



Date: 18<sup>th</sup> August 2017

Dear Sir

## **UK implementation of European Union Council Directive 2014/87/Euratom**

I am writing to inform you that the UK implemented the European Union's Council Directive 2014/87/Euratom, amending Directive 2009/71/Euratom (which established a Community framework for the nuclear safety of nuclear installations), on 15 August 2017.

Council Directive 2014/87/Euratom was formally adopted by the Council of the European Union on 8 July 2014. Member States were therefore required to bring into force the laws, regulations and administrative provisions necessary to comply with the amended Nuclear Safety Directive by the 15 August 2017.

### UK implementation approach

I am pleased to advise you that implementing this Directive required only minimal changes to the UK's current regulatory framework. The Directive provides for the flexibility to use administrative and organisational measures within Member States' National Framework. Consequently we have been able to implement most of the minimal changes required through minor amendments to ONR's Technical Assessment Guides (TAGs) and Technical Inspection Guides (TIGs). Details of these changes can be viewed on the ONR website at <http://www.onr.org.uk/licensing.htm>.

### Direction

However, not all the provisions of the Directive could be met through this approach. Articles 8(1)(a) and (b) of the Directive introduce further requirements for the provision of nuclear safety information and its regulation to workers and to the public. This includes information on normal operating conditions of installations, and providing prompt information in the case of incidents and accidents, to workers, the public and to the competent regulatory authority of any Member State in the vicinity of the relevant nuclear installation.

Unlike other parts of the amending Directive, we are advised that nothing less than a legislative measure may be used to implement these aspects. ONR has therefore worked with Government who have brought forward a Direction under Section 92(1) of the Energy Act 2013 to provide such a legislative measure. The Direction can be found at <http://www.onr.org.uk/documents/2017/direction-supply-of-information.pdf> and closely follows the wording of Articles 8(1)(a) and (b).

### Meeting the Direction

Government and ONR acknowledge that nuclear site licence holders already share information voluntarily on nuclear safety and its regulation (on both routine and non-routine matters) through their websites and particularly through their respective Local Liaison Committees (LLCs) or Site Stakeholder Groups (SSGs), and that ONR reports to and participates in these meetings. In addition, licensees' reports of incidents and accidents to ONR are made available domestically and internationally, for example through processes driven by the UK's Ministerial Reporting Criteria (MRC) and through International Nuclear Event Scale (INES) reporting and other similar processes.

The requirements of this Energy Act Direction now make ONR responsible for ensuring that the required information is made available. Paragraph 2 of the Direction also makes this type of information-sharing a requirement for licensees. It is ONR's expectation however, that licensees will meet this new obligation using the existing arrangements referred to in the preceding paragraph, i.e. no changes in existing practices or processes are likely to be needed in most instances. Nevertheless Paragraph 3 of the Direction makes provision for ONR to meet our obligations in situations where we consider the licensee obligations of Paragraph 2 are not being met.

ONR is committed to working together with all licensees to ensure that the intent of the Directive and the obligations of the Direction are met efficiently and effectively. Noting that the Direction creates new obligations for you and for us, I have asked our local site inspectors to discuss any implications for your individual arrangements for information-sharing with you. These discussions will be built into their routine inspection visits and will take place over the coming weeks and months. I stress however, that in most cases no changes will be needed to existing arrangements and indeed, I am unaware (in advance of these discussions) of any instances where the arrangements on any GB nuclear site will need improving.

I would be grateful if you could arrange for this letter to be forwarded to your site's Safety Director (or equivalent), and ask that you raise any concerns it generates, in the first instance, through your normal channels of communication with ONR.

Yours sincerely,

**Anthony Hart**

Technical Director  
Office for Nuclear Regulation