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Item 1059

REGULATION OF THE COUNCIL OF MINISTERS

of 25 May 2021

on the scope of a hazard assessment resulting from an activity involving exposure to ionising radiation, and the form of presenting conclusions from the hazard assessment¹

Based on art. 86g of the Act of 29 November 2000 - Atomic Law (Dz. U. 2021 items 623 and 784), it is ordered as follows:

§ 1. The regulation shall define:

- 1) the scope of the hazard assessment mentioned in art. 86d paragraph 2, art. 86e paragraph 2, and art. 86f paragraph 2 the Act of 29 November 2000 - Atomic Law, hereinafter: 'the Act', conducted by a head of an organizational entity, a regional governor or the minister in charge of internal affairs;
- 2) the form in which a head of an organizational entity and a regional governor present conclusions from a hazard assessment.

§ 2. The scope of a hazard assessment conducted by the head of an organizational entity, as mentioned in art. 86d paragraph 2 of the Act, shall include:

- 1) for activities included in category III of threats according to appendix no. 5 to the Act:
 - a) assessment of the maximum potential effects of a radiation emergency, based on the type and range of exposure-related activity ,
 - b) in the case of organizational entities performing exposure-related activities, involving the production, processing or utilisation of nuclear materials, radioactive materials, radioactive sources, the production or utilisation of devices containing radioactive sources—assessment of the maximum potential effects of a radiation emergency, based on categorisation of radioactive sources, taking into account the total radioactivity of open and sealed sources used in the performance of the activities,
 - c) assessment of the probability of occurrence of radiation emergencies, and the possibilities of counteracting their occurrence and limiting their effects, in particular radiation emergencies involving:

¹ Within the scope of its regulation, the present regulation implements Council Directive 2013/59/Euratom of 5 December 2013 laying down basic safety standards for protection against the dangers arising from exposure to ionising radiation, and repealing Directives 89/618/ Euratom, 90/641/Euratom, 96/29/Euratom, 97/43/Euratom and 2003/122/Euratom (Official Journal of the EU L 13 of 17 January 2014, p. 1, Official Journal of the EU L 72 of 17 March 2016, p. 69, Official Journal of the EU L 152 of 11 June 2019, p. 128, and Official Journal of the EU L 324 of 13 December 2019, p. 80).

- uncontrolled exposure of workers or bystanders,
 - the occurrence of radioactive contaminations in places not adjusted to the occurrence of such contaminations,
 - the loss of control over a source of ionising radiation,
- d) assessment of the potential impact of undesired emergencies unrelated to radiation on the possibility of occurrence of radiation emergencies, and removing of their effects;
- 2) for activities included in category IV of threats according to appendix no. 5 to the Act:
- a) a scope of an assessment like for category III, and
 - b) assessment of the probability of occurrence of radiation emergencies related to activities outside the area of the facility, and the possibilities of counteracting their occurrence and limiting their effects;
- 3) for activities included in category II of threats according to appendix no. 5 to the Act:
- a) a scope of an assessment like for category III, excluding point 1 letter b, and
 - b) in the case of activities involving the construction, commissioning, operation or decommissioning of a nuclear facility—safety analyses fulfilling requirements resulting from the implementing provisions issued based on art. 36d paragraph 3 of the Act;
- 4) for activities included in category I of threats according to appendix no. 5 to the Act—the scope of the assessment is like for category II, with particular emphasis on threats to the population and the environment outside the area of the organizational entity.

§ 3. The scope of a hazard assessment conducted by a regional governor for the area of a region, as mentioned in art. 86e paragraph 2 of the Act, shall include:

- 1) conclusions from a hazard assessment conducted by the heads of organizational entities performing activities included in threat category I, II, III or IV according to appendix no. 5 to the Act in the region;
- 2) assessment of the probability of occurrence and the maximum potential effects as well as the possibilities of counteracting the effects of radiation emergencies which can be the result of activities included in category I, II, and IV of threats according to appendix no. 5 to the Act, performed in the region;
- 3) assessment of the probability of occurrence and the maximum potential effects as well as the possibilities of counteracting the effects of radiation emergencies which can result from:
 - a) activities included in category I of threats according to appendix no. 5 to the Act, performed in neighbouring regions,
 - b) activities included in category V of threats according to appendix no. 5 to the Act
 - which may require taking urgent actions in order to protect the population in the region;
- 4) assessment of the potential effects, and the possibilities of counteracting the effects of a radiation emergency caused by an unidentified perpetrator, including the effects of discovering an abandoned radioactive substance or an orphan source.

§ 4. The scope of a hazard assessment conducted by the minister in charge of internal affairs, as mentioned in art. 86f paragraph 2 of the Act, shall include:

- 1) conclusions from a hazard assessment conducted by the competent regional governors for the areas of regions;
- 2) conclusions from a hazard assessment conducted by the heads of organizational entities performing activities included in threat category I according to appendix no. 5 to the Act;
- 3) assessment of the probability of occurrence and the maximum potential effects as well as the possibilities of counteracting the effects of radiation emergencies which can result from activities included in threat category V according to appendix no. 5 to the Act, which can require taking urgent actions for protecting the population in the Republic of Poland.

§ 5. Conclusions from a hazard assessment shall be presented in the form of:

- 1) a risk matrix as a function of probability and consequences;
- 2) vector or raster topographic maps presenting the geographical range of hazards which can occur outside the areas of an organizational entity, with an attributed probability of occurrence, and an assessment of effects for the population, properties, and the environment;
- 3) tables describing the parameters of the hazards and their predicted effects;
- 4) a description, if the nature of the hazard prevents the presentation of conclusions from a hazard assessment in the way established in points 1–3.

§ 6. For activities included in threat category II according to appendix no. 5 to the Act, involving the operation or decommissioning of a nuclear facility, performed on the date of entry into force of the present regulation, the scope of a hazard assessment conducted by a head of an organizational entity, as mentioned in art. 86d paragraph 2 of the Act, shall include:

- 1) a scope of an assessment like for category III, excluding § 2 point 1 letter b;
- 2) safety analyses prepared for the needs of an operation safety report, or a safety report for the decommissioning stage of a nuclear facility, mentioned in the provisions issued based on art. 6 point 2 of the Act.

§ 7. The regulation shall enter into force 14 days after its publication.

Prime Minister: *M. Morawiecki*