

# CAG Report Summary

## Audit on Activities of the Atomic Energy Regulatory Board

- The Comptroller and Auditor General (CAG) released a Performance Audit on the Activities of Atomic Energy Regulatory Board (AERB) on August 23, 2012. The main findings and recommendations are highlighted below.
- The AERB's legal status has continued to be that of an authority subordinate to the central government, which delegates powers to it. AERB does not have the authority to frame or revise rules on nuclear and radiation safety. The CAG recommended that the government should ensure that the nuclear regulator is independent and empowered by creating it through law.
- The maximum fines were too low to serve as deterrents against offences related to nuclear and radiation facilities. AERB cannot decide the quantum of penalties and has no powers to impose the same. The CAG recommended that the maximum amount of fines that can be levied as per the Atomic Energy Act may be reviewed. AERB may be empowered to take recourse to a range of remedies, including penalties proportionate to severity of violations.
- AERB did not follow a mandate in its Constitution Order 1983 to prepare a nuclear and radiation safety policy.
- AERB had no direct role in conducting assessments and monitoring to ensure radiological protection of workers.
- A weak consenting process and system for monitoring and renewal in respect of radiation facilities led to a substantial number of facilities operating without valid licenses. Around 91 per cent of medical X-ray facilities in the country were out of the regulatory control of AERB. CAG recommended that all radiation facilities in the country under the regulatory control of the AERB.
- The Supreme Court had directed the setting up of a Directorate of Radiation Safety (DRS) in each state for regulating medical X-rays. As of July 2012, DRS had been set up only in Mizoram and Kerala. The CAG recommended that a DRS be set up in each state.
- The CAG compared the performance of AERB in carrying out regulatory inspections of radiation facilities with international benchmarks. AERB had not conducted 85 per cent regulatory inspections for industrial radiography and radiotherapy units. Also, there was a shortfall of over 97 per cent in inspection of diagnostic radiology facilities.
- AERB did not have a detailed inventory of radiation sources to ensure compliance of regulations for safe disposal of disused sources. CAG recommended that AERB maintain an inventory and ensure safe disposal.
- There were no mechanisms in place to ensure that: (a) radioactive waste had been safely disposed after utilisation; (b) sources for which consents for transport of radioactive material had been given had been disposed; (c) radioactive sources did not get out of regulatory control.
- AERB did not involve itself directly with on-site emergency preparedness plans. Off-site emergency exercises highlighted inadequate emergency preparedness. CAG recommended that AERB be involved in on-site emergency preparedness.
- No specific codes on emergency preparedness plans for radiations facilities were brought out.
- There is no legislative framework in India for decommissioning power plants. 13 years after a safety manual on decommissioning was issued by AERB, no nuclear power plants in the country had a decommissioning plan. CAG recommended that the timelines be established for nuclear power plants to prepare and get approval for their decommissioning plans.
- A nuclear and radiation safety policy may be framed in a time bound manner. The 27 codes and guides required for nuclear and radiation safety may be developed speedily.
- AERB can frame rules for levying suitable fees for recovering the cost of consenting process from licensees. The amounts of levies so made should be revised in time.
- AERB can strengthen the process of regulatory inspections of nuclear and radiation facilities by: (a) prescribing timetables for inspections; (b) undertaking inspections under IAEA norms; and (c) ensuring timely issuance of regulatory inspection reports.
- Monitoring agencies such as Health Physics Units and Environment Survey Laboratories can be brought under the control of the AERB.
- AERB should utilise the peer review and appraisal services of the International Atomic Energy Agency.

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