

THE PROTECTION FROM IONIZING RADIATION LAW OF 2002

Regulations issued under Section 40

The Protection from Ionizing Radiation (Information to the Public on Applicable Measures in Case of Radiological Emergency) Regulations of 2002

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THE PROTECTION FROM IONIZING RADIATIONS LAW OF 2002

Regulations issued under Section 40

For the purpose of harmonization with the European Community Act with title:

“Council Directive 89/618/Euratom of 27 November 1989 on informing the general public about health protection measures to be applied and steps to be taken in the event of a radiological emergency” (OJ No. L357, 7.12.1989, p31).

The Council of Ministers, in exercise of the power conferred on it by Section 40 of the Protection from Ionizing Radiation Law of 2002, after proposal by the Minister, hereby makes the following Regulations:

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| Citation | 1. These Regulations shall be cited as The Protection from Ionizing Radiation (Information to the Public on Applicable Measures to be taken in Case of Radiological Emergency) Regulations of 2002. |
| Interpretation | <p>2. (1) In these Regulations, unless the context otherwise requires,</p> <p>“approved dosimetric service” shall have the meaning assigned to the term by the Protection from Ionizing Radiation (Basic Principles) Regulations of 2002.</p> <p>“safety report” means a report in writing which is prepared and has the content prescribed under Regulation 5.</p> <p>“radiological emergency” means the situation prescribed under Regulation 4.</p> <p>“off-site emergency plan” means a plan prepared under Regulation 7.</p> <p>“internal emergency plan” means a plan referred to in paragraph (2) of Regulation 6.</p> <p>“Law” means the Protection from Ionizing Radiation Law of 2002.</p> <p>“population likely to be affected in the event of a radiological emergency” means any population group for which intervention plans have been drawn up in the event of radiological emergencies.</p> <p>“population actually affected in the event of a radiological emergency” means any population group for which specific protection measures are taken as soon as a radiological</p> |

emergency occurs.

“**person**” means natural or legal person.

“**significant release of radioactive material**” and “abnormal levels of radioactivity which are likely to be detrimental to public health cover situations likely to result in members of the public being exposed to doses in excess of the dose limits prescribed under the Law or any Regulations made under the Law.

“**transport emergency plan**” means a plan referred to in paragraph (3) of Regulation 6.

(2) The terms used in these Regulations without a different meaning assigned to them shall have the meaning assigned to them by the Law.

Scope and
application of the
Regulations

3. These Regulations shall apply to all events of radiological emergency which have occurred or is likely to occur and are intended to define measures and procedures for informing the general public for the purpose of improving the operational health protection provided in the event of a radiological emergency.

Radiological
Emergency

4. For the purposes of these Regulations, a radiological emergency means any situation:

(1) that follows

(a) an accident in the territory of the Republic involving facilities or activities referred to in paragraph (2) of this Regulation from which a significant release of radioactive material occurs or is likely to occur; or

(b) the detection, within or outside the territory of the Republic, of abnormal levels of radioactivity which are likely to be detrimental to public health in the Republic; or

(c) accidents other than those specified in subparagraph (a) of this Regulation, involving facilities or activities referred to in paragraph (2) from which a significant release of radioactive material occurs or is likely to occur; or

(d) other accidents from which a significant release of radioactive material occurs or is likely to occur.

(2) that is attributable to the facilities and activities referred to in subparagraphs (a) and (b) of paragraph (1) of this Regulation and which includes:

- (a) any nuclear reactor, wherever located
- (b) any other nuclear-fuel-cycle facility
- (c) any radioactive-waste-management facility
- (d) the transport and storage of nuclear fuels or radioactive wastes
- (e) the manufacture, use, storage, disposal and transport of radioisotopes for agricultural, industrial, medical and related scientific and research purposes, and
- (f) the use of radioisotopes for power generation in space vehicles.

Assessment of
risks-Safety report

5. (1) A person conducting or who has submitted a notification or application to conduct for the first time, activities for which these Regulations apply, shall make a risk assessment or shall ensure that a risk assessment has been made, which must demonstrate that all hazards with the potential to cause an accident have been identified and that the nature and magnitude of the risks to employees or other persons or to the environment have been evaluated.

(2) The assessment of risks made pursuant to paragraph (1) of this Regulation, shall be reviewed and further assessment shall be made, whenever a material change occurs in the work with ionizing radiation or in the available knowledge or within three (3) years of the date of the last assessment.

(3) Where the assessment made for the purposes of paragraph (1) of this Regulation shows that a radiation risk to employees or other persons or for the environment exists from an accident likely to occur, the person who submits the notification or the application, or the license shall take all appropriate steps to

- (a) prevent any such accident, and
- (b) limit the consequences of any such accident which does occur.

(4) Every person who makes an assessment pursuant to paragraphs (1) and (2) of this Regulation, shall send to the Minister:

- (a) a safety report, at least twenty eight (28) days before the commencement of any transport activities and twelve (12) months before the commencement of any other activities, or within a different time period as the Inspection Service may agree, of the assessment of hazards and the evaluation of risks pursuant to paragraph (1) of this Regulation, or
- (b) a safety report, within twenty eight (28) days of the making of changes or a notification that he has made hazard assessment and a risk evaluation, pursuant to paragraph (2) of this regulation, whenever there are no changes from the previous assessment which was notified.

(5) The safety report made pursuant to paragraph (4) of this Regulation shall include the information referred to in Schedule One.

(6) The Minister, may reasonably require the person who submitted a safety report pursuant to paragraph (4) of this Regulation, to make a detailed assessment taking into account the particulars set out in Schedule Two.

Emergency Plans-
Internal
Emergency Plan-
Transport
Emergency Plan

6(1) Where the assessment made pursuant to paragraphs (1) and (2) of Regulation (5) shows that it is reasonably foreseeable that a radiological emergency might arise, the licensee or the person who submitted a notification or an application for license, shall prepare in writing an adequate emergency plan, designed to restrict the exposure to ionizing radiation of any individual and the protection of the environment.

(2) The emergency plan made pursuant to paragraph (1) of this Regulation and related to any premises or nuclear installations, shall be referred to as "Internal Emergency Plan", shall be compiled taking into account the principles set up in Schedule Three and shall contain at least the information referred to in Part A of Schedule Four.

(3) The emergency plan, prepared pursuant to paragraph (1) of this Regulation in respect of transport of radioactive material or substances, shall be referred to as "transport emergency plan", shall be compiled taking into account the principles set up in Schedule Three and shall contain at least the information referred to in Part B of Schedule Four.

(4) Every licensee shall ensure that any employee or any other individual who may be involved or may be affected by arrangements in the emergency plan he has prepared, is provided with sufficient and adequate information and the

equipment necessary to restrict that employee's exposure to ionizing radiation, including suitable dosimeters or other devices from Approved Dosimetric Services.

(5) A copy of the emergency plans prepared pursuant to paragraph (1) of this Regulation shall be sent to the Inspection Service.

Off-site
emergency plan

7(1) The Inspection Service, in collaboration with interested Local Authorities or/and with other Authorities or Institutions, when necessary, shall ensure that in cases where paragraph (2) of Regulation 6 applies, an adequate emergency plan exists, which is designed to protect the population who may be affected in case of a radiological emergency.

(2) The emergency plan prepared pursuant to paragraph (1) of this Regulation shall be referred to as off-site emergency plan", shall be compiled taking into account the principles set up in Schedule Three and shall contain at least the information referred to in part C of Schedule Four.

Review and
testing of
emergency plans

8. The emergency plans prepared pursuant to Regulations 6 and 7 shall:

- (a) be reviewed and where necessary revised, and
- (b) tested

periodically, within suitable time intervals not exceeding three (3) years, taking into account any changes of the work activities, of the available knowledge or of the assessment on which the plan was based since it was last reviewed or revised.

Fees

9. The Minister may, by notice published in the official Gazette of the Republic, prescribe fees, that every licensee conducting activities for which Regulation 7 apply, to cover any expenses of the Inspection Service, or of the Local Authorities or of other Authorities or Institutions, necessary in order to fulfill their obligations in accordance with the transport emergency plan or the off-site emergency plan.

Prior Information

10. (1) Every licensee shall ensure that the population likely to be affected in the event of a radiological emergency, which is the result of its activities as described in the license, is given information about the health protection measures applicable to it and about the action it should take in the event of such an emergency.

(2) Without prejudice to paragraph (1) of this Regulation, the Inspection Service, in collaboration with other Authorities or

Institutions, where necessary, shall ensure that the population likely to be affected in the event of a radiological emergency, is given information about the health protection measures applicable to it and about the action it should take in the event of such an emergency.

(3) The information given to the public pursuant to paragraphs (1) and (2) of this Regulation shall include at least the information referred to in Schedule Five, shall be permanently available to the population and shall be communicated to the population referred to in paragraphs (1) and (2) without any request being made.

(4) Every licensee and the Inspection Service, as appropriate, shall update the information given to the population in accordance to paragraphs (1) and (2) of this Regulation and shall circulate it at regular intervals and whenever significant changes in the arrangements that it describes take place.

Information in the event of a radiological emergency

11. (1) Whenever a radiological emergency occurs, which is the result of a licensee's activities referred to in the license, the licensee shall notify, without delay, the Inspection Service about the facts of the emergency, the steps to be taken and as appropriate to the case in point, of the health protection measures applicable to it or which will be applied.

(2) Without prejudice to paragraph (1) of this Regulation, the Inspection Service, when a radiological emergency occurs, in collaboration with other Authorities of Institutions, if necessary, shall ensure that the population actually affected is informed without delay of the facts of the emergency, of the steps to be taken and as appropriate to the case in point, of the health protection measures applicable to it.

(3) The information provided pursuant to paragraphs (1) and (2) of this Regulation, shall include the points contained in Schedule Six, which are relevant to the type of radiological emergency.

Information of persons who might be involved in the organization of emergency assistance in the event of a radiological emergency

12.(1) The Inspection Service ensures that any persons who are not on the staff of the facilities and/or not engaged in the activities defined in paragraph (2) of Regulation 4, but who might be involved in the organization of emergency assistance in the event of a radiological emergency are given adequate and regularly updated information on the health risks their intervention might involve and on the precautionary measures to be taken in such an event.

(2) The information referred to in paragraph (1) of this Regulation, shall take into account the range of potential radiological emergencies and as soon as a radiological

emergency occurs this information shall be supplemented appropriately, having regard to the specific circumstances.

Regulations
implementation
procedures

13.(1) The information given pursuant to Regulations 10, 11 and 12 shall also mention the authorities responsible for implementing the measures referred to in those Regulations.

(2) The procedures and the manner for circulating the information referred to in Regulations 10, 11 and 12 and those to whom the information shall be addressed in the emergency plans and shall have the approval of the Minister.

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SCHEDULE ONE
(Regulation 5(5))

Particulars to be included in an assessment report

1. the name and address of the notifier, the applicant, the licensee or the carrier;
 2. the postal address of the premises where the relevant activities are conducted, or in the case of transport, the postal address of the transport undertaking;
 3. the date on which it is anticipated that the work with ionising radiation will commence;
 4. a general description of the premises or place including the geographical location, meteorological, geological, hydrographic conditions and, where material, the history of the premises, except that in the case of transport a general description shall be given of either -
 - a. the starting and end points of the journey and transhipment points, or
 - b. the criteria to be used for route selection;
 5. a description of any radioactive substance and its quantities;
 6. a plan of the premises in question;
 7. a diagram and description of any single plant or enclosed system containing radioactive substances and a description of the packaging or the containment of the radioactive substance, the type of vehicle and the means of securing the load within or on the vehicle;
 8. those factors which could precipitate a major release of any radioactive substance and the measures to be taken to prevent or control such release;
 9. information concerning the management systems of the enterprise and staffing;
 10. information about the size and distribution of the population in the vicinity of premises to which the safety report relates;
 11. an assessment of the area which is likely to be affected by the dispersal of any radioactive substance as a result of any radiation emergency and the period of time over which such dispersal is likely to take place;
 12. an assessment of the likely exposures to ionising radiation of any person or class of persons as a result of any radiation emergency; and
- an assessment of the necessity for an emergency plan to be prepared.

SCHEDULE TWO
(Regulation 5(6))

Further particulars that the Minister may require to be included in a safety report

1. the analysis carried out to establish the likely consequences of any hazard, including the likely doses of ionising radiation to which members of the public might be exposed, and the probability of the occurrence of such hazard;
2. the number of persons who might be affected;
3. the management systems and staffing arrangements by which any hazard is to be or is controlled;
4. the safety systems, procedures and monitoring systems by which any hazard is to be or is controlled;
5. the qualifications, experience and training of staff concerned;
6. the design, construction, operation or maintenance of any equipment which is used for the purposes of intervention or which is used to control any hazard;
7. the design and operating documentation;
8. the design and operation of containment and pressure systems;
9. the protection of persons from the effects of loss of containment; and
10. the procedures for the reporting of and learning from radiation emergencies.

SCHEDULE THREE
(Regulations 6 and 7)

**Principles which shall be taken into account for the preparation of
emergency plans**

1. the intervention shall be undertaken only if the reduction in the detriment due to the radiation resulting from the radiation emergency is sufficient to justify the harm and costs, including the social costs, of the intervention; and
2. the form, scale and duration of the intervention shall be carried out in such a way as to ensure that exposures to radiation are kept as low as is reasonably practicable so that the benefit of the reduction in health detriment less the detriment associated with the intervention will be maximised.

SCHEDULE FOUR
(Regulations 6 and 7)

PART A

Minimum information to be included in an internal emergency plan

1. the names or positions of persons authorised to set emergency procedures in motion and the person in charge of and co-ordinating the on-site mitigatory action;
2. the name or position of the person with responsibility for liaison with the local authority responsible for preparing the off-site emergency plan;
3. for reasonably foreseeable conditions or events which could be significant in bringing about a radiation emergency, a description of the action which should be taken to control the conditions or events and to limit their consequences, including a description of the safety equipment and the resources available;
4. the arrangements for limiting the risks to persons on the premises including how warnings are to be given and the actions persons are expected to take on receipt of a warning;
5. the arrangements for providing early warning of the incident to the local authority responsible for setting the off-site emergency plan in motion, the type of information which should be contained in an initial warning and the arrangements for the provision of more detailed information as it becomes available;
6. the arrangements for providing assistance with off-site mitigatory action; and
7. the arrangements for emergency exposures including the dose levels which have been determined as appropriate for the purposes of putting into effect the emergency plan.

PART B

Minimum information to be included in a transport emergency plan

1. the names or positions of persons authorised to set **emergency** procedures in motion and the person in charge of and co-ordinating the mitigatory action;
2. for reasonably foreseeable conditions or events which could be significant in bringing about a radiation **emergency**, a description of the action which should be taken to control the conditions or events and to limit their consequences, including a description of the safety equipment and the resources available;

3. the arrangements for providing early warning of the incident, the type of information which should be contained in an initial warning and the arrangements for the provision of more detailed information as it becomes available; and
4. the arrangements for **emergency** exposures including the dose levels which have been determined as appropriate for the purposes of putting into effect the **emergency** plan.

PART C

Minimum information to be included in an off-site emergency plan

1. the names or positions of persons authorised to set emergency procedures in motion and of persons authorised to take charge of and co-ordinate the off-site mitigatory action;
2. the arrangements for receiving early warning of incidents, and alert and call-out procedures;
3. the arrangements for co-ordinating resources necessary to implement the off-site **emergency** plan;
4. the arrangements for providing assistance with on-site mitigatory action;
5. the arrangements for off-site mitigatory action;
6. the arrangements for providing the public with specific information relating to the **emergency** and the behaviour which it should adopt; and
7. the arrangements for **emergency** exposures including the dose levels which have been determined as appropriate for the purposes of putting into effect the **emergency** plan.

SCHEDULE FIVE
(Regulation 10)

Prior action to be supplied to the population likely to be affected in case of radiological emergency

1. Basic facts about radioactivity and its effects on persons and on the environment.
2. The various types of radiation emergency covered and their consequences for the general public and the environment.
3. Emergency measures envisaged to alert, protect and assist the general public in the event of a radiation emergency.
4. Appropriate information on action to be taken by the general public in the event of a radiation emergency.

SCHEDULE SIX
(Regulation 11)

Information to be supplied to the population actually affected in case of radiological emergency

1. According to the emergency plans which are prepared in advanced, the population actually affected in the event of a radiological emergency, shall be given without delay and periodically:
 - a. Information on the type of emergency which has occurred, and, where possible, its characteristics (its origin, extent and probable development).
 - b. Advice on health protection measures, which, depending on the type of **emergency**, might –
 - i. Primarily refer to
 - any restrictions on the consumption of certain foodstuffs and water supply likely to be contaminated;
 - any basic rules on hygiene and decontamination;
 - any recommendation to stay indoors;
 - the distribution and use of protective substances;
 - any evacuation arrangements;
 - ii. probably includes special warnings for certain population groups.
 - c. Any announcements recommending co-operation with instructions or requests by the competent authorities.
2. Where an occurrence which is likely to give rise to a release of radioactivity or ionising radiation has happened but no release has yet taken place, the information and advice should include the following -
 - a. an invitation to tune in to radio or television;
 - b. preparatory advice to establishments with particular collective responsibilities; and
 - c. recommendations to occupational groups particularly affected.
3. If time permits, information setting out the basic facts about radioactivity and its effects on persons and on the environment.