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DIRECTORATE-GENERAL FOR ENERGY
DIRECTORATE D - Nuclear Safety and Fuel Cycle
Radiation Protection

Main Conclusions of the Commission's Article 35 verification

POLAND

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INTRODUCTION

Article 35 of the Euratom Treaty requires that each Member State shall establish the facilities necessary to carry out continuous monitoring of the levels of radioactivity in air, water and soil and to ensure compliance with the basic safety standards⁽¹⁾. Article 35 also gives the European Commission (EC) the right of access to such facilities in order to verify their operation and efficiency. The Radiation Protection Unit (ENER D3) of the EC's Directorate-General for Energy (DG ENER) is responsible for undertaking these verifications.

The main purpose of verifications performed under Article 35 of the EURATOM Treaty is to provide an independent assessment of the adequacy of monitoring facilities for:

- Liquid and airborne discharges of radioactivity into the environment by a site (and control thereof).
- Levels of environmental radioactivity at the site perimeter and in the marine, terrestrial and aquatic environment around the site, for all relevant pathways.
- Levels of environmental radioactivity on the territory of the Member State.

Taking into account previous bilateral protocols, a Commission Communication² was published in the Official Journal on 4 July 2006 describing practical arrangements for the conduct of Article 35 verification visits in Member States.

The verification focused on the former uranium and milling operations in Poland and parts of the national monitoring system for radioactivity in the surrounding area. The visit also included verifications at the Polish Geological Institute, Wroclaw University of Technology and the WSSE in Wroclaw.

MAIN CONCLUSIONS

All verification activities that had been planned were completed successfully. In this regard, the information supplied in advance of the visit, as well as the additional documentation received during and after the verification activities, was useful.

The information provided and the verification findings led to the following observations:

- (1) The operation of the CEZAR centre is satisfactory.
- (2) The verifications at the Polish Geological Institute, Wroclaw University of Technology and the WSSE in Wroclaw do not give rise to any particular remarks.
- (3) The verification activities that were performed demonstrated that the facilities necessary to carry out continuous monitoring of levels of radioactivity in the air, water and soil at the former uranium

¹ Council Directive 96/29/Euratom of 13 May 1996 laying down basic safety standards for the protection of the health of workers and the general public against the dangers arising from ionizing radiation (OJ L-159 of 29/06/1996)

mining and milling sites are adequate. The Commission could verify the operation and efficacy of these facilities.

- (4) At the time of the verification visit there was some discussion concerning a possible future sale of the land in Kowary belonging to the Wroclaw University of Technology, including the tailing pond. The verification team expressed some concerns regarding the future monitoring of the site.
- (5) The verification team noted that the gamma dose environmental monitoring, as it was defined by NAEA in 1998, is appropriate for a thorough initial analysis of the environmental situation at the identified former mining sites. It is, however, very ambitious and requires more resources than currently available to perform all measurements at the frequency foreseen in the programme. The verification team therefore recommends developing, based on the results of the initial analysis, a realistic annual measurement programme which allows to appropriately monitor the environmental situation and to identify changes over time.
- (6) In addition to the recommendations above regarding the continuity of the on-site monitoring, the verification team notes that regulatory verification of the water effluent monitoring results, including independent selective sampling and radiological analysis, should be considered.
- (7) From the sample of former mining sites visited it was clear that no remediation had taken place. The verification team fully support any efforts towards remediation of these sites which would have the effect of reducing radiation emissions, stabilizing the terrains affected by the former mining and ensuring public safety.
- (8) The detailed verification findings and ensuing recommendations are compiled in the 'Technical Report' that is addressed to the Polish competent authorities through the Polish Permanent Representative to the European Union.
- (9) The Commission Services ask the Polish competent authority to inform them of any achievements or significant changes with regard to the situation at the time of the verification, in particular the upgrading of the CEZAR centre, the possible sale of lands at Kowary and overall progress in the remediation of former mining areas.
- (10) The verification team acknowledges the excellent co-operation it received from all persons involved in the activities it performed.

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