



EU-project TENORMHARM

Contract-No. FIGM-CT-2001-00174

“New approach to assessment and reduction of health risk and environmental impact originating from TENORM according to requirements of EU directive 96/29”

Deliverable No. 7

3.1. Improvement of national regulations towards EU directive 96/29

[Nature: Re; Dissemination level: PU]

Participant No. 7:
University of Essen,
Germany

31 March 2004

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Guideline for authorities for improving the national
regulations towards the EU directive 96/29

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Prepared by

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1. Introduction

The task leader of WP3 “Harmonisation of legislation between EU and CEEC countries”, UGENT, distributed a questionnaire concerning the state of implementing the BSS Title VII of the EU-Directive 96/29 EURATOM in each country. The German fulfilment is presented in the following.

2. Questionnaire distributed by UGENT

Participant Number: 7, Uni-Essen

QUESTIONNAIRE for WP-3 of the TENORMHARM-project

The general purpose of the questionnaire is to collect information related to the two following basic questions:

What are the legal transposing measures for provisions of Title VII of Directive 96/29/Euratom (Basic Safety Standards) in your country? How have you started implementing BSS Title VII in your country?

Title VII is implemented as part 3 of the German Radiation Protection Ordinance 2001 (StrSchV)

Could you please answer the following questions by quoting, where appropriate, a "X" in the yes/no boxes; Other comment/remarks related to the questions or other useful information not covered by the questions may be added. Please don't forget to fill in your participant number.

Reference to Title VII	N°	Questions	Yes	No
Art. 40.1	1	Did you set a reference level of exposure?	X	
	2	What level of exposure did you choose as "significant increase ... which cannot be disregarded..."? 1 mSv/a (radon excluded being separately discussed)		
40.2	3	Did you start "identify{ing} ... the work activities which may be of concern"?	X	
	4	How did you organise the identification? ¹ Federal Environment Ministry (BMU) authorised the private company "BRENK Systemplanung" to summarise types of industries and mining activities. The resulting report was published in January 2000.		
40.2 b) c)	5	Has a generic list been established including, for example, a grid with two leading criteria – nature of the material used – type of activity-process involved? See N° 4: the report is separated by raw materials, way of processing, residuals, by-products and the respective activity concentrations occurring. It is the basis for German Radiation Protection Ordinance (StrSchV) 2001, part XII.		
	6	How has the grid been set up, how has the process been chosen, how are they designed? See N° 5: grid created according to activity concentrations respectively amount of produced material.		
	7	Has a specific organisation been designed to implement Title VII?	X (BMU)	
	7	- an organisation to identify the work activities? - an organisation to control the identified activities?	X X	
	8	Which approach do you use to assess the exposure? Within 1 st term after entering a workplace of potential exposure, an assessment must be undertaken. The workplace of interest is defined in StrSchV, part XI and the exposure is divided into "caused by Rn-222" and "decay products of U-238- and Th-232-decay-chain".		

¹ What was the role of the industry in this process?

Reference to Title VII	N°	Questions	Yes	No
	9	How did you take into consideration the exposure of workers involved in activities which may be of concern? The exposure to workers is embedded in Radiation Protection Ordinance (StrSchV) 2001, part III, chapter 2.		
	10	How did you take into consideration the impact on members of the public? The exposure to members of the public is embedded in Radiation Protection Ordinance (StrSchV) 2001, part III, chapter 3.		
Art. 41	11	Have you set up specific means to monitor the exposure? Beside N°: 8, it can be demanded by authority to verify the limit for monitoring of all residues mentioned in part XII of Radiation Protection Ordinance by using methods instructed by authority.		
	12	Have you started implementing countermeasures in work places, ...?	X	
41 a)	13	- as an intervention? According to § 96 (4) StrSchV, the respective authority arranges useful countermeasures as far as the conditions of exposure demand including the kind of utilisation of the resulting materials.		
41 b)	14	- as a practice? According to §95 (3) StrSchV, a subdivision of the Radiation Protection Agency (BfS) called Radiation Protection Registry (SSR) is responsible for the distribution of registered Radiation Cards to all persons may be exposed and the monitoring of the doses not to exceed the limits.		
	15	Will new projects in the “non nuclear industry” be considered as “practice”? Do you distinguish between existing/new industries?	X	X
	16	What about Radon and/or air crew? How does the regulation of TENORM/NORM industries relate to other sources (Radon, cosmic radiation (aircrew)). Both the radiation exposure especially caused by radon and the problems resulting for air crews are also considered in the same way and weight in Radiation Protection Ordinance 2001, part III.		