Federal Agency for Nuclear Control

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Director of Nuclear Security & Transport
1. About the FANC
2. Safety and Security: General Vision
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About the FANC
FANC mission:

The FANC assures that there is adequate protection of the population, the workers and the environment against the hazards of ionising radiation
About the FANC

- Federal Agency for Nuclear Control
- Parastatal organisation under the supervision of the Minister of Home Affairs
- Own budget
- Board of Directors and Director General assigned by the King (= government)
- Annual report to Parliament
- Operational since 2001
- About 160 staff members
- Technical branch: Bel V
- Scientific Council
About the FANC

General Manager

Regulation, Legal Affairs & Translations

Health & Safety at Work

Internal Audit

Communication

Facilities & Waste

- Nuclear Facilities
- Industrial Facilities
- Waste Management & Disposal

Security & Transport

- Import & Transport
- Nuclear Security

Health & Environment

- Health Protection
- Medical Facilities
- Surveillance of the Territory & Natural Radiation

Support

- Finance
- HRM
- ICT
About the FANC

- Anticipating, informing, regulating
- Inside the FANC
- Licensing and controlling
- Turning to the future
- Dealing with contingencies

Inside the FANC

Licensing and controlling

Turning to the future

Dealing with contingencies
Safety and Security
General vision
Safety and Security: General vision

• **Definition Safety**:  
  - Protection of people and the environment against radiation risks, and the safety of facilities and activities that give rise to radiation risks  
  - Preventing incidents + mitigating their consequences

• **Definition Security**:  
  - Prevention and detection of, and response to, theft, sabotage, unauthorized access, illegal transfer or other malicious acts involving nuclear material, other radioactive substances or their associated facilities.
Common purpose: protecting people, society, and the environment from risks of radioactive material.

Differences:

- **Security** is concerned with malicious actions by humans that could cause or threaten harm to other humans; security matters are confidential, and threat based approach is used.
- **Safety** is concerned with the broader issue of harm to humans or the environment from radiation, whatever the cause. Safety matters are intrinsic to activities, transparent and safety objectives.
• **CHALLENGES**

  – **Specific challenges**
  – **Common challenges:**
    - They have to be tackled along an **integrated approach**
    - Comprehensive framework strong safety and security consideration
    - Both need appropriate attention
Safety and Security: General vision

- First **responsibility** of the licensee

- To ensure, as far as possible, an **effective interface** between safety and security in all aspects
Safety and Security: General vision

- The FANC manages the **highest standards** for nuclear safety and security
- **Participatory process** with stakeholders (meetings, round-table discussions, workshops...) to reach and maintain stringent **legislation and reglementation**
- Follow-up through **inspections**
- **Integrated approach** – Continuous improvements
3. The upcoming transport Regulations
The upcoming transport regulations

- **Belgium:**
  - 400,000 packages/year
  - 40,000 shipments/year

<table>
<thead>
<tr>
<th>Mode of transport</th>
<th>Global frequency</th>
<th>% in transit</th>
<th>Medical application</th>
<th>Nuclear Fuel Cycle</th>
<th>Other (industry, research, ...)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Road</td>
<td>&gt; 100/day</td>
<td>40 %</td>
<td>80 %</td>
<td>&lt; 5 %</td>
<td>&lt; 1%</td>
</tr>
<tr>
<td>Air (in cargo or aircraft with passengers)</td>
<td>&gt; 20/day</td>
<td>80 %</td>
<td>90 %</td>
<td>0 %</td>
<td>0 %</td>
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<tr>
<td>Sea</td>
<td>&lt; 10/month</td>
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<td>0 %</td>
<td>&lt; 95 %</td>
<td>&lt; 1 %</td>
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<tr>
<td>Rail</td>
<td>&lt; 3/month</td>
<td>99 %</td>
<td>0 %</td>
<td>90 %</td>
<td>10 %</td>
</tr>
<tr>
<td>Inland waterway</td>
<td>None</td>
<td>/</td>
<td>/</td>
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<td>/</td>
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</tbody>
</table>

Belgium: 400,000 packages/year
40,000 shipments/year
The upcoming transport regulations

- Medical applications (road and air)
  - 350,000 packages / year
  - International shipments (50 %)
  - Distribution throughout Belgium
Why review the Belgian legislation?

- The current system (from 1963) is a licence-based system combining reporting and notifications with inspections and audits.
- We think that this current system has contributed to the safe & secure transport that we have achieved in Belgium.
- But a simplification of the current system is necessary.
- Evolution into a European and international driven context.
- Not every involved stakeholders addressed in the current legislation.
Expectations for the revised Belgian legislation

• New system mainly based on a simplified licence system focusing on inspections and audits in order to ensure compliance with the (inter)national regulations on the transport of RAM

• Transition without affecting the safe, secure and sustainable transport of RAM in Belgium

• No impact on our knowledge of who is carrying what, when and in which conditions within the Belgian borders
The upcoming transport regulations

Expectations for the revised Belgian legislation

- Adapted to the European and international context
- Cover all stakeholders involved in the radioactive material transport chain
- Reduce the administrative burden for the FANC and its stakeholders
- Transpose into Belgian legislation the European Directive 2008/68/EC (for the transport of dangerous goods of class 7) and partially the BSS (Directive 2013/59/Euratom)
The upcoming transport regulations

Expectations for the revised Belgian legislation

• Take into account the recommendation from IRRS mission in December 2013 to extend the FANC’s competence to issue technical guides

• And the suggestion for better application of the graded approach in the license system

⇒ Main goals and principles discussed and approved by the FANC’s management
The upcoming transport regulations

Approach and project management
Main steps of the project divided into 3 stages

Draft stage:
- Define the principles of the new legislation “brown paper method” combined with SWOT analyse
- Submit the draft to the stakeholders
- Consult the stakeholders each time the draft adapted to have continuous feedback from them
- Draft the legal framework and in parallel develop intern processes and procedures
Approach and project management
Main steps of the project divided into 3 stages

Administrative stage:

- Submit the draft legal framework to the Minister of Security and Home Affairs
- Publish the draft legal framework on the FANC website for a “last” review and comments by the stakeholders
- Submit the draft legal framework to the different advisory commissions
- Get the Government’s formal approval
- Publish the legal framework in the Belgian Official Journal
The upcoming transport regulations

Approach and project management
Main steps of the project divided into 3 stages

Implementation and operationalization:

- In parallel with the draft and administrative stages, adapt the organization of the Import & Transport Section within FANC
- Communicate the new legal framework to the stakeholders
- Complete the modification of the structure and organization of the Import & Transport Section
The upcoming transport regulations

December 2012
- Principles presented during a round table with all stakeholders

Autumn 2014
- Internal work

March - June 2015
- Amended proposal + operational issues presented at information sessions organized per transport mode

Summer 2013
- Survey stakeholders

July 2015 - May 2016
- Writing the drafts of the legal text

04/02/2016
- Feedback on remarks and comments, structure and content of legal framework during round table

February 2014
- Proposal presented during a round table with all stakeholders

December 2012
- Principles presented during a round table with all stakeholders

Summer 2013
- Survey stakeholders
The upcoming transport regulations

Autumn 2016
- Information sessions for all stakeholders

July 2016
- Publication of legal text on website + start of comments procedure

May 2016
- Proposals for final legal texts

Early 2017
- Reception of legal advices and rework of the legal texts

04/02/2016
- Feedback on remarks and comments, structure and content of legal framework during round table

July-August 2016
- Official advice procedure started

Autumn 2017
- Start of new regulations
The upcoming transport regulations

Principles of the new legal framework

• Registration of all carriers taking into account UN groups (graded approach)
  - UN Group 1: excepted packages
  - UN Group 2: non-fissile radioactive material
  - UN Group 3: fissile material
  - UN Group 4: UF6

• License for specific transports
  (including shipment approvals as foreseen in the international regulations)

• Notification (48h in advance) for some transports
The upcoming transport regulations

Principles of the new legal framework

- Registration of:
  - Organisations involved in the multimodal transport (port and airport)
  - Site for interruptions of transport

- License for single transport or a limited number of handlings

- Monthly reporting for the carriers
The upcoming transport regulations

Conclusions

- The project started in January 2013 and is still on-going
- The main objectives have been achieved
- The next step is the approval of the drafted legal framework by the Belgian Government
- We expect a publication in the Belgian Official Journal by mid-2017 and that the new legal framework comes into forces in the autumn 2017
Thank you for listening