Ladies and gentlemen, colleagues,

When it comes to harmonising safety standards in Europe, there is no getting around WENRA. The goal of WENRA is to promote and further develop the safety of nuclear facilities in member states.

WENRA today comprises 18 member states, one associated member state and a further 12 observer states. WENRA can thus draw on a broad base of knowledge and experience in the area of nuclear safety. Reliable findings from different reactor designs and decommissioning strategies enable in-depth technical exchanges on specific requirements or problems. I am pleased that representatives from over 20 countries are participating in our exchange at this workshop and I hope that we can all benefit from this.

To use its knowledge even more effectively, WENRA updated its Terms of Reference (ToR) this year. In this update, WENRA defined its mission, which is to continuously improve and harmonise nuclear safety. Today’s workshop can hopefully contribute in a small way to this goal through our exchange on the different regulatory aspects of decommissioning.

In addition, WENRA also set some strategic goals. Among other things, the Safety Reference Levels (SRLs) are to be reviewed and updated at regular intervals. Already today, the SRLs are an important basis for nuclear safety within Europe. This should continue to be the case in future.

Of course WENRA is also striving to promote and improve nuclear safety beyond Europe’s borders. It is for precisely this reason that, for instance, the new Associated membership
status was introduced. Associated members can and should play a more active role in the work of WENRA than observers, for example by taking over the chair of working groups. In addition, Associated members are expected to participate in at least one of the two permanent working groups and to review the implementability of SRLs and other WENRA recommendations in their own countries. Russia became an associated member a few weeks ago.

WENRA, as you know, has two permanent working groups. The Working Group on Waste and Decommissioning, the topics of which we will be concentrating on over the next few days, and the Reactor Harmonisation Working Group. Both groups are important for the exchange between nuclear supervisory authorities.

This workshop is looking at the regulatory aspects of decommissioning. Firstly, I would like to give you a brief overview of the developments in the use of nuclear power in Germany since 2011.

In Germany, the phase-out of nuclear energy was initiated in 2000 by the consensus on atomic energy policy and subsequently enshrined in the Nuclear Phase-out Amendment Act in 2002. Following the 2011 Fukushima disaster, this phase-out was further consolidated and accelerated in a broad political and social consensus. Fixed dates for the shutdown of German nuclear power plants were laid down in the Atomic Energy Act for the first time. Eight nuclear power plants were immediately shut down in 2011. Others followed over subsequent years. The last German nuclear power plant will be shut down by 2022 at the latest.

In Germany, we have a lot of experience with decommissioning nuclear facilities. The first research facilities and prototype reactors were taken out of service at the end of the 1960s and start of the 1970s. Since then, three prototype reactors have been fully dismantled and the sites have been released from regulatory control. In addition to this, 31 research reactors and nine nuclear fuel cycle facilities have been successfully dismantled. Currently,
25 power reactors are at various stages of decommissioning in Germany, including the nuclear power plant in Lubmin which you visited yesterday.

Now, I would like to give you an insight into the licensing procedure, the competences of the participating authorities as well as the relevant legislative and sub-legislative requirements and recommendations for decommissioning in Germany.

Germany is a federated state with a federal system. In accordance with the Basic Law for the Federal Republic of Germany, the Federation has exclusive legislative competence with regard to the use of nuclear energy. The federal states (in German: Land or Länder plural), as the competent licensing and supervisory authorities, implement the nuclear energy legislation on behalf of the Federation. The Federal Environment Ministry is responsible for supervising the legality and expediency of the action taken by the Länder.

A licence is required to decommission a nuclear power plant in Germany. The legal basis for licensing the decommissioning of nuclear power plants in Germany is, first and foremost, the Atomic Energy Act. It contains the basic provisions for the licensing of decommissioning. With the entry into force of the Act on the Reorganisation of Responsibility in Nuclear Waste Management in 2017 it was legally stipulated that once operation is ended, the nuclear power plants are to be decommissioned without delay. Temporary derogations from this may be approved by the competent authority in individual cases for parts of nuclear facilities, in so far as this is deemed necessary for radiation protection reasons. A common example would be to allow for the decay storage of large components, such as reactor pressure vessels that are activated by neutrons, or steam generators in which decontamination was not fully successful.

The licence application is submitted to the Länder-licensing authority in which the nuclear facility is located. The competent licensing authority must involve all federal, Länder and municipal authorities whose spheres of competence are affected. Independent experts are generally commissioned and public consultations take place. This ensures that the licensing authority can take proper account of all stakeholders’ concerns and interests.
Public interest in decommissioning is growing in Germany. In my view, it is important that comprehensive and transparent information is provided to the public on the licensing procedure for decommissioning. This is the only way to create trust and acceptance.

For first-time decommissioning applications, the Land nuclear licensing authority submits a draft decision to the Federal Environment Ministry for federal review. In the performance of these federal oversight safety-related activities, the Federal Environment Ministry receives support from independent advisory bodies: the Reactor Safety Commission (RSK), the Commission on Radiological Protection (SSK) and the Nuclear Waste Management Commission (ESK) and from the technical support organisation, GRS. Where necessary, the Federal Environment Ministry submits an opinion to the competent Land nuclear safety licensing and supervisory authority on the draft.

The Federation and the competent Länder authorities have an agreement on how to achieve the most effective and harmonised approach possible for decommissioning procedures. According to this agreement, the Federal Environment Ministry published the Guide to the decommissioning, the safe enclosure and the dismantling of facilities or parts thereof. In short: the Decommissioning Guide. The Decommissioning Guide pursues three objectives: firstly, to list relevant aspects of licensing and supervision, secondly, to create a common understanding of the Federation and Länder on an expedient approach to decommissioning procedures and thirdly, to harmonise existing views and approaches. The Decommissioning Guide also outlines how sub-legislative regulations, which were written for construction and operation of nuclear facilities, can be applied during decommissioning.

The independent Nuclear Waste Management Commission (ESK) issued its “Guidelines for the decommissioning of nuclear facilities” as a technical supplement to the Decommissioning Guide. The guidelines present a summary of the technical requirements, which the ESK believes should be taken into account by the operator to ensure safety in the
decommissioning of nuclear facilities. These requirements focus especially on the preparation and implementation of decommissioning, although some are also geared to the construction and operation of nuclear facilities because of their importance for decommissioning later on. While the decommissioning guidelines are not legally binding on third parties, they are drawn on by licensing authorities in licensing procedures. In this way, the guidelines contribute to the current state of the art in science and technology in German sub-legislative regulations and thus help maintain a high standard of safety in the decommissioning of nuclear facilities.

Over the last few years we have concluded a number of licensing procedures for the decommissioning of nuclear power plants: eight procedures in 2017 and 2018 and this year for Gundremmingen Unit B. Good progress has been made in the licensing procedures for Philippsburg 2 and Krümmel nuclear power plants. Decommissioning applications have already been submitted for the remaining nuclear power plants still in operation.

With the decommissioning licenses granted, the Federation and Länder have laid the foundation for a decommissioning process closely supervised by the authorities that can be carried out swiftly and to the highest safety standards.

The large number of decommissioning projects running simultaneously for nuclear power plants in Germany is quite unique in the world. I won’t deny that this is a major challenge for all involved: especially the operators of the facilities to be decommissioned, specialist service providers, and the licensing and supervisory authorities.

Retaining experts, competence and know-how in our field is especially challenging against the background of the nuclear phase-out. In many authorities, the phase-out of the commercial use of nuclear energy in Germany is leading to duties and priorities shifting towards decommissioning, pre-disposal waste management and disposal. The Federal Government is currently working on a plan for retaining experts and competence in these areas as well as in nuclear safety issues in general. The plan is to be presented in 2020.
We are committed to ensuring that the high standards “made in Germany” for nuclear safety and radiation protection can be passed on and made available to our partners in other countries. This will enable an overall greater level of safety to be achieved which, ultimately, we will all benefit from.

At the same time, we are open to appropriate further revisions of our own regulations. We regularly carry out a self-assessment of the national legal, enforcement and organisational framework on the safety of nuclear facilities including the competent supervisory authorities, and undergo a subsequent peer review.

This was how we approached the WENRA WGWD benchmarking process, both in the context of comparing the regulations and for a pilot benchmarking process for implementing the SRLs for decommissioning practices in Germany.

I would also like to mention that in 2019 the Federal Environment Ministry hosted both an IRRS mission and an ARTEMIS mission of the IAEA. The results of the two-week IRRS mission were set out in a report which the IAEA presented to Germany in mid-July 2019 and which is available online on the BMU homepage. The international team of experts confirmed that Germany’s nuclear regulatory system meets the IAEA’s international Safety Standards. The IRRS team judged the Federal nuclear licensing and supervisory authorities and the ones of the Länder to be mature and competent, also highlighting the effective cooperation with other organisations and groups. However, room for improvement was found in some areas with regard to decommissioning. It was recommended to include requirements for the periodic review and update of safety assessments during immediate dismantling and to address public inputs during the termination of decommissioning licenses. Furthermore it was suggested to update the guidance concerning identification and maintenance of all relevant data which must be preserved after the termination of the license and the interdependences among multiple facilities and licence holders on the same site in the implementation of decommissioning projects.
We, the Federation and the Länder, will now work together to develop and implement measures in response to these recommendations and suggestions.

We have received valuable suggestions as to how we can improve our licensing and supervisory system from this benchmarking process. I hope that also this event will, through our joint exchange of experience, generate important momentum for the further development and strengthening safety standards for decommissioning nuclear facilities internationally and in our own respective national contexts.