

## Official Comments to the Commission's Main Findings

### Article 35 verification

#### Trillo Nuclear Power Plant

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Comments forwarded through the Permanent Representation of Spain to the European Union

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Reference: DG TREN A19543

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#### 1. *Main Findings with respect to the operator's radioactive effluent monitoring programme and related regulatory control.*

1.5 – 1.6: Following the Commission's Recommendation 2004/2/Euratom, the CSN began the analysis of the practical implications of this Recommendation, in line with the situation in other Member States.

#### 2.3 *Minor issues with respect to the operator's analytical laboratory for discharge samples.*

- Technical Report 7.5.2: Although normally there are only about 6-8 tank discharges a month and so there is a very small possibility of error in samples identification, Trillo NPP effluent laboratory has begun since June 2005, to use marked Marinelli beaker for each measurement.
- Technical Report 7.5.3: The gamma energy window (upper and lower energy values, 0 to 10 MeV) of the total gamma devices has been mentioned since 1996 in the measurement instructions procedure CE-T-QU-0109 Rev. 2 (02/07/96) of the laboratory personnel and they are aware of them. Laboratory Technicians verify periodically these values since that date.

Moreover, it's important to indicate that the total gamma measurements are performed only in order to ensure that the total gamma concentration of the liquid is lower than the upper decontamination treatment value established as an internal control by Trillo NPP; these measurements are not used to authorize discharges, which are based on the gamma spectrometry results.

#### 3. *Main finding with respect to the operator's environmental monitoring programme.*

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3.5. The rainwater collector bottle, at the NPP meteorological station (ref. TR 13) has been situated inside a box, so that the evaporation of the sample is adequately avoided.

4. *Main findings with respect to the LMA analytical laboratory for environmental samples.*

4.3. The LMA analytical laboratory staff has a gamma spectrometry specialist who has more than 6 year of experience and the laboratory has an available certified ISO 9001 : 2000 quality assurance and control system, which guarantees the quality of their analytical results.

Moreover, the LMA environmental Laboratory participates in intercomparison exercises and interlaboratory proficiency tests which are organised by Consejo de Seguridad Nuclear among Spanish environmental Laboratories. The intercomparison results, that are available, give enough confidence about the quality and competence of the LMA laboratory.

This information was already provided in Spanish in the answer to question Q9 of the Questions to Spanish Authorities 2004-09-01 (e-mail from Ms. L. Ramos of October 21<sup>st</sup>), what may have caused a language based misunderstanding.

4.5. Concerning the participation of LMA Environmental Laboratory (Medidas Ambientales SL) in interlaboratory proficiency tests organised by the CSN in collaboration with Ciemat, CSN provided the Commission services on July 18<sup>th</sup> with information, not requested during the visit, giving evidence that this laboratory participated in such intercomparison exercises.

Since the Commission services, based on the proven evidence, accepted the participation of LMA Environmental Laboratory in such interlaboratory proficiency tests (e-mail from Mr. Gitzinger of July 25<sup>th</sup>, Annex 1), the Spanish authorities herewith ask the Commission services to correct this language based misunderstanding, either in both the technical report and in the main findings documents, as well as point 4.3., since it might have also been caused by a language misunderstanding (\*).

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(\*) Statement by the competent Commission Service in response to the above:

The Commission Service that is responsible for performing verifications under the terms of Art.35 of the Euratom Treaty acknowledges receipt of the additional information from the Spanish Competent Authority (CSN) as described above. This information, received after the verification visit in Spain, establishes beyond doubt that the LMA Environmental Laboratory indeed participates in inter-comparison exercises as well as in inter-laboratory proficiency tests and that the laboratory is ISO 9001 certified. In consequence any comment or recommendation with respect to this subject, in both the Main Findings and Technical Report, is to be considered as null and void.