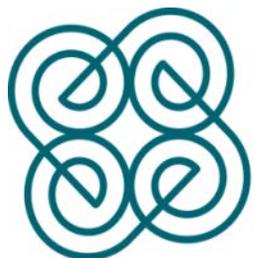




The New BSS – a whistle stop tour

Stephen Fennell



eu2013.ie

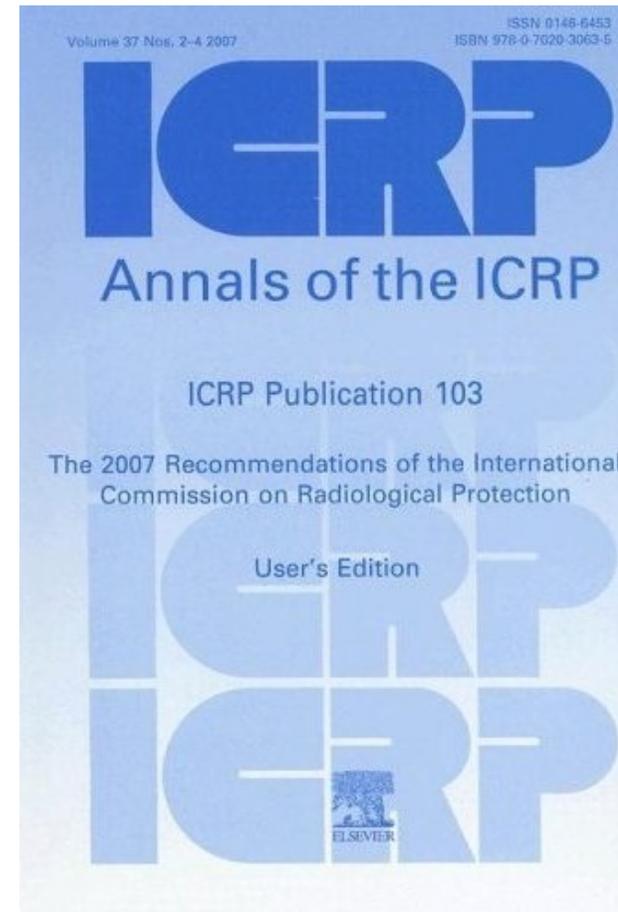
**Making European law
is like making
sausages**

***It's probably better
that you don't see
how it's done!***



Motivation for the current revision

- **New scientific findings and recommendations e.g. ICRP 103 of 2007**
- **Regulatory experience since 1996**
- ***Harmonisation with the revision of the international basic safety standards?***
- **An opportunity to consolidate the European legal radiation protection framework**



New BSS – a consolidation of existing radiation protection legislation

- **Basic safety standards, Directive 96/29/Euratom**
- **Medical exposures, Directive 97/43/Euratom**
- **Public Information, Directive 89/618/Euratom**
- **Outside workers, Directive 90/641/Euratom**
- **Control of high-activity sealed radioactive sources and orphan sources, Directive 2003/122/Euratom**
- **Radon, Commission Recommendation 90/143/Euratom**

Commission proposal – passage

- **Article 31 Group of Experts Opinion on – *24 February 2010***
- **Preliminary discussions in the AQWP under Polish Presidency – September 2011 – and continued under Danish Presidency – January 2012**
- ***European Economic and Social Committee favourable Opinion 22 February 2012***
- **After a first full reading, the *Danish Presidency* presented a modified text – 25 June 2012 (*8025/1/12 Rev 1*)**

Achievements under Cypriot Presidency (July – December 2012)

- ***Cyprus Presidency*** proposed a road map for further discussions
- **Established a technical working group to agree articles and thematic areas at the technical level (Irish Chair)**
- **Second full reading in plenary – *finalised in November 2012***
- ***Cypriot Presidency*** presented modified text based on the TWG achievements – 20 December 2012 (17623/1/12 Rev 1)



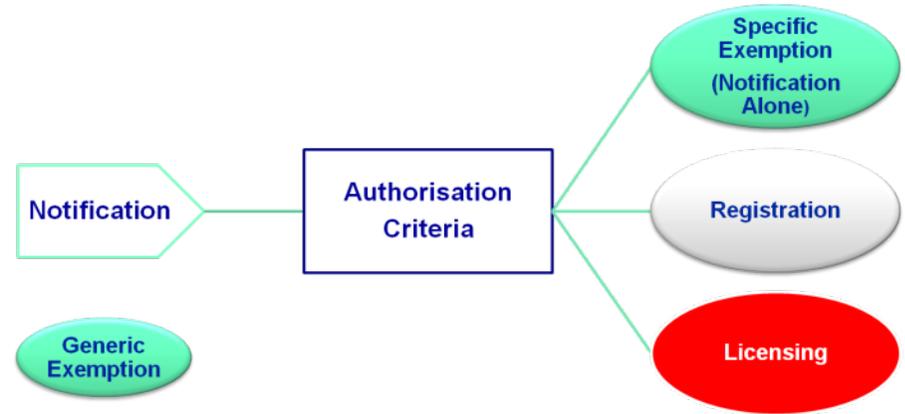
CYPRUS PRESIDENCY OF THE COUNCIL
OF THE EUROPEAN UNION

So what's new



Graded approach to regulatory control

- **Art 25: Notification**
- **Art 26: Exemption from notification**
- **Art 27: Registration or licensing**
- **Art 28: Licensing**
- **Art 29: Authorisation procedure**
 - Authorisation is defined in terms of licensing and registration
- **Art 30: Release from regulatory control**



A possible representation

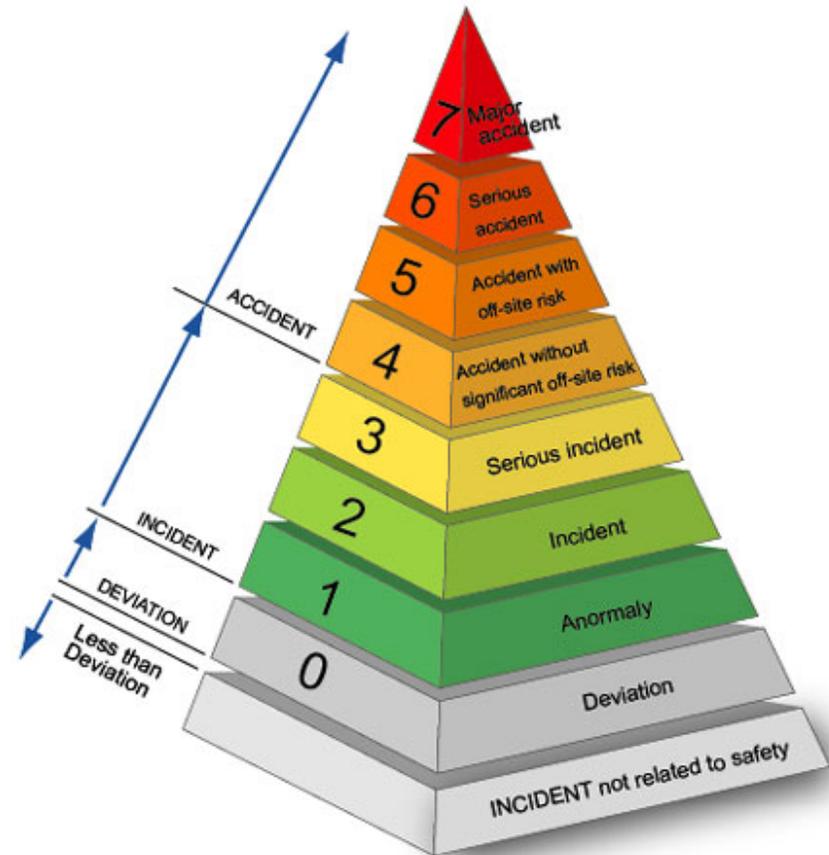
Patient Protection

- Integration with general radiation protection requirements
- RT: now to verify the delivery of exposure of target volumes
- RT: equipment with $E > 1\text{M(e)V}$ shall have a device to verify key treatment parameters
- Requirement to avoid unnecessary proliferation of medical radiological equipment removed
- Medical physics expert: definition and requirements slightly adapted to be consistent with Radiation Protection Expert
- Recognition of the MPE



Emergency Preparedness

- Provisions on 'Emergency Management Systems' and response plans
- Stronger provisions in the area of international cooperation
 - Prompt contact to be established with all Member States
 - Cooperation in the transition from emergency to existing exposure situation
- Establishment of reference levels
- Clearer provisions on training and information



Radon

- **Establishment of a national radon action plan**
- **Members of the public:**
 - National reference level ≤ 300 Bq/m³
 - No distinction between building types
 - Existing buildings exceeding – encourage radon reducing measures
 - Provision of information



Radon II

- **Radon in workplaces**
- **National reference level $\leq 300 \text{ Bq/m}^3$**
 - Unless warranted by national prevailing circumstances
- **Measurement in workplaces:**
 - Above reference levels remedial actions
 - Remaining above – relevant requirements on occupational exposure will apply



Protection of the Environment

- **Original proposal had a stand-alone chapter:**
 - Environmental criteria
 - Authorised limits on discharges
 - Accidental releases
 - Environmental monitoring
- **Original focus: protection of non-human species**
- **Legal basis clarified: limited scope in Euratom**
- **Agreement on a modest set of provisions: Rec 26; Art 2, 65, 66, 72**



Other areas of change

- **Dose limits to the lens of the eye**
- **Radiation protection officer**
- **The Competent Authority**
- **Inspections – availability of plans and findings**
- **Enforcement**
- **Transparency**
- **Greater coherence with other EU legislation (free trade, medical devices, building materials)**
- **Gender neutral**
- ***Security***

A few odd things....

- **Definition of emergency exposure**
 - Emergency exposure situation means a situation of exposure due to an emergency
- **Definition of radon**
 - Radon means the radionuclide Rn-22 and its progeny, as appropriate
- **No definition of disposal**
- **Art 84.4**
 - The radiation protection expert may be assigned, if provided for in national legislation, the tasks of radiation protection of workers and members of the public

BSS as a 'cute' Monster!

- **54 recitals**
- **99 definitions**
- **109 articles**
- **18 annexes**
 - Transposition period – 4 years



Status of the Negotiations



- **Agreed at AQWP (29/5/13)**
 - Unanimous and without reservation
- **Agreement noted at COREPER (5th June)**
- **Opinion of the *European Parliament***
 - Discussions in the EP Committee on Environment, Public Health and Food Safety (ENVI)
 - Discussions in the EP Committee on Employment and Social Affairs (EMPL)
 - Opinion – expected September 2013
- **Only formal steps remain**

BSS-DAY!

