvent consumption exceeds 30 tonnes, the licensee communicates its solvent management plan to ASN each year, and informs ASN of its measures to reduce solvent consumption.

- Section 2: Water intakes and consumption

#### Article 4.1.6

I. — The water intake structures and facilities, and the connection structures with the public drinking water distribution network and water table bore-holes are designed, built, operated and decommissioned so as to limit water consumption, favour its recycling, and avoid or reduce any pollution of the water resource.

These structures and facilities are equipped with systems to prevent contamination of the intake medium, particularly when backflow

phenomena occur, and, if connected to the public drinking water distribution network, to prevent disturbance of network operation.

II. — When drilling bore-holes into the water table, the creation of communication paths between separate water tables is prohibited, unless ASN has, by a decision, granted a waiver in application of 2° of IV of article 18 of the abovementioned decree of 2 November 2007, after consulting the departmental council mentioned in article R. 1416-1 of the public health code.

#### Article 4.1.7

Open-circuit cooling by fresh water drawn from the environment is prohibited unless otherwise specified in the authorisation decree. To benefit from this waiver, the licensee justifies the acceptability of this practice, particularly with regard to the thermal impact of the discharges into the environment.

- Section 3: Effluent collection and treatment

#### Article 4.1.8

Whenever possible, effluents, dust and aerosols are collected as near to the source as possible, channelled and, if necessary, treated. The conditions of effluent collection, treatment and discharge are such that they do not introduce a risk of inflammation or explosion, nor the production - due to the mixing of effluents - of pollutants not mentioned in the installation's impact study.

#### Article 4.1.9

When stormwater run-off from roofs, storage areas, roads, parking areas and other waterproofed surfaces is likely to cause pollution by leaching of these surfaces, or if the receiving medium is particularly sensitive, a stormwater drainage network is developed and connected to one or more retention ponds capable of collecting the initial stormwater flow.

#### Article 4.1.10

Radioactive effluents are collected separately according to their nature and activity. They are analysed for characterisation purposes.

Liquid radioactive effluents are stored separately, according to their nature and level of activity.

Gaseous radioactive effluents other than those collected by the ventilation system are stored in a manner enabling them to be characterised.

To limit the radiological impact of the discharged radioactive effluents, the licensee's effluent management process integrates the possibility of reducing the activity of radioactive effluents through radioactive decay before discharging them into the receiving environment.

- Section 4: Effluent discharge

Article 4.1.11

I. — The substances mentioned in the table appended to article R. 211-11-1 of the environment code may only be discharged into the groundwater or the sea if a decision, taken by ASN in application of 2° of IV of article 18 of the abovementioned decree of 2 November 2007, and after consulting the departmental council mentioned in article R. 1416-1 of the public health code, sets discharge limits for these substances on the basis of justifications provided by the licensee as to the optimal nature of these discharges and the acceptability of their impacts. The abovementioned limits are periodically reviewed. The licensee includes the elements permitting this review in the review report provided for in article L. 593-19 of the environment code.

II. — The liquid effluents discharged do not cause colouring or visible iridescence, nor do they - outside the mixing zone - disturb the reproduction of animal species or have lethal effects in receiving waters.

Article 4.1.12

I. — Discharges into the ground and underground water are prohibited, apart from possible stormwater infiltrations under the conditions defined in articles 4.1.9 and 4.1.14, and reinjection into the original water table of water pumped out during certain civil engineering works.

II. — For substances that figure neither in the table appended to article R.311-11-1 of the environment code nor in appendix II of the abovementioned ministerial order of 2 February 1998 in the version mentioned in appendix I, contrary provisions can be set by an ASN decision taken in application of 2° of IV of article 18 of the abovementioned decree of 2 November 2007, on the basis of the justifications provided by the licensee concerning the optimal nature of the proposed limits and the acceptability of their impacts, and after obtaining the opinion of the departmental council mentioned in article R. 1416-1 of the public health code.

Article 4.1.13

It is prohibited to dilute effluents before they are analysed to make them comply with discharge limits. Nevertheless, the mixing of different effluents after their analysis is authorised if this helps reduce their environmental impact at the discharge points.

#### Article 4.1.14

Stormwater collected under the conditions mentioned in article 4.1.9 cannot be discharged until it has undergone a quality check, and received appropriate treatment if necessary.

#### o Chapter II: Monitoring

##### Article 4.2.1

To ensure compliance with the requirements issued in application of 2° of IV of article 18 of the abovementioned decree of 2 November 2007 and the elements of the impact study provided for in 6° of I of article 8 of the said decree, the licensee defines and implements systems for monitoring water intakes and consumption, emissions, and the environment that could be affected by the installation.

##### Article 4.2.2

I. — The monitoring of emissions mentioned in article 4.2.1 includes monitoring of effluent discharges that aims at:

- quantifying the flow rate and volume of effluents discharged or transferred;
- quantifying the discharges of the substances, radioactive or not, mentioned in the impact study provided for in 6° of I of article 8 of the abovementioned decree of 2 November 2007;
- checking the compliance of any applicable limit value;
- screening the effluents for substances present in the installation whose emission is not provided for in the impact study;
- detecting a malfunction in the installation by means of alarms signalled in a way that allows prompt stopping of any noncompliant planned discharge, or, in the case of continuous channelled discharges, the suspension of any operation that could create them.

II. — Except particular provisions set by an ASN decision taken in application of 2° of IV of article 18 of the abovementioned decree of 2 November 2007 after consulting the departmental council mentioned in article R. 1416-1 of the public health code, the monitoring of emissions complies with:

- the requirements defined in articles 59 and 60 of the abovementioned order of 2 February 1998 in the version mentioned in appendix I, when the effluent discharges exceed the flows mentioned in these articles;
- for boilers present in combustion installations with a thermal power of 20 MWth or more, depending on the cases, with articles 11 and 20 of the abovementioned order of 20 June 2002 amended, articles 15 and 21 of the

abovementioned order of 30 July 2003, or articles 9 and 16 of the abovementioned order of 23 July 2010, in the versions mentioned in appendix I;

— for noise and vibrations, with article 5 of the abovementioned order of 23 January 1997 in the version mentioned in appendix I;

— for facilities ensuring cooling by water dispersion in a flow of air, with article 8 of the abovementioned order of 13 December 2004 in the version mentioned in appendix I.

#### Article 4.2.3

I. — The environmental monitoring mentioned in article 4.2.1 aims at:

— contributing to the knowledge of the radiological and radio-ecological state of the environment of the installation, and its evolution;

— helping verify that the impact of the installation on health and the environment, particularly foodstuffs, is in conformity with the impact study provided for in 6° of I of the abovementioned article 8 of the decree of 2 November 2007;

— detecting any abnormal increase in radioactivity as early as possible;

— ensuring there are no installation malfunctions, by analysing the ground water among other things.

II. — The environmental monitoring measures implemented by the licensee:

— include taking measurements relative to the parameters and substances - radioactive or not - regulated in the requirements issued in application of 2° of IV of the abovementioned article 18 of the decree of 2 November 2007, in the different compartments of the environment (air, water, soil) and in the biotopes and the food chain;

— are at least equivalent to those defined in articles 63 to 66 of the abovementioned order of 2 February 1998 in the version mentioned in appendix I, except particular provisions set by a decision of ASN taken in application of 2° of IV of article 18 of the decree of 2 November 2007 after consulting the departmental council mentioned in article R. 1416-1 of the public health code;

— include environmental screening for substances present in the installation and whose emission is not provided for in the impact study provided for in 6° of I of article 8 of the abovementioned decree of 2 November 2007.

III. — The licensee informs ASN, the IRSN (Institute of radiation protection and nuclear safety) and the Prefect of any abnormal rise in the environmental radioactivity level.

#### Article 4.2.4

I. — The licensee is capable of taking the samples and measurements relative to the monitoring operations mentioned in article 4.2.1, both inside and outside the establishment, without delay.

II. — The abovementioned measurements are subject to a measurement uncertainty evaluation. The licensee checks that the measuring equipment performance meets the corresponding objectives.

III. — The environmental radioactivity measurements for environmental monitoring are carried out by approved laboratories in accordance with the provisions of article R. 1333-11-1 of the public health code, or by the IRSN. The licensee forwards the results to the national network of environmental radioactivity measurements for dissemination, in accordance with 1° of II of article R. 1333-11 of the public health code.

IV. — At least once a year the licensee takes part in a comparison campaign with a third party organisation mentioned in article 9.2 concerning all or part of the measurements and analyses necessary for radioactive effluent discharge verifications.

Each year the licensee has a third party organisation mentioned in article 9.2 perform verifications concerning the measurements and analyses necessary for the non-radioactive effluent discharge verifications.

- Chapter III: Prevention of pollution and detrimental effects

#### Article 4.3.1

I. — The texts cited in appendix II apply to the equipment and installations mentioned in the first paragraph of article L. 593-3 of the environment code. The licensee may nevertheless apply different measures, specified in the documents constituting the files mentioned in articles 8, 20, 37 and 43 of the abovementioned decree of 2 November 2007, if it demonstrates that they ensure at least equivalent protection of the interests mentioned in article L. 593-1 of the environment code.

II. — When a modification entering into the scope of article 26 of the abovementioned decree of 2 November 2007 concerns these items of equipment or installations, the licensee analyses the modification with respect to the provisions of I and includes the conclusions of this analysis in the modification declaration file.

#### Article 4.3.2

I. — If the licensee holds, in a basic nuclear installation, at least one of the substances or chemical preparations mentioned in appendix I of the abovementioned order of 10 May 2000 amended, in the version mentioned in appendix I, it is obliged to periodically declare to ASN the list and quantities of substances and preparations mentioned in this appendix that are or could be held within its establishment.

II. — From the moment the sum of the substances or preparations that could be present in the establishment satisfies the condition stipulated in article R. 511-10 of the environment code, the elements for demonstrating nuclear safety relative to non-radiological risks are reviewed at least once every five years and, if necessary, are updated and communicated to ASN.

#### Article 4.3.3

I. — The disposal, storage and handling of radioactive or hazardous substances are prohibited outside the areas provided and fitted out for that purpose, in order to prevent their dispersion.

The container disposal and storage areas and the loading / unloading areas for tankers and vehicles transporting containers that could contain radioactive or hazardous substances in significant quantities are equipped with retention basins.

II. — The elements that could come into contact with radioactive or hazardous substances are sufficiently leakproof and withstand the physical and chemical action of these substances. This concerns:

— the disposal and storage containers, the ground surfaces of zones and areas, and the retention basins mentioned in I;

— the transport pipes, which must feature drainage devices;

— drainage devices for the containers, retention basins and abovementioned pipes.

#### Article 4.3.4

Open-air burning of any sort is prohibited.

#### Article 4.3.5

All basic nuclear installations must comply with the noise limitation provisions set forth in article 3 of the abovementioned order of 23 January 1997 in the version mentioned in appendix I, unless otherwise provided for by an ASN decision taken in application of 3° of IV of article 18 of the abovementioned decree of 2 November 2007, in view of the particular characteristics of the installation or its environment, and after consulting the departmental council mentioned in article R. 1416-1 of the public health code.

These provisions are not applicable in the event of exceptional functioning of components contributing to nuclear safety. They also exclude the permanent noise produced by structures installed in watercourses.

Compliance with the provisions concerning noise levels is assessed at the boundary of the establishment.

- Chapter IV: Information from the regulatory authority

#### Article 4.4.1

In the event of accidental pollution originating within the bounds of the basic nuclear installation, the licensee immediately provides ASN, the Prefect, and the maritime Prefect if applicable, with all the necessary information for determining the measures to protect the interests mentioned in article L. 593-1 of the environment code that are threatened on account of this pollution.

#### Article 4.4.2

I. — The licensee keeps an up-to-date register of the verification and monitoring operations carried out under article 4.2.1, which it transmits to ASN in electronic format under the conditions set by ASN. This register contains a count of the discharged substances or families of substances - radioactive or not - regulated in the decisions taken by ASN in application of 2° of IV of article 18 of the abovementioned decree of 2 November 2007.

II. — The licensee sends a monthly synthesis of this register to ASN, the regional health agency and the service responsible for policing the water. This synthesis includes a summary of the analyses and measurements presented in the registers, the licensee's analysis of any observed anomalies or exceeding of limits, and its assessment of the management of the operations performed.

#### Article 4.4.3

I. — Working from the schedule of activities or operations that could lead to effluent discharges, the licensee establishes an annual forecast with figures of water intakes and consumption, and the effluent discharges it intends making. This forecast is communicated to ASN and the local information committee no later than 31 January each year.

II. — Each year, under the conditions set by ASN, the licensee declares the installation's water intakes and its emissions in the national register of emissions mentioned in article 1 of the abovementioned order of 31 January 2008, amended.

#### Article 4.4.4

Each year the licensee draws up a report presenting the impact of its installation during the past calendar year. This report characterises the water

intakes, the effluent discharges, the environmental monitoring measures and the impacts and detrimental effects caused by the installation. To this end it includes:

— a synthesis of the register mentioned in I of article 4.4.2 which contains a summary of the analyses and measurements presented in the registers, the licensee's analysis of any observed anomalies or exceeding of limits, and its assessment of the management of the operations performed.

— the information for assessing the consistency of the discharges with the forecast indicated in I of article 4.4.3;

— an estimation - based on the registered discharges - of the doses of ionising radiation received during the past year, on account of the installation, by the reference groups as defined in appendix 13-7 of the public health code and in accordance with the conditions defined by article R. 1333-10 of the said code.

The report is transmitted no later than 30 June of the following year to ASN, to the DREAL (Regional Directorate for the Environment, Planning and Housing), to the ARS (Regional Health Agency), to the water policing service and to the local information committee. It may be integrated in the report provided for in article L. 125-15 of the environment code.

- TITLE V: PRESSURE EQUIPMENT DESIGNED SPECIFICALLY FOR BASIC NUCLEAR INSTALLATIONS

Article 5.1

The provisions concerning pressure equipment designed specifically for basic nuclear installations are set by the abovementioned orders of 10 November 1999 and 12 December 2005.

- TITLE VI: WASTE MANAGEMENT

Article 6.1

I. — The licensee is responsible for management of the waste produced in its installation in compliance with the provisions of the environment code, particularly in title IV of book V, taking into account the processes available or being studied.

II. — The licensee takes all necessary measures as from the design stage to prevent and reduce, particularly at source, the production and the harmfulness of the waste produced in its installation.

III. — With regard to waste management, the best available techniques mentioned in article 1.2 are those defined by the abovementioned order of 26 April 2011 in the version mentioned in appendix I.

Article 6.2

I. — The licensee implements a waste sorting system at, or as close as possible to, the source of the waste. It prevents any mixing of waste categories or incompatible materials.

II. — The licensee is obliged to characterise the waste produced in its installation, to pack or condition hazardous waste and waste from areas where the production of nuclear waste is possible, and to affix appropriate labels to the packages and containers.

III. — The licensee organises the treatment and transport of the waste produced in its installation in compliance with the applicable waste management objectives and plans instituted by the environment code. It organises the treatment and transport of waste from areas where the production of nuclear waste is possible in compliance with the national management plan for radioactive materials and waste and the decree mentioned in article L. 542-1-2 of the said code.

### Article 6.3

The licensee draws up a waste zoning plan delimiting the areas within its installation where the production of nuclear waste is possible.

It defines and implements the technical and organisational provisions based on the waste zoning plan in order to comply with the provisions of III of article 6.2.

It establishes the list and the characteristics of the interim storage areas for the waste produced in its installation. It defines interim storage times adapted to the nature of the waste and the characteristics of these interim storage areas.

### Article 6.4

The waste management study provided for in 3° of II of article 20 of the abovementioned decree of 2 November 2007 includes an analysis of the waste produced or to be produced in the installation, and the waste zoning plan, the measures adopted by the licensee for waste management, and the list of interim storage areas mentioned in article 6.3.

### Article 6.5

The licensee ensures waste management traceability for the waste produced in its installation.

It keeps a precise and up-to-date account of the waste produced and stored in the installation, specifying the nature, characteristics, location and producer of the waste, the identified disposal processes and the quantities present and removed.

### Article 6.6

Each year the licensee draws up a waste management report for the past calendar year. It sends the report to ASN no later than 30 June of the following year.

## Article 6.7

When conditioning waste from an area where the production of nuclear waste is possible, the licensee checks that the waste packages produced are compatible with the planned conditions for their future management. The waste intended for radioactive waste disposal facilities having acceptance specifications provided for in 4° of article L. 542-12 of the environment code is conditioned in accordance with these specifications.

Conditioning of the waste intended for radioactive waste disposal facilities being studied and provided for in articles 3 and 4 of the abovementioned law of 28 June 2006 and not having acceptance specifications is subject to the agreement of ASN.

## Article 6.8

When waste is conditioned using methods incompatible with their admittance into the disposal facilities determined by the waste management study, the licensee reworks the conditioning as rapidly as possible.

If the said rework requires prior studies, the licensee presents, at intervals set by ASN, a statement of the studies completed, those still to be carried out, and the forecast waste reconditioning schedule. This information also figures in the review report for the installation in which the waste is stored, as provided for in article L. 593-19 of the environment code.

- TITLE VII: PREPARATION AND MANAGEMENT OF EMERGENCY SITUATIONS

## Article 7.1

The licensee implements an organisation, material and human resources and specific intervention methods in an emergency situation so as to:

- ensure the best possible control of the situation, particularly in the event of a combination of radiological and non-radiological risks;
- prevent, delay or mitigate the consequences outside the site.

## Article 7.2

In an emergency situation, a basic nuclear installation licensee:

- without delay, alerts the Prefect, ASN and the organisations and external services whose alerting is provided for in the on-site emergency plan mentioned in 4° of II of article 20 of the abovementioned decree of 2 November 2007;
- cooperates with them, keeps them regularly informed of the development of the situation and its actual or potential consequences off the site and proposes population protection measures to the Prefect if necessary;

- alerts and protects the people present on its establishment, and attends to any victims;
- implements the emergency measures - especially the alerting measures - incumbent upon it with respect to the populations situated around its establishment, in application of 5° of article 5 of the abovementioned decree of 13 September 2005;
- regularly provides the technical support organisation designated by ASN with the technical information necessary to track the event;
- provides the Prefect and ASN with the information necessary to protect and inform the population;
- promptly informs the local information committee and the competent committee for health, safety and working conditions.

### Article 7.3

- I. — The licensee sets up a permanent organisation in its installation, including designated persons capable of assessing the seriousness of a situations and having the power to trigger the on-site emergency plan provided for in 4° of II of article 20 of the abovementioned decree of 2 November 2007 and to rapidly initiate the appropriate actions. Qualified and trained personnel must be available at all times in sufficient numbers to implement these actions.
- II. — The licensee has emergency situation management premises on or near the site, allowing management of the situation and protecting the personnel involved in the emergency situation. These premises are separate from the installation's usual control rooms, and are designed to be available and accessible, including in the emergency situations.
- III. — The licensee organises and keeps available the material resources necessary for emergency situation management and personnel protection. In the event of unscheduled unavailability of these resources, the licensee takes all necessary measures to restore a normal situation as quickly as possible, and implements appropriate compensatory measures in the interim.

### Article 7.4

- I. — The on-site emergency plan provided for in 4° of II of article 20 of the abovementioned decree of 2 November 2007, is formalised in an operational document intended for emergency situation management. It specifies, on the basis notably of the conclusions of the on-site emergency plan design study provided for in article 10 of this decree, the means and methods of implementing the emergency measures incumbent upon the licensee in application of article 5 of the abovementioned decree of 13 September 2005 where applicable, and reiterates those incumbent on the external services and organisations, and their coordination during all the situation management phases. It defines the licensee's responsibilities and powers of decision.

II. — The on-site emergency plan takes into account, where applicable, the organisation defined under the plans provided for in articles R. 1332-19, R. 1332-23 and R. 1332-32 of the defence code.

III. — The on-site emergency plan can act as an on-site operation plan within the meaning of article R. 512-29 of the environment code, for a neighbouring installation under the responsibility of the same licensee.

IV. — The licensee is responsible for triggering and implementing the on-site emergency plan. It decides on the lifting of the plan after consulting ASN.

#### Article 7.5

I. — The licensee and the external services and organisations providing resources necessary for emergency management, jointly establish agreements to ensure the coordination and if necessary the provision or sharing of the resources in emergency situations.

II. — The licensee takes all necessary measures, by establishing agreements for example, to be rapidly informed insofar as possible of any event that could constitute an external hazard considered in the demonstration of nuclear safety.

III. — The licensee establishes an agreement with the licensees of the other installations on the site with which resource sharing in emergency situations is planned for in application of the obligations figuring in articles 7.2 and 7.3.

#### Article 7.6

I. — The on-site emergency plan is tested during drills, the number of which is proportional to the diversity of the identified emergency situations covered by the plan and the manpower involved in the management of such situations. Whatever the case, at least one drill is carried out each year. Some drills must enable the external services to be associated with the licensee, to test the agreements mentioned in article 7.5, for example.

II. — The drills and true emergency situations are always respectively subject to an assessment or experience feedback. If necessary, the on-site emergency plan is updated and modified in the light of the lessons learned.

III. — At appropriate intervals which must not exceed three years, particularly in view of the lessons learned from the drills and true situations, the licensee verifies that the provisions of its on-site emergency plan are still appropriate, and updates them if necessary.

- TITLE VIII: PARTICULAR PROVISIONS
  - Chapter 1: Nuclear power reactors

##### Article 8.1.1

The effectiveness of nuclear reactor containment is verified in particular:

- before commissioning, by an initial acceptance test;
- after commissioning and until final shutdown, by periodic tests scheduled so that results figuring in the review report provided for in article L. 593-19 of the environment code date back less than thirty months;
- after final shutdown, under conditions set by the authorisation decree or the prescriptions issued by ASN for its application.

#### Article 8.1.2

For any basic nuclear installation comprising one or more nuclear reactors, the probabilistic analyses mentioned in article 3.3 include probabilistic safety studies associated with the risk of damaging the nuclear fuel and the risk of abnormal releases of radioactive substances.

#### Article 8.1.3

Article 4.3.1 is not applicable to the cooling towers of the secondary cooling systems of pressurised water reactors for which the licensee justifies, in the installation impact study, the provisions for preventing, monitoring and combating the risk of legionnaires' disease.

- Chapter II: On-site transport of hazardous goods

#### Article 8.2.1

The on-site hazardous goods transport operations are conducted taking into account:

- constraints due to the added activity induced by the vehicle movements;
- the characteristics of the traffic lanes and their environment;
- the operational conditions of transport;
- organisational and human factors.

#### Article 8.2.2

The on-site transport of hazardous goods must comply with either the regulatory requirements applicable to the transportation of hazardous goods on the public highway, or the requirements figuring in the general operating rules mentioned in 2° of II of article 20 of the abovementioned decree of 2 November 2007, in the general monitoring and maintenance rules mentioned in 10° of II of article 37 of the said decree or in the general monitoring rules mentioned in 10° of II of article 43 of the said decree.

- Chapter III: Dismantling of the installations

### Article 8.3.1

I. — The licensee of an installation mentioned in one of the articles L. 593-34, L. 593-35 or L. 593-36 of the environment code submits to ASN, at its request, a dismantling plan complying with the definition of 10° of I of article 8 of the abovementioned decree of 2 November 2007, or, whatever the case, the first time a review report provided for in article L. 593-19 of the said code is submitted.

II. — The dismantling plan mentioned in 10° of I of article 8 of the abovementioned decree of 2 November 2007, or in I of this article, is updated:

— when the installation is commissioned;

— if the authorisation decree is amended in any way;

— if necessary, during the modifications provided for by article 26 of the abovementioned decree of 2 November 2007;

— at each submission of a review report provided for in article L. 593-19 of the environment code.

III. — The dismantling plan justifies the envisaged time – which shall be as short as possible – between final operating shutdown of the installation and its dismantling.

### Article 8.3.2

The final state reached on completion of dismantling must be such that it prevents the risks or inconveniences that the site may represent for the interests mentioned in article L. 593-1 of the environment code, in view more particularly of the projections for reuse of the site or buildings and the best post-operational cleanout and dismantling methods and techniques available under economically acceptable conditions.

### Article 8.3.3

Implementation of the post-operational clean-out and dismantling methods and techniques takes into consideration the organisational and human factors to determine the conditions for safe and effective performance of the activities and prevent the risks of inappropriate actions.

### Article 8.3.4

In anticipation of dismantling, the licensee maintains its knowledge of the installation and the technical and financial capacities allowing the dismantling operations to be carried out through to completion while protecting the interests mentioned in article L. 593-1 of the environment code.

- Chapter IV: Storage of radioactive substances

#### Article 8.4.1

This chapter applies to basic nuclear installations intended for the storage of radioactive substances and the radioactive substance storage facilities situated within a basic nuclear installation, whether the stored substances come from that basic nuclear installation or not. It applies in particular to radioactive waste storage facilities and spent fuel storage facilities.

#### Article 8.4.2

I. — The licensee defines a storage period for the substances that is appropriate for the nature of the substances and the characteristics of the storage facility.

II. — The licensee takes all necessary measures to identify the location of the different substances stored and their characteristics, including the information on their origins and producers or owners.

III. — The licensee defines the acceptance specifications for the storage of radioactive substances. Before any substance is accepted on the installation, the licensee ensures compliance with these specifications.

IV. — The installation is designed and operated such that the stored substances can be suitably monitored and can be recovered at any time.

#### Article 8.4.3

When the stored substances consist of waste or spent fuel:

— if they were not produced by the licensee, their producer is clearly identified and the division of obligations between the licensee and the producer is clearly established and formalised;

— the licensee takes all necessary measures, when a management process is available, to dispose of the substances taking into account any radiation protection and transport constraints, and the technical and economic conditions.

- Chapter V: Disposal of radioactive waste

#### Article 8.5.1

In compliance with the objectives set forth in article L. 542-1 of the environment code, the choice of the geological environment, the design and the construction of a radioactive waste repository, its operation and its entry into the surveillance phase are defined such that protection of the interests mentioned in article L. 593-1 of the environment code is ensured passively against the risks presented by the radioactive or toxic substances contained in the radioactive waste after entry into the surveillance phase. This protection must not require intervention beyond a limited surveillance period, determined according to the radioactive waste disposed and the type of disposal. The

licensee justifies that the chosen design meets these objectives and justifies its technical feasibility.

- TITLE IX: MISCELLANEOUS, TRANSIENT AND FINAL PROVISIONS

#### Article 9.1

The documents mentioned in articles 8, 29, 30, 37 and 43 of the abovementioned decree of 2 November 2007 to support an authorisation or modification application, are filed with the minister responsible for nuclear safety in one copy.

The licensee then sends additional copies at the request of the examining service or the Prefect responsible for the local consultations and public hearings when necessary, under the conditions specified by them.

An ASN decision specifies the conditions for filing dossiers intended for ASN.

#### Article 9.2

ASN may demand that the inspections, sampling, analyses and appraisals for verifying compliance with the provisions of this order or the absence of any infringement of the interests mentioned in article L. 593-1 of the environment code be carried out by a third party organisation chosen by the licensee among the organisations offering sufficient guarantees of quality and independence. ASN can set the required level of quality and independence.

The chosen organisation is bound to professional secrecy.

The costs of these inspections or appraisals are borne by the licensee.

#### Article 9.3

For the basic nuclear installations duly authorised on the date of publication of this order, the waivers granted on account of articles 48 and 7 bis of the order of 31 December 1999 amended, setting the general technical regulations for preventing and limiting detrimental effects and the external risks resulting from the operation of basic nuclear installations, remain valid.

#### Article 9.4

I. — This order enters into effect on 1 July 2013, subject to the provisions of II to VII of this article.

II. — The provisions of article 4.3.2 and of II of article 4.4.3 enter into effect on 1 July 2012.

III. — For the basic nuclear installations duly authorised on the date of publication of this order, the provisions of II of article 2.6.5 only apply to reports submitted after 1 July 2013.

IV. — For the basic nuclear installations duly authorised on the date of publication of this order, the provisions of article 2.2.3 are applicable on 1 January 2014.

V.— For the basic nuclear installations duly authorised on the date of publication of this order, the provisions of II of article 2.1.1, of I of article 2.1.2, and of II of article 3.2 are applicable on 1 July 2014.

VI. — For the basic nuclear installations duly authorised on the date of publication of this order, the provisions of II and III of article 2.5.1, of articles 3.3, 3.7, 3.9, and of I of article 4.3.1 are applicable as from the first of the following events to arise after 1 July 2015: submittal of a review report provided for in article L. 593-19 of the environment code, filing of an authorisation application on account of articles 31 or 37 of the abovementioned decree of 2 November 2007. Nevertheless, as from 1 July 2013 article 4.3.1 applies to the equipment and facilities mentioned in the first paragraph of article L. 593-3 of the environment code entering into the field of application of article 47-2 of the order of 31 December 1999 amended, setting the general technical regulations intended to prevent and limit the detrimental effects and external risks resulting from the operation of the basic nuclear installations.

VII. — Article 4.1.7 does not apply to the basic nuclear installations duly authorised, on the date of publication of this order, to use an open-circuit fresh water cooling system.

#### Article 9.5

If there is any particular difficulty in applying this order, ASN can, by a decision, grant a waiver to the provisions concerned, after consulting the council mentioned in article D. 510-1 of the environment code and obtaining the assent of the minister in charge of nuclear safety.

#### Article 9.6

The following are abrogated on 1 July 2013:

— the order of 10 August 1984 relative to the quality of design, construction and operation of basic nuclear installations;

— the order of 26 November 1999 setting the general technical requirements relative to the limits and conditions of water intakes and discharges subject to authorisation, made by basic nuclear installations;

— the order of 31 December 1999 amended, setting the general technical regulations intended to prevent and limit off-site detrimental effects and risks resulting from the operation of basic nuclear installations;

#### Article 9.7

The director general of risk prevention is responsible for implementation of this order, which will be published in the Official Journal of the French Republic.

- Appendix

## APPENDICES

### APPENDIX I

Order of 23 January 1997 relative to the limitation of noise emitted into the environment by installations classified on environmental protection grounds, in the version in effect on the date of publication of the present order.

Order of 2 February 1998 relative to water intakes and consumption, and to emissions of all types from installations classified on environmental protection grounds and subject to authorisation, in the version in effect on the date of publication of this order;

Order of 10 May 2000 relative to the prevention of major accidents involving hazardous substances or preparations present in certain categories of installations classified on environmental protection grounds, in the version in effect on the date of publication of the present order;

Order of 20 June 2002 relative to boilers present in a new or modified installation of power exceeding 20 MWth, in the version in effect on the date of publication of the present order;

Order of 30 June 2003 relative to boilers present in existing combustion installations of power exceeding 20 MWth, in the version in effect on the date of publication of the present order;

Order of 13 December 2004 relative to facilities for cooling by water dispersion in a flow of air, subject to authorisation on account of heading No. 2921, in the version in effect on the date of publication of the present order;

Order of 23 July 2010 relative to boilers present in combustion installations with a thermal power of 20 MWth or more, authorised or modified as from 1 November 2010, in the version in effect on the date of publication of the present order;

Order of 26 April 2011 relative to the implementation of the best techniques available provided for in article R. 512-8 of the environment code, in the version in effect on the date of publication of the present order.

### APPENDIX II

Order of 13 July 1998 relative to the general requirements applicable to installations classified on environmental protection grounds and subject to declaration under heading No. 1111 (Highly toxic [use or storage of substances and preparations]), in the version in effect on the date of publication of the present order.

Order of 13 July 1998 relative to the general requirements applicable to installations classified on environmental protection grounds and subject to declaration under

heading No. 1131 (Highly toxic [use or storage of substances and preparations]), in the version in effect on the date of publication of the present order.

Order of 20 February 1978 relative to the tanks used for the storage of liquefied ammonia at a pressure not exceeding four bars, in the version in effect on the date of publication of the present order.

Order of 16 July 1997 relative to cooling systems using ammonia as the coolant, in the version in effect on the date of publication of this order.

Order of 19 November 2009 relative to the general requirements applicable to classified installations subject to declaration under heading No. 1136 (Use and storage of ammonia), in the version in effect on the date of publication of this order.

Order of 17 December 2008 relative to the general requirements applicable to classified installations subject to declaration under heading No. 1138, in the version in effect on the date of publication of the present order.

Order of 30 October 2007 relative to the general requirements applicable to classified installations subject to declaration under heading No. 1150 (Storage or use of or based on particular toxic substances), in the version in effect on the date of publication of the present order.

Order of 10 April 2000 relative to the general requirements applicable to installations classified on environmental protection grounds and subject to declaration under heading No. 1156: Nitrogen oxides other than nitrogen hemioxide (Use or storage of), in the version in effect on the date of publication of the present order.

Order of 29 October 2007 relative to the general requirements applicable to classified installations subject to declaration under heading No. 1158 (Use or storage of diphenylmethane diisocyanate), in the version in effect on the date of publication of this order.

Order of 23 December 1998 relative to the general requirements applicable to installations classified on environmental protection grounds and subject to declaration under heading No. 1172: Dangerous for the environment, A - Highly toxic for aquatic organisms (storage and use of substances), in the version in effect on the date of publication of this order.

Order of 23 December 1998 relative to the general requirements applicable to installations classified on environmental protection grounds and subject to declaration under heading No. 1173: Dangerous for the environment, B - Toxic for aquatic organisms (storage and use of substances), in the version in effect on the date of publication of the present order.

Order of 2 April 2002 relative to the general requirements applicable to classified installations subject to declaration under heading No. 1185, in the version in effect on the date of publication of the present order.

Order of 10 November 2008 relative to the general requirements applicable to classified installations subject to declaration under heading No. 1212 (Organic peroxides, use and storage), in the version in effect on the date of publication of the present order.

Order of 6 November 2007 relative to the prevention of the risks presented by depots and units using organic peroxides, in the version in effect on the date of publication of the present order.

Order of 10 March 1997 relative to the general requirements applicable to installations classified on environmental protection grounds and subject to declaration under heading No. 1220: Use and storage of oxygen, in the version in effect on the date of publication of the present order.

Order of 23 August 2005 relative to the general requirements applicable to installations classified on environmental protection grounds and subject to declaration under heading No. 1412 of the classified installations nomenclature, in the version in effect on the date of publication of the present order.

Order of 12 February 1998 relative to the general requirements applicable to installations classified on environmental protection grounds and subject to declaration under heading No. 1416: Storage and use of hydrogen, in the version in effect on the date of publication of the present order.

Order of 10 March 1997 relative to the general requirements applicable to installations classified on environmental protection grounds and subject to declaration under heading No. 1418: Storage or use of acetylene, in the version in effect on the date of publication of the present order.

Order of 22 June 1998 relative to buried tanks of inflammable liquids and their associated equipment, in the version in effect on the date of publication of the present order.

Order of 18 April 2008 relative to buried tanks of inflammable liquids and their associated equipment subject to authorisation or declaration under heading No. 1432 of the nomenclature of installations classified on environmental grounds, in the version in effect on the date of publication of the present order.

Order of 22 December 2008 relative to the general requirements applicable to classified installations subject to declaration under heading No. 1432 (Storage of inflammable liquids in manufactured tanks), in the version in effect on the date of publication of this order.

Order of 3 October 2010 relative to the storage in manufactured above-ground tanks of inflammable liquids in a storage area subject to authorisation under heading No. 1432 of the legislation of installations classified on environmental protection grounds, in the version in effect on the date of publication of the present order.

Order of 20 April 2005 relative to the general requirements applicable to classified installations subject to declaration under heading No. 1433 (Installations mixing or

using inflammable liquids), in the version in effect on the date of publication of the present order.

Order of 19 December 2008 setting the general rules and technical requirements applicable to service stations subject to authorisation under heading No. 1434 (Installation for filling or distributing inflammable liquids), in the version in effect on the date of publication of the present order.

Order of 19 December 2008 relative to the general requirements applicable to classified installations subject to declaration under heading No. 1434 (Installation for filling or distributing inflammable liquids), in the version in effect on the date of publication of the present order.

Order of 15 April 2010 setting the general rules and technical requirements applicable to service stations subject to authorisation under heading No. 1435 of the nomenclature of installations classified on environmental protection grounds, in the version in effect on the date of publication of the present order.

Order of 15 April 2010 related to the requirements applicable to service stations coming under the registration system on account of heading No. 1435 of the nomenclature of installations classified on environmental protection grounds, in the version in effect on the date of publication of the present order.

Order of 15 April 2010 relative to the general requirements applicable to service stations subject to declaration under heading No. 1435 of the nomenclature of installations classified on environmental protection grounds, in the version in effect on the date of publication of the present order.

Order of 5 August 2002 relative to the prevention of accidents in covered storage areas subject to authorisation under heading N. 1510, in the version in effect on the date of publication of the present order.

Order of 15 April 2010 relative to the general requirements applicable to covered storage areas coming under the registration system on account of heading No. 1510 of the nomenclature of installations classified on environmental protection grounds, in the version in effect on the date of publication of the present order.

Order of 23 December 2008 relative to the general requirements applicable to covered storage areas coming under the declaration system on account of heading No. 1510 of the nomenclature of installations classified on environmental protection grounds, in the version in effect on the date of publication of the present order.

Order of 30 September 2008 relative to the general requirements applicable to paper and cardboard depots coming under the declaration system on account of heading No. 1530 of the nomenclature of installations classified on environmental protection grounds, in the version in effect on the date of publication of the present order.

Order of 6 September 2000 relative to the general requirements applicable to installations classified on environmental protection grounds and subject to declaration

under heading No. 1611, in the version in effect on the date of publication of the present order.

Order of 26 July 2001 relative to the general requirements applicable to installations classified on environmental protection grounds and subject to declaration under heading No. 1630, in the version in effect on the date of publication of the present order.

Order of 14 January 2011 setting the general rules and technical requirements applicable to installations coming under the registration system on account of heading No. 2340 of the nomenclature of installations classified on environmental protection grounds, in the version in effect on the date of publication of the present order.

Order of 14 January 2011 relative to the general requirements applicable to classified installations subject to declaration under heading No. 2340, in the version in effect on the date of publication of the present order.

Order of 30 June 1997 relative to the general requirements applicable to installations classified on environmental protection grounds and subject to declaration under heading No. 2515: Grinding, crushing, screening, bagging, spraying, cleaning, sifting, mixing of stones, pebbles, ores and other natural or artificial mineral products, in the version in effect on the date of publication of the present order.

Order of 30 June 1997 relative to the general requirements applicable to installations classified on environmental protection grounds and subject to declaration under heading No. 2516: Transit station for bulk powdery mineral products such as cement, plaster, lime, fillerised sand, in the version in effect on the date of publication of the present order.

Order of 30 June 1997 relative to the general requirements applicable to installations classified on environmental protection grounds and subject to declaration under heading No. 2560: Metals and alloys (mechanical working of), in the version in effect on the date of publication of the present order.

Order of 21 June 2004 relative to the general requirements applicable to classified installations subject to declaration under the heading No. 2564 relative to cleaning, degreasing, surface pickling (metals, plastic materials, etc.) by processes using organohalogenated liquids or organic solvents in the version in effect on the date of publication of the present order.

Order of 30 June 2006 relative surface treatment facilities subject to authorisation under heading No. 2565 of the classified installations nomenclature, in the version in effect on the date of publication of the present order.

Order of 30 June 1997 relative to the general requirements applicable to installations classified on environmental protection grounds subject to declaration under heading No. 2565: Metals and plastic materials (treatment of) for degreasing, pickling, conversion, polishing, metal spraying, etc. by electrolytic or chemical process, or by using halogenated liquids, in the version in effect on the date of publication of the present order.

Order of 30 June 1997 relative to the general requirements applicable to installations classified on environmental protection grounds and subject to declaration under heading No. 2575: Abrasives (use of materials) such as sand, corundum, metal shot, etc., on any material for engraving, etching, pickling, graining, in the version in effect on the date of publication of the present order.

Order of 14 January 2000 relative to the general requirements applicable to installations classified on environmental protection grounds and subject to declaration under heading No. 2661 (Transformation of polymers [plastics, rubber, elastomers, resins and synthetic adhesives]), in the version in effect on the date of publication of the present order.

Order of 14 January 2000 relative to the general requirements applicable to installations classified on environmental protection grounds and subject to declaration under heading No. 2662 (Storage of polymers [plastics, rubber, elastomers, resins and synthetic adhesives]), in the version in effect on the date of publication of the present order.

Order of 15 April 2010 relative to the general requirements applicable to polymer storage facilities (plastics, rubbers, elastomers, resins and synthetic adhesives) coming under the registration system on account of heading No. 2662 of the nomenclature of installations classified on environmental protection grounds, in the version in effect on the date of publication of the present order.

Order of 15 April 2010 relative to the general requirements applicable to storage facilities for tyres and products of which at least 50% of the total unit weight is accounted for by polymers (plastics, rubber, elastomers, resins and synthetic adhesives) coming under the registration system on account of heading No. 2663 of the nomenclature of installations classified on environmental protection grounds, in the version in effect on the date of publication of the present order.

Order of 14 January 2000 relative to the general requirements applicable to installations classified on environmental protection grounds and subject to declaration under heading No. 2663 (Storage of tyres and products of which at least 50% of the total unit weight is accounted for by polymers [plastics, rubber, elastomers, resins and synthetic adhesives]), in the version in effect on the date of publication of the present order.

Order of 23 July 2010 relative to boilers present in combustion installations of thermal power of 20 MWth or more, authorised or modified as from 1 November 2010, in the version in effect on the date of publication of the present order;

Order of 30 July 2003 relative to boilers present in existing combustion installations of power exceeding 20 MWth, in the version in effect on the date of publication of the present order;

Order of 20 June 2002 relative to boilers present in a new or modified installation of power exceeding 20 MWth, in the version in effect on the date of publication of the present order;

Order of 25 July 1997 relative to the general requirements applicable to installations classified on environmental protection grounds and subject to declaration under heading No. 2910: Combustion, in the version in effect on the date of publication of the present order.

Order of 13 December 2004 relative to facilities for cooling by water dispersion in a flow of air, subject to authorisation on account of heading No. 2921, in the version in effect on the date of publication of the present order.

Order of 13 December 2004 relative to the general requirements applicable to installations classified on environmental protection grounds and subject to declaration under heading No. 2921 (Facilities for cooling by water dispersion in a flow of air), in the version in effect on the date of publication of the present order.

Order of 29 May 2000 relative to the general requirements applicable to installations classified on environmental protection grounds and subject to declaration under heading No. 2925: Batteries (charging shops), in the version in effect on the date of publication of the present order.

Order of 2 May 2002 relative to the general requirements applicable to classified installations subject to declaration under heading No. 2940, in the version in effect on the date of publication of the present order.

Order of 11 September 2003 implementing decree 96-102 of 2 February 1996 and setting the general requirements applicable to the sounding, drilling, creation of wells or underground structures subject to declaration in application of articles L. 214-1 to L. 214-3 of the environment code and coming under heading 1.1.1.0 of the nomenclature appended to decree 93-743 of 29 March 1993 amended, in the version in effect on the date of publication of the present order.

Order of 11 September 2003 implementing decree 96-102 of 2 February 1996 and setting the general requirements applicable to the intakes subject to declaration in application of articles L. 214-1 to L. 214-3 of the environment code and coming under headings 1.1.2.0, 1.2.1.0, 1.2.2.0, or 1.3.1.0 of the nomenclature appended to decree 93-743 of 29 March 1993 amended, in the version in effect on the date of publication of the present order.

Order of 11 September 2003 implementing decree 96-102 of 2 February 1996 and setting the general requirements applicable to the intakes subject to authorisation in application of articles L. 214-1 to L. 214-3 of the environment code and coming under headings 1.1.2.0, 1.2.1.0, 1.2.2.0, or 1.3.1.0 of the nomenclature appended to decree 93-743 of 29 March 1993 amended, in the version in effect on the date of publication of the present order.

Order of 28 November 2007 setting the general requirements applicable to the installations, structures, works or activities subject to declaration in application of articles L. 214-1 to L. 214-6 of the environment code and coming under heading 3.1.2.0 (2°) of the nomenclature appended to the table of article R. 214-1 of the environment code, in the version in effect on the date of publication of the present order.

Order of 13 February 2002 setting the general requirements applicable to the installations, structures, works or activities subject to declaration in application of articles L. 214-1 to L. 214-3 of the environment code and coming under heading 3.1.3.0 (2°) of the nomenclature appended to decree 93-743 of 29 March 1993 amended, in the version in effect on the date of publication of the present order.

Order of 13 February 2002 setting the general requirements applicable to the consolidation, treatment or protection of embankments subject to declaration in application of articles L. 214-1 to L. 214-3 of the environment code and coming under heading 3.1.4.0 (2°) of the nomenclature appended to decree 93-743 of 29 March 1993 amended, in the version in effect on the date of publication of the present order.

Order of 30 May 2008 setting the general requirements applicable to the maintenance operation of water courses or canals subject to authorisation or declaration in application of articles L. 214-1 to L. 214-6 of the environment code and coming under heading 3.1.2.0 of the nomenclature appended to the table of article R. 214-1 of the environment code, in the version in effect on the date of publication of the present order.

Order of 13 February 2002 setting the general requirements applicable to the installations, structures or backfills subject to declaration in application of articles L. 214-1 to L. 214-3 of the environment code and coming under heading 3.2.2.0 (2°) of the nomenclature appended to decree 93-743 of 29 March 1993 amended, in the version in effect on the date of publication of the present order.

Order of 27 August 1999 implementing decree 96-102 of 2 February 1996 and setting the general requirements applicable to the creation of ponds or water bodies subject to declaration in application of article 10 of act 92-3 of 3 January 1992 on water and coming under headings 2.7.0 (1°, b) and 2.7.0. (2°, b) of the nomenclature appended to decree 93-743 of 29 March 1993 amended, in the version in effect on the date of publication of the present order.

Order of 27 August 1999 implementing decree 96-102 of 2 February 1996 and setting the general requirements applicable to the drainage of water bodies subject to declaration in application of articles L. 214-1 to L. 214-3 of the environment code and coming under headings 3.2.4.0 (2°) of the nomenclature appended to decree 93-743 of 29 March 1993 amended, in the version in effect on the date of publication of the present order.

Order of 29 February 2008 setting the requirements relative to the security and safety of hydraulic structures, in the version in effect on the date of publication of the present order.

Order of 23 February 2001 setting the general requirements applicable to the port developments and other civil engineering works carried out in contact with the aquatic environment, subject to declaration in application of articles L. 214-1 to L. 214-3 of the environment code and coming under heading 4.1.2.0 (2°) of the nomenclature appended to decree 93-743 of 29 March 1993 amended, in the version in effect on the date of publication of the present order.

Order of 23 February 2001 setting the general requirements applicable to dredging and the associated discharge operations subject to declaration in application of articles L. 214-1 to L. 214-3 of the environment code and coming under heading 4.1.3.0 (2° [a, II]), 2° [b, II] and 3° [b]) of the nomenclature appended to decree 93-743 of 29 March 1993 amended, in the version in effect on the date of publication of the present order.

Executed on 7 February 2012.

The minister of ecology, sustainable development, transport and housing,

Nathalie Kosciusko-Morizet

The minister of the economy, finance and industry,

François Baroin

The secretary of state to the minister of the economy, finance, industry,  
in charge of industry, energy and the digital economy ,

Eric Besson