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VIETNAM AGENCY FOR RADIATION AND NUCLEAR SAFETY

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VIETNAM'S EXPERIENCE - REGULATORY CHALLENGES WHEN EMBARKING ITS NUCLEAR POWER PROGRAM

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II.1 Legal Nuclear Safety & Security framework

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II.1 Legal Nuclear Safety & Security framework

Legal documents updated by June 2013

Law on Atomic Energy (Atomic Law 2008)

- Passed by the National Assembly (Parliament) on June 3, 2008
- Came into force since January 1st 2009
- The Law regulates the safe, secured and peaceful use of atomic energy, including participation in and implementation of international treaties/conventions and strengthens the international cooperation

Governmental Decrees (3)

- Decree on Guidance of Implementing Several Articles of AE Law (No.07/2010/ND-CP issued on Jan 2010)
- Decree on Sanction against Administrative Violations in AE Field (No.111/2010/ND-CP issued on Dec 2009)
- Decree on Nuclear Power Plant (No.70/2010/ND-CP issued on June 2010)

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II.1 Legal Nuclear Safety & Security framework

Legal documents updated by June 2013

Prime Minister' Decisions (21)

- on master plan and detailed plans on peaceful use of atomic energy
- on nuclear security, safeguards
- on establishment of the State Steering Committee for NinhThuan NPP Project, the National Council for Nuclear Safety, ...

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II.1 Legal Nuclear Safety & Security framework

Legal documents updated by June 2013

Ministerial Circulars (34)

- on Radiation Safety, nuclear safety requirements for NPP siting/design,
- SAR for siting/design, safe transport, emergency preparedness and response...

Technical Standards-TS (5) for site evaluation

- TCVN-ATHN 9644 :2013 on evaluation of seismic hazards for NPP
- TCVN-ATHN 9643 :2013 on evaluation of geotechnical aspects for site of NPP
- TCVN-ATHN 9645 :2013 on evaluation of meteorology for NPP
- TCVN-ATHN 9641 :2013 on evaluation of external human induced events for NPP
- TCVN-ATHN 9642 :2013 on evaluation of dispersion of radioactive material in air and water and consideration of population distribution for NPP

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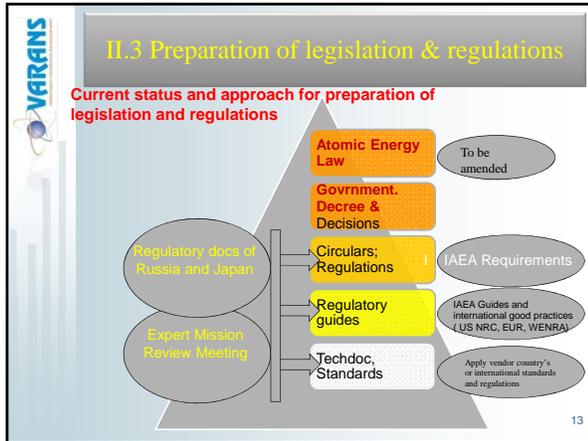
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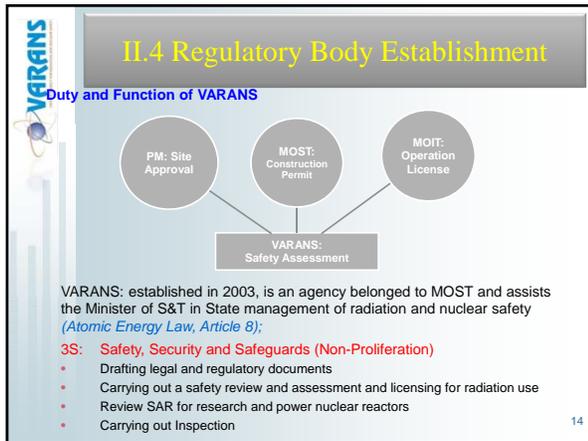
II.2 Global nuclear safety regime

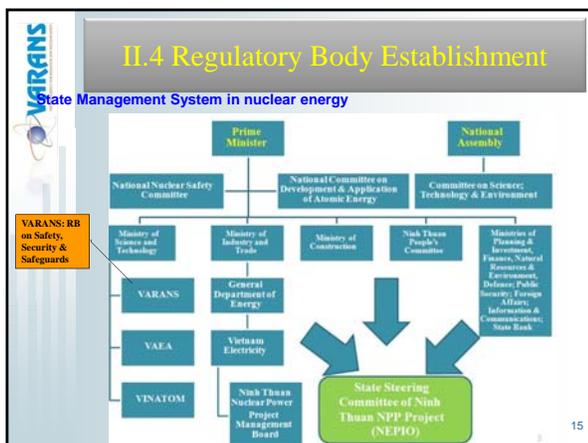
Vietnam is being a party to the following conventions and treaties:

1. Treaty on the Non-Proliferation of nuclear weapons
2. Comprehensive Nuclear-Test-Ban Treaty (CTBT)
3. The Treaty on Southeast Asia Nuclear Weapon – Free Zone
4. Agreements between Vietnam and IAEA for the application of Safeguards in connection with the Treaty on the Non-Proliferation of nuclear weapons
5. Additional Protocol to the Agreement(s) between State(s) and the IAEA on the application of safeguards (AP).
6. Convention on Early Notification of a Nuclear Accident
7. Convention on Assistance in the Case of Nuclear Accident or Radiological Emergency
8. Convention on Nuclear Safety
9. Convention on Physical Protection for Nuclear Materials
10. Convention on the Safety of spent fuel Management and the Safety of Radioactive Waste management

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II.5 Licensing process - Challenges

The licensing process for NPP that was defined in the Atomic Law 2008 consists from 3 phases:

- Site approval by the Prime Minister
- Construction permit by the Ministry of Science and Technology
- Operation License by Ministry of Industry and Trade.

The above-mentioned licensing process might generate a potential risk in state safety management. Recognizing this situation, Government of Vietnam has decided to amend the Atomic Law 2008.

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II.6 Amending a licensing process

Using the existing expertise and resources in the country

REGULATORY BODY

Joint Working Supporting Team
Experts from different ministries, institutes such as Construction, Industry, Environment, Academy of Science, Universities, will be invited to work for RB

New approach will be considered in the amended Atomic law 2008:
One agency in cooperation with other ministries will be authorized to regulate facilities and activities that give rise to radiation risks. The Agency will be responsible for carrying out its required regulatory functions:

- The establishment of requirements and guides,
- The authorization and inspection of facilities and activities, and
- The enforcement of legislative and regulatory provisions

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II.7. Challenge and opportunities in preparing legislation & regulations

- When a country embarks upon Nuclear power program, you have to learn how it will be effected by the traditional management and how it will impact on politic, economic and social life of the country before you start to develop a nuclear legislation even nowadays you have many guides and handbook;
- The conflict between safety culture and national traditional culture
- The traditional legislation making rules might lead you to confusing situation;
- The modern nuclear law bear a lot of international obligations that make a nuclear law less national than other laws;
- National nuclear legal framework need to be harmonized to international standards

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II.9 Man power development -Challenges and opportunities

- The prime Minister has approved a national project on "Education, training and manpower development in the atomic energy field" with total investment of 150 millions of US Dollar.
- The objectives of the Project is to train human resource in the atomic energy field to ensure enough in quality and quantity so that to meet a demand of development of atomic application and nuclear power as well; to meet safety and security requirements to application of nuclear energy and techniques into deferent economic and social branches and to strengthen capability of science and technology in Vietnam.
- Vietnam has intensively collaborated with vendor countries and IAEA, US NRC, EU and other partners for training its staff

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II.9 Man power development -Challenges and opportunities

- Who will be trained, retrained or get additional training?
 - Young staff of VARANS; and
 - Experts, who have been working at different ministries or institution with no nuclear expertise and will work for VARANS.

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Conclusion

- Development of nuclear power program require a global cooperation.
- By cooperation, Vietnam has an opportunity to access to worldwide treasure of knowledge and apply it into practice.
- During development of Nuclear power program, you may go over the conflicts between safety culture and national traditional culture
- International cooperation plays an important role in sharing experience and knowledge, that will help Vietnam to develop its competent Nuclear safety Regulatory Body – one of the most important elements in Safety infrastructure for sustainable development of nuclear power program.
- The safety could not itself come to you and you can not ask it for gift . For having it , You have to work hardly and carefully and day by day for safety development.
- By participating in all most international nuclear safety and security instruments and practical effort to develop a national safety and security infrastructure, Vietnam would like to express its policy on safe and secure nuclear power program development for peaceful use.

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Thank you for your attention
