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Item 28

REGULATION OF THE COUNCIL OF MINISTERS

of 14 December 2015

on the periodic safety review of a radioactive waste repository¹²

Pursuant to Article 55g Section 7 of the Act of 29 November 2000 - Atomic Law (Dz. U. of 2014, item 1512 and of 2015, items 1505 and 1893), it is hereby decreed as follows:

§ 1. This Ordinance defines the scope of the periodic safety review of a radioactive waste repository, hereinafter referred to as “periodic review”, and the scope of the periodic review report.

§ 2. Periodic review shall cover:

- 1) verification of the design solutions and technical documentation of the radioactive waste repository, taking into account changes introduced since the previous periodic review and, in the case of a first periodic review, since the start of operation of the radioactive waste repository;
- 2) verification of compliance of the operation or closure of a radioactive waste repository with a licence for the exposure-related activities involving the operation or closure of a radioactive waste repository, legislation, national and international standards on safety standards for radioactive waste repositories;
- 3) verification and review of the current status of barriers, structures and components in place at the repository that are important to ensure safety and, in particular, radiation protection;
- 4) identification of ageing processes in barriers, structures and components of the radioactive waste repository requiring remedial action;
- 5) identification of internal and external emergencies resulting from human activity and natural forces having a potential impact on the repository's safety;
- 6) experience or conclusions drawn from the past operation of the radioactive waste repository under review and from other radioactive waste repositories, and from scientific research relevant to the disposal of radioactive waste;
- 7) verification of integrated management systems for a radioactive waste repository, including quality assurance systems;
- 8) the impact of human factors on the safety of a radioactive waste repository;
- 9) emergency plans and response system in the event of a radiation emergency;
- 10) the impact of a radioactive waste repository on human health and the environment from a radiation protection viewpoint.

§ 3. The periodic review report includes the following:

- 1) a description of the analyses carried out in relation to each of the issues referred to in Article 2, including:

¹ This Regulation implements within its scope the Council Directive 2011/70/Euratom of 19 July 2011 establishing a Community framework for the responsible and safe management of spent fuel and radioactive waste (EU OJ L 199 of 2 August 2011, p. 48).

² This Regulation was presented to the European Commission on 21 July 2015 under the number 2015/0397/PL pursuant to Article 4 of the Regulation of the Council of Ministers of 23 December 2002 on the functioning of the national acts and standards notification system (Polish Journal of Laws; Dz. U. item 2039 and of 2004, item 597), which implements the provisions of the Directive of the European Parliament and of the Council (EU) 2015/1535 of 9 September 2015 r. laying down a procedure for the provision of information in the field of technical regulations and of rules on Information Society services (codification) (EU OJ L 241 of 17 September 2015, page 1).

- a) detailed scopes of analyses,
 - b) methodology and criteria for the analyses,
 - c) compatibility of the periodic review with the detailed plan for the periodic safety review ,
 - d) a comparison of the current safety requirements associated with the subject in question with those in force at the time of the previous periodic review and, in the case of a first periodic review , with those in force at the time the repository commenced operation,
 - e) an analysis of the operating experience related to the issues in question accumulated since the report of the previous periodic review and, in the case of a first periodic review , with the requirements in force at the time of the commencement of the radioactive waste repository's operation, and an analysis of this operating experience from the viewpoint of compliance with the licence for exposure-related activities involving the operation or closure of a radioactive waste repository,
 - f) the results of the analyses carried out, with particular reference to areas requiring corrective and remedial action,
 - g) predictions regarding the issue in question in the period up to the next periodic review ;
- 2) a summary of the analyses referred to in Item 1, providing an overall review of the repository's safety as a whole;
 - 3) a programme of necessary modernisation and measures to increase the level of safety during the continued operation of the radioactive waste repository.

§ 4. This Regulation shall enter into force 14 days after its promulgation.

Prime Minister: *B. Szydło*