



Meeting of the Group of Experts (GoE) referred to in Article 31 of the Euratom Treaty

Luxembourg, 21 – 22 November 2005

SUMMARY REPORT

(Approved by the Group of Experts at the meeting 20 – 21 June 2006)

1. GENERAL

In his introduction the Chairman welcomed the participants. He mentioned that the distribution of documents is still not optimal, even though an improvement is observed.

2. AGENDA ITEM 1: APPROVAL OF THE AGENDA

The agenda was approved with a minor reordering of the agenda points.

3. AGENDA ITEM 2: SUMMARY REPORT OF THE MEETING HELD IN LUXEMBOURG ON 7-8 JUNE 2005

In the context of the publication of the Summary Report the GoE discussed several aspects, in particular the format of the publication on the web. The GoE concluded to have only a single report that can be published on the web. This web-version shall not contain any names; the Chairman shall be addressed just as Chairman.

The GoE approved the Summary Report.

4. AGENDA ITEM 3: INFORMATION ON THE STATUS OF THE REVISION OF THE CODEX ALIMENTARIUS GUIDELINES

The Head of the Radiation Protection Unit (HoU) informed on the latest developments and stated that the redraft of the proposal took up all points requested by the Commission (EC). It is expected that this draft version that was also distributed to the GoE will finally be approved.

The GoE acknowledged the effort by the Unit, thanked the HoU and considered the outcome as a particular successful piece of work by the EC.

The HoU informed on the means of application of the Guidelines in case of an emergency and confirmed that there is no procedure for putting an end to this application

5. AGENDA ITEM 4: WORK PROGRAMME IN VIEW OF THE NEW BSS

The Chairman underlined the highest importance of this issue and emphasised the need to keep in close contact with the ICRP and the IAEA in order to give the EC's view the best weight.

5.1. Recast of the BSS

The HoU informed on the efforts of the EC to simplify legislation that is requested by the EC President and thus very high on the EC's agenda. In the case of Radiation Protection the sheer volume of legal pieces hinders the implementation. Thus, by consolidation or recasting, the number of individual legal documents will be reduced. The adoption process by the Council will be simple because it is not a new legislation. There is also no need for an Opinion of the GoE but the Commission would welcome some advice.

The GoE discussed the issue in detail and concluded that it would be very beneficial to have a recast, maybe even including the medical legislation though there was no full agreement on that after an extensive discussion in the GoE. The GoE expressed concern about disadvantages resulting from the very different character of the legal pieces put together and was particularly aware of the manpower and time needed to execute this recasting. The GoE asked for provision of a document on the legal aspects of a recasting.

The EC described the possible procedure to develop the recasting of the BSS and informed that this is essentially in the responsibility of Unit TREN H1. A paper on "Draft Advice" was distributed and discussed leading to a revised version (see attached document).

In conclusion the GoE summed up:

- The legal process for recasting must be looked at carefully; a paper on this aspect should be provided by the EC at the next meeting.
- Resources are vital; thus the EC should only work on recasting in case the necessary resources are for sure available.
- The recast efforts and the revision work on the BSS are independent; thus the revision work should proceed independently.
- Regarding the integration of the medical part no clear opinion was formulated; the GoE agreed that further discussion is needed.

5.2. Presentation of the programme outline by the WP BSS and (5.4.) establishment of specific WPs in view of new BSS

The Chairman of the WP BSS presented the outline.

The Chairman of the GoE thanked the Chairman of the WP BSS for the precise listing of the topics and opened the discussion regarding priority areas and international cooperation.

The HoU underlined the importance of international cooperation, in particular with the IAEA in order to avoid double work.

In order to meet the available staff resources of the Unit the HoU further proposed to have a stepwise approach for dealing with the different topics, e. g. to identify 2 priority topics, complete the work by 2 dedicated WPs and establish then the next 2 WPs.

On that basis the GoE discussed in detail all possible topics. In particular the Radon issue was discussed most extensively because of its high political importance with several new lower limits under consideration (even at 100 Bq/m³ there seems to be evidence for a risk). Finally the GoE chose as priority topics NORM (to concentrate on regulation but leaving out Radon and Aircrew) and Exemption and Clearance. The 2 related WPs were established and their respective Chairpersons elected. The IAEA confirmed that these 2 topics are also priority ones for the IAEA and would participate in the WPs. The WP BSS will continue its work (at lower frequency) in particular to ensure coherence, and will further report to the GoE. The topics Aircrew and Radon will be addressed at a later stage.

5.3. Coordination at international level

The IAEA informed on its related activities and underlined in particular the strong link to the ICRP. The IAEA confirmed that it aims to strengthen close international cooperation because of the need for highest harmonisation on international level and addressed the proposal for a Joint Secretariat composed of all Co-sponsors and the EC that will be set up very soon; this Joint Secretariat will be discussed during the next RASSC meeting.

The NEA informed on its activities, in particular its related recent and planned publications.

The Chairman of the GoE thanked the IAEA and the NEA and welcomed the efforts of the organisations for close international cooperation.

6. AGENDA ITEM 5: INFORMATION FROM INTERNATIONAL ORGANISATIONS

6.1. IAEA

The representative of the IAEA presented the activities of the IAEA (copies of his document were handed out to the GoEs). In particular he addressed the "Safety and Security of Sources" and reported on the tripartite agreement between the IAEA, the US, and the NIS (New Independent States)/Russia resulting now in a firm control of major sources in the NIS.

6.2. ICRP

The Chairman of the ICRP presented the activities of the ICRP in the context of the preparation of the draft ICRP Recommendations. He in particular confirmed the importance of "Justification" even though previously a wrong impression might have occurred. He emphasised as well the importance and need of a close international cooperation concerning the revision of the BSS. Regarding the time schedule for the publishing of the draft Recommendations he announced the publication on the web for May 2006 with a consultation period extending to at least July 2006.

The Chairman of the GoE thanked the ICRP Chairman for the information and clarification and underlined the importance to have the Recommendation at hand in time to discuss it at the next meeting of the GoE in June 2006 in order to prepare a view to be provided to the EC for comments to the ICRP.

6.3. NEA

The representative of the NEA informed on the activities of the NEA. He confirmed that the NEA also supports close international cooperation and addressed several issues such as the publications of the NEA, the document on the Chernobyl anniversary, the ISOE topic, public health, the involvement of the CRPPH regarding the ICRP Recommendations, and the environmental topic (he announced written information to be transferred to the GoE).

6.4. IRPA

Since the representative of IRPA did not arrive the topic was cancelled.

7. AGENDA ITEM 6: FOLLOW-UP OF THE SCIENTIFIC SEMINAR ON ALPHA-EMITTERS

7.1. Highlights of the Seminar and (7.2.) possible implications of the Seminar on the BSS and other existing Community legislation

The Chairman of the WP RIHSS presented the outcome of the Seminar and informed that the texts of the speakers will be published together with more detailed conclusions worked out by the WP RIHSS.

In short (for a detailed summary see the document "Conclusions and Potential Policy Implications" under preparation by the WP RIHSS):

Biological issues: No concrete conclusions regarding the risk assessment at low doses were drawn; there are not enough quantitative results and still too many unsolved problems to develop a new system of radiation protection; research on genomic instabilities is developing.

Epidemiological issues: The Mayak studies of lung cancer mortality with its high statistical significance confirm the influence of smoking and the interaction between smoking and radiation exposure; studies indicate a

possible increase in breast cancer for young women; studies on radon for non-smoker groups are not yet conclusive.

Dosimetric uncertainties: Large uncertainties still exist and should be better supported with figures.

In the following relatively short discussion the uncertainties were related to the precautionary principle and the ALARA principle.

In conclusion the GoE stated that at this stage there is no evidence for any implication on the revision of the BSS.

8. AGENDA ITEM 7: REVIEW AND PRIORITISATION OF THE ACTIVITIES OF THE WORKING PARTIES (WPS)

8.1. General discussion

A member of the GoE proposed to establish a WP on dose coefficients. This will be dealt with at the next meeting of the GoE.

8.2. Medical Exposures

The Co-Chairman reported on the work of the WP and informed in particular on the projects planned for 2006. He in particular underlined the importance of the paediatric project and the update of the referral criteria. At the next WP meeting the projects will be further discussed.

8.3. Research Implications (RIHSS)

The Chairman of the WP informed on the status of the preparation of the 2006 Seminar. The WP had identified 4 priority topics: Radon, Non-cancer diseases (in view of the UNSCEAR report), Chernobyl, and Children/Infants; in addition, a possible coverage of the Cardis-study was mentioned as well. The Seminar is proposed to cover a full day.

On request of the Chairman of the GoE the group discussed in detail which topics should be given the highest importance with respect to the possible revision of the BSS. It turned out that the topics radon, non-cancer diseases, and the Cardis-study were considered as most important. The WP RIHSS will further work on developing the next Scientific Seminar.

The financial and organisational aspects of extending the Seminar from ½ day to a full day were discussed as well. The EC does not see at present problems for such an extension.

8.4. Collective Dose

The EC informed that the project report has not yet been received but will probably be delivered at the end of the year. Afterwards a WP will be set-up and meet for 1 day to draw conclusions. A small WP was established.

8.5. Establishment of new WPs

This was already dealt with earlier (see 5.2).

9. AGENDA ITEM 8: NEW REGULATIONS ON ORPHAN SOURCES

The EC presented a draft Opinion regarding proposed legislation on orphan sources and put to discussion whether it should be a Directive or a Regulation. Since the HASS Directive is already there and the MSs are still busy with transposing it, a better solution was to have the orphan sources covered by a Regulation.

This topic proved to be very controversial. Some experts do not see a need to have a separate legislation because they consider the orphan sources covered by the HASS Directive. It is also necessary to clearly assign liabilities or to transfer the liability to the authorities. The GoE further discussed the possible impact of such a Regulation. Since the number of the sources is not known it is very difficult to estimate the costs connected to this Regulation.

After an extended discussion the GoE agreed with the objective to recover the orphan sources but had serious concerns about the legal instrument.

The GoE concluded that, due to the complexity of the issue and the fact that there is no urgency, further discussion is needed. The topic was therefore postponed to the next meeting of the GoE in June 2006. The EC requested nevertheless a written paper from the GoE even though it may not necessarily have the format of an Opinion. A small group worked on such "Advice" that was finally approved by the GoE (see attached document).

10. AGENDA ITEM 9: INFORMATION BY THE COMMISSION ON LEGAL DEVELOPMENTS

10.1. Drinking Water (DW) Directive

The HoU informed on the present status as this is a standing item for about 7 years. The problem stems from the fact that a radiation protection aspect (falling under EURATOM) is integrated in a general environmental Directive (EC). A solution could be to separate the two aspects in the DW Directive. The proposal received from DG ENV was amended but it is still open whether it should be a Directive or a Regulation (MSs have a preference for a Directive).

10.2. New Shipments Directive

The representative of Unit TREN H1 informed on the status of that Directive and informed in addition on other legal topics such as EURATOM becoming part of the Joint Convention, the HASS Directive (deadline for transposition is 31.12.2005), IAEA Guidance on export, and the Regulation 1493/93/Euratom (shipment of radioactive substances).

10.3. Joint Undertaking on Waste Management (9.3.) and "Nuclear Package" (9.4.)

The representative of Unit TREN H2 shortly reported on the 2 topics.

Joint Undertaking: The objective is to verify its feasibility as an industrial undertaking. A stake-holder consultation was carried out.

Nuclear Package: The issue is now dealt with in the Atomic Question Group in 3 subgroups on Safety, Waste Management and Decommissioning. A report is due by the end of 2006. Subgroups 1 and 2 are still collecting data from the MSs (by questionnaire); the work of subgroup 3 is largely dependant on further work to be carried out by the EC.

10.4. Other initiatives

A representative of Unit TREN H4 reported on the possible Communication regarding Article 35/36 Euratom. The objective of this Communication is to harmonise the inspection procedure. Questionnaires have also been sent to the MSs via the Permanent Representations in view of a major study on the implementation of Article 35.

In the following discussion some members of the GoE stated that the questionnaire was asking too much resulting in a huge amount of technical details. The H4 representative underlined that the focus of the questionnaire is on the approach rather than technical details.

11. AGENDA ITEM 10: ANY OTHER BUSINESS

Under this agenda item the GoE just discussed the dates of the next meetings. It was agreed to have the first meeting in 2006 on 20-21 June in the JMO building of Luxembourg-Kirchberg. For the second meeting the date of 7-8 November was proposed.

The Chairman thanked all participants and interpreters and closed the meeting.