

Shipments of radioactive waste and spent fuel

2005/0272(CNS) - 21/12/2005 - Legislative proposal

PURPOSE : to supervise and control shipments of radioactive waste and nuclear spent waste.

PROPOSED ACT : Council Directive.

CONTEXT : [the revision process of Directive 92/3/Euratom of 3 February 1992 on the supervision and control of shipments of radioactive waste between Member States and into and out of the Community was initiated in 2001](#) in the context of the fifth phase of the SLIM initiative (Simpler Legislation for Internal Market; SLIM V), with a view to making Directive 92/3 Euratom more user-friendly and transparent.

CONTENT : this proposal aims to amend Council Directive 92/3/Euratom in order to clarify and add concepts and definitions, to address situations that had been omitted in the past, to simplify the existing procedure for the shipment of radioactive waste between Member States and to guarantee consistency with other Community and international provisions, and in particular with the joint Convention for the safe management of spent fuel and radioactive waste, to which the Community acceded on 2 January 2006.

Modifications to the provisions of Directive 92/3 are justified by four different reasons:

- Consistency with latest Euratom Directives : Directive 96/29/Euratom of 13 May 1996 laying down basic safety standards for the protection of the health of workers and the general public against the dangers arising from ionising radiation, and Council Directive 2003/122/Euratom of 22 December 2003 on the control of high-activity sealed radioactive sources and orphan sources, in particular the wording of the provisions on reshipment of radioactive sealed sources;
- Consistency with international Conventions , in particular in view of the ongoing accession of the European Atomic Energy Community (Euratom) to the IAEA Joint Convention on the Safety of Spent fuel Management and on the Safety of Radioactive Waste Management;
- Clarifying the procedure in practice and improving the Directive structure;
- Extension of the scope to spent fuel. Under Directive 92/3, spent fuel for which no use is foreseen is considered as “radioactive waste” and shipments of such materials are subject to the uniform control procedure laid down in the Directive. Shipments of spent fuel for reprocessing are on the contrary not subject to such a procedure. This leads to the inconsistency that the same material is or is not subject to this procedure depending on its intended use.