

**Target Country: Australia**

Target Country	CG No.	Target CG Coordinator	JC Article No.	National Report Citation	Questions/Comments & Responses	
AU	2	P. Kayser	24.1	--	<b>Question</b>	What specific requirements are applicable to radiation protection of workers and the public, and to protection of the non-human environment?
					<b>Answer</b>	<p>Australia is a federation of States and self-governing Territories. The Constitution of Australia unites the States and Territories in a federal Commonwealth under the name of the Commonwealth of Australia. The Commonwealth and each State and self-governing Territory have passed legislation to establish a legal and governmental framework for radiation protection and nuclear safety in their jurisdiction. In total there are 9 jurisdictions that have passed legislation. Annex F of the National Report sets out the relevant Commonwealth, State and Territory legislation.</p> <p>The framework established by the States and Territories licenses the user of the radioactive material or the apparatus and requires the premises and the material/apparatus to be registered. The Commonwealth framework takes an entirely different approach. It divides licensing into 2 parts, controlled facilities and controlled materials and apparatus. Controlled facilities are subdivided into nuclear installations and prescribed radiation facilities. A nuclear installation includes a nuclear research reactor, a plant for preparing or storing fuel for use in a nuclear research reactor and a nuclear waste storage or disposal facility with an activity at or above the level prescribed in the legislation. A prescribed radiation facility includes a nuclear waste storage or disposal facility that has a lower activity level. Controlled facilities are licensed by activity stage eg siting, construction, possession and operation and decommissioning. The licensing process for a nuclear installation includes a public</p>

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					<p>consultation process. Controlled material and controlled apparatus include sealed and unsealed sources as well as ionising and non-ionising apparatus. A user is licensed to deal with the material or the apparatus.</p> <p>The legislation passed in each jurisdiction establishes a regulatory body and includes requirements to comply with accepted standards for dose limits, radioactive waste disposal etc and also require reporting of incident and exposures and gives the regulatory body powers to monitor and enforce compliance with legislative requirements.</p> <p>All jurisdictions enforce accepted standards for occupational exposure limits, dose limits, disposal of radioactive waste, transport of radioactive, air and waterborne discharge limits etc upon licence holders and registered users. These standards are usually imposed by Regulations made under the Act that created the regulatory framework but may also be imposed as specific conditions of licence or registration. Below is a schedule identifying the standard by subject and IAEA or ICRP equivalent.</p> <p><u>Occupational exposure and dose limits</u> Australian code or standard: <i>Recommendations for Limiting Exposure to Ionizing Radiation, National Standard for Limiting Occupational Exposure to Ionizing Radiation (Printed 1995 - Republished 2002)</i> International equivalent: <i>ICRP 60</i> and <i>BSS 115</i>.</p> <p><u>Transport of radioactive material</u> Australian code or standard: <i>Code of Practice for the Safe Transport of Radioactive Material</i> International equivalent: <i>IAEA Regulations for the Safe Transport of Radioactive Material 1996 Edition (Revised)</i></p>
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						<p><u>Disposal of radioactive waste</u>          Australian code or standard: <i>Code of Practice for the Disposal of Radioactive Waste by the User, Code of Practice for the Near-Surface Disposal of Radioactive Waste in Australia</i>          International equivalent: There is no international equivalent for the <i>Code of Practice for the Disposal of Radioactive Waste by the User</i>, IAEA <i>Near Surface Disposal of Radioactive Waste Requirements, Safety Standards Series No. WS-R-1</i></p> <p>The <i>Code of Practice for Disposal of Radioactive Wastes by the User</i> was promulgated by the National Health and Medical Research Council of Australia in 1985 and is used as guidance by all jurisdictions for disposal by air, water, landfill and by incineration.</p> <p>A copy of the Australian codes and standards are available at <a href="http://www.arpsa.gov.au/codes.htm">http://www.arpsa.gov.au/codes.htm</a></p>
AU	2	P. Kayser	19.24	--	<b>Question</b>	How is compliance assessed and assured?
					<b>Answer</b>	<p>Compliance is assessed by site inspections, routine and non-routine reporting by the licence holder. The frequency and extent of inspections depend on the risk posed by the facility, equipment or material concerned and past conduct of the licence holder. The regulatory body in each jurisdiction has legislative powers to undertake inspections, gather evidence and enforce conditions of licence.</p> <p>The following information is provided on the licensing process undertaken by the Commonwealth regulatory body, the Australian Radiation Protection and Nuclear Safety Agency.</p> <p>A licence holder under the <i>Australian Radiation Protection and Nuclear Safety Act 1998</i> must comply with the following</p>

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					<p>statutory conditions set out in the Regulations to the Act:</p> <p>(i) The licence holder must investigate suspected breaches of licence conditions. If a breach is identified, the licence holder must rectify the breach and any of its consequences as soon as reasonably practicable. The licence holder must also inform the CEO about the breach as soon as reasonably practicable.</p> <p>(ii) The licence holder must take all reasonably practicable steps to prevent accidents involving controlled material, controlled apparatus or controlled facilities described in the licence. If an accident happens, the licence holder must take all reasonably practicable steps to control the accident, minimise its consequences (including injury to any person and damage or harm to the environment), tell the CEO about the accident within 24 hours of it happening and submit a written report within 14 days.</p> <p>In accordance with Regulation 63, ARPANSA has published guidelines on how licence holders will report their compliance with the Act, the Regulations and licence conditions. These guidelines, although currently being updated, can be found on the web at <a href="http://www.arpansa.gov.au/reg63_1b.pdf">http://www.arpansa.gov.au/reg63_1b.pdf</a>.</p> <p>Part 7 of the ARPANS Act prescribed powers available to the agency to conduct inspections to monitor and enforce compliance with the Act, its Regulations and licence conditions. A copy of the Act and Regulations is available at <a href="http://www.arpansa.gov.au/legframe.htm">http://www.arpansa.gov.au/legframe.htm</a></p> <p>A copy of ARPANSA's inspection policy is also available for viewing on the web at <a href="http://www.arpansa.gov.au/inspect.htm">http://www.arpansa.gov.au/inspect.htm</a></p>
AU	2	P. Kayser	16.8	--	<p><b>Question</b></p> <p>What technical and financial requirements are there to ensure satisfactory future decommissioning of operational uranium mining or production facilities?</p>

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AU	2	P. Kayser	--	--	<b>Question</b>	Are there former uranium mining and processing facilities in the Northern Territory or states other than South Australia, and if so, what is their status?
					<b>Answer</b>	Yes, Rum Jungle, Radium Hill, Mary Kathleen and Nabarlek. Each are decommissioned and the site rehabilitated to the extent possible at the time – Nabarlek has been fully rehabilitated.
AU	2	P. Kayser	24.11	--	<b>Question</b>	How is it determined that the requirements and regulations currently in place are effective in maintaining doses as low as reasonably achievable, social and economic factors taken into consideration, that the burden on future generations is minimised and that releases to the environment have no adverse short- or long-term effects?
					<b>Answer</b>	Compliance is assessed by site inspections, routine and non-routine reporting by the licence holder. The frequency and extent of inspections depend on the risk posed by the facility, equipment or material concerned and past conduct of the licence holder. The regulatory body in each jurisdiction has legislative powers to undertake inspections, gather evidence and enforce conditions of licence.  A copy of the Commonwealth regulatory body's inspection

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					<p>policy, ARPANSA, is available on the web at <a href="http://www.arpansa.gov.au/inspect.htm">http://www.arpansa.gov.au/inspect.htm</a></p> <p>‘Burden on future generations’ is taken into account in the decision on whether or not to give the applicant a licence to operate or use the facility, equipment or material. For example, the CEO of ARPANSA must consider:</p> <ul style="list-style-type: none"> <li>(i) Whether the information establishes that the proposed conduct can be carried out without undue risk to the health and safety of people, and to the environment; and</li> <li>(ii) whether the applicant has shown that there is a net benefit from carrying out the conduct relating to the controlled facility; and</li> <li>(iii) whether the applicant has shown that the magnitude of individual doses, the number of people exposed, and the likelihood that exposure will happen, are as low as reasonably achievable, having regard to economic and social factors.</li> </ul>
AU	2	P. Kayser	24.12		<p><b>Question</b></p> <p>How do the results achieved, as a consequence of applying Australia's requirements and regulations, compare with international standards or recommendations?</p>
					<p><b>Answer</b></p> <p>Results of inspections conducted by ARPANSA indicate that licence holders, in most instances, met licence conditions thereby achieving outcomes that are consistent with international best practice. It is expected that the outcomes of inspections undertaken by State and Territory regulatory bodies are similar.</p>
AU	2	P. Kayser	28.2	--	<p><b>Question</b></p> <p>Please provide more details on the restrictions/conditions, including financial guarantees, relative to the export and re-entry of sealed sources, especially to and from countries which do not have any programs in nuclear power and/or research, or to and from countries which do not have a nuclear regulatory body and/or rules and regulations governing the use and shipping of</p>

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						radioactive material?
					<b>Answer</b>	<p>Australia operates a radioactive material import control scheme under the Customs (Prohibited Imports) Regulations 1958 – a copy of the Regulations may be download at <a href="http://scaleplus.law.gov.au/html/pastereg/0/140/top.htm">http://scaleplus.law.gov.au/html/pastereg/0/140/top.htm</a> The scheme is operated by ARPANSA in conjunction with the Australian Customs Service and State and Territory radiation protection regulators. The Regulations allow ARPANSA to attach conditions to an authorisation given to import a radioactive material. In addition to other conditions that might be placed on the permission, the person importing the material must undertake to inform the appropriate State or Territory radiation protection regulatory (in the State or Territory that the imported material will reside) of the possession or intent to possess the material; and undertake not to resell or lease or hire or otherwise part with the possession or custody of the material without prior notification of the appropriate statutory authorities.</p> <p>Further information on the import control schemes can be found at <a href="http://www.arpansa.gov.au/med_permit.htm">http://www.arpansa.gov.au/med_permit.htm</a> and <a href="http://www.arpansa.gov.au/imp_perm.htm">http://www.arpansa.gov.au/imp_perm.htm</a></p> <p>Australia is currently working to develop an export control scheme consistent with the Code of Conduct on the Safety and Security of Radioactive Sources. Australia does have in place export controls prohibiting the export of material that could be used in a WMD program and controls in place prohibiting the export of radioactive waste to Pacific Island Developing Countries.</p>
AU	2	P. Kayser	--	--	<b>Question</b>	To what extent are financial guarantees required for long-term storage of spent fuel and radioactive waste, and for how long are they required to cover costs such as regulatory monitoring and possible remedial actions (not necessarily accidents)?

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					<b>Answer</b>	All facilities are State owned in Australia
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