

Policies

Country: FRANCE

Reporting Year: 2013

National Systems

Policy		(Yes;Partially;No)
Q14	Has your Country implemented a national policy for radioactive waste management?	Yes
Comment	# 159: Policy The French radioactive waste management policy is defined by the law of 30 december 1991. Concluding 15 years of research, the 2006 Planning Act prescribes an extensive national waste management policy, including both recoverable and non-recoverable radioactive materials. It also provides a legislative framework for the dismantling of nuclear facilities and, more particularly, it addresses the issue of secured financial provisions to be constituted by operators and also placed under Parliament control.	

Strategies		(Yes;Partially;No)
Q15	Has your country developed strategies to implement a national policy?	Yes
Comment	# 198: Strategies Strategies to implement a national policy have been developed through the 2006 Planning Act (Article 6-I). This Act prescribes that a "National Radioactive Material and Waste Management Plan shall take stock of existing modes for managing radioactive materials and waste". This Plan is required to be established and updated every three years.	

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Requirements		(Yes;Partially;No)
Q17	identified the parties involved in the different steps of radioactive waste management	Yes
Q18	specified a rational set of safety, radiological and environmental protection objectives	Yes
Q19	implemented a mechanism to identify existing and anticipated radioactive wastes	Yes
Q20	implemented controls over radioactive waste generation	Yes
Q21	identified available methods and facilities to process, store and dispose of radioactive waste on an appropriate time-scale	Yes
Q22	taken into account interdependencies among all steps in radioactive waste generation and management	Yes
Q23	implemented appropriate research and development to support the operational and regulatory needs	Yes
Q24	implemented a funding structure and the allocation of resources that are essential for radioactive waste management	Yes
Q25	implemented formal mechanisms for disseminating information to the public and for public consultation	Yes

Comment **# 164: Funding**

Article 15 of Planning Act No. 2006-739 Article L.542-12-1:

Within the National Radioactive Waste Management Agency (Andra) shall be constituted a dedicated fund in order to finance investigations and studies relating to the storage and deep geological disposal of radioactive waste. All operations of that fund shall be subject to a separate accounting with a view to individualising the resources and the uses of the fund within the Agency's budget. The resources of the fund shall originate from the product of the additional "research tax" to the tax on basic nuclear installations referred to in Section V of Article 43 of the 2000 Finance Act No. 99-1172 of 30 December 1999. The Agency shall receive a State subsidy in order to contribute to the financing of the general-interest missions entrusted upon the Agency pursuant to the conditions described in Subsections 1° and 6° of Article L. 542-12.

Article 20 of Planning Act and Decree No. 2008-357, Setting Forth the Provisions of the PNGMDR

Pursuant to the Article 20 of Planning Act, operators of basic nuclear installations establish reserves to cover, the costs of dismantling their installations or, for their radioactive waste disposal installations, the costs of their final closure, maintenance and monitoring, and the management costs of their spent fuels and radioactive wastes. They earmark the necessary assets for the exclusive coverage of these reserves.

Comment **# 199: Set of objectives**

For Andra, in charge of the long term management of radioactive waste, there are several Safety Rules which were issued by the Regulator (ASN);

Comment **# 200: Inventory**

See the comment related to the item "Activities" (National Systems).

Comment **# 201: Information**

Examples:

documents for public inquiries, information to the Local Information and Oversight Committees, information to the public (brochures, website...), the inventory of radioactive waste and re-usable nuclear matters, ...

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	Responsibilities	(Complete;Incomplete)
Q28	establish and implement a legal framework for the management of radioactive waste	Complete
Q29	establish or designate a regulatory body that has the responsibility for carrying out the regulatory function with regard to safety and the protection of human health and the environment.	Complete
Q30	define the responsibilities of waste generators and operators of waste management facilities	Complete
Q31	provide for adequate resources	Complete
Q33	enforce compliance with regulatory requirements	Complete
Q34	implement the licensing process	Complete
Q35	advise the government	Complete
Q37	identify an acceptable destination for the radioactive waste	Complete
Q114	comply with legal requirements	Complete

Comment **# 202: Legal framework**

The Management Policy for Radioactive Materials and Waste is consistent with the legal framework constituted by two acts and their implementations instruments, as follows: the 1991 Law and the 2006 Planning Act. The policy is described in detail in the PNGMDR, which has been developed on the basis of the National Inventory of Radioactive Waste and Recoverable Materials (Inventaire national des déchets radioactifs et des matières valorisables). The purpose of the PNGMDR is to specify long-term management systems for radioactive waste and recoverable materials, to formulate improvement proposals for existing systems and to organise research and investigations on radioactive-waste management.

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Activities		(Yes;Partially;No)
Q43	perform safety and environmental impact assessments for radioactive waste management facilities	Yes
Q44	ensure adequate radiation protection for workers, the general public and the environment	Yes
Q45	ensure suitable staff, equipment, facilities, training and operating procedures are available to perform the safe radioactive waste management steps	Yes
Q46	establish and implement a quality assurance programme for the radioactive waste generated or its processing, storage and disposal	Yes
Q47	establish and keep records of appropriate information regarding the generation, processing, storage and disposal of radioactive waste, including an inventory of radioactive waste	Yes
Q48	provide surveillance and control of activities involving radioactive waste as required by the regulatory body	Yes
Q49	collect, analyze and, as appropriate, share operational experience to ensure continued safety improvements in radioactive waste management	Yes
Q50	conduct or otherwise ensure appropriate research and development to support operational needs in radioactive waste management	Yes

Comment **# 165: Waste inventory**

Various inventories already exist, made by waste generators and Andra. Each inventory is suitable for the need to which it corresponds. Andra has a WIRKS (Waste Information Record Keeping System) for the waste which has been disposed of in the Centre de l'Aube facility. Andra has also established inventories for the projects, including an evaluation of the future waste.

In 2001 the French government decided to create a National Inventory (existing waste and future waste to be generated by the existing nuclear plants and other industrial activities and also the re-usable nuclear matters such as spent fuel, plutonium, uranium) for a large information of the public and stakeholders. Andra is entrusted with this task on the basis of the recommendations made by Andra's chairman in his report sent to the French government in 2000. The report should be issued in October 2004.

The mission given to Andra for the inventory was confirmed by the June 28th 2006 Planning Act. This Act entrusts Andra to "establish, update every three years, and publish the Inventory of radioactive materials and waste, existing in France, as well as its location on the national territory".

Clearance		(Yes;No)
Q128	Does your country have "clearly defined clearance levels based on radiological criteria, with policy statements that material below those levels can be recycled or disposed of with non-radioactive wastes"?	No
Q129	Has your country ever used a "case-by-case" approach to clearing radioactive wastes (excluding spent/disused sealed radioactive sources)?	Yes
Q130	Has your country ever used clearance levels to dispose of, reuse or recycle radioactive waste as non-radioactive waste or as a non-radioactive resource (excluding spent/disused sealed radioactive sources)?	No

Comment **# 14641: Policies National Systems-Clearance**

Although permitted by directive 96/29 Euratom, French regulations have not incorporated the notion of clearance threshold, in other words the generic level of radioactivity below which waste from a nuclear activity can be disposed of without monitoring. In practice, elimination of waste is monitored on a case by case basis when the activities generating them are subject to licensing; otherwise these discharges are the subject of technical specifications.

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Disposal Facilities

Licensing		(Yes - All;Yes - Some;No)
Q53	Environmental Assessment (EA)	Yes - All
Q54	Environmental Impact Statement (EIS)	Yes - All
Q55	Performance Assessment (PA)	Yes - All
Q56	Quality Assurance (QA)	Yes - All
Q57	Safety Assessment (SA)	Yes - All
Q59	If Quality Assurance is part of your Country's current, waste disposal facility licensing policy, does the QA Program conform to international standards (such as the ISO9000 series)?	Yes - All
Operation		(Yes - All;Yes - Some;No)
Q60	Does your Country have formal, documented waste acceptance criteria for its operating or proposed disposal facilities?	Yes - All
Post-Closure		(Yes;No)
Q61	Does your Country have any written policies to address the maintenance of records that describe the design, location and inventory of waste disposal facilities?	Yes
Q62	If the answer to the previous question was YES, does your Country have any policies, laws or regulations that prescribe what records are to be maintained?	No
Q63	Does your Country have any written policies to address active institutional controls or passive institutional controls, such as monitoring or access restrictions?	No

Comment # 166: Post-closure

1- The principles concerning the maintenance of records have been established by Andra, for the Centre de la Manche facility post-closure. Andra has already archived most of the documents needed for long term.
 2- The Centre de la Manche facility is now in the institutional post closure period. Rules to be followed has been given to Andra.

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Processing/Storage

Policies/Procedures		(Yes;No)
Q73	waste sorting/segregation	Yes
Q74	waste minimization	Yes
Q75	waste storage	Yes
Q76	processing and/or storing and/or disposing of nuclear fuel cycle waste separately from non-nuclear fuel cycle waste (also known as nuclear applications waste)	Yes
Q78	Does your country have any legislation, regulation, or policy that waste processing must take place prior to storage (see following note)	Oui

Comment # 167: Policies/procedures

1- Requirement for waste minimization: see law 75-633 of July 1975 and ministerial order of December 31, 1999 (each waste generator has to issue a document «waste survey» and 2006 Planning Act (Article 6-I, § II.1: "the reduction of the quantity and toxicity of radioactive waste shall be sought notably by processing and conditioning radioactive waste"),
 2- Waste processing prior to storage: there are some exceptions (in particular, in the case of historical waste or in the case of process under study),
 3- waste processing prior to storage: there are some exceptions (in particular, in the case of historical waste or in the case of process under study, ...)

Implementation		(Yes;No)
Q80	In your Country are there any waste processing facilities at the same location where the waste is generated?	Yes
Q81	In your Country are there any centralized waste processing facilities?	Yes
Q82	In your Country are there any mobile waste processing facilities?	Yes

Comment # 203: Processing facilities

1- There is not an unique processing facility for all the wastes. The wastes are often conditioned on the sites where they have been generated. However, in some cases they are conditioned in centralized facilities: La Hague plant (waste originated from spent fuel), Centre de l'Aube facility for some waste...
 2- Mobile waste processing facilities are used for a few categories of waste only.

Foreign		(Yes;No)
Q121	Has your country sent any wastes or spent fuel to another country for processing (reprocessing for fuel)?	No
Q124	Has your country accepted any wastes or spent fuel from another country for processing (reprocessing for fuel)?	Yes
Q125	Currently, are there any wastes (processed or unprocessed, including the products of reprocessing) or spent fuel from another country being stored in your country?	Yes

Comment # 20329: Storage/disposal of SF and RW from abroad

"The disposal, in France, of radioactive waste received from abroad or resulting from the processing of foreign spent fuel or radioactive waste is prohibited". Article L. 542-2 of the Environmental Code.
 "The introduction, in France, of foreign radioactive substances for subsequent processing shall only be authorized within the framework of intergovernmental agreements and on condition that no radioactive waste resulting from the processing of these substances is stored in France beyond a date stipulated in these agreements. Specifically, these agreements shall define forecast periods for the receipt and processing of these substances and, if applicable, possible prospects for subsequent use of radioactive materials separated during processing". Article L. 542-2-1 of the Environmental Code.

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Spent/Disused SRS

Registration		(Yes;No)
Q84	Is there a national level registry?	Yes
Q85	If answer was yes, is the registry used only for disused/spent SRS?	No
Q87	Are there regional-level registries (one or more)?	No
Q90	Are there local-level registries (one or more)?	No

Procedures		(Yes;No)
Q91	Does your Country have documented procedures in place to ensure that sealed radioactive sources (SRS) are transferred to secure facilities in a timely manner after their user declares them to be spent?	Yes

Comment # 208: Spent sealed sources

The use of sealed sources not likely to activate materials does not generate any other radioactive waste than the source itself. Managing sealed sources constitutes an integral part of the PNGMDR.

General rules relating to the management and the licensing or declaration system, which covers all radioactive sources are detailed in the Public Health Code (Section 4 of Chapter 3 of Title III of Book III).

Their control has now been transferred to the ASN and the book-keeping of the inventory of radioactive sources was passed on to the IRSN. Since then, most licences have been issued by ASN and declarations have been submitted to ASN's territorial divisions.

Any user to whom a sealed source has been delivered must have them collected by the supplier as soon as it is out of use and no later than 10 years after the initial approval appearing on the corresponding supply form. Those provisions relating to the recovery of sources and to financial responsibilities apply in France since the early 90s.

The licensing system applies without distinction not only to all companies or establishment holding radionuclides on their premises, but also to those marketing them without holding them directly. That provision is consistent with EURATOM Directive 96/29, which includes import and export explicitly. From a health and safety standpoint, that obligation is necessary in order to follow up source movements as closely as possible and to prevent any accident due to orphan sources.

Agreements		(Yes;No)
Q93	Government to Government agreements	No
Q94	Government - Supplier agreements	No
Q95	Supplier-User agreements	Yes
Q97	Do any agreements include suppliers that are outside of your Country?	Yes

Release / Disposal		(Yes;No)
Q99	Does your Country have any regulations to free-release spent sealed radioactive sources (SRS)?	No
Q100	Has your Country disposed of spent SRS in existing disposal facilities for LILW or HLW waste?	Yes
Q101	Does your Country plan to dispose of spent SRS in existing or planned disposal facilities for LILW or HLW waste?	Yes
Q102	Has your Country implemented dedicated disposal facilities for spent SRS?	No
Q103	Does your Country have plans to implement dedicated disposal facilities for spent SRS?	No

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Import-Export

Radioactive Waste

(Yes;No)

Q104 Does your Country have laws or Regulations restricting either the import or export of radioactive waste (excluding spent fuel)? Yes

Spent Fuel

(Yes;No)

Q105 Does your Country have laws or Regulations restricting either the import or export of spent fuel? No

Comment # 168: Spent fuel

See Article 8-II of Planning Act No. 2006-739 Article L. 542-2-1 and 2

Liquid HLW

Storage

(Yes;No)

Q106 Does your Country have high-level liquid wastes in storage? No

Comment # 169: liquid HLW storage

"Practically, all fission products have today be vitrified" as mentioned in the National report (§ H.2.2.3) - Joint Convention on the Safety of Spent Fuel Management and on the Safety of Radioactive Waste Management

UMMT

Responsibility

(Yes;No)

Q110 Does your Country have any Uranium Mine and Mill Tailings sites that do not have a designated authority to manage them? No

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Decommissioning

Funding		(Yes - All;Yes - Some;No)
Q111	Does your Country require that funds should be set aside in support of future waste management activities, such as decommissioning activities?	Yes - All

Comment **# 170: funds aside**

Financial provisions have been annually made by most of the nuclear plants operators for future waste management and dismantling of the existing plants. The corresponding funds made up to now are important. The Parliamentary Office for Evaluation of Scientific and Technological Options has considered that the expenses for dismantling, estimated by the operators, and provisions made annually do not need to be revised now (report 1359 of the Assemblée National dated February 1999).

The 2006 Planning Act addresses the issue of secured financial provisions to be constituted by operators. Parliament will also participate in the control of those financial provisions as dedicated assets in the companies' accounts

Facilities		(Yes;No)
Q119	Does Your Country have any nuclear fuel cycle facilities?	Yes
Q120	Does Your Country have any nuclear applications facilities (non fuel cycle facilities)?	Yes

Timeframe		(Yes - All;Yes - Some;No)
Q112	Does your Country require a time frame for the decommissioning of nuclear fuel cycle facilities once these facilities cease operation?	No
Q113	Does your Country require a time frame for the decommissioning of non-nuclear fuel cycle facilities once these facilities cease operation?	No

Comment **# 238: time scale**

Second national report (§ F.6.1) - Joint Convention on the Safety of Spent Fuel Management and on the Safety of Radioactive Waste Management

"The regulations do not stipulate dismantling as soon as is reasonably feasible. However, the operator is asked to justify that the strategy proposed is the best one in terms of safety and radiation protection.

The ASN is in favour of immediate dismantling for various reasons such as loss of familiarity with the design and operation of the installation, the minimal advantage gained from radioactive decay, or the risk of equipment obsolescence. All operators in charge of a dismantling operation currently apply this policy.

The experience accumulated with the initial dismantling operations, mainly on small installations (pilot facilities, research reactors) led in 1990 to clarification of the regulatory framework governing the end of a Basic Nuclear Installation's life. The current texts require the operator to give thought to the future of its installation and then to the organisation of the steps involved in final shutdown and dismantling. The aim is to ensure that the safety status of the installation is satisfactory at all times, even after operations have ceased, taking account of the specific nature of dismantling."