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Instruction IS-07, of 22nd June 2005, of the Nuclear Safety Council, on fields of application of the radioactive facilities personnel licences.

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In accordance with Article 56 of the Regulation on Nuclear and Radioactive Installations, as approved by Royal Decree 1836/1999, of 3 December (BOE No. 313 of 31 December 1999), Spanish Nuclear Safety Council is entrusted with the duty of defining the fields of application of the activities of licensed personnel in the various types of radioactive facilities, according to their purpose.

Since its creation, CSN has the jurisdiction –by means of specific licences for the established levels of operator and supervisor– to authorise the personnel either in charge of handling radioactive material or equipment or in charge of supervising such activities in radioactive facilities with scientific, medical, agricultural, commercial, or industrial purposes. According to the previous regulations, these licences were granted on an individual basis, separately for each installation, and for a limited period, after each candidate's qualifications had been examined by a board appointed by CSN.

The regulations now in force have replaced the former concept of specific licences for specific facilities with a new model of generic licences valid for all radioactive facilities within the same speciality or field of application; all other features of licences, however, remain. This model is based, therefore, in the definition of a set of licence types whereby the licensed personnel of radioactive facilities is classified according to their corresponding activities. Furthermore, the model relies on the maintenance of a registry where every licensed individual is associated with its corresponding fields of application and radioactive facilities.

In this system, each type of licence certifies the appropriate knowledge on Radiation Protection for every field of application. This procedure is wider and more generic than the previous one, which required a different licence for every specific installation. Thus, both workers and facilities will enjoy more flexibility when establishing employment relationships and the process for obtaining licences by means of courses and accredited certifications will become easier and more similar to those common in other professional areas.

By virtue of the foregoing, and in accordance with the legal authorisation provided by Article 2, Part a) of the Law 15/1980, dated 22 April, Establishing the Spanish Nuclear Safety Council, as amended by the first supplementary provision to the Law 14/1999, dated 4 May, prior consultation to affected sectors, and after having issued all appropriate technical reports, this Nuclear Safety Council, in its meeting on 22 June 2005, has agreed upon the following provisions:

One. Object and Scope of Application

The object of this Nuclear Safety Council Instruction is establishing the fields of application necessary for classifying supervisor and operator licences in radioactive facilities with scientific, medical, agricultural, commercial, or industrial purposes, as required by Article 56, Part 1 of the Regulation on Nuclear and Radioactive Installations, approved by Royal Decree 1836/1999, of 3 December.

The scope of application and the situations regulated hereby are as follows:

1. This Instruction refers to the licensed personnel of radioactive facilities (as they are defined in Article 34 of the Regulation on Nuclear and Radioactive Installations), excluding so-called fuel-cycle facilities.
2. The licences subject to classification among the different fields of application established in Section Three below are those of supervisor and operator, as defined by Article 55 of the Regulation on Nuclear and Radioactive Installations.
3. Radioactive facilities shall have the right composition of personnel holding supervisor or operator licences that may be established by the general provisions applicable or the conditions set forth by their corresponding authorisations. The licences, furthermore, shall belong to the appropriate field of application.
4. All courses or academic certifications that, after due accreditation or recognition by the Nuclear Safety Council, provide access to operator or supervisor licences (in conformance with Article 61, Part 1 of the Regulation on Nuclear and Radioactive Installations) shall deal with any of the fields of application set forth herein. The institutions providing such training may obtain the aforementioned accreditation by following the recommendations and programmes described in CSN Safety Guide 5.12.

Two. Definitions

The definitions of the terms and concepts used in this Instruction correspond to those set forth by the legislation below:

Law 25/1964, of 29 April, on Nuclear Energy (Spanish Official Gazette No. 107 of 4 May), as amended by Act 54/1997, of 27 November, on the Power Sector (Spanish Official Gazette No. 285 of 28 November).

Law 15/1980, of 22 April, on the Creation of the Spanish Nuclear Safety Council (Spanish Official Gazette No. 100 of 25 April), as amended by Law 14/1999, of 4 May, on the Prices and Fees for Public Services Rendered by the Nuclear Safety Council (Spanish Official Gazette No. 107 of 5 May).

Royal Decree 1836/1999, of 3 December, approving the Regulation on Nuclear and Radioactive Installations (Spanish Official Gazette No. 313 of 31 December).

Royal Decree 783/2001, of 6 July, approving the Regulation on Health Protection Ionising Radiation (Spanish Official Gazette No. 178 of 26 July).

Royal Decree 1841/1997, of 5 December, on the Quality Standards in Nuclear Medicine (Spanish Official Gazette No. 303 of 19 December).

Royal Decree 1566/1998, of 17 July, on the Quality Standards in Radiotherapy (Spanish Official Gazette No. 206 of 28 August).

Three. Fields of application

The established fields of application shall be as follows:

- *Nuclear medicine*

Facilities where unsealed radioactive sources are used for patients' diagnosis or with therapeutic purposes.

- *Radiotherapy*

Facilities where ionising radiation from a generating device or a radioactive source (generally sealed) is used for therapeutic purposes.

- *Laboratories with unsealed sources*

Facilities (nuclear medicine facilities excluded) where unsealed radioactive materials are handled.

- *Industrial Radiography*

Facilities where radiation generating equipment or devices with unsealed radioactive materials, either fixed or portable, are used for non-medical radiography or radioscopy purposes.

- *Process control, analysis techniques and other restricted-risk activities.*

Facilities using radiation generating devices or sources where, due to the safety inherent to the equipment or to the easiness of the activities performed, only a generic knowledge on occupational radiation protection is required. Such activities range from the simple trade, to the control and measurement of variables, the analysis of materials, or the metrology of radiation and irradiation in equipment with non-accessible chambers.

Four. Segmentation of the Fields of Application

Any personnel of facilities whose activities belong solely to a specialised segment within a field of application may apply for limited-scope licences focused exclusively on such speciality. Likewise, institutions providing courses or programmes aimed at the training of

licensed personnel may apply for the accreditation of segment programmes for specific types of facilities.

In the foregoing events, CSN, according to the provisions of Article 61 of Royal Decree 1836/1999, shall issue licences for the corresponding fields of application and shall define the subsequent restrictive conditions, which shall also be stated when registered.

Five. Special Facilities and New Practices

New practices involving radiation and any activities of special facilities that may not be classified under any of the fields of application defined in Section Three hereof will require specific licences, whose purpose and scope of application will be defined at the time of their issuance.

The foregoing licences will be registered under their corresponding name and specific conditions. They may only be applied to facilities different from those that they were originally issued for with the authorisation of CSN.

Six. Sales and Technical Support Activities

Personnel performing sales or technical support activities with equipment or facilities belonging to a specific field of application shall have the corresponding licences. In view of the type of specialisation required for such activities, however, CSN may demand specific licences, as provided in Section Five hereof.

Single Temporary Provision. Classification of Licences in Force

Any supervisor or operator licences for radioactive facilities being in force that may not be classified under the fields herein defined because of their name or contents, shall remain in force and in accordance with their current terms and conditions, as long as their renewal is not urged. Should this eventually happen, CSN shall assign them a field of application and, if necessary, the corresponding restrictive conditions in accordance with the qualifications required for obtaining them originally. As long as such assignation is not complete, these licences shall be regulated by the provisions of Section Five hereof.

Single Final Provision

This Instruction shall come into force on the subsequent on the day following to its publication in the "Official State Gazette".

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

In Madrid, on this 22nd June 2005

The President,
Ms. María-Teresa Estevan Bolea