

LEAP Online: compliance
& enforcement
information accessible on
the EPA's website



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Undertakings' Webinar: Update on the key issues in Radiological Protection

Outline

- Background
- What will be / will not be published to LEAP Online
- How will it work in practice, what will change for you
- Suitability for publication, GDPR, Confidentiality
- Concluding remarks

Background

- Project is in line with
 - EPA's commitment to make *information* on compliance & enforcement activities available and accessible to the public (open & transparent) - **EPA Compliance and Enforcement Policy**
 - **1998 UN Aarhus Convention**
 - Art 5.3 addresses obligation '*to ensure that environmental information progressively becomes available in electronic databases which are easily accessible to the public*', enacted in Irish law as Access to Information on the environment Regulations 2014
 - Art 2.3 defines 'Environmental Information', includes 'radiation' as a factor affecting or likely affecting human health & safety

- LEAP will make a wide range of EPA records publicly available but **from the Radiation Protection Regulation point of view, access will be restricted to a limited number or type of records**
 - LEAP online to launch in Q1/early Q2 2023

What will be / will not be published to LEAP Online ?

■ Will be published

- SV Report **without** findings or recommendations containing **security sensitive information** (IAEA Nuclear Security Series No. 23-G Security of Nuclear Information): HASS, location of /access to source(s), etc.
- Individual inspection findings and recommendations (**minus** findings and recommendations containing security sensitive information)
- Licensees' response(s) to each finding, and EPA responses to Licensee

■ Will not be published

- Document(s) uploaded with response(s) to inspection finding(s)
- SV reports / responses to findings which were submitted prior to Launch date

How will it work in practice ? What will change for you ?

- You (licensees) will still receive the SV report containing **all** the Findings & Recommendations AND you will still have 28 days to respond → **UNCHANGED**
- PDF version of SV report AND individual Findings / Recommendations will be made public to LEAP **30 calendar days after report is issued to you**
- To be guaranteed a simultaneous publication of a finding with your response, licensees should ensure their responses are submitted within 21 days from the SV report issue date

- Once 30 day deferral period is reached:
 - Findings remain 'open' until EPA is satisfied the issue has been addressed satisfactorily → **UNCHANGED**
 - The response(s) to 'open' findings which are sent by licensees after the 30 day deferral period will be published the day after an EPA inspector responds to it
- In case of an 'accidental' publication to LEAP, EPA can remove the record (emergency stop)

Suitability for publication

- EPA can choose not to publish a finding/recommendation or a response if
 - it contains security sensitive information
 - a **response is not suitable for publication**
 - Discrepancy between content of the record and other licensee submissions
 - Defamatory, vexatious or misleading content
 - EPA considers that the content of a licensee's correspondence is a matter for the licensee → **when composing your submission, you must treat all formal correspondence with the EPA as being in the public record**
 - In the event EPA decides not to publish for reasons of suitability, licensee will be informed, we will reject the submission and require the licensee to resubmit

GDPR, Confidentiality

- GDPR: licensee must ensure no personal data is submitted to the EPA (names, addresses, contact details and other information relating to private citizens)
- Professional details of responsible participants employed by or acting on behalf of the EPA, licensees and their service providers are NOT considered to be subject to GDPR (such individuals are acting in their professional capacities)
- Confidentiality: for documents where legal mechanisms permitting the withholding from publication apply

Concluding remarks

- This initiative will improve the accessibility of relevant information to the public and contribute to their understanding of environmental regulation
- It will at the same time provide an opportunity to licensees to communicate directly and to demonstrate good compliance performance in the communities in which they operate
- EPA is confident this initiative will be welcomed by the licensed community and by the wider public as a positive development in open and transparent environmental regulation, and will serve to further promote similar improvements in the information services of other parts of the public administration in Ireland and beyond