



Proposals for the public information for Radiation Emergencies Regulations 199-

**To implement European Council Directive
89/618/EURATOM on informing the general public
about health protection measures to be applied and
steps to be taken in the event of a Radiological
Emergency**

This consultative document is issued by the Health and Safety Commission in compliance with its duty to consult, under Sections 50(3) of the Health and Safety at Work etc Act 1974, bodies which appear to it to be appropriate, before submitting proposals for the making of Regulations.

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Introduction

1. This Consultative Document sets out proposals for new regulations to implement a EURATOM Directive on Informing the Public in the Event of a Radiological Emergency. The proposed regulations appear as Appendix A and the text of the Directive itself as Appendix B. The following paragraphs offer background information, explain the main features of the proposed regulations, and provide an economic assessment of their impact. Comments are invited on the proposals.

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2. The Chernobyl accident of 1986 led the European Community to review in depth health protection of the public in the event of a radiological emergency. One of the conclusions of this Review was that provision of information to the public about such emergencies was not adequately covered by the existing Directive (80/836/EURATOM) laying down basic safety standards for radiation protection (the BSS Directive) and that a further Directive specifically on public information was required.

3. As a result, a European Commission proposal for such a Directive was brought forward in June 1988. Following negotiations, Directive 89/618/EURATOM on informing the general public about health protection measures to be applied and steps to be taken in the event of a radiological emergency (Public Information Directive) was adopted in November 1989. The text of the Directive appears at Appendix B.

4. The Public Information Directive draws in part from another European Community Directive (82/501/EEC), commonly known as the Seveso Directive. The latter Directive is concerned with major chemical hazards and includes some requirements on public information. Hazards arising from ionising radiation are not within its scope and nuclear installations as a category of site are specifically excluded.

5. The Public Information Directive has three main requirements. Firstly, Article 5 requires the "population likely to be affected

in the event of a radiological emergency" to be given prior information about measures for their health protection and the action that they should take in the event of such an emergency. This information should include as a minimum the elements set out in Annex I of the Directive. Article 5 is closely modelled on Article 8 of the Seveso Directive.

6. Secondly, Article 6 requires the population actually affected by a radiological emergency to be informed without delay of the facts of the emergency and of the relevant health protection measures applicable. Annex II of the Directive lists the type of information that should be provided, depending on the nature of the emergency. There are no explicit parallels to Article 6 in the Seveso Directive.

7. The third main requirement is in Article 7 and concerns those who might be brought in for the organisation of emergency assistance in the event of a radiological emergency. They should be informed about the health risks that could arise and the protection measures that they should adopt. Were a radiological emergency actually to occur, this information should be supplemented in a way appropriate to the nature of the emergency.

Implementation

8. In respect of major radiation hazards, no statutory provisions currently exist which would fully implement the Public Information Directive's requirements. It has therefore been concluded that new regulations are necessary to meet our Treaty obligations.

9. Proposed regulations to implement the Directive's requirements appear at Appendix A. They cover the first two main features described in paragraphs 5 and 6 above. Examination of Article 7, the third main feature described in paragraph 7 above, has not identified any requirement which is not already covered by the duties laid down in the Ionising Radiations Regulations 1985 (IRR 85) (Ref. 1). In addition, in May 1991 HSE published guidance entitled "Radiation Protection Off-Site for Emergency Services in the Event of a Nuclear Accident" (Ref 2). For these reasons it is considered that no further action is required to implement Article 7.

The Proposed Regulations - Main Features

Scope of Application

10. The Public Information Directive has been drafted so that it is consistent in application with the BSS Directive. Thus, application of the proposed regulations has been cast so that it essentially covers any work or activity associated with ionising radiation which is capable of producing a radiation emergency. This has obviated the need to duplicate the itemised approach of the Public Information Directive at Article 2.2

Radiation Emergency

11. A radiation emergency is defined in proposed regulation 2. The essence of the definition is that an occurrence only becomes a

radiation emergency where members of the public are likely to be exposed to ionising radiation arising directly from the emergency in excess of the doses set down in Schedule 1. The doses in Schedule 1 reproduce the "public" dose limits in paragraphs 1(c), 2(c) and 4(c) of Schedule 1 to IRR 85, except that the relevant time period is the year immediately following the occurrence.

12. In making the judgement as to whether an accident satisfies the definition of a radiation emergency, the estimation of dose to which members of the public are likely to be exposed should be based on the assumption that no health protection measures would be taken in the first twenty four hours of the emergency. If this were not so, organisations with very developed off-site emergency plans could claim that even some very severe accidents were not radiation emergencies by definition because of the effectiveness of the immediate health protection measures for the public that would be taken. In this way the public dose limit would not be exceeded. Such an approach would completely negate the purpose of the Public Information Directive which is, through information provision, to engage the co-operation of the affected population in the smooth and speedy implementation of these very health protection measures.

Members of the Public

13. It has been found necessary in defining the term "member of the public" in proposed regulation 2 to exclude two specific groups of people. The first group are those on any premises where

a radiation emergency could occur or has actually occurred. The Public Information Directive is concerned, in relation to emergencies arising at fixed premises, with the off-site situation. The information needs of those on-site, be they site employees, contractors or visitors, should be catered for by the site emergency plan which is executed by the employer in control of the premises.

14. The second group to be excluded from the definition of members of the public are those engaged in or associated with the emergency response. Such people are brought to the vicinity of the emergency by the organisation that employs or controls them. Such organisations should have their own emergency plans, including arrangements for keeping informed those whom they employ or control. The distinct information needs of these people is recognised in the Public Information Directive by the drafting of Article 7. As already stated in paragraph 9, it is considered that Article 7 has already been implemented through the duties laid down in IRR 85.

Prior Information

15. Proposed regulation 3 is intended to implement Article 5 of the Public Information Directive, which is summarised in paragraph 5 above. This regulation applies to work involving such quantities of radioactive substances and used in such a way that a radiation emergency is reasonably foreseeable. The drafting of this regulation taken together with the definition of a radiation emergency ensures that such work is automatically subject to the

requirement to prepare a contingency plan under Regulation 27(1) of IRR 85.

16. The duties created by proposed regulation 3 closely follow those in Regulation 12 of the Control of Industrial Major Accident Hazard Regulations 1984 (CIMAHA), as recently amended (Ref 3), which themselves implemented Article 8 of the Seveso Directive. The recent amendment to Regulation 12 of CIMAHA makes it absolutely clear that the ultimate duty for both the preparation and dissemination of prior information lies with the employer carrying on the work. This pattern is followed in proposed regulation 3(1).

17. Nevertheless, the employer in carrying out the duty described above, must consult the relevant district local authorities and such other organisations as seem appropriate. This is set out in proposed regulation 3(2). It is anticipated that County and Regional Authorities would be appropriate to consult, given their current role in civil emergency planning and their proposed duties under draft regulation 4. For the same reasons, the County and Regional Authorities may wish to play a role in the dissemination of prior information (proposed regulation 3(3)) and this could be accommodated by mutual agreement.

18. Also, as with CIMAHA, the area within which the prior information is required to be distributed is for determination by HSE. In determining this area HSE will be constrained by the need to ensure that it covers all members of the public likely to be exposed to ionising radiation in excess of the doses specified

in Schedule 1 from any reasonably foreseeable radiation emergency.

19. The minimum content of the prior information is specified in Schedule 2 which reproduces Annex 1 of the Public Information Directive. Item 5 has been added to Schedule 2 for the purpose of implementing Article 8.

Information in the Event of an Actual Emergency

20. Proposed regulation 4 is intended to implement Article 6 of the Public Information Directive, which is summarised in paragraph 6 above. The objective is to ensure that those members of the public actually affected by the radiation emergency, as defined in proposed regulation 4(5), are informed promptly of the facts of the emergency and the measures that are to be taken for their protection.

21. There is no analogous provision in the Seveso Directive or CIMAH, although any off-site emergency plan would be expected to cater for keeping the affected population informed in this way. This means that there is no simple legal precedent to draw on as regards construction and allocation of legal duties to implement Article 6 of the Public Information Directive.

22. The approach that has been taken is to build on the arrangements that already exist for civil emergency planning by County and Regional Authorities. Proposed regulation 4 is intended to place a duty on these Authorities to ensure that

arrangements to inform the public are prepared (if this is not already the case) and kept up to date. This duty has been cast in similar terms to regulation 11 of CIMA (requiring these same Authorities to prepare and keep up to date adequate off site emergency plans) and the role of the local authority vis-a-vis the other bodies involved needs to be interpreted in the same way.

23. Thus the County and Regional Authorities will need to consult such bodies as employers, the emergency services, health authorities and Government departments and try to ensure that the various plans of these bodies for information provision are complementary and comprehensive. The totality of the resulting information provision would then constitute the "arrangements" which County and Regional Authorities are required to prepare by proposed regulation 4(1). None of this implies that these Authorities need to play a bigger role in actual information provision than is their current practice.

24. Where County and Regional Authorities have a major licensed nuclear installation within their boundaries, there are already detailed emergency plans for a specific geographic area round the site. In addition, the Health and Safety Commission has recently been consulting on proposals to place on a statutory basis the duty of such Authorities to prepare and keep up to date the off-site emergency plans for licensed nuclear installations (Ref 4). Arrangements for informing those members of the public actually affected by an emergency should form part of any such plans.

25. However, accidents can arise at locations which cannot be predicted in advance because of the inherent nature of the activity. Transport accidents would be an example of this. Nonetheless, the generic emergency plans of County and Regional Authorities should contain sufficient flexibility to be adapted both to the nature of the emergency and its location. These generic plans would need to be reviewed for the adequacy of their arrangements to keep informed those members of the public affected by a radiation emergency.

Modifications relating to Ministry of Defence

26. IRR 85 at regulation 40 contains modifications relating to the Ministry of Defence etc on the grounds of national security. The same considerations pertain in respect of these proposals and regulation 5 has been drafted accordingly. This permits the Secretary of State for Defence to limit the extent to which the prior information requirements (proposed regulation 3) apply in any particular case where he is of the opinion that this is against the interests of national security. Where operated, this could take the form of excluding a particular site or class of sites altogether. Alternatively, the extent of the information provided at a particular site could be more limited than is required by Schedule 2.

Guidance

27. It is intended to support the proposed regulations with Health and Safety Executive (HSE) guidance. There is considerable

experience of providing prior information, both statutorily under CIMA and voluntarily at many licensed nuclear installations, which could usefully be distilled. There is also much practical knowledge about handling emergencies and keeping the public, particularly those most directly affected, informed of the development of events and of the precautions that may need to be taken for their health protection. Guidance on these matters will further the aim to reinforce current arrangements, not to disrupt them.

28. The European Commission has also produced a Communication (Ref 5) - its own form of non-mandatory advice - on implementation of the Public Information Directive. Consideration will be given to using some of the ideas from this document in the HSE guidance.

Costs and Benefits

29. About twenty of the sites likely to be subject to the prior information requirements have already made such arrangements on a voluntary basis and the additional costs to these sites is not significant. For the remainder of the sites, costs have been estimated from those incurred at the sites currently distributing information on a voluntary basis. This indicates that, allowing for redistribution of the information every 2-3 years, the net present value of this expenditure over ten years would be between £21,000 and £130,000.

30. The requirement for local authority prepared information arrangements is thought only to formalise existing arrangements and thus the local authorities will incur small administration costs at most. The main benefit of the regulations is that through having a better informed section of the public, the effectiveness of emergency measures would be enhanced, were they ever to be needed. The regulations should also formalise the arrangements for information provision and achieve consistency in the content of the information provided.

Invitation to Comment

31. The Health and Safety Commission would welcome comments on any aspects of these proposals. Comments should be sent as indicated on the front cover.

S T A T U T O R Y I N S T R U M E N T S

199 No.

HEALTH AND SAFETY**The Public Information for Radiation Emergencies Regulations 199**

Made - - - -	199
Laid before Parliament	199
Coming into force	199

The Secretary of State in exercise of the powers conferred on him by sections 15(1) and (2), and 82(3)(a) of, and paragraphs 13(2) of Schedule 3 to the Health and Safety at Work etc. Act 1974(a) ("the 1974 Act")(a) and of all other powers enabling him in that behalf, and for the purpose of giving effect without modifications to proposals submitted to him by the Health and Safety Commission under section 11(2)(d) of the 1974 Act after the carrying out by the said Commission of consultations in accordance with section 50(3) of that Act, hereby makes the following Regulations:-

(a) 1974 c.37; section 15 was amended by the Employment Protection Act 1975 (c.71), Schedule 15, paragraph 6.

Citation and commencement

1. These Regulations may be cited as the Public Information for Radiation Emergencies Regulations 199 and shall come into force on

Interpretation

2. In these Regulations, unless the context otherwise requires -

"contamination" means the contamination by any radioactive substance of any surface (including any surface of the body or clothing) or any part of absorbent objects or materials or the contamination of liquids or gases by any radioactive substance;

"the Directive" means Council Directive No. 89/618/Euratom "on informing the general public about health protection measures to be applied and steps to be taken in the event of a radiological emergency".

"the Executive" means the Health and Safety Executive.

"external radiation" means, in relation to a person, ionising radiation coming from outside the body of that person;

"internal radiation" means, in relation to a person, ionising radiation coming from inside the body of that person;

"ionising radiation" means gamma rays, x-rays or corpuscular radiations which are capable of producing ions either directly or indirectly;

"local authority" means -

- (a) for the purposes of regulation 3 -

- (i) in relation to England and Wales, a district council, a London borough Council, the Common Council of the City of London, the Sub-Treasurer of the Inner Temple, or the Under-Treasurer of the Middle Temple or the Council of the Isles of Scilly, or
 - (ii) in relation to Scotland, an islands or district council;
- (b) for the purposes of regulation 4 -
- (i) in relation to England and Wales, a county council, the London Fire and Civil Defence Authority, a metropolitan county fire and civil defence authority or the Council of the Isles of Scilly, or
 - (ii) in relation to Scotland, a regional or islands council.

"radiation emergency" means any occurrence which is likely to result in any member of the public being exposed to ionising radiation in excess of any of the doses set out in Schedule 1 and for this purpose any health protection measure to be taken during the 24 hours immediately following the occurrence shall be disregarded.

"member of the public" means any person not being:

- (a) a person for the time being present upon premises where a radiation emergency is reasonably foreseeable or where a radiation emergency has actually occurred; or
- (b) a person engaged in an activity of or associated with the response to the radiation emergency.

Employer to supply prior information

3. - (1) It shall be the duty of an employer carrying on work from which a radiation emergency is reasonably foreseeable to

(a) ensure that members of the public who are likely to be in an area in which, in the opinion of the Executive, they are liable to be affected by a radiation emergency arising as a result of work carried on by that employer, are supplied, in an appropriate manner, without their having to request it, with at least the information specified in Schedule 2 (which, inter alia, sets out the provisions of Annex I to the Directive); and

(b) make that information publicly available.

(2) In preparing the information required to be supplied in accordance with paragraph (1) above, the employer shall consult each local authority in the area referred to in that paragraph and such other persons who seem to him to be appropriate, but the employer shall remain responsible for the accuracy, completeness and form of the information so supplied.

(3) Without prejudice to his duty under paragraph (1) above, the employer shall endeavour to enter into an agreement with each local authority in the area referred to in that paragraph for that local authority to disseminate the information required to be supplied in accordance with that paragraph to the members of the public mentioned in it.

(4) The employer shall ensure that the information supplied in accordance with paragraph (1) above is updated at regular intervals and, in any case, not less than once in three years and whenever significant changes to the emergency measures, action and authorities referred to in paragraphs 3, 4 and 5 of Schedule 2 take place; when information is updated under this paragraph, it shall be supplied again in accordance with paragraph (1) and made publicly available.

Arrangements for the supply of information to members of the public actually affected

4. - (1) It shall be the duty of a local authority to prepare and keep up to date arrangements to supply, in the event of a radiation emergency, information and advice of the facts of the emergency, of the steps to be taken and, as appropriate, of the health protection measures applicable.

(2) The arrangements prepared and kept up to date under paragraph (1) above shall provide for the information to be supplied at regular intervals in an appropriate manner, without delay, and without their having to request it, to members of the public who are in that local authority's area and who are actually affected by the radiation emergency.

(3) In preparing those arrangements, and keeping them up to date, the local authority shall consult such persons as appear to it to be appropriate.

(4) The information and advice to be supplied in accordance with arrangements prepared and kept up to date under paragraph (1) above shall, if relevant to the type of radiation emergency, include that specified in Schedule 3 (which sets out the provisions of Annex II to the Directive), and shall in any event, mention the authority or authorities responsible for implementing the relevant measures referred to in that Schedule.

(5) The members of the public referred to in paragraph (2) above as actually affected are those whose co-operation is sought to put into effect any steps or health protection measures referred to in paragraph (1) above.

Modifications relating to the Ministry of Defence etc.

5. The requirements of regulation 3 shall not have effect to the extent that in any particular case they would, in the opinion of the Secretary of State for Defence, be against the interests of national security.

DOSES OF IONISING RADIATION APPLICABLE TO
THE DEFINITION OF RADIATION EMERGENCY

PART I

DOSE FOR THE WHOLE BODY

1. The dose for the whole body resulting from exposure to the whole or part of the body, being the sum of the following dose quantities resulting from exposure to ionising radiation, namely the effective dose equivalent from external radiation and the committed effective dose equivalent from that year's intake of radio-nuclides, shall in the period of one year immediately following the occurrence be 5 mSv.

PART II

DOSE FOR INDIVIDUAL ORGANS AND TISSUES

2. Without prejudice to Part I of this Schedule, the dose for individual organs or tissues, being the sum of the following dose quantities resulting from exposure to ionising radiation, namely the dose equivalent from external radiation, the dose equivalent from contamination and the committed dose equivalent from that year's intake of radio-nuclides averaged throughout any individual organ or tissue (other than the lens of the eye) or any body extremity or over any area of skin, shall in the period of one year immediately following the occurrence be 50 mSv.
3. In assessing the dose quantity to skin whether from contamination or external radiation, the area of skin over which the dose quantity is averaged shall be appropriate to the circumstances but in any event shall not exceed 100 cm².

PART III

DOSE FOR THE LENS OF THE EYE

4. The dose for the lens of the eye resulting from exposure to ionising radiation, being the average dose equivalent from external and internal radiation delivered between 2.5 mm and 3.5 mm behind the surface of the eye, shall in the period of one year immediately following the occurrence be 15 mSv.

(PARAGRAPHS 1-4 OF WHICH SET OUT THE PROVISIONS OF
ANNEX I TO THE DIRECTIVE)

PRIOR INFORMATION TO BE SUPPLIED AND MADE PUBLICLY AVAILABLE

1. Basic facts about radioactivity and its effects on persons and on the environment.
2. The various types of radiation emergency 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.
5. The authority or authorities responsible for implementing the emergency measures and action referred to in paragraphs 3 and 4 above.

(WHICH SETS OUT THE PROVISIONS OF ANNEX II TO THE DIRECTIVE)
INFORMATION TO BE SUPPLIED IN THE EVENT OF A RADIATION EMERGENCY

1. Information on the type of emergency which has occurred, and, where possible, its characteristics, for example, its origin, extent and probable development.
2. Advice on health protection measures, which, depending on the type of emergency, might include
 - (a) any restrictions on the consumption of certain foodstuffs likely to be contaminated
 - (b) any basic rules on hygiene and decontamination
 - (c) any recommendation to stay indoors
 - (d) the distribution and use of protective substances
 - (e) any evacuation arrangements
3. Any announcements recommending co-operation with instructions or requests by the competent authorities.
4. 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
 - (c) recommendations to occupational groups particularly affected

5. If time permits, information setting out the basic facts about radioactivity and its effects on persons and on the environment.

COUNCIL DIRECTIVE

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

(89/618/Euratom)

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Atomic Energy Community, and in particular Article 31 thereof,

Having regard to the proposal from the Commission, submitted following consultation with a group of persons appointed by the Scientific and Technical Committee from among scientific experts in the Member States, as laid down in that Article,

Having regard to the opinion of the European Parliament ⁽¹⁾,

Having regard to the opinion of the Economic and Social Committee ⁽²⁾,

Whereas Article 2 (b) of the Treaty lays down that the Community shall establish uniform safety standards to protect the health of workers and of the general public;

Whereas, on 2 February 1959, the Council adopted Directives laying down the basic standards for the protection of the health of workers and the general public against the dangers arising from ionizing radiations ⁽³⁾, as last amended by Directives 80/836/Euratom ⁽⁴⁾ and 84/467/Euratom ⁽⁵⁾;

Whereas, pursuant to Article 24 of Directive 80/836/Euratom, all Member States must ensure that exposed workers received adequate information on radiation protection;

Whereas, pursuant to Article 45 (4) of the said Directive, each Member State must, in the event of an accident, stipulate the intervention levels and measures to be taken by the competent authorities and the necessary resources both in personnel and equipment to enable action to be taken to safeguard and maintain the health of the general public;

Whereas, at Community level, further elements should be added to the information made available to the public over and above the areas already covered by Article 6 (2) of Council Directive 85/337/EEC of 27 June 1985 on the

assessment of the effects of certain public and private projects on the environment ⁽⁶⁾ and by Article 8 (1) of Council Directive 82/501/EEC of 24 June 1982 on the major accident hazards of certain industrial activities ⁽⁷⁾, as amended by Directive 88/610/EEC ⁽⁸⁾;

Whereas all Member States have signed the International Atomic Energy Agency (IAEA) Convention on Early Notification of a Nuclear Accident;

Whereas Council Decision 87/600/Euratom of 14 December 1987 on Community arrangements for the early exchange of information in the event of a radiological emergency ⁽⁹⁾ requires all Member States which decide to take emergency measures to protect the general public, either as a result of abnormally high levels of radioactivity in the environment, or following an accident from which a significant release of radioactive material occurs or is likely to occur, to notify the Commission and the Member States which are, or are likely to be, affected, of the protective measures which they have taken or planned and also of any measures which they have taken or planned and also of any measures which they have taken or planned to inform the general public;

Whereas some Member States have already concluded bilateral agreements on information, coordination and mutual assistance in the event of a nuclear accident;

Whereas, in the event of an accident in a nuclear installation in a Member State, the population affected should be encouraged to take appropriate action likely to increase the effectiveness of the emergency measures taken or planned;

Whereas the sections of the population likely to be affected by the radiological emergency should therefore be given in advance appropriate and continuing information on the planned health protection measures relating to them and the action they should take in the event of a radiological emergency; whereas certain joint principles and specific provisions for informing such sections of the population should be drawn up for this purpose at Community level;

Whereas joint principles and specific provisions for informing the population actually affected by a real radiological emergency should also be drawn up;

⁽¹⁾ OJ No C 158, 26. 6. 1989, p. 403.

⁽²⁾ OJ No C 337, 31. 12. 1988, p. 67.

⁽³⁾ OJ No 11, 20. 2. 1959, p. 221/59.

⁽⁴⁾ OJ No L 246, 17. 9. 1980, p. 1.

⁽⁵⁾ OJ No L 265, 5. 10. 1984, p. 4.

⁽⁶⁾ OJ No L 175, 5. 7. 1985, p. 40.

⁽⁷⁾ OJ No L 230, 5. 8. 1982, p. 1.

⁽⁸⁾ OJ No L 336, 7. 12. 1988, p. 14.

⁽⁹⁾ OJ No L 371, 30. 12. 1987, p. 76.

Whereas account must also be taken, in the information supplied, of those sections of the population living in frontier areas;

Whereas, moreover, efforts should be made to strengthen the measures and practices for informing the general public already in force at national level in the event of a radiological emergency,

HAS ADOPTED THIS DIRECTIVE:

TITLE I

Objectives and definitions

Article 1

This Directive is intended to define, at Community level, common objectives with regard to 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.

Article 2

For the purposes of this Directive, 'a radiological emergency' means any situation:

1. that follows:
 - (a) an accident in the territory of a Member State involving facilities or activities referred to in point 2 which a significant release of radioactive material occurs or is likely to occur; or
 - (b) the detection, within or outside its own territory, of abnormal levels of radioactivity which are likely to be detrimental to public health in that Member State; or
 - (c) accidents other than those specified in (a) involving facilities or activities referred to in point 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 or activities referred to in point 1 (a) and (c), viz.:
 - (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.

Article 3

For the purposes of applying this Directive, the terms 'significant release of radioactive material' and 'abnormal levels of radioactivity which are likely to be detrimental to public health' are to be understood as covering situations likely to result in members of the public being exposed to doses in excess of the dose limits prescribed under the Directives laying down basic Community safety standards for radiological protection⁽¹⁾.

Article 4

For the purposes of this Directive the following terms shall have the meanings hereby assigned:

- (a) population likely to be affected in the event of a radiological emergency:

any population group for which Member States have drawn up intervention plans in the event of a radiological emergency;
- (b) population actually affected in the event of a radiological emergency:

any population group for which specific protection measures are taken as soon as a radiological emergency occurs.

TITLE II

Prior information

Article 5

1. Member States 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.
2. The information supplied shall at least include the elements set out in Annex I.
3. This information shall be communicated to the population referred to in paragraph 1 without any request being made.
4. Member States shall update the information and circulate it at regular intervals and whenever significant changes in the arrangements that it describes take place. This information shall be permanently available to the public.

⁽¹⁾ See in particular Article 12 of Directive 80/836/Euratom.

TITLE III

Information in the event of a radiological emergency*Article 6*

1. Member States shall ensure that, when a radiological emergency occurs, 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.

2. The information provided shall cover the points contained in Annex II which are relevant to the type of radiological emergency.

TITLE IV

Information of persons who might be involved in the organization of emergency assistance in the event of a radiological emergency*Article 7*

1. Member States shall ensure that any persons who are not on the staff of the facilities and/or not engaged in the activities defined in Article 2(2) 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 their intervention might involve and on the precautionary measures to be taken in such an event; this information shall take into account the range of potential radiological emergencies.

2. As soon as a radiological emergency occurs, this information shall be supplemented appropriately, having regard to the specific circumstances.

TITLE V

Implementation procedures*Article 8*

The information referred to in Articles 5, 6 and 7 shall also mention the authorities responsible for implementing the measures referred to in those Articles.

Article 9

Procedures for circulating the information referred to in Articles 5, 6 and 7 and those to whom the information shall be addressed (natural and legal persons shall be determined in each Member State.

Article 10

1. The information referred to in Article 5 shall be notified to the Commission, if it so requests, without prejudice to the Member States' right to notify this information to other States.

2. The information circulated by a Member State, pursuant to Article 6, shall be notified to the Commission and to those Member which are, or are likely to be, affected.

3. With respect to the information referred to in Article 7, the data relevant to the radiological emergency shall be notified to the Commission, at its request, as soon as possible and in so far as this is feasible.

TITLE VI

Final provisions*Article 11*

This Directive shall not affect the right of the Member States to apply or adopt measures to provide information additional to that required under this Directive.

Article 12

Member States shall take the measures necessary to comply with this Directive not later than 24 months after its adoption. They shall forthwith inform the Commission thereof as well as of any further amendments thereto.

Article 13

This Directive is addressed to the Member States.

Done at Brussels, 27 November 1989.

For the Council

The President

R. DUMAS

*ANNEX I**Prior information referred to in Article 5*

1. Basic facts about radioactivity and its effects on human beings and on the environment.
2. The various types of radiological 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 radiological emergency.
4. Appropriate information on action to be taken by the general public in the event of a radiological emergency.

*ANNEX II**Information in the event of a radiological emergency referred to in Article 6*

1. On the basis of the intervention plans previously drawn up in the Member States, the population actually affected in the event of a radiological emergency will rapidly and regularly receive :
 - (a) information on the type of emergency which has occurred and, where possible, its characteristics (e.g. its origin, extent and probable development);
 - (b) advice on protection which, depending on the type of emergency, might :
 - cover the following : restrictions on the consumption of certain foodstuffs likely to be contaminated, simple rules on hygiene and decontamination, recommendations to stay indoors, distribution and use of protective substances, evacuation arrangements,
 - be accompanied, where necessary, by special warnings for certain population groups;
 - (c) announcements recommending cooperation with instructions or requests by the competent authorities.
 2. If the emergency is preceded by a pre-alarm phase, the population likely to be affected in the event of a radiological emergency should already receive information and advice during that phase, such as :
 - an invitation to the population concerned to tune in to radio or television,
 - preparatory advice to establishments with particular collective responsibilities,
 - recommendations to occupational groups particularly affected.
 3. This information and advice will be supplemented if time permits by a reminder of the basic facts about radioactivity and its effects on human beings and on the environment.
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REFERENCES

1. 'The Ionising Radiations Regulations 1985'; SI 1985 No 1333 - HMSO, ISBN 0-11-057333-1.
2. HSE Booklet; 'Radiation protection off-site for emergency services in the event of a nuclear accident' - HMSO, ISBN 0-11-885576-X.
3. 'The Control of Industrial Major Accident Hazard Regulations 1984' (CIMA); SI 1984 No 1902 - HMSO; ISBN 0-11-047902-5 as amended by
 'The CIMA (Amendment) Regulations 1988'; SI 1988 No 1462 - HMSO, ISBN 0-11-047902-5
 and by
 'The CIMA (Amendment) Regulations 1990'; SI 1990 No 2325 - HMSO, ISBN 0-11-005325-7.
4. 'Proposals for Off-Site Emergency Plan (Licensed Nuclear Installations) Regulations 199-'; HSE Consultative Document CD 32 - available from the Sir Robert Jones Memorial Workshops, Units 3 and 5-9 Grain Industrial Estate, Harlow Street, Liverpool L8 4UH. Telephone 051-709 1354/5/6.
5. Notice number 91/C103/03 in the 'Official Journal of the European Communities; Volume 34, No C103' - Office for Official Publications of the European Communities L-2985 Luxembourg, ISSN 0378-6986.