

National Environmental Protection Agency (ANPA)

In January 1994, the Italian Parliament approved Decree no. 496 of 4 December 1993 providing for the creation of the National Environmental Protection Agency (ANPA). This Decree became Act no. 61 of 21 January 1994.

The decision to create this Agency was a result of the referendum of 18 April 1993 which repealed the provisions giving Local Health Units responsibility for monitoring the environment. Thus, the Act no. 61 introduced a distinction between bodies responsible for health questions and those responsible for environmental control.

The National Environmental Protection Agency comes directly under the Minister for the Environment and is subject to controls by the Board of Auditors. Its powers, listed in Section 10(1) of Act no. 61, relate to a series of technical and scientific activities of national interest. Its main role is to carry out public duties, such as providing technical and scientific backup to the Ministry of the Environment and associated bodies with a view to protecting the environment, the collection and periodic dissemination of data on the state of the environment, the formulation of proposals and opinions for both central Government and local authorities concerning quality standards for air, water, soil, etc. Nuclear activities are expressly referred to under the letter "I" of the same Section which requires the Agency to exercise control over activities relating to the peaceful uses of nuclear energy and over the effects of ionising radiation on the environment. The Agency's functions are essentially radiation protection inspection, as well as formulating advice as to the legal, regulatory and administrative provisions affecting radiation protection of workers and the public.

Under Section 1(5) of the Act, the ANPA replaces the Nuclear Safety and Health Protection Directorate of the ENEA (ENEA-DISP), whose functions, staff, technical structures and equipment and financial resources are transferred to the new Agency.

In this connection, ANPA acts as the National Nuclear Regulatory Body.

The main Rule that is related to the duties and responsibilities of the Regulatory Body is the Act no. 61 (1994).

According to the Act, ANPA has the following main duties :

- main functions of Regulatory Body, such as the legal authority for conducting the licensing process, for elaborating and providing the final advice for the Licences and, thereby, for regulating NPPs siting, design, construction, commissioning, operation and decommissioning, as specified under the section 1-bis, comma 5 of the quoted Act
- control of the remaining activities related to the pacific use of nuclear energy and radiations
- promotion of research on the physical environment, pollution, industrial risks and ecosystem protection and conservation
- systematic collection, storage and publication of environmental data
- public information and training programmes on environmental protection issues
- technical advice to public authorities on different matters related to environmental protection, such as:
 - pollutants acceptability levels,
 - air, water and soil quality standards,
 - waste management strategies and technologies.

Duties and responsibilities of ANPA as Nuclear Safety Authority are better detailed in the Legislative Decree no. 230/1995.

The main tasks of ANPA to fulfil the obligations of the Legislative Decree no. 230/1995 are:

- controls and surveillance on existing nuclear installations,
- licensing on new nuclear installations,
- controls and surveillance on possession, commerce, transportation, utilisation, release of radioactive material,
- controls and surveillance on radioactive waste management,
- radioprotection of workers, public, environment,
- nuclear emergency preparedness,
- fulfilment of International Agreements on control and surveillance of nuclear materials (e.g.: NPT, Additional Protocol),
- promotion of international cooperation in the field of nuclear safety and radiation protection,
- promotion of actions aimed at maintaining and improving the national know-how and the national safety culture in the field of nuclear safety and radiation protection.

In addition to these duties, ANPA has also to:

- support the State Administrations to issue specific decrees for the implementation of the fundamental nuclear laws,
- to issue specific technical guides,
- to realise a National Database on all nuclear applications.

ANPA responsibilities for the licensing process of NPPs include:

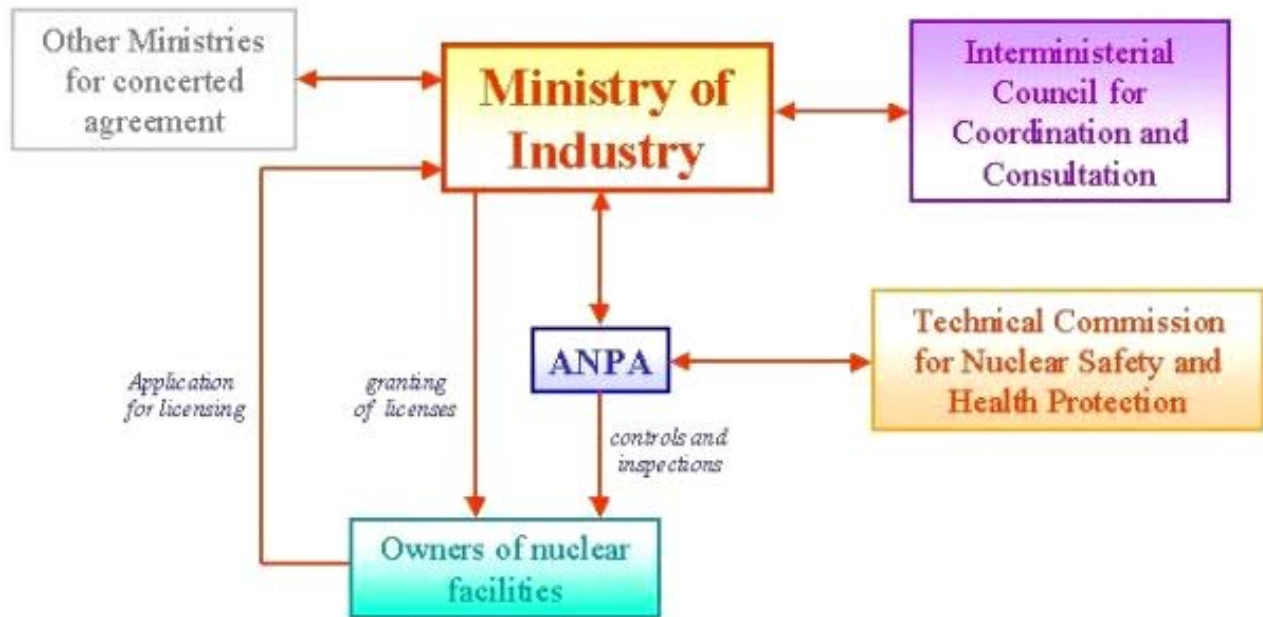
- assessment of the safety analysis carried out by the operating organisation
- inspection of equipment and materials during the design, construction and operational phases for the systematic verification of plant operation safety
- enforcement action to remedy any failure to meet both the licensing conditions and any safety operation criteria

The Legislative Decree no. 230/1995 foresees, in agreement with IAEA guide no. 50-C-G “Code on the Safety of NPPs: Governmental Organisations”, a Technical Commission for Nuclear Safety and Health Protection established at ANPA. Its role is to give ANPA an independent advice on safety and health protection issues in relation to the main stages in the licensing procedure and to emergency plans.

Members of this Commission are appointed by the Ministries of Environment, Industry, Employment, Health, Interior, Public Works, ENEA and ANPA. When necessary other specialists are appointed by the Chairman of the Commission. For matters under the competence of other Public Scientific Organisations and Administrations (e.g. Italian National Institute of Health, National Research Council), in compliance with Section 9 of the Legislative Decree 230/1995, those Organisations and Administrations are invited to sit in the Commission through a designated representative.

During the licensing process ANPA perform its independent assessment on the basis of documentation presented by the licensee and involving the above mentioned Commission.

ANPA transmit its assessment report to the Minister of Industry who involves other Ministries. Any comment by other Ministries is returned to ANPA to be incorporated in the final report for the Ministry of Industry. A simplified scheme of the relationship between Authorities having responsibility on nuclear safety and operators is shown on the enclosed next figure.



Licensing of nuclear installations in Italy.
Relationship between responsible Authorities and operators.

Within ANPA, while the overall responsibility rests to the Chairman and to the General Director, the duties of Regulatory Body are carried out by the Department of Nuclear Safety and Radiation Protection. At present, about 60 specialists (of which 26 acting also as inspectors) belong to the Department, which is subdivided in the following Sectors:

- coordination of inspection and regulations
- emergency preparedness
- reactor safety
- nuclear technologies
- nuclear facilities, radwaste, decommissioning
- radioisotopes and sources
- radiation protection in nuclear installations
- radioactive and fissile materials.

In addition, to the Department of Nuclear Safety and Radiation Protection are assigned the following inter-sectorial coordination functions:

- assistance to the Eastern Europe Countries on nuclear safety and radiation protection;
- promotion and management of international cooperations (IAEA, OECD-NEA, EU, multilateral, bilateral).

The activity of ANPA, which covers the protection of the environment in general (and not only the “nuclear” field), is mainly financed by the central budget approved by the Italian Parliament each year.

Within the nuclear field, funds are also collected from:

- Charging the operators, at approved rates, for regulatory activities (at present mainly in the areas of transport, medical applications, and industrial use of radioactive sources)
- Participating in the RAM and TSO (ANPA is also the Italian TSO) activities within the framework of the EU programmes.
- Fines to operators for violations (mainly in the area of health protection)

All incoming funds are approved by the ANPA Board and added to the annual financial plan, which is subject to strict Government control.

At present, the state funding covers all personnel and operating costs. Part of the collected funds are also dedicated to R&D activities in the nuclear safety area and to the co-operation with a number of international organizations (mainly IAEA, OECD/NEA, CCE). Membership fees for these organisations are paid by the Ministry of Foreign Affairs.



View of the ANPA's building