

R E G U L A T I O N
by the COUNCIL OF MINISTERS
of 27 December 2011

on periodical safety assessment of a nuclear facility^{1), 2)}

Pursuant to Article 37e Section 11 of the Atomic Law Act of Parliament of 29 November 2000 (Journal of Laws of 2007, No 42, Item 276, with later amendments³⁾) it is hereby ordered as follows:

§ 1. This regulation shall provide for a detailed scope of periodical safety assessment of a nuclear facility hereinafter called “periodical assessment” and a scope of periodical assessment report.

§ 2. Periodical assessment shall include:

- 1) review of design solutions and technical documentation of a nuclear facility and changes introduced to a nuclear facility since the previous periodical assessment, and in case of periodical assessment conducted the first time – since the commencement of operations of a nuclear facility taking account of applied nuclear safety concept and compliance with the safety requirements valid at the time of performing a periodical assessment;
- 2) current status of systems, construction and installation elements of a nuclear facility which are important for ensuring nuclear safety and radiological protection;
- 3) review of classification of systems, construction and installation elements of a nuclear facility which are important for ensuring nuclear safety and radiological protection;

- 4) control of ageing of systems, construction and installation elements of a nuclear facility which are important for ensuring nuclear safety and radiological protection;
- 5) deterministic safety analyses of a nuclear facility;
- 6) probabilistic safety analyses of a nuclear facility;
- 7) analysis of internal and external events being the consequences of human activities and forces of nature;
- 8) experience gained during the past and present operations of the nuclear facility under assessment;
- 9) experience gained from operations of other nuclear facilities and scientific research;
- 10) review of integrated nuclear facility management system;
- 11) impact of nuclear facility's employees and their behaviour and issues related to the performance of safety priority principle on the state of a nuclear facility;
- 12) emergency plans and emergency response system;
- 13) impact of a nuclear facility on human health and the environment from the viewpoint of nuclear safety and radiological protection.

§ 3. Periodical assessment report shall include:

- 1) description of performed analyses in connection with every issue as referred to in § 2, consisting of:
 - a) detailed scope of analysis,
 - b) methods and criteria of assessment,
 - c) assessment's compliance with a detailed plan of a nuclear facility periodical assessment,
 - d) comparison of current nuclear safety and radiological protection requirements related to a given issue with the requirements valid

at the time of previous periodical assessment, and in case of the performance of the first periodical assessment – with the requirements valid at the commencement of nuclear facility's operations,

- e) operating experience connected with a given issue which was gained since the previous periodical assessment, and in case of the first periodical assessment – with requirements valid at the commencement of nuclear facility's operations and analysis of this operating experience from the viewpoint of its compliance with the licence for operations of a nuclear facility,
 - f) results of analysis performed with a special consideration of areas requiring repair and corrective measures,
 - g) predictions concerning a given issue in the period until the next periodical assessment;
- 2) summary of analyses, as referred to in Item 1, allowing for a general assessment of a nuclear facility as a whole;
 - 3) programme of necessary renovations and corrective measures intended to enhance the level of nuclear safety in the course of further operations of a nuclear facility.

§ 4. This regulation shall come into force within 14 days upon its publication.

PRIME MINISTER

Donald Tusk

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- ¹⁾ This regulation is an implementation of the directive of the Council 2009/71/Euratom of 25 June 2009 establishing the community nuclear safety framework of nuclear facilities (O.J. of the EU L 172 of 02.07.2009, p. 18 and 260 of 03.10.2009, p. 40).
- ²⁾ This regulation was notified to the European Commission on 2011, under the number 2011/...../PL, in accordance with § 4 of the regulation by the Council of Ministers of 23 December 2002 on the method of operation with regard to the national system of notification of norms and legal acts (Journal of Laws No 239, Item 2039 and of 2004, No 65, Item 597), which implements the provisions of directive 98/34/EC of the European Parliament and Council of 22 June 1998 establishing the procedure for providing information with regard to norms and technical provisions and principles concerning services of information society (O.J. EC L 204 of 21.07.1998, p. 37, with later amendments; O.J. EU Polish special edition, chapter 13, v. 20, p. 337, with later amendments).
- ³⁾ Amendments to the consolidated text of the said act were published in Journal of Laws of 2008 No 93, Item 583 and No 227, Item 1505, of 2009, No 18, Item 97 and No 168, Item 1323, of 2010, No 107, Item 679 and of 2011, No 112, Item 654 and No 132, Item 766.