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CSN

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Instruction IS-04, of 5th February 2003, of the Nuclear Safety Council regulating the transference, filing and custody of documents relating to the radiation protection of the workers, the general public and the environment prior to the transference of the licence ownership of the nuclear power plants for dismantling and decommissioning

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Instruction IS-04, of 5th February 2003, of the Nuclear Safety Council regulating the transference, filing and custody of documents relating to the radiation protection of the workers, the general public and the environment prior to the transference of the licence ownership of the nuclear power plants for dismantling and decommissioning

Royal Decree 783/2001, of the 6th of July, which approves the Regulation on Health Protection against Ionising Radiations ("Official State Gazette", of the 26th of July), establishes in Article 38, that the dose records of the occupationally exposed workers, the documents that correspond to the dose evaluations and the measurements taken by the monitoring equipment and the reports regarding the circumstances and measurements adopted, in cases of accidental or emergency exposure, must be filed by the licence-holder of the practice, until the worker reaches, or would have reached, the age of seventy-five, and never for a period of less than thirty years, starting from the date in which the worker ceases to carry out the functions that implied classification of the worker as a occupationally exposed worker.

Furthermore, the aforementioned article establishes that the licence-holder of the practice shall facilitate these documents to the Nuclear Safety Council, and depending on their respective responsibilities, to the Public Administrations, and the Courts and Tribunals that request them.

Additionally, Article 54 of the aforementioned Regulation on Health Protection against Ionising Radiations, establishes that, "documents relating to the measurements of external exposure and the estimations on the incorporation of radionuclides, and radioactive contamination, as well as the results of the evaluation of the doses received by the reference groups and by the population must be filed by the licence-holder".

The penultimate paragraph of Article 38 establishes that once the definitive termination of the practices affected by this Regulation, takes place, the title-holders of these shall provide to the Nuclear Safety Council with all those files referred to in the first paragraph of this article, without any express mention to the destination of these provided documents and registries.

Furthermore, it is obligatory, according to Article 34 of the Regulation on Health Protection against Ionising Radiations, to register, within an individual

dosimetric record, all the doses received during the entire working life of exposed workers.

As a result it is necessary to issue this present Instruction, with the aim of determining what type of documents must be filed, kept in custody, and provided to the Competent Authorities once the definitive end of practices takes place, prior to the transference of the licence ownership, and in all cases related to the dismantling process, and with the aim of giving such documents an adequate treatment and, in any case, homogenous with that which is foreseen in the Regulation on Health Protection against Ionising Radiations, in order to comply with Articles 35.h) and 37 of Law 30/1992, of the 26th of November, on the Legal Status of the Public Administrations and the Common Administrative Process ("Official State Gazette" of the 27th of November), where the right of citizens to have access to files and registries is recognised, and taking into account what is established in Organic Law 15/1999, of the 13th of December, on the Protection of Data of a Personal Nature.

Given that the Nuclear Safety Council is responsible to keep and manage an archive whose size is foreseen to be quite significant, and which shall require important material and human resources for its ordering, processing and maintenance, its financing must be foreseen through the opportune modification of Law 14/1999, of the 4th of May, on Public Prices and Fees for Services Rendered by the Nuclear Safety Council.

The scope of application of this Instruction comprises the licence-holders of nuclear power plants; nevertheless, in future regulations the rest of nuclear and radioactive installations will be contemplated. Furthermore, regulation of the transference and documentation regarding the medical records of exposed workers (Article 44 of the Regulation on Health Protection against Ionising Radiations) is also excluded from this present Instruction.

By virtue of all of this, and in conformity with the legal habilitation foreseen in Article 2) of Law 15/1980, of the 22nd of April, on the Creation of the Nuclear Safety Council, according to the wording given by the first additional provision of Law 14/1999, of the 4th of May, and taking into account the agreement of the Nuclear Safety Council, signed on the 12th of December 2000, which adopts the administrative legal instruments for decision taking and following consultation with the affected sectors, and the prior opportune technical reports, this Council, in its meeting of the 5th of February 2003, has disposed as follows:

First. Object and scope of application

The object of this present Instruction is to regulate the filing and custody of the documents and registries required in Articles 38, 34 and 54 of Royal Decree 783/2001, of the 6th of July, which approves the Regulation on Health Protection against Ionising Radiations, prior to the transference of the licence ownership of nuclear power plants, as requires the regulation of the process of dismantling and closure.

This Instruction shall be applicable to those licence holder of a operating licence of a nuclear power plant, as contemplated in Royal Decree 1836/1999, of the 3rd

of December, which approves the Regulation on Nuclear and Radioactive Installations.

Second. Document filing
The holders of the licences defined in the previous point, once the definitive termination of the practices takes place, and prior to the transference of the licence ownership and the awarding of the authorisation for dismantling nuclear power plants, must provide to the Nuclear Safety Council with all documents referred to in Article 38, in relation to Articles 34 and 54 and other related ones, of Royal Decree 783/2001, of the 6th of July, which approves the Regulation on Health Protection against Ionising Radiations.

Furthermore, the licence-holders must provide to the Nuclear Safety Council with all those documents and registries produced prior to the transference of the licence ownership, but which are verified or become evident subsequently, from the moment they are obtained and in any case within six months after the aforementioned transference takes place.

To these effects, the documents that the licence-holders of the nuclear power plants must necessarily provide the Nuclear Safety Council with are detailed in the Annexes, all of which without prejudice to what may be established in the respective authorisation and the respective registration deadlines of the documentary system which has been licensed for each installation.

Third. Responsibility over the archive
The Nuclear Safety Council, must maintain and manage the document archive referred to in this Instruction, until that time in which the worker referred to in each case has, or would have, reached the age of seventy-five, and never for a period of less than thirty years starting from the date in which the documents are delivered by the respective licence-holders of the nuclear power plants from the moment that the practices terminate.

The Nuclear Safety Council shall consider itself as a mere depositary of the documents it receives, and shall not assume any responsibility as to the veracity or precision of the data contained in them, without prejudice to the accrual of the fees that this activity may give rise to, which shall be demanded to the licence-holder of the installation or the entities that assume the rights and obligations derived from the extinction, modification and subrogation of the licence-holder who is initially responsible.

Fourth. Development and issueing of subsequent regulations
The Nuclear Safety Council shall develop the contents of this Instruction for each specific case taking into account their specific particularities, it shall also implement the regulation for the transference of the necessary documentation related with the dismantling and closure phases for nuclear power plants, and other types of installation.

Fifth. Infractions and penalties
Without prejudice to the civil, penal or other responsibilities that may be incurred, the failure to comply with the provisions of this Instruction, shall be

sanctioned according to what is established in Chapter XIV of Law 25/1964, of the 29th of April, on Nuclear Energy, according to the wording given by the fifth additional provision of Law 54/1997, on the Electricity Sector, as well as by the fifth additional provision of Law 14/1999, of the 4th of May, on Public Prices and Fees for services rendered by the Nuclear Safety Council.

Single Final Provision. Entering into force
This present Instruction shall enter into force on the day following to its publication in the "Official State Gazette".

This I communicate to you for your knowledge and pertinent effects.

Madrid, on the 5th of February 2003.
The President,
María Teresa Estevan Bolea
His excellency, the Secretary-General of the Nuclear Safety Council

ANNEX I

Radiological protection of exposed workers

External radiation dosimetry:

Dose records, as referred to in Article 34 of Royal Decree 783/2001.

Dosimetric certificates issued by authorised personal dosimetry services, whose rendering of this service has, at all times, been concerted.

Registries regarding any dose allocation that modifies the data that appears on the dosimetric certificates issued by the authorised personal dosimetry services.

In the case of exposed workers who have been allocated doses on the basis of the results of the radiological monitoring of the working environment, these must be filed and must refer, for each allocated dose, to the measurements of the monitoring equipment as well as to the documents regarding the assessment of the aforementioned doses.

In case the authorised personal dosimetry service was of the organisation of the installation itself, any information that may be necessary to reproduce the doses that are included in the dose records, must also be filed and provided to the Competent Authorities, and must include at least:

The procedures that regulate the operation of the dosimetry service.

The registered measurements by the reading system and the emission charts (glow curves) associated to these measurements, within the terms that the Nuclear Safety Council may have requested for the authorisation of the personal dosimetry service.

Calibration factors.

Sensitivity correcting factor(s) for sensitive element(s).
Readings of calibration dosimeters.
Readings of background dosimeters.
Dose calculation algorithm.
Annual calibrations of the reading system.
Anomalies that may have occurred during the process of dose allocation.
Dose allocations in case of anomalies in dosimetric readings.
Dose allocations in case of loss of dosimetric data.
Internal radiation dosimetry:

Individual dosimetric record, as referred to in Article 34 of Royal Decree 783/2001.

Certificates issued by the authorised personal dosimetry service, with which, at all times, the rendering of such services has been agreed upon, and the data regarding the obtained measurements (isotopes and activity) in the instrumental determinations carried out as part of the program for the control of internal contamination.

Registries regarding any dose allocation that modifies the data that appears on the dosimetric certificates issued by the authorised personal dosimetry service.

In the case of exposed workers who have been allocated doses on the basis of the results of the radiological monitoring of the working environment, the measurements taken by the monitoring teams as well as the documents regarding the assessment of these doses, must be filed and provided to the Competent Authorities, for each allocated dose.

In case the authorised personal dosimetry system was part of the organisation of the installation itself, any information that may be necessary to reproduce the doses that are included in the dose records must be filed and provided to the Competent Authorities, and must include at least:

The procedures that regulate the operation of the dosimetry service.
Dose calculation procedures.
Values of the parameters used in the dose calculation algorithm.
Record of the spectrums obtained by the implementation of internal contamination measurements.
Reports issued regarding dose allocation.
Reports issued regarding the calibration of equipment.
The corresponding records for verifications, by source of radiation, of the calibration of the INa detectors.

Additional information:

In the case of workers who have been involved in accidental or emergency exposure, according to the terms established in Article 32 of Royal Decree 783/2001, all pertinent information needed to clarify the circumstances and the measurement that may have been taken must be filed and provided to the Competent Authorities.

In the case of workers who have exceeded the dose limits, all pertinent information needed to clarify the circumstances and the measures that may have been taken must be filed and presented.

In the case of notifiable events with radiological implications that may have required the estimation of doses received by exposed workers, as a result of this event, all reports that may have been made due to this event must be filed and provided to the Competent Authorities.

ANNEX II

Radiological protection of the public and the environment

Control of effluents and environmental monitoring:

The Manuals for Dose Calculation Off Site (MCDE) *[given its initials in Spanish]* with their different revisions.

Procedures and records of effluents:

The procedures of the MCDE regarding the Effluent Control Program (PROCER) *[given its initials in Spanish]*.

The documents that correspond to the results of all the analyses, verifications and calculations carried out, according to what is established in the aforementioned procedures.

Procedures and records of environmental monitoring:

The procedures of the MCDE regarding the Environmental Radiological Monitoring Program (PVRA) *[given its initials in Spanish]*.

The documents that correspond to the results of all the analyses, verifications and calculations carried out, by the installation itself, and by collaborating laboratories, obtained in the application of the corresponding procedures.

In those facilities where the effluent control and the environmental monitoring program are not developed within the MCDE, the information that must be kept and sent, in compliance with the same criteria, shall be:

Effluent control program, with its different revisions.

Environmental monitoring program, with its different revisions.

Necessary procedures for the correct development of both programs.

The documents that correspond to the results of all the analyses, verifications and calculations carried out by the installation itself, and by collaborating laboratories, obtained in the application of the corresponding procedures.