

8 Improved provision of information to the public after the TSN law

The law on transparency and security in the nuclear field enhances the improved provision of information to the public

The law no. 2006-686 of 13 June 2006 on transparency and security in the nuclear field, known as the “TSN” law, is a major step forward in nuclear safety and radiation protection, in particular with regard to the provision of information to the public.

Hitherto, as a result of the law of 17 July 1978 which made various improvements to the relations between the public and the administration, any citizen could have access to the information in the possession of the administration. The Environment Code supplemented these measures and requires that public authorities and those persons in charge of a public service mission related to the environment must communicate any information on this subject in their possession to any person who so requests. Access to documents and information in the field of civil nuclear energy is thus a reality and applies to the public authorities responsible for supervising it.

The TSN law considerably broadens this access to nuclear-related information. It in fact creates a statutory right of access by the public to information held by the licensees of nuclear installations and those in charge of radioactive material transports. While complying with specific arrangements (public safety industrial or commercial confidentiality, etc), they are now required to transmit to whoever so requests, the documents and information in their possession and related to their activities.

The nuclear field differs in this respect from other industrial sectors, for which such an obligation of transparency is not legally binding on those responsible for the activity concerned.

In addition, two other provisions of the TSN law further enhance information of the public.

Firstly, by giving them a legal basis, this law first of all consolidates the local information committees (CLIs). It endorses the involvement by the local and regional authorities in their working, gives them the right to create an association, and maintains their funding.

Secondly, it creates a High Committee for transparency and information on nuclear safety, which is to replace the High Council for nuclear

safety and information, in order to allow public debate and public information nationwide. It comprises members appointed by decree (members of parliament, representatives of local information committees, associations, nuclear licensees, employee trade unions, the ASN, other administrations concerned and the IRSN, plus qualified personalities). The High Committee will guarantee access to information and the compliance with the principles of transparency enshrined in the TSN law.

ASN, an independent administrative authority, in charge of informing the public on nuclear matters

The TSN law gives ASN the status of an independent administrative authority, with particular responsibility for informing the public about nuclear safety and radiation protection.

Since 1973 and the creation of the first organisation in charge of supervising nuclear safety in France, the public information role has been reaffirmed at each institutional change in the way nuclear supervision is organised. The role today entrusted to ASN by the TSN law is not therefore a new one but a broader one.

ASN supplies the public with information that is as simple and as full as possible, and which is accessible to the greatest number. It also spontaneously and regularly reports on its activities.

To do this, it uses a variety of media (www.asn.fr website, *Contrôle* magazine, annual report, information sheets, public information and documentation centre, and so on) and organises a number of national and regional events (press conferences, symposia, seminars, travelling exhibition, etc.), to inform the public, opinion shapers, environmental protection associations, elected officials, etc.

The growing audience for ASN's website confirms its place as ASN's leading means of communication. The *Contrôle* magazine enables ASN periodically to cover delicate or topical subjects, or subjects with high nuclear safety or radiation protection stakes. Presentation of these subjects to the press is a special opportunity for contact. ASN's annual report gives it an opportunity to review the state of nuclear safety and radiation protection in France. Its public information cen-



ASN information and documentation center is open Monday-Friday between 10-12 AM and 2-5 PM

tre is a unique place for receiving and informing the public.

ASN informs the public of its duties, its organisation, its supervisory actions, and the state of nuclear safety and radiation protection in France. It maintains close relations with the press, promotes the action of the CLIs, places documents on-line on its website in the format in which they were transmitted to the licensees. The TSN law further strengthens this role and bolsters the action ASN has been carrying out in this field for a number of years.

The new ASN: a new way of providing information on new subjects?

The TSN law modifies ASN's status, giving it statutory independence in the performance of its duties.

On the subject of information of the public, ASN first of all has to explain this change and implement it effectively. It must in particular explain the consequences of the new status on its organisation, and how it works, to its various contacts: general public, media, CLIs, associations, elected officials, etc. This aspect will, especially at a regional level, take on particular importance with the implementation of the regional organisation and the new role of the regional delegates.

For ASN, the media are a particularly valuable target. They are demanding in terms of availability, clarity and accuracy of information, and enable ASN to progress in its information policy at all levels. Whether through regional and national press conferences or through the various subjects of interest to the media, ASN endeavours to maintain a dialogue with them at all times based on openness and responsiveness. Relations with the media may change, in particular with respect to how press conferences are organised (topic, place, frequency, etc.).

ASN already provides information about its duties, its organisation and its activities. The TSN law reinforces this level of information provided by ASN. It in particular stipulates that ASN must make public the opinions and decisions issued by its governing board of five commissioners.

ASN has for several years now produced an annual report with the aim of reviewing its activities and the situation of nuclear safety and radiation protection in France. The TSN law requires that this report be transmitted to Parliament, to give an account of ASN's activities. Presentation of this report to Parliament will constitute an important periodical event for ASN.

ASN will continue to consult the stakeholders when drafting general regulatory texts. It will also enable web browsers to read and submit comments on some of these draft texts.

ASN actively supports the CLIs concerning information. ASN's new status and the greater information-related role given to the CLIs by the TSN law will make for a closer relationship between the two. The appointment of ASN regional representatives empowered to represent it at a local level will lead ASN's regional structures to launch new ways of providing information and new relations with the CLIs and to provide greater support for their information-related activities.

ASN's public information challenges

The results of the November 2006 IRRS international review of the ASN's public information policy are positive and show that the ASN's various actions in this field constitute "good practice" and provide an international benchmark.

However, no matter how encouraging these results maybe, further efforts are still needed to improve ASN's performance in this field.

ASN will in particular have to ensure that the various requirements of the TSN law concern-

ing transparency are effectively put into practice: right of access by the citizens to the information in the possession of BNI licensees and those in charge of radioactive material transports, new status for the CLIs and their continued funding, creation of a High Committee for transparency and information on nuclear safety.

The TSN law improves and clarifies the role of ASN, strengthens its independence and legitimacy and consolidates its working methods. The range of actions that ASN will be taking as of 2007 in the field of public information will contribute to raising the profile of the new ASN, to strengthening its credibility and legitimacy and will enable it to be perceived by the citizens as an impartial and independent body in charge of supervising nuclear safety in France.

The encouraging results obtained at the end of 2006 regarding the level of public recognition of ASN and satisfaction with its public information activities, will then need to be consolidated."