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OSPAR CONVENTION FOR THE PROTECTION OF THE MARINE ENVIRONMENT OF THE NORTH-EAST ATLANTIC

MINISTERIAL MEETING OF THE OSPAR COMMISSION

SINTRA: 22 - 23 JULY 1998



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OSPAR Strategy with regard to Radioactive Substances

(Reference Number: 1998-17)

OSPAR Strategy with Regard to Radioactive Substances

RECALLING the Convention for the Protection of the Marine Environment of the North-East Atlantic ("OSPAR Convention") and in particular Article 2.1(a) in which Contracting Parties agree to take all possible steps to prevent and eliminate pollution and to take the necessary measures to protect the maritime area against adverse effects of human activities so as to safeguard human health and to conserve marine ecosystems and, when practicable, restore marine areas which have been adversely affected;

The Contracting Parties to the Convention for the Protection of the Marine Environment of the North-East Atlantic ADOPT the following objective and strategy for the purposes of directing the future work of the Commission with regard to radioactive substances¹:

1. Objective

- 1.1 In accordance with the general objective, the objective of the Commission with regard to radioactive substances, including waste, is to prevent pollution of the maritime area from ionising radiation through progressive and substantial reductions of discharges, emissions and losses of radioactive substances, with the ultimate aim of concentrations in the environment near background values for naturally occurring radioactive substances and close to zero for artificial radioactive substances. In achieving this objective, the following issues should, *inter alia*, be taken into account:
 - a. legitimate uses of the sea;
 - b. technical feasibility;
 - c. radiological impacts to man and biota.

2. Guiding Principles

- 2.1 Assessments made, and the programmes and measures adopted, to achieve this objective will be in accordance with the general obligations as set out in Article 2 of the OSPAR Convention and consequently will involve the application of:
 - a. the precautionary principle;
 - b. the polluter pays principle;
 - c. best available techniques and best environmental practice, including, where appropriate, clean technology.
- 2.2 When adopting programmes and measures in relation to radioactive substances, including waste, the Contracting Parties shall also take account of:
 - a. the recommendations of the other appropriate international organisations and agencies;
 - b. the monitoring procedures recommended by these international organisations and agencies;
 - c. existing scientific assessments of dose and risk as part of the tools for setting priorities and developing action programmes;
 - d. the relevant international conventions and Contracting Parties' obligations under international law relevant to this OSPAR objective.

A number of terms used in this strategy are defined in Annex 1.

3. Strategy of OSPAR with regard to Radioactive Substances

- 3.1 The Commission will develop programmes and measures to identify, prioritise, monitor and control (i.e. to prevent and/or reduce and/or eliminate) the emissions, discharges and losses of radioactive substances caused by human activities which reach, or could reach, the marine environment and which could cause pollution through ionising radiation. To these ends, the Commission will²:
 - identify radioactive substances and/or human activities which give rise to concern about the impact of discharges, emissions or losses of radioactive substances.

This identification should be based upon an evaluation of:

- (i) the sources and pathways of radioactive substances and their concentrations in the maritime area;
- (ii) the radiation exposure of humans and marine ecosystems;
- (iii) biological and ecological effects in the marine environment, including the vulnerability of marine ecosystems, arising from existing and future foreseen discharges, emissions and losses of radioactive substances;
- (iv) other adverse effects which may affect other legitimate uses of the sea:

and take account of:

- (v) results of scientific investigations relevant to radioactive substances in the marine environment such as the MARINA-Project of the European Commission and UNSCEAR 1996 "Effects of Radiation on the Environment";
- (vi) existing methodologies for the scientific assessments of dose and risk;
- b. assess and prioritise such substances or activities to judge whether there is a need for action:
- c. develop programmes and measures which ensure the application of BAT/BEP including, where appropriate, clean technology and taking into account and not unnecessarily duplicating:
 - (i) work practices including waste management, that meet the objectives with regard to radioactive substances;
 - (ii) international conventions and standards;
 - (iii) the outcome of the study by the Nuclear Energy Agency of the OECD concerning a thorough technical review and an assessment of the reprocessing and non-reprocessing options for spent fuel management;
 - (iv) Contracting Parties' obligations under international law.
- 3.2 The Commission and Contracting Parties, jointly or individually, should encourage international organisations and agencies to develop further the scientific tools for assessing radiation exposure and risk especially to marine organisms.

The Commission will take account of all recommendations and methodologies, as well as legally binding documents, that have been developed in other international fora, and which are relevant to the OSPAR Strategy with regard to Radioactive Substances. Examples of relevant documents are the recommendations of the International Commission on Radiological Protection, the Safety Series 111 of the International Atomic Energy Agency, the Joint Convention on the Safety of Spent Fuel Management and the Safety of Radioactive Waste Management and the EU Basic Safety Standards.

4. Time Frame

4.1 This strategy will be implemented in accordance with the following time frame:

by the year 2000

a. the Commission will, for the whole maritime area, work towards achieving further substantial reductions or elimination of discharges, emissions and losses of radioactive substances;

by the year 2020

b. the Commission will ensure that discharges, emissions and losses of radioactive substances are reduced to levels where the additional concentrations in the marine environment above historic levels, resulting from such discharges, emissions and losses, are close to zero.

5. Implementation

- 5.1 This strategy will be implemented and further developed on the basis of the Commission's Action Plan which will establish priorities, assign tasks and set appropriate deadlines and targets. The Action Plan shall concentrate on substances and/or human activities of the highest concern to the marine environment and make best use of resources.
- 5.2 The Commission will review and prioritise radioactive substances and/or human activities which may give rise to concern in order to identify topics for action.
- 5.3 Effective action is to be taken by Contracting Parties concerned, when there are reasonable grounds for concern that radioactive substances introduced into the marine environment, or which reach or could reach the marine environment, may bring about hazards to human health, harm living resources and marine ecosystems, damage amenities or interfere with other legitimate uses of the sea, even when there is no conclusive evidence of a causal relationship between inputs and effects.
- 5.4 Action identified by the Commission should include:
 - assessment of those situations, including an identification of the sources of radioactive substances, their pathways to the marine environment, the relative contribution of remobilised historic discharges and current discharges and the radiation exposure which they cause to humans and marine ecosystems;
 - b. establishment, with the help of an appropriate combination of monitoring, modelling and dose and risk assessments, as to whether these sources represent a widespread problem or are restricted to regional or local environments within the maritime area;

and draw upon the work relevant to the concerns identified, which is carried out by other international organisations and agencies. The Commission should cooperate with such organisations and agencies in developing means of action which may contribute to the solutions of problems in the maritime area.

- 5.5 As a result, the Commission will identify and adopt relevant measures to deal with the problems.
- 5.6 The Commission will undertake the development of environmental quality criteria for the protection of the marine environment from adverse effects of radioactive substances and report on progress by the year 2003.
- 5.7 Furthermore, the Commission will continue to develop programmes and measures to reduce radioactive discharges from nuclear installations to the marine environment by applying BAT.

- 5.8 The Commission and Contracting Parties, individually or jointly, will endeavour to maintain and develop further a constructive dialogue with regard to radioactive substances, including waste, with all parties concerned. This should ensure that all relevant information is available for the work of the Commission in connection with this strategy.
- 5.9 The implementation of this strategy should take due account of Article 24 on regionalisation and Annex IV on assessment of the quality of the marine environment of the OSPAR Convention 1992.

6. Overall evaluation and Review of Progress

- 6.1 The Commission will develop appropriate machinery to enable the preparation of a quinquennial review of progress achieved through this strategy. Based upon this review the Commission will, if necessary, revise the strategy. Such a review should, for the first time, take place by the next ministerial meeting of the Commission, and take account of *inter alia*:
 - a. assessment of the implementation and effectiveness of measures;
 - b. the experience gained with this strategy;
 - c. the findings of the quality assessment reports of the maritime area (e.g. the QSR 2000);
 - d. progress achieved in reviewing areas of potential concern and assessment of these areas;
 - e. any further new information.

Annex 1

Definitions

For the purpose of this strategy:

- a. "Radioactive substances" mean natural occurring and artificial radionuclides;
- "Radiation exposure assessment" means the estimation of doses to which humans and marine organisms are or may be exposed and is based on the determination of the emissions, discharges and losses, the environmental transfers and exposure pathways (incl. food-chains) of radioactive substances;
- c. "Risk assessment" means the estimation of the likelihood of a radiation effect in humans or marine organisms.