



EUROPEAN COMMISSION

Brussels, 9. 3. 2012
C/2012/1568 final

Mr. Vasile Blaga
President of the Senate
of the Parliament of Romania
Calea 13 Septembrie 1-3
RO – 050711 București, sector 5

Dear President,

The European Commission would like to thank the Romanian Senate for its opinion concerning the revised proposal for a Council Directive (Euratom) on the management of spent fuel and radioactive waste {COM (2010) 618 final} and would like to apologise for this very late reply. The Commission would like to provide the following comments on the issues raised in the Senate's Opinion.

The Commission welcomes the conclusion of the Senate that the proposal for a Council Directive is fully in compliance with the subsidiarity principle.

Concerning the proportionality principle, Article 4 (3) was considered by the Senate as too restrictive in the sense that it allowed collaboration only with other Member States and not with third countries. The Commission would like to stress that the aim of Article 4 (3) of the revised proposal is to guarantee safety of the material concerned: It is meant to prevent the disposal of radioactive waste outside the EU as it can not be sufficiently ensured that safety standards equivalent to those applicable in the EU are in place in the respective country.

The Commission would also like to point out that a prohibition of exports from the Community of any waste destined for disposal in a third country is already valid for hazardous waste not falling under the Euratom Treaty as set out in Regulation (EC) No 1013/2006 of the European Parliament and of the Council on shipments of waste¹.

Furthermore, Article 4 (3) of the proposal only aims at reinforcing an existing principle of the Euratom legislation as expressed in recital 15 of Council Directive 2006/117/Euratom of 20 November 2006 on the supervision and control of shipments of radioactive waste and spent fuel²: "While radioactive waste should, as far as is compatible with the safe management of such material, be disposed of in the State in which it was generated it is recognized that Member States should promote agreements between themselves in order to facilitate the safe and efficient management of radioactive

¹ Official Journal L 190 of 12 July 2006

² Official Journal L 337 of 5 December 2006

waste or spent fuel from Member States that produced it in small quantities and where the establishment of appropriate facilities would not be justified from a radiological point of view."

The proposal for a Council Directive on the management of spent fuel and radioactive waste was adopted by the Council and published in the Official Journal³. The Commission would like to assure the Romanian Senate that it will continue its efforts with a view to achieving the highest guarantees for the responsible use of radioactive material.

I look forward to continuing our political dialogue in the future.

Yours faithfully,

*Maroš Šefčovič
Vice-President*

³ Official Journal L 199/ 48 of 2 August 2011