

Information Circular

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Joint Convention on the Safety of Spent Fuel Management and on the Safety of Radioactive Waste Management

Guidelines regarding the Form and Structure of National Reports

1. The “Guidelines regarding the Form and Structure of National Reports” adopted at the Preparatory Meeting of the Contracting Parties to the Joint Convention held from 10 to 12 December 2001 were modified at the Second Review Meeting of the Contracting Parties held from 15 to 24 May 2006, the Fourth Review Meeting of Contracting Parties held from 14 to 23 May 2012 and the Second Extraordinary Meeting of the Contracting Parties held from 12 to 13 May 2014.
2. The modified “Guidelines regarding the Form and Structure of National Reports” are set forth in the Attachment hereto.

Joint Convention on the Safety of Spent Fuel Management and on the Safety of Radioactive Waste Management

Guidelines regarding the Form and Structure of National Reports

I. Introduction

1. These guidelines, established by the Contracting Parties under Article 29 of the Convention, are intended to be read in conjunction with the text of the Convention. Their purpose is to provide guidance to the Contracting Parties on material that should be included in the National Reports required by Article 32 and thereby to facilitate the most efficient review of the implementation by the Contracting Parties of their obligations under the Convention.

II. General

2. The basic concept of the Convention is the obligation of the Contracting Parties to apply widely recognized principles and tools for high-quality safety management and to submit National Reports on the implementation of these principles and tools to peer reviews with international participation. In accordance with Article 1, the National Reports should illustrate how the objectives of the Convention, especially a high level of safety in spent fuel and radioactive waste management, have been achieved.

3. The following matters should be taken into account in preparing reports:

- (a) each Contracting Party may submit a report with the form, length and structure it believes necessary in order to describe the measures taken to implement its obligations under the Convention;
- (b) the need for effective and efficient review makes it desirable that reports be in as similar a format as possible, to aid comparison;
- (c) a flexible approach can be adopted to the writing of reports, provided that the report strikes a balance between being sufficiently comprehensive to permit genuine evaluation of the extent of implementation of each obligation and being sufficiently concise to make both writing and reviewing the report practicable;
- (d) the first report may need to include more comprehensive information on the Contracting Party's spent fuel and radioactive waste management policy and practices than subsequent reports. Some of the information in the first report can be updated or supplemented as necessary for subsequent Review Meetings, instead of being repeated;
- (e) the National Report of a Contracting Party at subsequent meetings should contain updated information on matters covered in the first report, noting significant changes in applicable national laws, regulations and practices. It should also address safety issues which have been identified in the Contracting Party's previous report or which have arisen since the

completion of the previous report. In particular, it should address progress in safety analysis and improvement programmes. Finally, it should respond to any recommendations adopted at plenary sessions of the previous Review Meeting of the Contracting Parties; and

- (f) information on plans, methods, procedures etc. relating to spent fuel and radioactive waste management can be provided in a generic manner; however, a significant safety issue encountered in a particular situation or in respect of a particular facility should be described in a specific manner.
4. Each report should, as appropriate:
- (a) address all aspects of the obligations under the Convention;
 - (b) combine the article-by-article approach, following the subject matters of the Convention, with general sections, paying due regard to the concept of safety as a whole;
 - (c) clearly distinguish between requirements laid down in national regulations (formal compliance) and the status of the implementation of these requirements (factual compliance);
 - (d) avoid duplication both within the report and between the report and reports prepared for previous Review Meetings under this Convention;
 - (e) discuss the safety of spent fuel management and of radioactive waste management through the presentation of aggregated data and generic analyses showing overall trends of safety significance and - where appropriate - illustrated by the specific discussion of particular safety-related issues encountered at individual facilities; and
 - (f) include other official national reports and reports on national and international reviews requested by the Contracting Party as annexes.
5. National Reports should focus on describing by which specific measures the Contracting Party is implementing which specific article of the Convention; therefore, all information contained in National Reports should be explicitly connected to a specific Convention article.
6. Although the practice of supplementing National Reports with a number of annexed documents is encouraged, the main body of the National Report itself should contain all key elements of information needed to assess in what way the Contracting Party concerned is trying to attain Convention objectives.
7. The ratio between the length of a National Report and the amount of data supplied in annexes should not exceed a limit beyond which the transparency of the information provided could be compromised; a report/annexes ratio of roughly 1/3 would seem recommendable in this respect.
8. The number of pages of a National Report should not exceed a reasonable amount.
9. Contracting Parties are encouraged to report in *Système International (SI)* units.
10. In order to facilitate the physical handling of National Reports, Contracting Parties are encouraged to submit them as a single bound document containing the main report and all annexes; furthermore, it would be convenient if all National Reports were provided in a common, single format such as 297 x 210 mm, which is already being widely used.
11. Each National Report shall include an overview matrix to be used by the Rapporteur during the Country Group review. The format and definitions shall be agreed on by the Contracting Parties.

III. Suggested Form and Structure of the National Report

12. It is suggested that National Reports follow the structure set out below. For each of the sections identified in the following paragraphs, the relevant articles of the Convention are listed, and suggestions are made regarding some of the issues which may be addressed. In each section, the following information should be provided, as appropriate:

- (a) a statement on the implementation of each article, including a description of the situation addressed in the section and the results achieved;
- (b) plans and measures needed for corrective actions, with an indication of any necessary international cooperation, as required;
- (c) explanations of terms used in the report, such as those associated with waste classification schemes; and
- (d) references to annexes or other material, as appropriate.

13. To determine the precise obligations, reference should be made to the text of the Convention for every article referred to in each section.

14. The IAEA Safety Standards, in particular Safety Fundamentals and Requirements, provide a basis for what constitutes a high level of safety and are objective, transparent and technologically neutral, which gives valuable guidance on how to meet the obligations of the Convention. Reference to the IAEA Safety Fundamentals and Requirements could be made when reporting on the obligations under the Convention.

Section A. Introduction

15. This section should consist of general introductory remarks, a survey of the main safety issues and main themes of the report and references to any matters not covered elsewhere in the report that the Contracting Party wishes to raise.

Section B. Policies and Practices

16. This section covers the obligations under **Article 32 (Reporting), paragraph 1.**

17. It should include a statement outlining the national policy for spent fuel management and a description of national practices pertaining to spent fuel management, together with a statement outlining the national policy for radioactive waste management and a description of national practices pertaining to radioactive waste management. It should also specify the criteria used to define and categorize radioactive waste.

Section C. Scope of Application

18. This section covers the obligations under **Article 3 (Scope of application).**

19. In this section, the position of the Contracting Party as regards the following matters should be stated clearly:

- (a) whether the Contracting Party has declared reprocessing to be part of spent fuel management, pursuant to Article 3(1);

(b) whether any waste that contains only naturally occurring radioactive material and does not originate from the nuclear fuel cycle has been declared as radioactive waste for the purposes of the Convention, pursuant to Article 3(2), and, if so, where this radioactive waste appears in the inventory; and

(c) whether any spent fuel or radioactive waste within military or defence programmes has been declared as spent fuel or radioactive waste for the purposes of the Convention, pursuant to Article 3(3).

Section D. Inventories and Lists

20. This section covers the obligations under **Article 32 (Reporting), paragraph 2.**

21. Contracting Parties are encouraged to use clearly defined waste categories when reporting inventories.

Section E. Legislative and Regulatory System

22. This section covers the obligations under the following articles:

Article 18. Implementing measures

Article 19. Legislative and regulatory framework

Article 20. Regulatory body

23. This section should summarize the legislative and regulatory system, including the national safety requirements, the licensing system, the inspection, assessment and enforcement process and the allocation of responsibilities for the safety of spent fuel management and radioactive waste management; the means by which the effective independence of the regulatory functions from those of spent fuel management and radioactive waste management is ensured; and the actions to improve the transparency in regulatory activities and communication with the public. It should also describe the considerations taken into account in deciding whether to regulate radioactive materials as radioactive waste. In the first report, this section should be as comprehensive as possible - to be amended as necessary in subsequent reports.

Section F. Other General Safety Provisions

24. This section covers the obligations under the following articles:

Article 21. Responsibility of the licence holder

Article 22. Human and financial resources

Article 23. Quality assurance

Article 24. Operational radiation protection

Article 25. Emergency preparedness

Article 26. Decommissioning

25. This section should describe the steps taken to implement the obligations regarding general safety provisions set out in this group of articles. It should also describe how the obligations are addressed at the national level and, as appropriate, at the facility level.

Section G. Safety of Spent Fuel Management

26. This section covers the obligations under the following articles:

Article 4. General safety requirements

Article 5. Existing facilities

Article 6. Siting of proposed facilities

Article 7. Design and construction of facilities

Article 8. Assessment of safety of facilities

Article 9. Operation of facilities

Article 10. Disposal of spent fuel

27. This section should give a comprehensive description of the steps taken to protect individuals, society and the environment against radiological hazards associated with spent fuel management. These steps should be described for existing facilities, for proposed facilities and for facilities being brought into operation. The section should concentrate on how the obligations under each article are being addressed. It should be noted that the obligations apply to the management of spent fuel from nuclear power plants and research reactors. Where criteria have been applied in assessing the level of safety or the need for safety improvements, Contracting Parties are encouraged to report those criteria.

Section H. Safety of Radioactive Waste Management

28. This section covers the obligations under the following articles:

Article 11. General safety requirements

Article 12. Existing facilities and past practices

Article 13. Siting of proposed facilities

Article 14. Design and construction of facilities

Article 15. Assessment of safety of facilities

Article 16. Operation of facilities

Article 17. Institutional measures after closure

29. This section should give a comprehensive description of the steps taken to protect individuals, society and the environment against radiological and other hazards associated with radioactive waste management. These steps should be described for existing facilities and past practices, for proposed facilities, for facilities being brought into operation and for disposal facilities that have been closed. The section should concentrate on how the obligations under each relevant article are being addressed. Where criteria have been applied in assessing the level of safety or the need for interventions or safety improvements, Contracting Parties are encouraged to report those criteria.

Section I. Transboundary Movement

30. This section covers the obligations under **Article 27 (Transboundary movement)**.

31. Contracting Parties are encouraged to report here on their experiences concerning transboundary movements.

Section J. Disused Sealed Sources

32. This section covers the obligations under **Article 28 (Disused sealed sources)**.

33. This section should give a comprehensive description of the legislative and regulatory system governing the management of disused sealed sources, including the following issues:

- status of disused sealed sources within the framework of its national legislation;
- national strategy for the management of disused sealed sources, including the legal responsibilities, of manufacturers, suppliers, owners and users of sealed sources for their end-of-life management;
- for Contracting Parties in which suppliers of sealed sources are or were located:
 - the framework concerning the re-entry of disused sealed sources into its territory for return to a manufacturer qualified to receive and possess the disused sealed sources and,
 - the retrieval approach, if any, of sealed sources considered as having a national origin from a foreign state.

Section K. General Efforts to Improve Safety

34. This section provides an opportunity to give a summary of safety issues of concern identified earlier and of planned future actions to address those issues, including, where appropriate, measures of international co-operation.

35. This section should also summarize

- (a) measures taken to address Suggestions and Challenges identified at previous Review Meetings; and
- (b) strong features in its current practices, possible areas for improvement, major Challenges that the Contracting Party has identified for itself and how the Contracting Party plans to address these issues.

36. This section should:

- for those countries hosting, having hosted, or planning to host international peer review missions and follow-up missions, include a description of policies, plans and schedules for such peer review missions;
- include the measures taken by the Contracting Party to voluntarily make public the reports on their international peer review missions.

37. This section should include information on the actions taken to enhance openness and transparency in the implementation of the obligations under the Convention.

Section L. Annexes

38. The following may be included as annexes to the National Reports:

- (a) List of spent fuel management facilities;
- (b) List of radioactive waste management facilities;
- (c) List of nuclear facilities in the process of being decommissioned;
- (d) Inventory of spent fuel;
- (e) Inventory of radioactive waste;
- (f) References to national laws, regulations, requirements, guides, etc.;
- (g) References to official national and international reports related to safety;
- (h) References to reports on international review missions performed at the request of a Contracting Party; and
- (i) Other relevant material.

**ANNEX TO GUIDELINES REGARDING
THE FORM AND STRUCTURE OF NATIONAL REPORTS:
VOLUNTARY PRACTICES REGARDING PUBLICLY AVAILABLE INFORMATION**

To achieve greater transparency in the review process for interested parties, Contracting Parties are encouraged to implement, on a voluntary basis, the following practices:

- (1) Contracting Parties are encouraged to make public their National Reports under Article 32 of the Convention or summaries thereof. In particular, it is recommended that the National Reports or the summaries be placed on the Internet to increase their availability to interested parties.
- (2) Contracting Parties are also encouraged to make public the questions and comments received from other Contracting Parties during the review process pursuant to Article 30(3) of the Convention, including the responses to these questions and comments, or summaries thereof, without naming the Contracting Parties that submitted the questions or comments.
- (3) National Reports of the Contracting Parties may also serve as an information source for other purposes, if they are made public by the Contracting Parties. They provide comprehensive information on the safety of spent fuel management and on the safety of radioactive waste management in the State concerned in a clearly arranged manner. Many countries use them for the training of personnel.