Rosatom International Nuclear Law Symposium

Opportunities and challenges for the Russian nuclear industry in a post-Fukushima world

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### A post-Fukushima world

### A post-Fukushima world

- Serious incident; highest IAEA rating
- Caused by March 11 earthquake of 9 magnitude on the richer scale and a tsunami of 14 metres = beyond design basis event
- Partial core meltdown confirmed; situation still serious and of ongoing concern
- Long term consequences at Fukushima plant are still unknown
- Long term consequences for international future of nuclear power somewhat unclear
- But, nuclear world has changed:
  - Can identify and predict some national and international short term responses
  - Can identify and predict some new challenges and new opportunities for the Russian nuclear industry

## Responses to previous nuclear accidents

#### Responses to previous accidents

- Historical experience of nuclear power use is all about "lessons learned" and continued improvement in safety, security and safeguards
- Chernobyl and Three Mile Island as "lessons learned" and indicators of possible responses to Fukushima
- Key areas of focus:
  - Nuclear safety
  - Emergency preparedness and response
  - Nuclear liability

#### Responses to previous accidents (continued)

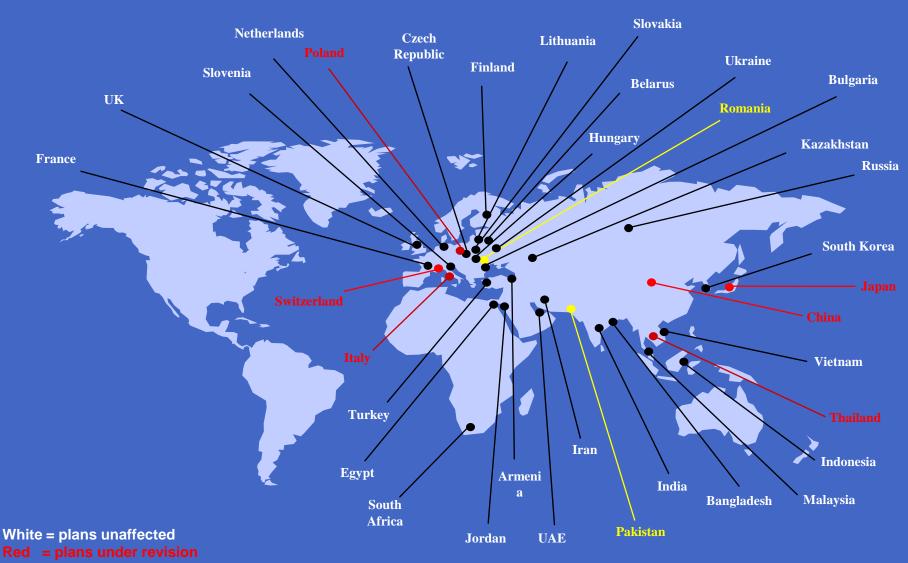
- International responses to Chernobyl:
  - Convention on Nuclear Safety
  - Increased compensation under Paris and Vienna nuclear liability conventions; international funds for nuclear accidents
- National responses to Three Mile Island:
  - Changes to US Nuclear Regulation Commission's regulations in areas of:
    - Operator training and on-site staffing requirements
    - Emergency planning apparatus
    - Introduction of "safety culture" principle that every decision/action is driven by plant safety

### Responses to Fukushima

#### National responses to Fukushima

- All states undertaking safety reviews of existing nuclear power plants
- States considering whether changes to regulations are required
- Some examples of national responses:
  - US NRC called on operators to conduct self-reviews of plants; NRC task force created to review existing regulations in light of Fukushima
  - Canada regulator called on operators to review safety and emergency procedures
  - China re-considering new build plans; considering strengthening safety regulations
  - India tabled a bill to create an independent nuclear regulatory body
  - Italy moratorium on nuclear power to be extended indefinitely
  - Switzerland Cabinet voted not to replace existing nuclear power plants

# Overview of status of international power programmes post-Fukushima



Yellow = Unknown

#### International responses to Fukushima

- IAEA released preliminary summary of its International Fact Finding Expert Mission, 24 May to 1 June 2011:
  - Preliminary conclusions and lessons fall into three categories:
    - External hazards
    - Severe accident management
    - Emergency preparedness
  - Lessons learned:
    - Tsunami hazard underestimated: nuclear designers and operators to appropriately evaluate and protect against all natural hazards
    - Defense in depth, physical separation, diversity and redundancy requirements applied for extreme emergency events
    - National regulatory systems to adequately address extreme external events and ensure regulatory independence and clarity of roles
    - Hardened on-site emergency response centres for all major nuclear facilities with severe accident potential
      - Emorgonov arrangements for early phases of a crisis addressed

#### International responses to Fukushima

- ► IAEA Ministerial Conference to be held on Nuclear Safety 20-24 June
  - Objective of the Conference is to draw on the lessons from the accident at the Fukushima Daiichi NPP in order to strengthen nuclear safety throughout the world
  - The specific objectives of the Conference are to:
    - Make a preliminary assessment of Fukushima
    - Assess national, regional and international emergency preparedness and response capabilities with a view to strengthening them
    - Discuss safety implications and identify areas of the global safety framework to be reviewed and strengthened
    - Identify lessons learned and possible future actions
- European Energy Commission:
  - Conducting "stress tests" on all NPPs
  - WENRA prepared initial test criteria
  - Calling for stronger international safety standards

#### Post-Fukushima world predictions and hopes

- Higher safety standards internationally and nationally: re-visitation of beyond-design-basis threats of extreme natural hazards
- Binding international safety standards Convention on Nuclear Safety enhanced and a move to being obligatory rather than "incentive-oriented"
- Enhanced emergency preparedness and response arrangements nationally for every nuclear site, nationally and internationally to ensure response informed, immediate and effective
- Increased levels of national operational transparency
- Increased attention on the importance of good, independent and effective nuclear regulation

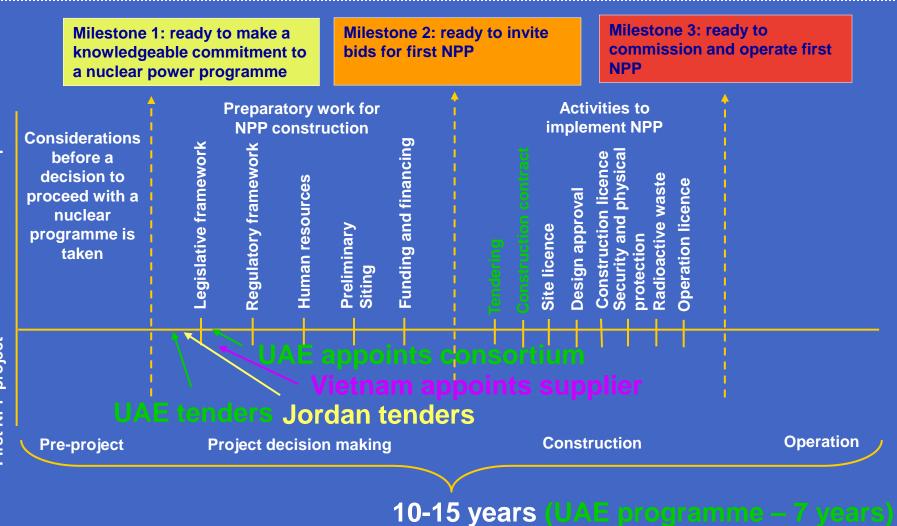
## IAEA milestones: development of the infrastructure for a nuclear power programme

knowledge	1: ready to make a eable commitment to power programme		ready to invite NPP NPP NPP NPP	ady to nd operate first
Considerations before a decision to proceed with a nuclear programme is taken	Preparatory work for NPP construction		Activities to implement NPP	1
	Legislative framework Regulatory framework	Human resources Preliminary Siting Funding and financing	Tendering Construction contract Site licence Design approval Construction licence Electricity grid Security and physical protection Radioactive waste Operation licence	
Pre-project	Project dec making	ision	Construction	Operatior

#### **10-15 years**

Source: Milestones in the Development of a National Infrastructure for Nuclear Power, IAEA

## Fast tracking - the paradigm shift to focus on procurement



Source: Milestones in the Development of a National Infrastructure for Nuclear Power, IAEA

### Strategies for the Russian nuclear industry in international markets post-Fukushima

## Strategies for the Russian nuclear industry in Freshfields Bruckhaus Deringer LLP international markets post-Fukushima

- New challenges for entire industry
- Japanese nuclear industry will face challenges in Japan and also for export
- Entire nuclear industry will have to:
  - Help rebuild public confidence internationally and nationally in nuclear power
  - Demonstrate the safety nuclear technology, potentially to higher safety standards
  - Review technologies to consider suitability to deal with beyonddesign-basis threats

## Strategies for the Russian nuclear industry in Freshfields Bruckhaus Deringer LLP international markets post-Fukushima

- Russian industry could be seen as a leaders in promoting:
  - Stringent and internationally binding nuclear safety standards
  - Strengthen bilateral relationships to enhance reciprocal safety obligations, review liability arrangements and facilitate emergency preparedness and response
  - Enhanced emergency preparedness and response cooperative arrangements
- Opportunities:
  - Russian industry success in emerging nuclear markets (eg. Turkey, Vietnam, Iran)
  - Russian role in re-building public confidence in countries such as Turkey
  - Increased opportunities for Russian technology to be exported

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