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Joint Convention on the Safety of Spent Fuel Management
and on the Safety of Radioactive Waste Management

Second Review Meeting of the Contracting Parties
15 to 24 May 2006, Vienna, Austria

SUMMARY REPORT

Mr André-Claude Lacoste, President
Ms Patrice Bubar, Vice President
Mr Young Soo Eun, Vice President
Vienna, 24 May 2006

Introduction

1. Recognizing the importance of the safe management of spent nuclear fuel and radioactive waste, the international community agreed upon the necessity of adopting a convention describing how such safe management could be achieved: this was the origin of the Joint Convention on the Safety of Spent Fuel Management and on the Safety of Radioactive Waste Management (the “Joint Convention”), which was adopted on 5 September 1997 and entered into force on 18 June 2001.

2. The objectives of the Joint Convention are:

- (i) To achieve and maintain a high level of safety worldwide in spent fuel and radioactive waste management, through the enhancement of national measures and international cooperation, including, where appropriate, safety-related cooperation;
- (ii) To ensure that during all stages of spent fuel and radioactive waste management there are effective defences against potential hazards so that individuals, society, and the environment are protected from the harmful effects of ionizing radiation now and in the future, in such a way that the needs and aspirations of the present generation are met without compromising the ability of future generations to meet their needs and aspirations; and
- (iii) To prevent accidents with radiological consequences and to mitigate their consequences should they occur during any stage of spent fuel or radioactive waste management.

3. To deliver these objectives, the Joint Convention adopted a review process. The Joint Convention requires each Contracting Party to:

- (i) Submit in advance to all other Contracting Parties a National Report describing how it implements the obligations of the Joint Convention;
- (ii) Seek clarification on the National Reports of other Contracting Parties through a system of written questions and answers; and
- (iii) Present and discuss its National Report during a Review Meeting comprising Country Group sessions and Plenary sessions.

The Joint Convention specifies that the interval between Review Meetings should not exceed three years. Documents annexed to the Joint Convention provide guidance on the form and structure of the National Reports and on the way to conduct Review Meetings.

4. The Second Review Meeting of the Contracting Parties pursuant to Article 30 of the Joint Convention was held at the Headquarters of the International Atomic Energy Agency (IAEA), which is the depositary and Secretariat for the Joint Convention, from 15 to 24 May 2006. The President of the Review Meeting was Mr André-Claude Lacoste, Director General of the General Directorate for Nuclear Safety and Radiation Protection, France. The Vice-Presidents were Ms Patrice Bubar, United States Department of Energy, and Mr Young Soo Eun, Korea Institute of Nuclear Safety.

5. Forty-one Contracting Parties participated in the Review Meeting, namely: Argentina, Australia, Austria, Belarus, Belgium, Brazil, Bulgaria, Canada, Croatia, Czech Republic, Denmark, Estonia, Euratom, Finland, France, Germany, Greece, Hungary, Iceland, Ireland, Italy, Japan, Korea, Latvia, Lithuania, Luxembourg, Morocco, Netherlands, Norway, Poland, Romania, Russian Federation, Slovakia, Slovenia, Spain, Sweden, Switzerland, Ukraine,

United Kingdom, United States of America and Uruguay. Eight Contracting Parties participated for the first time: Brazil, Estonia, Euratom, Iceland, Italy, Lithuania, Russian Federation and Uruguay.

6. Brazil was a late ratifier. However, it had produced and distributed its National Report and had asked to participate fully in the Review Meeting. Under the rules, a late ratifier may be allowed to participate with the consensus agreement of the Contracting Parties at the Review Meeting. The Contracting Parties agreed by consensus to Brazil's request at the Plenary session on 15 May.

7. China informed the President that it had completed the internal ratification procedures on 29 April 2006 with a view to becoming a Contracting Party, but had not yet deposited its instrument of accession with the depositary. However, it had requested to participate in the Review Meeting. At the Plenary session on 15 May, the Contracting Parties agreed by consensus to China's request to participate as a full participant in the Second Review Meeting.

8. The Nuclear Energy Agency of the Organisation for Economic Co-operation and Development (OECD) was present as an observer.

General Observations

9. Despite a large diversity of national situations, all Contracting Parties shared the view that the Second Review Meeting showed that progress has been made since the First Review Meeting.

10. Areas for which the need for further work was identified at the first Review Meeting have been addressed by the Contracting Parties and reflected in their National Reports and oral presentations during the Second Review Meeting.

11. During the Second Review Meeting, Contracting Parties demonstrated their commitment to improving policies and practices particularly in the areas of:

- i) national strategies for spent fuel and radioactive waste management;
- ii) engagement with stakeholders and the public; and
- iii) the control of disused sealed sources.

Challenges continue in a number of areas including the implementation of national policies for the long-term management of spent fuel, disposal of high level wastes, management of historic wastes, recovery of orphan sources, knowledge management and human resources. The need to ensure that Contracting Parties' financial commitments are consistent with the extent of liabilities was also recognized.

Policy and technical highlights from the Second Review Meeting

12. The main issues on which progress was noted are as follows.

Legislative and Regulatory Framework

13. Important efforts have been made by Contracting Parties to complete their legislative and regulatory framework.

Spent Fuel and Waste Management

14. All Contracting Parties are committed to address spent fuel and waste management in a comprehensive manner. Many Contracting Parties have already developed, or are currently developing, spent fuel and waste management strategies based on increasingly comprehensive inventories, including spent fuel and waste arising, or to arise, from decommissioning.

15. Some Contracting Parties have made clear progress with the implementation of their strategic plans.

16. The Contracting Parties highlighted the increasing importance of public consultation and the need for public acceptance in order to implement their spent fuel and waste management strategic plans.

17. Many Contracting Parties have defined funding strategies for managing safely their spent fuel and wastes in accordance with their strategic plans, although some Contracting Parties started collecting the funds only quite recently.

18. Some Contracting Parties reported on progress with siting of near-surface disposals, even if this remains a difficult issue to solve.

19. The subject of geological repositories is still more difficult to handle. However, some Contracting Parties reported on progress in siting such repositories.

20. The subject of regional repositories was mentioned by several Contracting Parties. It could be appropriate for some countries to join their efforts and resources for a common solution for final disposal.

21. The subject of exemption and waste clearance was discussed. There is for the time being no international consensus on the use of clearance levels. Many Contracting Parties are implementing clearance criteria on a generic basis or a case by case basis. Public acceptance and a clear radiation protection concept are key issues for the success of using clearance levels.

Decommissioning

22. Many Contracting Parties, especially those having nuclear power plants, have established funding schemes for decommissioning.

23. The Contracting Parties' strategies vary from "immediate" decommissioning (i.e. starting from 0 to about 10 years after final shutdown) to delayed decommissioning after a long safe enclosure phase. Keeping the knowledge and memory of the installation (normal operation, modifications, incidents, etc.) was recognized as being of crucial importance, especially in the case of delayed decommissioning.

Disused Sealed Sources

24. Many Contracting Parties have established registries for sealed sources. Most Contracting Parties have indicated that they have enforced a return of disused sealed sources to the supplier. Some have not yet defined a long-term policy. Funding schemes for the recovery of orphan sources have been set up by many Contracting Parties. The disposal of disused sealed sources, especially long-lived ones, was recognized as an issue still to be solved.

25. The Contracting Parties noted the importance of implementing the IAEA Code of Conduct on the Safety and Security of Radioactive Sources.

Mining and Milling Tailings

26. Many Contracting Parties, which had or still have uranium mining activities, reported on the actions that have been undertaken with a view to putting the problematic sites in a safe condition. Much progress has been made in this respect.

Naturally Occurring Radioactive Materials (NORM)

27. Some Contracting Parties decided to include NORM or TENORM (technically enhanced NORM), or both, in their waste management policy and reported about this.

Past Practices

28. A growing number of Contracting Parties reported on the remediation activities that have been initiated in their country. Also, several Contracting Parties included the management of historic spent fuel and waste in their strategic plans.

International Cooperation

29. Many Contracting Parties see the benefit of enhancing international cooperation through the exchange of information, experiences and technology. In particular, needs for sharing knowledge and assistance were emphasized by Contracting Parties with limited radioactive waste management and research programmes.

Improvements for the next Review Meeting

30. Three topics were discussed by the Open-Ended Working Group, established at the opening plenary session and chaired by Ms. Patrice Bubar:

- i) ways to increase membership;
- ii) improvements in the review process; and
- iii) role of safety standards in the review process.

The following improvements were identified through the deliberations of the Open-Ended Working Group and through the discussions that took place within the Country Group sessions.

31. The Contracting Parties support continuing efforts to promote membership in the Joint Convention and its review process, through organized IAEA efforts, bilateral efforts for mentoring and sharing of expertise, etc. Some Contracting Parties underlined the need for financial assistance.

32. The Contracting Parties felt that the review process was maturing and no changes should be made that would dilute its strong peer review nature. The Contracting Parties amended the Guidelines to reflect adjustments that were applied during the Second Review Meeting. These amendments as well as the report by the Open-Ended Working Group are annexed to the President's Report.

33. Concerning the role of the IAEA Safety Standards, the Contracting Parties shared the view that they constituted a useful source of guidance, among others, to which a Contracting Party could refer, on a voluntary basis, in preparing its National Report.

34. For the Third Review Meeting, the Contracting Parties agreed upon the following:

- (i) Make efforts to produce more focused but still self standing National Reports;
- (ii) In the National Reports, provide more details on the practical implementation of actions and on the main issues that have been raised during the Second Review Meeting; and
- (iii) Place greater emphasis, in the National Reports and the oral presentations, on the lessons learned and feedback experience with the implementation of concrete actions.

Conclusions

35. The First Review Meeting of the Joint Convention, in 2003, noted the strong commitment of the Contracting Parties to its objectives and to the implementation of its articles.

36. The participants in the Second Review Meeting noted with satisfaction the increased number of Contracting Parties, as compared to the First Review Meeting. They hoped that that trend would continue in the future.

37. The Contracting Parties adopted, throughout the review process, an open and frank attitude, thus allowing fruitful discussions to take place, even on difficult matters.

38. The Second Review Meeting showed that many Contracting Parties had initiated, or were initiating, new actions to improve the safe management of spent fuel and radioactive waste.

39. The three trends above indicate that the Third Review Meeting, to be held from 11 to 22 May 2009, with even more participants, will benefit from an increasing technical and practical content, and further enhanced openness and frankness.