

Opinion on the

- communication from the Commission to the Council concerning the Community's role as regards the safety of nuclear installations and the
- protection of public health; and the radiological problems
- draft Council resolution on trans-frontier

(84/C 140/05)

The text referred to the Committee has been published in *Official Journal of the European Communities* No C 338 of 15 December 1983, page 7.

A. LEGAL BASIS FOR THE OPINION

On 29 September 1983, the Council asked the Economic and Social Committee for an opinion under Article 170 of the Euratom Treaty on the abovementioned matter.

Procedure:

The Section for Energy and Nuclear Questions was entrusted with the preparatory work. It adopted an opinion on 10 February 1984. Mr Bordes-Pages was rapporteur.

B. OPINION OF THE ECONOMIC AND SOCIAL COMMITTEE

On 28 March 1984, during its 216th plenary session, the Economic and Social Committee adopted *unanimously* the following opinion:

1. General comments

1.1. The Committee is pleased that the Commission has reaffirmed in a communication to the Council the Community's role as regards the safety of nuclear installations and the protection of public health. The Committee approves the draft resolution on trans-frontier radiological problems.

1.2. While it should be pointed out that the choice of sites, the issuing of building permits and the laying down of operating rules for nuclear installations are matters which are entirely the responsibility of Member States' Governments, the Committee feels that the latter should concern themselves with the radiological impact that a nuclear accident on their territory could have on the citizens of neighbouring countries.

1.3. The Committee considers that the Commission must concern itself with this important cross-frontier problem, for which no provision could be made in the Euratom Treaty when it was signed in 1958. Although the Euratom Treaty deals comprehensively with radiological problems (in Chapter III), it does not deal with the safety of nuclear

installations in the event of a cross-frontier accident. This aspect must therefore be taken into account as a matter of urgency.

1.4. The Committee thinks that the Member States and the Commission should get together and work out what each of them should do to take account of this situation and, in particular, decide what are the most effective ways of alleviating the radiological consequences of cross-frontier accidents.

1.5. The Committee would point out that the ultimate aim of this sort of work is to protect the health of the public. It would draw attention here to the tradition of taking care to ensure an exemplary level of safety in the Community's nuclear industry; the high level of safety in nuclear installations should be taken as a model for industry.

2. Comments on the communication**2.1. Research and development**

The Committee would refer here to its previous opinions on the Community's radiation protection pro-

gramme, a nuclear safety programme, the basic standards for the protection of workers against ionizing radiation and the multiannual programme for the Joint Research Centre. In each of its opinions, the Committee approved the Commission's initiatives.

2.2. *Technical/regulatory aspects*

The Committee agrees with the Commission in reaffirming that the Member States alone are responsible for licensing and monitoring the operation of nuclear installations. The Commission is currently studying at expert level how it can help work out a common European methodology for assessing and establishing overall safety objectives. It would therefore be reasonable to first await the results of this work.

Moreover, the Commission's intention to carry out a comprehensive evaluation of the safety of the most representative models of reactors in the Member States seems to be an enterprise requiring a high degree of cooperation, bearing in mind the peculiar political, economic and technical nature of this matter. An approach of this kind has already been begun on a bilateral basis between certain Member States, and it has become clear that the main thing is to ensure that safety is satisfactory, not that procedures are standardized.

2.3. *Health protection*

In this chapter, the Commission refers to a number of directives and other provisions on which the ESC has already issued an opinion. The Committee thinks it would be a good idea here to reaffirm the leading role which must be played by the Commission in laying down 'basic standards'.

Done at Brussels, 28 March 1984.

3. **Comments on the draft resolution**

3.1. The Committee supports the Commission's proposal to gather information on bilateral contacts. It also thinks that, as part of the specific responsibilities of the Member States and the Commission, the latter should be encouraged to see that the Member States take all the necessary steps — in a bilateral or, possibly, trilateral framework — to conclude agreements between themselves on plans for cross-border intervention in the event of an emergency. The Committee furthermore emphasizes the need for such agreements to ensure that full details of any radiation accident likely to lead to the contamination of waters, the ground or of airspace are communicated to the Member States, so that the necessary medical monitoring can be set up.

In addition, the Committee recommends that, if these agreements are to lead to tangible results, the Commission should, where appropriate, provide Member States who so asked with information on the nature and extent of assistance which might be necessary in the event of a radiological emergency.

3.2. As regards point 2 (a) in the draft resolution, concerning the radiological impact of radioactive effluents, the Committee feels it is not a good idea to appoint an additional group of experts when, according to the new recommendation of 3 February 1982, the committee of experts referred to in Article 37 could examine this matter as part of its current activities.

3.3. The Committee approves the draft resolution's provisions concerning the pollution of marine waters of Community interest, and points out that the new recommendation of 3 February 1982 on the application of Article 37 should enable a solution to be found to these problems. The Committee asks that a general report be drawn up.

The Chairman
of the Economic and Social Committee
François CEYRAC