

March 4, 2003

MEMORANDUM TO: Chairman Meserve
Commissioner Dicus
Commissioner Diaz
Commissioner McGaffigan
Commissioner Merrifield

FROM: Janice Dunn Lee, Director **/RA/**
Office of International Programs

SUBJECT: VISIT OF CLAUDE BIRRAUX AND CHRISTIAN BATAILLE,
FRENCH PARLIAMENTARIANS, MARCH 11, 2003

Attached is the schedule, biographical information, country summary, and background and talking points for use on Tuesday, March 11, 2003, during the visit of Dr. Claude Birraux and Mr. Christian Bataille French Parliamentarians. The visitors are also longtime, prominent members of the French Parliamentary Office for the Assessment of Scientific and Technological Options (OPECST). Dr. Birraux has been a regular visitor to the NRC Commissioners and staff for the past ten years; Mr. Bataille has visited on two previous occasions.

During their visit to the U.S., Dr. Birraux and Mr. Bataille will also meet with the Department of Energy, NEI, Framatome ANP, General Electric Corp., and Westinghouse, and they will visit Argonne and Oak Ridge National Laboratories.

We have been informed that Mr. Bataille's English is limited. Some of the discussion will likely be translated by another member of the French team.

By copy of this memorandum, SECY, OGC, EDO, and OPA are being advised of the final arrangements.

Attachments: 1. Meeting Schedule
2. Biographical Information
3. Country Summary
4. Background and Talking Points

cc: SECY
OGC
EDO
OCA
OPA
CFO
CIO

CONTACT: H. Faulkner, OIP 415-2762

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OFFICE	OIP/TEAM A	OIP/TEAM A	OIP:DD	OIP:D
NAME	H. Faulkner/ RA/	E. Doroshuk/ RA/	E. Baker/ RA/	J. Lee/ RA/
DATE	2/28/2003	2/28/2003	3/3/2003	3/4/2003

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VISIT TO NRC OF
CLAUDE BIRRAUX AND CHRISTIAN BATAILLE
FRENCH PARLIAMENT MEMBERS

SCHEDULE

Tuesday, March 11

1:30 p.m. Commissioner McGaffigan, O 18-G-1

2:00 p.m. Commissioner Diaz, O 18-E-1

ACCOMPANYING PERSONS

Mr. P. Gaillochet, National Assembly Counselor
Mr. Regis Babinet, Nuclear Counselor, French Embassy, Washington, D.C.
Howard Faulkner, OIP

DISCUSSION TOPICS TO BE RAISED BY VISITORS

In connection with a study commissioned by the French Parliament, Dr. Birraux and Mr. Bataille are visiting the NRC Commissioners to obtain information on the safe lifetimes of nuclear power plants.

FRANCE

France has a nuclear capability and maturity equivalent to the U.S. on an industrial, commercial basis, including all aspects of the nuclear fuel cycle. In 2002, France generated 78 percent of its electricity by nuclear power as well as exporting significant amounts of electricity to other countries in Europe. The French government is proud of its successful nuclear program which greatly reduces France's dependency on conventional fuel imports and provides environmental benefits.

France is a nuclear weapons country.

One national utility, Electricite de France

58 licensed PWRs

1 Licensed LMFBR (Phenix)

1 advanced PWR planned (EPR)

Average availability for 2002 was 82%

Uranium ore: Mines and processing plants in France, Africa and North America

3 uranium conversion plants

1 large uranium enrichment plant

4 LWR fuel fabrication plants

2 MOX fuel fabrication plants

2 fuel reprocessing plants

3 vitrification facilities

2 low level waste storage facilities

2 sites undergoing suitability characterization for possible HLW repositories

Long history of regulatory and research cooperation with NRC

Regulatory Organizations

General Directorate for Nuclear Safety and Radiation Protection, DGSNR

Director General: Andre-Claude Lacoste

responsible for the licensing and inspection of nuclear facilities and radiation protection

Institute for Radiation Protection and Nuclear Safety, IRSN

Administrator: Jacques Repussard

provides technical, safety expertise to DGSNR; conducts safety research

Activities/Issues

NRC has regular interactions, from the Commissioners to staff specialists, in the regulatory and research areas with most of the nuclear organizations in France. Initially, activities were focused in the reactor area but they have now expanded to include materials, waste management, spent fuel storage, decommissioning, and fabrication and use of MOX fuel.

BACKGROUND AND TALKING POINTS

Mission of the Parliamentarians

Claude Birraux, a Congressman for the "Haute-Savoie" region, is the current President of the Parliamentary Office for Evaluation of Scientific and Technological Options (OPECST), a joint office working for both Houses of the French Congress. Christian Bataille, Congressman for the "Nord" region, is also a member of OPECST, and the author of the 1991 French law on nuclear waste management. They are both well versed in all aspects of nuclear energy policy. Dr. Birraux and Mr. Bataille have been commissioned by the Congress to conduct a study on the "lifetime of nuclear power plants, and new designs of nuclear reactors."

This study is being conducted in preparation of a law on energy that will be examined later this year by the Congress. In this perspective, the French Government has also launched a large public debate on energy policy, including the future role of nuclear energy. The report will cover two main subjects

1. Lifetimes of nuclear power plants

Dr. Birraux and Mr. Bataille are expected to address the policy and current regulations in France regarding the expected lifetime of nuclear power plants. The French Safety Authority (DGSNR) approach is based on in-depth reviews, every ten years, of each nuclear reactor. It is only at the end of these extensive reviews that the Safety Authority may give its approval for operating a plant for 10 more years, up to a limit which, initially, was set at 30 years but could possibly be extended on a case by case basis.

A clear understanding of the strategy followed in other countries, particularly in the United-States, both on the industry side and the regulatory side, will be an important element in helping to formulate a French approach to optimize the economic benefit of lifetime extension versus the aging of the power plants, while maintaining a high safety basis.

2. New design of nuclear reactors

In view of the essential contribution of nuclear energy to its electricity production, France is also interested in establishing a strategy for the possible replacement of its power plants. The question of the optimum lifetime of current power plants is clearly dependent on the expected availability of new nuclear reactor designs. The study will try to clarify the debate between "evolutionary" versus "revolutionary" designs. They are most interested in both the Nuclear Power 2010 and the Generation 4 initiatives as seen both from the government and the industry points of view.

The visit to NRC will focus on the reactor lifetime subject.

TALKING POINTS

The Commissioners may wish to:

- Welcome the Parliamentarians and indicate that NRC is pleased that members of OPECST often seek U.S. and NRC experience and views when addressing important nuclear issues in France.
- Acknowledge the consistent success, positive performance and safety of France's extensive nuclear program.
- Explain that life extension has been an important safety activity of NRC, and the rationale for extending reactor lifetimes from 40-60 years.

Previous Parliamentarian Visits

In the past, NRC has had numerous visits from French Parliamentary representatives serving with this Office. Dr. Birraux has visited many times on a number of topics. Christian Bataille visited in 2000 in connection with a study on spent fuel management and storage. Other Parliamentarians that visited NRC are Jean-Yves Le Deaut and Michele Rivasi. Mr. Le Deaut was here to obtain information for his report on the restructuring of the nuclear regulatory authority in France. Other visits covered subjects such as nuclear plant safety and security, nuclear plant maintenance, effects of low level radiation, dismantling and decommissioning facilities, safety options for advanced reactors, the impact of waste disposal on health and the environment, and safety impacts of deregulation.

Dr. Birraux has been a very influential person in the evolution and use of nuclear technology in France. As a result of a previous study of his, the national regulatory authority was reorganized, elevated in rank and given increased authority and resources. Also, the government modified its approach to reactor decommissioning and adopted ICRP-60 occupational dose limits based on recommendations contained in his earlier reports.

Since 1990, Mr. Bataille has been deeply involved in French nuclear policy, especially waste management. Mr. Bataille is the author of the Waste Act of 30 December 1991 that lays out the approach and associated research for the French radioactive waste management program. Mr. Bataille is a knowledgeable and highly influential person on government waste policy matters in France.

TALKING POINTS

The Commissioners may wish to:

- Acknowledge the lengthy involvement of Dr. Birraux and Mr. Bataille with important policy issues relating to the safe use of nuclear energy in France.
- Acknowledge the many visits by members of OPECST and other Parliamentarians that have occurred over the years. Indicate that we hope our experience will be valuable to their current study.

National Energy Debate

The new Minister of Industry, Nicole Fontaine, officially announced that a broad, national energy debate will take place before a new energy policy bill will be developed by the government. A series of six forums will take place between mid-March and the end of May. A committee was appointed to oversee the process and ensure its quality and balance. For many years nuclear opponents have been critical of the lack of such a public debate in light of the countries' large commitment to nuclear power generation. Following the debate, it is anticipated that an energy bill will be introduced in Parliament during the fall.

TALKING POINTS

The Commissioners may wish to:

- Inquire about the role of OPECST in the national energy debate.

French Reactor Development

In 1993, the French and German federal regulators jointly issued general safety requirements for EPR. Since then, DGSNR, the French regulator, has been reviewing the evolving safety bases and designs of the EPR. Currently, the technical guidelines that define the EPR safety options are being reviewed by DGSNR/IRSN and the Standing Advisory Committee on Reactors. When the review is completed and findings are issued, the safety case for the design will be close to approval.

Separately, a decision to construct a prototype EPR remains uncertain. The current demand for electricity does not require new capacity soon. The need for new electrical capacity will also be affected by the eventual lifetimes of the current PWR fleet. However, the nuclear establishment could decide to construct and operate an EPR as a demonstration unit for the export market and to maintain the technical skills and expertise of the workforce. Construction of an EPR demonstration unit is the major nuclear policy issue facing the government. However, no decision will be made until the energy debate is completed.

Since the mid 1960s, French reactor development has been primarily directed to the large evolutionary PWR. EPR, their current reactor design effort, is a 1500-1800 MWe continuation of this direction. However, in the past few years, there are signals that this approach may be questioned. Since no new electrical generation is needed for ten years, there are voices suggesting that more consideration be given to advanced reactor concepts. CEA, Cogema and Framatome ANP are participants in the European Union high temperature reactor technology effort and Framatome ANP is a modest financial contributor to the General Atomic gas reactor effort.

TALKING POINTS

The Commission may wish to:

- Inquire whether the French will modify their designs for new reactors to be more resistant to airplane crashes.
- Inquire as to the Parliamentarian's views on the schedule for addressing the EPR prototype issue.
- Inquire as to the status of development by CEA and Framatome of other advanced reactor technology such as passive LWRs or high temperature gas reactors.

Major Revisions to the Nuclear Regulatory Structure in France

On December 9, 1998, Prime Minister Lionel Jospin announced that the French Government would propose a bill to the Parliament relating to modifying the nuclear regulatory structure in France. The proposal was based on a report prepared by Parliamentarian Jean-Yves Le Deaut, then Chairman of OPECST. However, the Conseil d'Etat, the French supreme administrative court, issued an unexpectedly critical opinion of the proposed bill. The crux of the court's objection was that the bill was unconstitutional because the government cannot delegate its sovereign regulatory responsibilities in matters of public health and safety to an independent authority.

Following years of discussions, negotiation, and redrafting among the involved organizations and Ministries, government decrees creating the General Directorate for Nuclear Safety and Radiation Protection (DGSNR) and the Institute for Radiation Protection and Nuclear Safety (IRSN) were published in the Official Journal of the French Republic on February 26, 2002.

DGSNR is responsible for the regulation of both nuclear safety and radiation protection (materials safety). In the past, these responsibilities were shared by DSIN and the Office for Protection Against Ionizing Radiation (OPRI). A-C. Lacoste, former DSIN Director, was a strong advocate for combining these functions. For many years. Oversight of DGSNR will involve the Ministries of Environment, Health and Industry. Mr. Lacoste was named the first Director General of DGSNR.

IRSN is essentially the same technical support and research Institute as the previous IPSN. However, IRSN is an independent federal authority rather than a unit of the Atomic Energy Administration (CEA). Oversight of IRSN will be provided by a Board of Directors with representation from the three Ministries mentioned above plus Defense and Research. Recently, Jean-Francois Lacronique was appointed Chairman of IRSN. Prior to this appointment he was Chairman of OPRI.

TALKING POINTS

The Commissioners may wish to:

- Note that the long, arduous restructuring efforts of the nuclear regulatory regime in France have been completed.
- Inquire as to the status of developing a safety and transparency law by the Parliament.