

Adaptation of the nuclear industry to changes in environmental legislation

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Abstract—The paper discusses changes introduced into the regulations that come into effect in 2019 and the following years. The paper also sets forth measures necessary to adapt the nuclear industry to these changes in the environmental legislation that apply to almost all fields of legal regulation, from categorization of objects to fines for negative impact on the environment.

Keywords—*environmental protection; environmental legislation; nuclear industry*

I. INTRODUCTION

The nuclear industry is one of the most dynamically developing branches of energy industry in Russia. The nuclear industry has retained and increased its high potential to generate high-tech products.

In all organizations engaged in the nuclear industry, the high level of nuclear, radiation, and environmental safety is ensured by an effective system of environmental policy implementation. This is an evidence of the success of all environmental protection measures taken by such organizations.

Due to the latest changes in Russian environmental legislation evoked by entry into force of Federal Law 219-FZ “On introduction of changes into Federal Law ‘On protection of environment’ and into individual acts of law of the Russian Federation” dated 21.07.2014 (hereinafter Federal Law 219-FZ), there is a possibility to adapt activities of the Rosatom State Corporation to the new standards that alter existing institutional environment used to solve production problems at objects that affect the environment. Therefore, the topic is of importance due to the necessity to react timely to changes in institutional environment as well as to conform to new regulations of Russian environmental legislation.

The theoretical foundation of the study is built on results of researches conducted by Russian scientists in the field of ecological and legal support for environmental protection activities of objects that use nuclear power at all stages of their life cycle.

The experimental foundation of the study includes statistical and analytical data on the condition and protection of the environment as well as on the use of nuclear power

published in official reports, state reports, scientific press, and mass media.

The legal foundation of the study encompasses provisions of the Constitution of the Russian Federation, federal laws, decrees of the President of the Russian Federation, resolutions and decisions of the Government of the Russian Federation, laws and regulations of federal bodies that settle social relations in the field of ecologic and legal support for safe operation of objects that use nuclear power as well as international legal fundamentals on the topic.

II. PURPOSE AND OBJECTIVES

The study aims to develop a well-founded action protocol on implementation of the provision set forth by Federal Law 219-FZ dated 21.07.2014, which is necessary for successful adaptation of environmental protection actions of the Rosatom State Corporation to the new institutional setting.

In order to reach the stated objective, we needed to perform the following actions:

- To study the system of legal acts of the Russian Federation that settle the ecological and legal foundation for the Rosatom State Corporation’s activities in the field of the nuclear power use;
- To analyse the requirements introduced by Federal Law No.219-FZ dated 21.07.2014 and collection of legal regulations that the Rosatom State Corporation should stick to in order to meet the requirements of the law;
- To develop a comprehensive programme aimed to adapt environmental activities of the State Corporation for new legal requirements.

III. RESULTS

In accordance with the IAEA’s documents, legislative foundation is in the heart of the state’s nuclear safety and security system.

The fundamental law in the field of environment protection and ecological safety and security is Federal Law No.7 “On environmental protection” dated 10.01.2017. This law sets forth legal basis for state policies, governance, and requirements associated with economic activities, including the use of

radioactive and nuclear substances, authorities of federal and local governmental bodies.

Due to the coming into force of Federal Law No.219-FZ dated 21.07.2014, it is necessary to reorganise environmental protection activities of the Rosatom State Corporation so that they fit new legal requirements.

To successfully adapt environmental protection activities of the Rosatom State Corporation to those requirements, we analysed changes introduced by Federal Law No.2019-FZ. This allowed developing a comprehensive adaptation programme for nuclear industry organizations that is divided into levels. Each level is associated with a stage of the Federal Law implementation procedure. The programme includes primary measures to be taken in order to pursue an efficient ecology policy and technological modernisation of production process.

Nuclear power plants are II category objects that have a negative impact on the environment. They develop and approve a programme for industrial environmental monitoring (IEM) and implement it in accordance with imposed requirements as well as document and store information and data acquired from results of IEM implementation.

As of 01.01.2019, SAE is to be calculated by legal entities planning on building II category objects (while assessing impact on the environment) as well as by companies involved in business activities and/or other activities at II category objects.

According to Paragraph 1 of Article 23.1 of Federal Law No.7-FZ (as amended by Law No.219-FZ), if it is impossible

to fulfill SAE located at an object having negative impact on the environment, temporary SAE permits are to be applied.

Moreover, changes introduced by Federal Law No.219-FZ into Federal Law No.7-FZ (namely Article 31.2 that entered into force 01.01.2019) set forth a new type of reporting. Now, legal entities engaged in business activities and/or other activities at II category objects must file a declaration on negative impact on the environment. The declaration is to be lodged every 7 years provided that primary production processes as well as qualitative and quantitative features of emissions, pollutants discharges, and stationary sources remain the same. Clause 5.5.18 of the Regulation on the Russian Federal Service for Surveillance on Consumer Rights Protection and Human Wellbeing (Rospotrebnadzor) dictates that Rospotrebnadzor is to accept declarations.

IV. CONCLUSION

Compliance with all legal environmental requirements at all stages of life cycle of objects using nuclear power is a priority for the Rosatom State Corporation. A comprehensive adaptation programme has been developed, which allows for an adequate response to new institutional environments and helps lower economic, social, ecological, technological, and reputational risks and costs.

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