



Workshop on Application of the Code of Conduct on the Safety of Research Reactors

Module 3 – The Role of the State in RR Safety

L.3.1.A - Legal and Governmental Infrastructure for Research Reactors: IAEA Safety Standards

L.3.1.B - Legal and Governmental Infrastructure for Research Reactors: Regulatory Body Establishment and Authority

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Office of Science Laboratory
Operated by The University of Chicago*



L.3.1.A - Legal and Governmental Infrastructure for Research Reactors: IAEA Safety Standards

- **Review of the Introduction to the Code**
 - Focus was on two primary areas
 - *Regulatory Supervision*
 - *Proper decommissioning of shutdown facilities*

 - Definition of the roles of three specific entities
 - *The State*
 - *The Regulatory Body*
 - *The Operating Organization*

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- **Basic Tenets of IAEA Standards for the Legal and Governmental Infrastructure for Research Reactor Safety**
 - The **State** is responsible for developing, through legislation, the legal infrastructure to create and maintain a nuclear regulatory body and grant it the authority to execute its defined responsibilities
 - The **Regulatory Body** is responsible to develop standards and regulations, a process for authorizing the operation of a research reactor and an inspection and enforcement process
 - The **Operating Organization** has the ultimate responsibility for safe operation of a research reactor

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- **Primary Reference Documents on the Role of the State**
 - Safety Fundamentals: The Safety of Nuclear Installations, Safety Series No. 110 (1993)
 - Safety Requirements: Legal and Governmental Infrastructure for Nuclear, Radiation, Radioactive Waste and Transport Safety, Safety Standard Series No. GS-R-1 (2000)



Safety Standards Series Hierarchy



Safety Fundamentals

Safety Requirements

Safety Guides



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- **Principles Concerning the Role of the State, taken from the Safety Fundamentals**

- “(1) The **government** shall establish a **legislative and statutory framework** for the **regulation of nuclear installations**. There shall be a **clear separation of responsibilities** between the regulatory body and the operating organization.
- (2) The **prime responsibility for safety** shall be assigned to the **operating organization**.
- (3) The regulatory body shall be **effectively independent** of the organization or body charged with the promotion or utilization of nuclear energy. It shall have **licensing, inspection and enforcement responsibilities** and shall have **adequate authority, competence and resources** to fulfill its assigned responsibilities. No other responsibility shall **jeopardize or conflict** with its **responsibility for safety**.”

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- Expansion on the Principles, taken from the Safety Fundamentals

“301. A legal framework needs to be established that provides for the regulation of nuclear activities and for the clear assignment of safety responsibilities. **Government is responsible for the adoption of legislation which assigns the prime responsibility for safety to the operating organization and establishes a regulatory body responsible for a system of licensing** (see definition of licence), for the regulatory control of nuclear activities and for **enforcing** the relevant regulations.

302. In the application of these fundamental principles, differences between Member States’ legal systems, cultures and practices may lead to **differences in approach to the regulation of safety** within the overall legislative framework.”