

Radioactive materials and waste

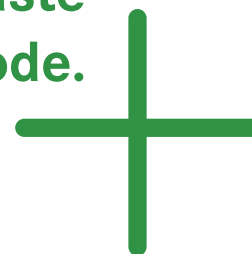
Planning Act of 28 June 2006

Consolidated version established by ANDRA





Articles of the Planning Act N°. 2006-739 of 28 June 2006 Concerning the Sustainable Management of Radioactive Materials and Waste modifying the Environmental Code.



Note to readers

The English translation contained in this booklet is based on *Planning Act N°. 2006-739 of 28 June 2006* and on articles L. 542-1 and following of the Environmental Code (as modified). It is provided for convenience purposes only.

The French version remains the only valid and legally-binding version.

In order to enhance readability, all articles relating to Andra's activities are consolidated in this self-supporting document.

The original French version of the new Act and of the Environmental Code, already published in the Journal officiel, are the only authentic binding texts.



Planning Act N°. 2006-739 of 28 June 2006 Concerning the Sustainable Management of Radioactive Materials and Waste

Environmental Code - Legislative branch
Book V - Prevention of pollution, risks and nuisances
Title IV - Waste
Chapter II - Specific Provisions for the Sustainable Management
of Radioactive Materials and Waste^{1, 2, 3}

Article 2 of Planning Act N°. 2006-739

Article L. 542-1 of the Environmental Code

The sustainable management of any radioactive material and waste, resulting notably from the operation and dismantling of nuclear facilities using radioactive sources or materials, shall be carried out with a concern to protect human health, safety and the environment.

Relevant means to ensure the final safety of radioactive waste shall be developed and implemented with a view to preventing or limiting the responsibilities to be borne by future generations.

Any producer of spent fuel and of radioactive waste shall be liable for those substances, without any prejudice to the liability of their holders as people responsible for nuclear activities.

Article 3 of Planning Act N°. 2006-739

In order to ensure the sound management of long-lived high-level or intermediate-level radioactive waste in accordance with Article L. 542-1 of the Environmental Code, all investigations and studies relating to those waste categories shall be carried out pursuant to the following three complementary areas:

1° partitioning and transmutation of long-lived radioactive elements.

Corresponding studies and investigations shall be conducted with those concerning the new generations of nuclear reactors referred to in Article 5 of *Planning Act N°. 2005-781 of 13 July 2005*⁴ *Setting the Orientations of the Energy Policy* and those concerning accelerator-driven reactors dedicated to the transmutation of waste, in order to provide by 2012 an assessment of the industrial prospects of those systems and to commission a pilot facility before 31 December 2020;

2° reversible waste disposal in a deep geological formation.

Corresponding studies and investigations shall be conducted with a view to selecting a suitable site and to designing a repository in such a way that, on the basis of the conclusions of those studies, the licence application of such a repository be reviewed in 2015 and, subject to that licence, that the repository be commissioned in 2025;

3° **storage.** Corresponding studies and investigations shall be conducted with a view to creating new storage facilities or to modifying existing ones by 2015 at the latest in order to meet requirements, notably in terms of capacity and time, as determined by the plan referred to in Article L. 542-1-2 of the Environmental Code.

¹ Original provisions included in *Act N°. 91-1381 of 30 December 1991 on the Management of High-level Long-lived Radioactive Waste*.

² Title of the chapter modified by Article 1 of *Planning Act N°. 2006-739*.

³ The full chapter, including all articles that were not amended by *Planning Act N°. 2006-739*, is reproduced at the end of this document for added legibility.

4 Article 5 of Act N°. 2005-781:

The third area of the energy policy shall be to develop research concerning the energy sector.

Consequently, the State shall endeavour to intensify the French public and private research efforts in the field of energy, to ensure a better articulation of the actions carried out by public research organisations and to set up a better involvement of the private sector. In addition, it shall also support European research efforts in the field of energy at a level at least equivalent to that prevailing in the United States and in Japan for their national energy programmes. By 2015, the research policy shall allow France not only to maintain its leading position in the field of nuclear energy and petrol, but also to acquire a similar status in other fields by pursuing the following objectives:

- incorporating French research efforts into Community research programmes in the field of energy;
- enhancing energy efficiency in the transport, construction and industry sectors and improving transport and energy-distribution infrastructures;
- increasing competitiveness of renewable energies, especially of biomass fuels, photovoltaics, off-shore wind energy, solar thermal energy and, geothermal energy;
- supporting the national nuclear industry with a view not only to developing and improving the third-generation EPR reactor, but also to developing innovative types of nuclear fuel;
- developing technologies for future nuclear reactors (fission or fusion), particularly with the support of the ITER Programme, as well as the required technologies for a sustainable management of nuclear waste;

+ Article 4 of Planning Act N°. 2006-739

In order to ensure the sound management of other radioactive waste categories referred to in Article 3, in accordance with Article L. 542-1 of the Environmental Code, a research and investigation programme shall be established with a view to:

- 1° developing disposal options for graphite and radium-bearing waste in order for a corresponding disposal facility to be commissioned in 2013;
- 2° developing by 2008 storage options for tritium-bearing waste in order to reduce their radioactivity before their disposal in surface or shallow facilities;
- 3° finalising by 2008 the processes designed for the disposal of sealed sources in existing or future facilities;
- 4° preparing a summary report by 2009 describing short-term and long-term management options for waste containing technology-enhanced natural radioactivity, and proposing new options, if need be;
- 5° preparing a summary report by 2008 of the long-term impact of disposal sites for uranium-mine tailings and on the implementation of a reinforced radiological monitoring plan for those sites.

+ Article 5 of Planning Act N°. 2006-739

Article L. 542-1-1 of the Environmental Code

This chapter shall apply to radioactive substances generated by a nuclear activity referred to in Article L. 1333-1 of the Public Health Code or by a comparable activity carried out abroad, as well as by a company referred to in Article L. 1333-10 of the said code or by a comparable company located abroad.

A radioactive substance shall include any substance containing natural or artificial radionuclides, the activity or concentration of which warrants a radiation-protection control.

A radioactive material shall include any radioactive substance that is intended for further use, after treatment, if need be.

A nuclear fuel shall be considered as spent fuel once it is removed definitively from the core of the reactor where it was irradiated.

Radioactive waste shall include any radioactive substance for which no further use is prescribed or considered.

Ultimate radioactive waste shall include any radioactive waste for which no further processing is possible under current technical and economic conditions, notably by extracting their recoverable fraction or by reducing their polluting or hazardous character.

Storing radioactive materials or waste shall consist in the temporary placement of such substances within an especially-designed and dedicated surface or shallow facility, pending their retrieval.

Disposing of radioactive waste shall consist in the placement of such substances within an especially-dedicated facility designed to maintain them for a potentially definitive purpose in accordance with the principles referred to in Article L. 542-1.

Disposing of radioactive waste within a deep geological formation shall consist in the disposal of such substances within an especially-designed and dedicated underground facility in accordance with the reversibility principle.

- building on the potential of new rupture vectors such as hydrogen, for which shall be developed or improved, not only production processes such as electrolysis, hydrocarbon reforming, biomass gasification, photo-electro-chemical decomposition of water or of physico-chemical cycles using the heat generated by new high-temperature nuclear reactors, but also storage, transport and use technologies, especially with regard to fuel cells, engines and turbines;
- furthering research on energy storage in order to limit the disadvantages associated with renewable energies intermittency and to optimise the operation of the nuclear sector.

In order to federate competencies, to co-ordinate efforts and to encourage investigations concerning hydrogen and hydrogenated compounds, the Ministry for Energy, in conjunction notably with the French Petroleum Institute (*Institut français du pétrole*), the French Atomic Energy Commission (*Commissariat à l'énergie atomique*) and the National Scientific Research Center (*Centre national de la recherche scientifique*), shall undertake a specific mission on the subject and publish an annual report.

The overall research efforts on the development of renewable energies and the management of energy shall be increased significantly over the three years following the publication of the *Planning Act N°. 2005-781*.

+ Article 6-I of Planning Act N°. 2006-739

Article L. 542-1-2 of the Environmental Code

I. A National Radioactive Materials and Waste Management Plan shall take stock of existing modes for managing radioactive materials and waste, list the foreseeable requirements of storage or disposal facilities, detail the required capacities of such facilities together with corresponding storage times and, in the case of radioactive waste for which no final management mode exists, determine the objectives to be achieved. In accordance with the orientations described in Articles 3 and 4 of *Planning Act N°. 2006-739 of 28 June 2006 Concerning the Sustainable Management of Radioactive Materials and Waste*, the National Plan shall organise the implementation of investigations and studies on the management of radioactive materials and waste by prescribing deadlines for the implementation of new management modes, creating new facilities or modifying existing facilities in order to fulfil the requirements and objectives referred to in the first paragraph above.

The National Plan shall also include an annex consisting of a summary of the achievements and investigations conducted abroad.

II. The National Plan and the corresponding decree establishing its requirements shall comply with the following orientations:

- 1° the reduction of the quantity and toxicity of radioactive waste shall be sought notably by processing spent fuel and by processing and conditioning radioactive waste;
- 2° any radioactive material pending processing and any ultimate radioactive waste pending disposal shall be stored within especially-designed and dedicated facilities;
- 3° after storage, any ultimate radioactive waste unsuitable for disposal in a surface or shallow facility due to concerns pertaining to nuclear safety shall be disposed of within a deep geological formation.

III. The National Plan shall be established and updated every three years by the Government. It shall also be transmitted to Parliament, which in turn shall refer it for review to the Parliamentary Office for Evaluation of Scientific and Technological Options before being published.

IV. The decisions taken by administrative authorities, notably the authorisations referred to in Article L. 1333-4⁵ of the Public Health Code, shall be compatible with the requirements of the decree referred to in Section II.

+ Article 6-II of Planning Act N°. 2006-739

The National Plan referred to in Article L. 542-1-2 of the Environmental Code shall be established for the first time no later than 31 December 2006.

+ Article 7 of Planning Act N°. 2006-739

Any owner of intermediate-level long-lived waste generated before 2015 shall condition them no later than 2030.

5 Article L. 1333-4 of the Public Health Code:

Any activity referred to in Article L. 1333-1 shall be submitted to a licensing or declaration procedure according to the characteristics and uses of the sources, as prescribed in the said article. Any licence application or any declaration shall include the name of the person responsible for the relevant activity.

However, certain activities may be exempted from the obligation of prior declaration or authorisation, when the radioactivity of the exposure sources lies below the prescribed regulatory thresholds.

Any authorisation delivered pursuant to Article 83 of the Mining Code or to Articles L. 511-1 to L. 517-2 of the Environmental Code or any authorisation delivered to basic nuclear installations pursuant to the provisions of *Act N°. 61-842 of 2 August 1961 on the Control of Atmospheric Pollution and Odours*, and of Articles L. 214-1 to L. 214-6 of the Environmental Code shall be considered as equivalent to the prescribed authorisation. The concerned facilities or activities shall not be submitted to the provisions referred to in Section 3 of Article L. 1336-5.

The provisions referred to in the previous paragraph shall not apply to activities relating to medicine, human biology or medical, biomedical and veterinary research.

6 Article L. 541-45 of the Environmental Code:

Any person qualified for reporting offences shall have free access to all elimination and recovery installations, to all production, sales, shipment or storage premises, together with all their annexes, and to all deposits of waste, materials and products of which they may collect samples for identification purposes. This provision does not apply to dwelling premises.

All persons qualified for reporting offences shall also fulfil their tasks during the transport of products, waste or materials. In the exercise of their duties, they may require that any package be opened or verify any change in the presence of either the sender, the conveyor or the bearer.

7 Article L. 541-44 of the Environmental Code:

I. Persons qualified for investigating and reporting any offence to the requirements of this chapter and to the corresponding enforcing regulations shall include judiciary police officers and agents referred to in Article 20 of the *Code of Criminal Procedure*, as well as the following:

- 1° any judicial police agent referred to in Article 21 of the said code;
- 2° any civil servant of the national police force and municipal police officers within the limits of the provisions relating to their competencies;
- 3° any duly-authorized fraud-prevention officer;

+ Article 8-I of Planning Act N°. 2006-739

Article L. 542-2 of the Environmental Code

No radioactive waste whether originating from a foreign country or from the processing of foreign spent fuel and foreign radioactive waste shall be disposed of in France.

+ Article 8-II of Planning Act N°. 2006-739

Article L. 542-2-1 of the Environmental Code

I. No spent fuel or radioactive material shall be introduced in France except for processing, research or transfer between foreign countries.

Any introduction of such spent fuel or radioactive waste shall only be authorised pursuant to intergovernmental agreements and provided that no residual radioactive waste resulting from the processing of such substances shall be stored in France beyond the term prescribed by such agreements. The agreement shall include the tentative reception and processing schedules for such substances and, if need be, any prospect relating to the further use of the radioactive materials partitioned during the processing.

The text of such intergovernmental agreements shall be published in the Journal officiel.

II. All operators of processing and research facilities shall establish, update and make available to regulatory authorities all information relating to their operations concerning spent fuel or radioactive waste originating from abroad. They shall submit every year to the Minister for Energy a report containing the inventory of all foreign spent fuel and radioactive waste, of all residual radioactive materials and waste resulting from those substances, as well as of their forecasts concerning any operation of that nature. That report shall be made public.

+ Article 8-II of Planning Act N°. 2006-739

Article L. 542-2-2 of the Environmental Code

I. In accordance with the provisions of Article L. 541-45⁶, any disregard for the requirements referred to in Articles L. 542-2 and L. 542-2-1 is reported by all officials and agents referred to in Subsections 1°, 3°, 6° and 8° of Article L. 541-44⁷, as well as all nuclear safety inspectors and all sworn officials and agents duly authorised by the Minister for Energy.

II. Any disregard for the requirements referred to in Article L. 542-2 and in Section I of Article L. 542-2-1 shall be liable to the penalties referred to in Article L. 541-46⁸. Furthermore, without prejudice to the application of any sanction prescribed by Subsection 8° of the said article, the administrative authority may also impose a maximum fine equal to one fifth of the income resulting from the illegally-performed operations and not exceeding 10 million euros. Any sentence concerning such a sanction shall be published in the Journal officiel.

The administrative authority may impose a maximum fine of 150,000 euros for any default to the obligations referred to in Section II of Article L. 542-2-1.

Any amount shall be recovered as State debt claims other than taxation and public property.

Any of the above-mentioned sanctions may be subject to appeal for judicial review.

4° any civil servant and agent of the Civil Engineering Service (*Service des ponts et chaussées*), the Agriculture Engineering, Water and Forestry Resources Service (*Service du génie rural, des eaux et forêts*), the National Forestry Office (*Office national des forêts*), the Mining Service (*Service des mines*) and external services of the Merchant Navy, either sworn in or commissioned thereof;

5° any health-service officer duly commissioned in accordance with the provisions of Article L. 1312-1 of the Public Health Code;

6° any inspector of classified installations;

7° any sworn-in researcher, engineer and technician of the French Research Institute for Exploitation of the Sea (*Institut français de recherche pour l'exploitation de la mer*);

8° any customs officer.

II. Any certificate of offence drawn in application of this article shall have probative force until proven invalid.

8 Article L. 541-46 of the Environmental Code:

I. The following violations shall be liable to two years' imprisonment and a fine of 75,000 euros:

1° refusing to provide the Administration with any information referred to Article L. 541-9 or providing false information;

2° disregarding the provisions of Article L. 541-10;

3° refusing to provide the Administration with the information referred to in Article L. 541-7 or providing false information, or putting deliberately oneself in a position where it is physically impossible to provide such information;

4° abandoning, depositing or having deposited, under conditions contrary to the provisions of this Chapter, any waste belonging to the categories referred to in Article L. 541-7 and listed in its implementing regulation;

5° transporting any waste belonging to the categories referred to in Article L. 541-7 or carrying out any brokerage or trading operations thereof, without complying with the provisions of Article L. 541-8 and its implementing regulations;

6° shipping or having shipped, under conditions contrary to the provisions of Article L. 541-22, any waste to any person other than the operator of an approved facility;

7° disposing of any waste or material without holding the relevant approval certificate referred to in Article L. 541-22;

8° disposing of or recycling any waste or material without complying with the provisions concerning the characteristics, the quantities, the technical and financial conditions for taking over such waste or material, as well as the treatment processes in use, as prescribed in accordance with Articles L. 541-11, L. 541-22, L. 541-24 and L. 541-35;

9° disregarding the provisions of Articles L. 541-30-1 and L. 541-31;

10° obstructing any inspection or any agent in the conduct of any of his functions referred to Article L. 541-44;

+ Article 9-I of Planning Act N°. 2006-739

Article L. 542-3

I. to V. Repealed sections.

VI. A National Review Board shall assess every year the progress of investigations and studies relating to the management of radioactive materials and waste in accordance with the orientations prescribed by the National Plan referred to in Article L. 542-1-2. Such an assessment shall give rise to the preparation of a report containing also a description of the investigations carried out abroad. The report shall be transmitted to Parliament and, in turn, to the Parliamentary Office for Evaluation of Scientific and Technological Options, before being made public.

The National Review Board shall consist of the following members, appointed for a term of six years:

- 1° six qualified personalities, including at least two international experts designated in equal parts by the National Assembly and the Senate, on the proposal of the Parliamentary Office for Evaluation of Scientific and Technological Options;
- 2° two qualified personalities designated by the Government on the proposal of the Academy of Moral and Political Sciences;
- 3° four scientific experts, including at least one international expert, designated by the Government on the proposal of the Academy of Sciences.

The mandate of the members of the National Review Board shall be renewable for no more than one term.

Half the membership of the National Review Board shall be renewed every three years. For the initial constitution of the said Review Board, the mandate of six of its members, designated by draw, shall be set at three years.

The president of the National Review Board shall be elected by its members at each triennial renewal.

The members of the National Review Board shall exercise their functions in full impartiality. No member shall, whether directly or indirectly, exercise any other function within or receive fees from any assessed organisation and any company or establishment producing or holding radioactive waste. Research institutions shall provide the National Review Board with any document required for the fulfilment of its mission.

+ Article 9-II of Planning Act N°. 2006-739

The National Review Board referred to in Article L. 542-3 of the Environmental Code shall submit its first annual report before 30 June 2007.

+ Article 10 of Planning Act N°. 2006-739

The High Committee for Transparency and Information on Nuclear Security, constituted pursuant to Article 23 of *Act N°. 2006-686 of 13 June 2006 on Transparency and Security in the Nuclear Field*^o, shall organise periodical consultations and debates concerning the sustainable management of radioactive materials and waste.

- 11° a) shipping or having shipped any waste without notifying the competent French or foreign authorities, or without having obtained the prerequisite approval of the said authorities, as required;
 - b) shipping or having shipped any waste, if the approval of the competent authorities has been obtained under false pretences;
 - c) shipping or having shipped any waste, if the shipment is not accompanied by the movement document referred to in Article 4 of Regulation (EC) N° 1013/2006 of the European Parliament and of the Council of 14 June 2006 on shipments of waste;
 - d) shipping or having shipped any waste for which the name of the producer, recipient or waste facility of destination does not match the references mentioned in the notification or movement documents, as prescribed by Article 4 of the aforesaid Regulations;
 - e) shipping or having shipped any waste of a different kind than the references mentioned in the notification or movement documents, as prescribed by Article 4 of the aforesaid Regulations, or involving a significantly higher quantity of waste;
 - f) shipping or having shipped any waste, which has been recycled or disposed of in disregard of any community or international regulations;
 - g) exporting any waste without complying with the provisions of Articles 34, 36, 39 and 40 of the aforesaid Regulations;
 - h) importing any waste without complying with the provisions of Articles 41 and 43 of the aforesaid Regulations;
 - i) mixing waste during any shipment, in disregard of Article 19 of the aforesaid Regulations;
 - j) failing to comply with any formal notice taken on the basis of Article L. 541-42;
- 12° disregarding the information provisions referred to Article L. 325-3 of the Seaport Code (*Code des ports maritimes*), and
- 13° failing to comply with the requirements prescribed in accordance with Article 7 of Regulation (EC) N° 850/2004 of the European Parliament and of the Council of 29 April 2004 on persistent organic pollutants and amending Directive 79/117/EEC.

II. In case of conviction for any violation referred to in 4°, 6° and 8° of I above, the court may order, with a penalty payment for no-completion, the rehabilitation of the premises damaged by the waste, which has not been processed under the conditions set by law.

III. In case of conviction for any violation referred to in 7° and 8° of I above, the court may also order the temporary or final closure of the facility and prohibit the operator from pursuing any disposal or recycling activities.

IV. – In case of conviction for any violation referred to in 6°, 7°, 8° and 11° of I above and committed with the aid of a vehicle, the court may also order the suspension of the driver's licence for a maximum period of five years.

+ Article 11 of Planning Act N°. 2006-739

Article L. 542-6 of the Environmental Code

All preliminary research work carried out before the implementation of an underground research laboratory in a deep geological formation or of a deep geological repository shall be carried out in accordance with the conditions prescribed by the *Act of 29 December 1892 on the damages caused to private property by the execution of public works*.

+ Article 12 of Planning Act N°. 2006-739

Article L. 542-10-1 of the Environmental Code

Any deep geological repository shall be considered as a basic nuclear installation.

By derogation to the rules applicable to all basic nuclear installations:

- any licence application to create such an installation shall only concern a geological formation that has been investigated through an underground laboratory;
- the submission of any such application shall be preceded by a public debate as defined in Article L. 121-1¹⁰ on the basis of a case report prepared by the National Radioactive Waste Management Agency constituted pursuant to Article L. 542-12;
- any such application shall give rise to a report of the National Review Board referred to in Article L. 542-3, to a notice of the Nuclear Safety Authority and to the collection of the opinions of the various territorial communities located totally or in part in the consultation zone prescribed by decree;
- any such application accompanied by a summary of the public debate, the report of the National Review Board referred to in Article L. 542-3 and the notice of the Nuclear Safety Authority, shall then be submitted to the Parliamentary Office for Evaluation of Scientific and Technological Options who shall in turn assess it and report to the relevant committees of the National Assembly and of the Senate;
- afterwards, the Government shall table a bill prescribing the relevant reversibility conditions. Once the act is promulgated, the licence to create such a facility may be granted by State Council decree after holding a public debate on the issue;
- no licence to create a deep geological repository for radioactive waste shall be granted, if the reversibility of such a facility is not guaranteed in accordance with the requirements prescribed by the said Planning Act.

During the review of any such application, the safety of the facility shall be assessed throughout the different steps of its management, including its final closure. Final closure shall only be authorised by passing a new act. As a precaution, the licence shall prescribe the minimum period for which the reversibility of the disposal process must be guaranteed. In any case, that minimum period shall not be less than 100 years.

All conditions referred to in Articles L. 542-8 and L. 542-9¹¹ shall apply to the said.

+ Article 13 of Planning Act N°. 2006-739

Article L. 542-11 of the Environmental Code

In any district where the total or partial perimeter of an underground laboratory or deep geological repository referred to in Article L. 542-9 is located, a public-interest group shall be constituted with a view to:

- 1° managing any equipment designed to favour or facilitate the implementation and operation of the underground laboratory or repository;

V. In case of conviction for any violation referred to in 11° of I above, the court may also, pursuant to the modalities referred to in Article 131-27 of the Criminal Code (*Code pénal*), prohibit, for transboundary shipment of waste, the intervention of any individual in his capacity as the notifying party or the responsible officer for a shipment within the sense of Regulation (EC) N° 1013/2006 of the European Parliament and of the Council of 14 June 2006 on shipments of waste.

VI. The court may order that its sentence be posted or published in full or in part under the conditions prescribed by Article 131-35 of the Criminal Code.

9 Article 23 of Act N°. 2006-686:

A High Committee for Transparency and Information on Nuclear Security shall be created.

It shall consist of members appointed for a mandate of six years by decree, including four parliamentarians and five representatives for each of the other categories, as follows:

- 1° two parliamentarians designated by the National Assembly and two senators designated by the Senate;
- 2° representatives from local information committees;
- 3° representatives from environmental associations and associations referred to in Article L. 1114-1 of the Public Health Code;
- 4° representatives from persons responsible for nuclear activities;
- 5° representatives from labour organisations of concerned employees;
- 6° selected personalities on account of their expertise in the scientific, technical, economic or social field or in matters relating to information and communication, including three members designated by the Parliamentary Office for Evaluation of Scientific and Technological Options, one by the Academy of Sciences (*Académie des sciences*) and one by the Academy of Moral and Political Sciences (*Académie de sciences morales et politiques*);
- 7° representatives from the Nuclear Safety Authority, competent State services and the Institute for Radiological Protection and Nuclear Safety.

The President of the High Committee shall be appointed by decree among parliamentarians, representatives of local information committees and selected personalities on account of their expertise who are members thereof.

- 2° performing, within the boundaries of the relevant district, any regional or economic development actions, particularly in the proximity zone of the underground laboratory or of the repository, the perimeter of which has been set by decree after consultation with the relevant general councils;
- 3° supporting training initiatives as well as actions relating to the development, including business-wise, and diffusion of scientific and technological knowledge, notably in the fields investigated within the underground laboratory and in the framework of new energy technologies.

Besides the State and the licence holder referred to in Article L. 542-7 or L. 542-10-1, the relevant regions, districts, municipalities or their groups located totally or in part within the proximity zone referred to in Subsection 2° shall bear the right to adhere *ipso jure* to the public-interest group mentioned above.

The *ex-officio* members of the public-interest group may decide to accept the adherence of municipalities or their groups located within the same district but outside the proximity zone referred to in Subsection 2° above, provided that those municipalities or groups are effectively concerned by the daily operation of the underground laboratory or repository.

All requirements referred to in Articles L. 341-2 to L. 341-4¹² of the Research Code shall apply to any above-mentioned public-interest groups.

In order to finance the actions referred to in Subsections 1° and 2°, the public-interest group shall benefit from part of the income resulting from the additional tax, known as “outreach tax”, to the tax on basic nuclear installations referred to in Section V of Article 43 of the *2000 Finance Act N°. 99-1172 of 30 December 1999*¹³, to which it may, for all budget exercises between 2007 and 2016, add a fraction not exceeding 80% of the part of the income resulting from the additional tax, known as the “technological diffusion tax”, to the tax on basic nuclear installations, from which it benefits. In order to finance the actions referred to in Subsection 3°, the public-interest group shall benefit from part of the income resulting from the additional tax, known as the “technological diffusion tax”, to which it may, for all budget exercises between 2007 and 2016, add a fraction not exceeding 80% of the part of the income resulting from the additional tax, known as the “outreach tax”.

Any person accountable for any of the additional taxes mentioned above shall publish an annual report on its economic activities in all relevant districts referred to in the first paragraph above.

+ Article 14 of Planning Act N°. 2006-739

Article L. 542-12 of the Environmental Code

The National Radioactive Waste Management Agency, constituted as a public industrial and commercial establishment, shall be responsible for conducting all operations relating to the long-term management of radioactive waste, such as:

- 1° to establish, to update every three years and to publish the inventory and location of all radioactive materials and waste present in France, including the waste referred to in Article L. 542-2-1 listed by country;
- 2° to perform or to have performed, in accordance with the National Plan referred to in Article L. 542-1-2, investigations and studies on storage and deep geological disposal, as well as to ensure their co-ordination;

10 Article L. 121-1 of the Environmental Code:

An independent administrative authority, known as the National Commission on Public Debate, shall be responsible for ensuring that public participation is consistent with the National Preparation Process for Development and Equipment Projects for the State, territorial communities, public establishments and private individuals pertaining to the categories of activities established by State Council decree, provided that important socio-economic stakes are involved or that such activities have a significant impact on the environment or on regional development.

Public participation may be organised in the form of a public debate on the relevancy, the objectives and the main characteristics of the project.

Public participation shall be guaranteed throughout the development phase of the project, starting from the commitment of preliminary studies up to the termination of the public inquiry conducted in accordance with the provisions of Chapter III of Title II of Book I of the Expropriation Code for Public Interest Projects.

Furthermore, the National Commission on Public Debate shall ensure that the public is kept informed under satisfactory conditions throughout the execution of the projects under its jurisdiction until the final acceptance of the equipment and work.

Upon the request of any competent authority or owner, the National Commission on Public Debate shall provide advice on any issue relating to public consultation throughout the development of the project.

The National Commission on Public Debate shall also be responsible for publishing any notice and recommendation of a general or methodological nature in order to encourage and develop public consultation.

The National Commission on Public Debate and any *ad hoc* commission shall have no say on the content of the projects under their jurisdiction.

11 These articles are reproduced at the end of this document.

- 3° to contribute, within the scope of the conditions described in the second-last paragraph of this article, to the assessment of the costs associated with the implementation of the long-term management solutions for high-level and long-lived radioactive waste according to the nature of the waste involved;
- 4° to prescribe, in accordance with nuclear-safety rules, the relevant specifications for the disposal of radioactive waste and to provide the competent administrative authorities with an opinion on the specifications for the conditioning of that waste;
- 5° to design, to implement, to carry out and to ensure the management of storage or disposal facilities for radioactive waste, with due account of the long-term production and management prospects of that waste, as well as to conduct any relevant studies for those purposes;
- 6° to ensure the collection, the transport and the take-over of radioactive waste, as well as the remediation of the sites polluted by radioactivity upon the request and at the expense of the persons responsible for that waste or upon public requisition when the persons responsible for the waste or the sites are defaulting;
- 7° to make available to the public relevant information concerning the management of radioactive waste and to participate in the dissemination of scientific and technological culture in that field;
- 8° to disseminate its know-how in foreign countries.

The Agency may be reimbursed for the expenses incurred by the management of the radioactive waste taken over by public requisition from the persons responsible for that waste if the identity of those persons became known or if their financial situation improved in the future.

The Agency shall propose to the Minister for Energy an assessment of the costs relating to the implementation of long-term management solutions for high-level and long-lived radioactive waste according to the nature of the waste involved. After collecting the observations from the parties subject to the additional taxes referred to in Section V of Article 43 of the *2000 Finance Act N°. 99-1172 of 30 December 1999*¹⁴ and the notice of the Nuclear Safety Authority, the Minister for Energy shall set the amount of the final costs and make it public.

The Agency may, in conjunction with any interested party, carry out joint activities relating to public information and to the diffusion of the scientific and technological culture.

+ Article 15 of Planning Act N°. 2006-739

Article L.542-12-1 of the Environmental Code

Within the National Radioactive Waste Management Agency shall be constituted a dedicated fund in order to finance investigations and studies relating to the storage and deep geological disposal of radioactive waste. All operations of that fund shall be subject to a separate accounting with a view to individualising the resources and the uses of the fund within the Agency's budget. The resources of the fund shall originate from the product of the additional "research tax" to the tax on basic nuclear installations referred to in Section V of Article 43 of the *2000 Finance Act N°. 99-1172 of 30 December 1999*¹⁵.

The Agency shall receive a State subsidy in order to contribute to the financing of the general-interest missions entrusted upon the Agency pursuant to the conditions described in Subsections 1° and 6° of Article L. 542-12.

12 Article L. 341-2 of the Research Code:

No public-interest group shall give rise to any earned or shared profits. Any such group may be constituted without any capital. No fees of its members may consist of negotiable instruments. Any contradictory clause shall be deemed null and void.

Article L. 341-3: Any public corporation, national company and private corporation responsible for the management of a public service shall hold a joint majority vote for the appointment of any group assembly or governing board.

The director of the group, as appointed by the governing board, shall ensure the sound operation of the group under the authority of the governing board and its chairman. With regard to third-party relations, the director shall commit the group's responsibility for any action pertaining to the scope of the group.

A government commissioner shall be appointed for every group.

Article L. 341-4: The convention according to which the group is constituted shall be approved and published by the administrative authority. The convention shall prescribe the participation modalities of the group members and the conditions under which they shall be held responsible for the group's debts. It shall also specify the conditions under which the group members may provide the group with the services of their own paid staff.

The public-interest group shall be submitted to the control of the Court of Accounts in accordance with the provisions of Article L. 133-2 of the Financial Jurisdiction Code.

The transformation of any moral entity into a public-interest group shall not require any dissolution action or constitution of a new moral entity.

13 *Reproduced in Article 21-1 of this Planning Act N°. 2006-739.*

+ Article 16 of Planning Act N°. 2006-739

Article L.542-12-2 of the Environmental Code

Within the National Radioactive Waste Management Agency shall be constituted a dedicated fund in order to build, operate, shut down definitively, maintain and monitor the storage and disposal facilities for high-level and long-lived waste built and operated by the Agency. All operations of the fund shall be subject to a separate accounting with a view to individualising the resources and the uses of the fund within the Agency's budget. The resources of the fund shall originate from the contributions to be paid by the operators of basic nuclear installations and to be set by agreements.

The administrative authority, upon establishing that the application of the requirements referred to in Article 20 of this Planning Act N°. 2006-739 is likely to be obstructed, may impose upon the operator of a basic nuclear installation to pay any required amount to the fund, with a daily penalty if need be, in order to cover the charges referred to in Section I of the said article.

+ Article 17 of Planning Act N°. 2006-739

State subsidy granted to the organisations participating in the investigations referred to in Subsection 1° of Article 3 shall be completed by the contributions to be made by the operators of basic nuclear installations pursuant to agreement signed between the said organisations and the operators.

+ Article 18 of Planning Act N°. 2006-739

Article L.542-13 of the Environmental Code

For every underground laboratory shall be constituted a Local Information and Oversight Committee in order to fulfil a general follow-up, information and consultation mission with regard to research on the management of radioactive waste, and, in particular, on the deep geological disposal of that waste.

The Committee shall include State representatives, two elected members of the National Assembly and two elected members of the Senate appointed by their respective assemblies, elected officials from the territorial communities consulted during the public inquiry or concerned by the preparatory work referred to in Article L. 542-6, as well as representatives from environmental-protection associations, farmers' unions, professional organisations, representative labour and medical unions, and qualified personalities, together with the licence holder referred to in Article L. 542-10-1.

The Committee may be granted juridical personality with the status of an association. It shall be chaired by one of its members, being a national or local elected officer, as appointed by a joint decision of the presidents of the General Councils of the districts on which the perimeter of the laboratory is located.

The Committee shall meet at least twice a year. It shall be informed on the objectives of the programme, the nature of the work being performed and on the results achieved. It may call upon the National Review Board referred to in Article L. 542-3 and the High Committee for Transparency and Information on Nuclear Security constituted pursuant to Article 23 of *Act N°. 2006-686 of 13 June 2006*¹⁶ on *Transparency and Security in the Nuclear Field*. Every year, the National Review Board shall submit before the Local Information and Oversight Committee its status report on the investigations being performed concerning the three research areas described in Article 3. The Local Information and Oversight Committee and the High Committee for Transparency and Information on Nuclear Security constituted pursuant to Article 23 of *Act N°. 2006-686 of 13 June 2006*¹⁷ shall exchange all relevant information for the performance of their missions and shall participate in joint information actions.

¹⁴ Reproduced in Article 21-I of this Planning Act N°. 2006-739.

¹⁵ Reproduced in Article 21-I of this Planning Act N°. 2006-739.

The Committee shall be consulted on all issues relating to the operation of the underground laboratory and having any potential impact on the environment or the vicinity. It may commission hearings or have independent audits performed by qualified laboratories.

All expenses incurred by the implementation and operation of the Local Information and Oversight Committee shall be financed in equal parts through State subsidies and contributions provided by the companies involved in the activities relating to the deep geological disposal of radioactive waste.

+ Article 19 of Planning Act N°. 2006-739

Article L.515-7 of the Environmental Code

All conditions referred to in Article L.515-7 of the Environmental Code shall not apply to radioactive waste facility.

+ Article 20 of Planning Act N°. 2006-739

I. All operators of basic nuclear installations shall assess conservatively any charges relating to the dismantling of their facilities or, in the case of radioactive waste disposal facilities, any charges relating to their final shutdown, maintenance and monitoring. Similarly, all operators shall assess all charges relating to the management of their spent fuel and radioactive waste, by taking into account notably the prescribed assessment referred to in Article L. 542-12 of the Environmental Code.

II. All operators of basic nuclear installations shall constitute the provisions associated with the charges referred to in Section I and shall allocate exclusively the required assets to the coverage of those provisions.

All operators shall account separately for any assets required to demonstrate a sufficient level of security and liquidity in order to fulfil their purpose. The market value of those assets shall be at least equal to the amount of the provisions referred to in the first paragraph of this Section, except for those relating to the operating cycle.

With the exception of the State in the exercise of its authority to ensure that operators comply with their obligations to dismantle their facilities and to manage their spent fuel and their radioactive waste, no person shall exercise a right upon the assets referred to in the first paragraph of this Section, including on the basis of Book VI of the Commercial Code.

III. All operators shall submit every three years to the administrative authority a report describing the assessment of the charges referred to in Section I, the methods used to calculate the provisions associated with those charges and the choices made concerning the composition and the management of the assets allocated to the coverage of those provisions. They shall also submit every year to the said administrative authority an update notice of that report and shall inform it without delay of any event likely to modify the content of the report. Upon the request of the said administrative authority, they shall also provide the said authority with a copy of any accounting or supporting documents. Upon detecting any insufficiency or inadequacy in the assessment of the charges, the calculation of the provisions or the amount, the composition or the management of the assets allocated to those provisions, the said administrative authority may, after having taken into consideration the operator's observations, prescribe any relevant measures in order to regularise the situation by setting a deadline within which the operator shall implement them.

In case of default of those requirements within the prescribed deadline, the said administrative authority may order, subject to a daily penalty,

16 See the note number 9 page 8.

17 See the note number 9 page 8.

the constitution of the required assets and impose any relevant measure pertaining to their management.

All operators shall submit, no later than a year after the publication of this Act, their first triennial report referred to in the first paragraph of this Section. That first report shall include over and above the components referred to in the first paragraph of this Section, a specific plan for the constitution of the assets referred to in Section II.

All operators shall implement a specific plan in order to constitute asset no later than five years after the publication of this Planning Act.

IV. A National Commission for assessing the dismantling charges of basic nuclear installations and the management of spent fuel and radioactive waste shall be constituted.

The said Commission shall review the control of the consistency between the provisions set in Section II and the charges referred to in Section I, the control of the management of the assets referred to in Section II as well as the management of the funds referred to in Articles L. 542-12-1 and L. 542-12-2 of the Environmental Code.

The Commission may, at any time, send to the Parliament and the Government notices on issues relating to its jurisdiction. Those notices may be made public. The Commission shall submit every three years to the Parliament and the High Commission for Transparency and Information on Nuclear Security constituted in accordance with Article 23 of *Act N° 2006-686 of 13 June 2006*¹⁸ a report presenting the assessment referred to in the previous paragraph. That report shall be made public.

The membership of the Commission shall include:

- 1° the presidents of the competent committees of the National Assembly and of the Senate in matters relating to energy or responsible for finances, or their representative;
- 2° four qualified personalities appointed in equal numbers by the National Assembly and the Senate;
- 3° four qualified personalities appointed by the Government.

Qualified personalities shall be appointed for a term of six years.

The Commission shall receive the reports referred to in Section III. It may require operators to provide any relevant documents for the fulfilment of its missions. It may hear the relevant administrative authority referred to in Section III.

The Commission shall submit its first report no later than two years after the publication of this Act.

During their term of office, the qualified personalities appointed in the Commission shall not issue any public statement with matters pertaining to the jurisdiction of the Commission. Throughout and after their term of office, all members of the Commission shall be bound by professional secrecy with regard to facts, actions and information of which they might have become aware of in the exercise of their functions.

No member of the Commission shall directly or indirectly exercise functions within or receive fees from any basic nuclear installation licence holder or other company doing business in the energy sector.

V. Any applicable condition and modality of this article shall be determined by decree, if need be, in accordance with applicable accounting standards, with the modalities for assessing the charges referred to in Section I and for calculating the provisions referred to in Section II, the information that operators are required to make public, as well as the related publicity rules.

18 See the note number 9 page 8.

19 Article 28 of Act N° 2006-686:

I. All basic nuclear installations and all shipments of radioactive substances likely to pose a potential risk or inconvenience relating to safety, public health and hygiene or the protection of nature and of the environment shall be subject to the provisions of this title.

II. The operator of any basic nuclear installation shall be responsible for the safety of his installation.

III. Any of the following facilities shall be considered as a basic nuclear installation:

- 1° a nuclear reactor;
- 2° a facility meeting the specifications prescribed by decree of the State Council regarding either the preparation, enrichment, fabrication, treatment or storage of nuclear fuel or the treatment, storage or disposal of radioactive waste;
- 3° a facility containing radioactive or fissile substances and meeting the specifications prescribed by decree of the State Council;
- 4° a particle accelerator meeting the specifications prescribed by decree of the State Council.

IV. No basic nuclear installation shall be subject to the provisions of Articles L. 214-1 to L. 214-6 of the Environmental Code or to those of Title I of Book V of the said code. No basic nuclear installation shall be subject to the licensing or declaration system referred to in Article L. 1333-4 of the Public Health Code.

V. All required equipment and facilities for the operation of a basic nuclear installation and implemented on its specified perimeter in accordance with Section I of Article 29 of this law, including any equipment and facility classified under any category listed within any schedule referred to in Articles L. 214-2 and L. 511-2 of the Environmental Code, shall be considered as part of that installation and shall be subject to the provisions of this title.

Any other equipment and facility classified under any of the above-mentioned categories and implemented on the perimeter of the basic nuclear installation concerned shall be subject to the above-mentioned provisions of the Environmental Code, and the Nuclear Safety Authority shall determine the relevant entity responsible for taking the individual decisions or performing the controls prescribed by those provisions.

This article, with the exception of the requirements referred to in Section I, shall not apply to any basic nuclear installation operated directly by the State. Any person having ceased to operate a nuclear basic installation, for the application of any requirement of this article relating to the management of its spent fuel and radioactive waste, shall be assimilated to the operators of such installations.

Article 21-I of Planning Act N°. 2006-739

ARTICLE 43 OF THE 2000 FINANCE ACT N°. 99-1172 OF 30 DECEMBER 1999, COMPLETED IN ITS SECTION V BY THE PLANNING ACT N°. 2006-739

- II. Starting on 1 January 2000, an annual tax shall be applicable to all basic nuclear installations referred to in Article 28 of Act N°. 2006-686 of 13 June 2006 on Transparency and Security in the Nuclear Field¹⁹. The said annual tax shall apply to the operator of any such installation starting on the authorisation date of the installation until its removal from the list of such installations. Starting with the calendar year following the authorisation to shut down permanently and to dismantle any such installation, the presumptive assessment applicable to the installation shall be reduced by half.
- III. The amount of tax per installation shall be equivalent to the product of the presumptive assessment by an adjustment factor. All presumptive assessments shall be set according to the following table. All adjustment factors shall be established by State Council decree with due account of the category and significance of the installations and within the prescribed limits for each category, in accordance with the following table. With regard to the category involving nuclear power generating reactors, a tax shall be paid for each unit of a specific installation.

CATEGORY	Presumptive assessment	Adjustment factor
Nuclear power generating reactors not intended primarily for research purposes (per unit)	2.118.914,54 €	1 to 4
Nuclear power generating reactors intended primarily for research purposes (per unit)	1.197.470,86 €	1 to 2
Other nuclear reactors	263.000,45 €	1 to 3
Separation facilities for nuclear-fuel isotopes	618.824,59 €	1 to 3
Nuclear fuel fabrication plants		
Spent nuclear fuel processing plants	1.856.473,79 €	1 to 3
Installations for the treatment of liquid radioactive effluents and/or solid radioactive waste	278.471,07 €	1 to 4
Uranium hexafluoride conversion plants		
Other preparation and transformation plants for radioactive substances		
Installations intended for the final disposal of radioactive substances	2.165.886,09 €	1 to 3
Installations intended for the temporary storage of radioactive substances	24.752,98 €	1 to 4
Particle accelerators and irradiation plants		
Laboratories and other basic nuclear installations using radioactive substances		

- IV. Any activity involving tax collection and litigation shall be followed up by the accountants of the Treasury in accordance with the conditions described in Articles 80 to 95 of Decree N°. 62-1587 of 29 December 1962 on the General Regulation of Public Accounting and in their effective version at the promulgation date of this Planning Act.

Any unpaid tax shall be liable to a penalty equivalent to 10% of any unpaid amount at the end of the payable period.

The decree referred to in Section III shall also prescribe the applicable conditions of this section.

- V. Three additional taxes to the tax on basic nuclear installations shall be created. The amount of those additional taxes, called “research tax”, “outreach tax” and “technological diffusion tax” respectively, shall be set for each category of installation by applying an adjustment factor to a lump sum. All factors shall be prescribed by State Council decree after consultation with the General Councils involved and with the public-interest groups referred to in Article L. 542-11 of the Environmental Code with regard to the “outreach tax” and the “technological diffusion tax”.

No such tax shall exceed the limits mentioned in the table below and the funding requirements based on the quantities and toxicity in existing and future radioactive waste packages that are unsuitable for disposal in surface or shallow facilities per category of installations.

Category	Lump sum Waste (in million euros)	“Research” adjustment factor	“Outreach” adjustment factor	“Technological diffusion” adjustment factor
Nuclear power reactors, not intended primarily for research (per unit)	0,28	[0,5-6,5]*	[0,6-2]	[0,6-1]
Nuclear power reactors, intended primarily for research	0,25	[0,5-6,5]*	[0,6-2]	[0,6-1]
Other nuclear reactors	0,25	[0,5-6,5]*	[0,6-2]	[0,6-1]
Processing plants for spent nuclear fuel	0,28	[0,5-6,5]*	[0,6-2]	[0,6-1]

All additional taxes shall be recovered according to the same conditions and subject to the same sanctions as the tax for basic nuclear installations.

Once a collection fee equivalent to 1% of the recovered amounts has been deducted, the remaining income resulting from the additional “research tax” shall be paid to the National Radioactive Waste Management Agency.

Once a collection fee equivalent to 1% of the recovered amounts has been deducted, the remaining income resulting from the additional “outreach tax” shall be distributed evenly in a number of parts equal to the number of districts referred to in Article L. 542-11 of the Environmental Code. All public-interest groups referred to in the said article shall, in proportion to their populations and as set by State Council decree within a maximum limit of 20%, pay a fraction of each of those parts to the municipalities whose territory lies at least partly within a 10-km radius from the main access to the underground facilities of any underground laboratory referred to in Article L. 542-4 of the said code, or of a deep geological repository referred to in Article L. 542-10-1 of the said code. The balance of each of those parts shall be paid to the public-interest group referred to in Article L. 542-11 of the said code.

Once a collection fee equivalent to 1% of the recovered amounts have been deducted, the remaining income resulting from the additional “technological diffusion tax” shall be distributed equally among the public-interest groups referred to in Article L. 542-11 of the said code.

+ Article 21-II of Planning Act N°. 2006-739

All requirements contained in Section V of Article 21-I shall come into force on 1 January 2007.

+ Article 22 of Planning Act N°. 2006-739

Any person in charge of nuclear activities and any company referred to in Article L. 1333-10 of the Public Health Code shall establish, update and make available to the relevant administrative authority and, with regard to any matter subject to its jurisdiction, to the National Radioactive Waste Management Agency, all required information for the application and the control of the requirements of this act.

Without prejudice to the requirements of Section III of Article 20, a State Council decree shall indicate which of the above-mentioned information shall be transmitted periodically to the said administrative authority or to the National Radioactive Waste Management Agency.

+ Article 23 of Planning Act N°. 2006-739

In case of default by the operator of a basic nuclear installation to the obligations referred to in Sections I and II of Article 20, the relevant administrative authority may, without prejudice to the requirements referred to in Section III of the said article, pronounce a fine in an amount not exceeding 5% of the difference between the amount of the assets constituted by the operator of a basic nuclear installation and the amount prescribed by the said administrative authority. The decision to pronounce a sanction shall be published in the Journal officiel.

In case of default to the information requirements referred to in Section III of Article 20 and in Article 22, the relevant administrative authority may pronounce a maximum fine equal to 150,000 euros.

Any amount shall be recovered as a State debt claim other than taxation and public property.

Any sanction referred to in this article may be the subject of recourse for judicial review.

+ Article 24 of Planning Act N°. 2006-739

A State Council decree shall set, if need be, the relevant conditions for the implementation of this Act.

The present Planning Act shall be enforced as State Law.

+ Additional articles of the Environmental Code

Article L. 542-4

All conditions under which any underground research laboratory is implemented with a view to studying any suitable deep geological formation for disposing or storing high-level and long-lived radioactive waste shall be established in accordance with Articles L. 542-5 to L. 542-11.

Article L. 542-5

Before initiating any preliminary research work for any project involving the implementation of an underground research laboratory, a consultation shall be held with elected officials and the neighbouring populations around the relevant sites in accordance with conditions set by decree.

Article L. 542-7

Without prejudice to the application of the provisions of Title I of this book, the implementation and operation of any underground research laboratory shall be contingent to a licence granted by State Council decree, after conducting an impact assessment, receiving the opinions of relevant Municipal, General and Regional Councils as well as holding a public inquiry in accordance with the conditions referred to in Articles L. 123-1 to L. 123-16.

The above-mentioned licence shall be accompanied by detailed specifications. Any applicant requesting such a licence shall have the required technical and financial capabilities to ensure the sound execution of the corresponding operations.

Article L. 542-8

The licensing decree referred to in Article L. 542-7 shall confer upon its holder, within the perimeter described in the constituting decree, the exclusive right to undertake surface and subsurface operations and to manage the resulting excavated muck. Any owner of a property located within the above-mentioned perimeter shall be compensated either by mutual agreement with the licence holder or in accordance with the expropriation procedure. The power of eminent domain may be exercised in order to expropriate all or part of any above-mentioned property in favour of the licence holder.

Article L. 542-9

The licensing decree shall also institute, outside the perimeter referred to in Article L. 542-8, a protection perimeter in which the administrative authority may prohibit or regulate works and activities whose nature may compromise the integrity of the facility or the operation of the underground research laboratory from a technical standpoint.

Article L. 542-10

Radioactive sources may be used temporarily in the said underground laboratories exclusively for experimental purposes. No radioactive waste shall be stored or disposed of in the said laboratories.

All the texts quoted in this document
are available on the website:

www.legifrance.gouv.fr





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