

To:
Directors
Prefectural Labour Bureaus

From:
Director
Labour Standards Bureau,
Ministry of Health, Labour and Welfare
(Official seal omitted)

**Enforcement of the Ministerial Ordinance on Repeal of the Ministerial Ordinance
on Exemption of the Ordinance on Prevention of Ionizing Radiation Hazards in
Response to the Situation Resulting from the Tohoku-Pacific Ocean Earthquake in 2011**

The Ministerial Ordinance on repeal of the Ministerial ordinance on exemption of the Ordinance on Prevention of Ionizing Radiation Hazards in response to the situation resulting from the Tohoku-Pacific Ocean Earthquake in 2011 (Ordinance of Ministry of Health, Labour and Welfare No. 147 of 2011, hereinafter referred to as the “Ministerial Ordinance on Repeal”) was today promulgated and enforced.

Before repeal, the Ministerial ordinance on exemption of the Ordinance on Prevention of Ionizing Radiation Hazards in response to the situation resulting from the Tohoku-Pacific Ocean Earthquake in 2011 (Ordinance of Ministry of Health, Labour and Welfare No. 23 of 2011, partially amended by Ordinance of Ministry of Health, Labour and Welfare No. 133 of 2011, hereinafter referred to as the “Ministerial Ordinance on Exemption”) allowed for exemption that the dose limit during emergency work as defined in Article 7 of the Ordinance on Prevention of Ionizing Radiation Hazards (Ordinance of the Ministry of Labour No. 41 of 1972, hereinafter referred to as the “Ionizing Radiation Ordinance”) should be 250 mSv only in specially unavoidable cases of emergency at the Fukushima Daiichi Nuclear Power Plant of Tokyo Electric Power Company (hereinafter referred to as TEPCO Fukushima Daiichi Nuclear Power Plant) on and after 14 March 2011 (on and after 1 November 2011, in specially unavoidable cases of emergency defined by the Minister of Health, Labour and Welfare), but this exemption is to be repealed in order to lower the dose limit during emergency work to the original level of 100 mSv.

In addition, the Public Notice of the Ministry of Health, Labour and Welfare No. 425 (1 November 2011), which defined the cases where 250 mSv was applied in accordance with the Ministerial Ordinance on Exemption, is to be repealed.

For enforcement of the Ministerial Ordinance on Repeal, we would like you to fully understand the described purpose below and make preparation for operation thereof.

Notes

I Outline of Ministerial Ordinance on Repeal

1 Objective

Under the circumstances where people's lives, etc. were threatened by the accident at TEPCO Fukushima Daiichi Nuclear Power Plant, the Ministerial Ordinance on Exemption was enacted to raise the dose limit for the minimal necessity, taking the information available at that time into account and considering the balance between the benefit of prevention of broadening of damages and securing of people's lives, etc., and the benefit of securing the lives and health of the workers engaged in termination of the situation.

Therefore, in the phase where it is no longer necessary to perform immediate and urgent works, in which exposure higher than in ordinary cases is unavoidable to prevent damages from broadening to people's lives, etc., the Ministerial Ordinance on Exemption should be repealed to apply the dose limit provided in the Ionizing Radiation Ordinance.

Based on this purpose, though it was still in the emergency operation period, the Ministry of Health, Labour and Welfare amended part of the Ministerial Ordinance on Exemption on 1 November 2011 in order to limit the works to which the dose limit during emergency work of 250 mSv was to be applied since the works to prevent broadening of nuclear emergency (i.e., abnormal release of radioactive materials outside of the site) became more limited due to progress in the emergency work at TEPCO Fukushima Daiichi Nuclear Power Plant (Ordinance of Ministry of Health, Labour and Welfare No. 133 of 2011).

Furthermore, since Step 2 was completed today, which was a process to attain stable cold shutdown conditions of the nuclear reactors as described in the Current Status of the "Roadmap towards Restoration from the Accident at Fukushima Daiichi Nuclear Power Station" (Revised Edition of 17 October 2011 by the Government/Tokyo Electric Power Company Joint Office, Nuclear Emergency Response Headquarters), we are to repeal the Ministerial Ordinance on Exemption.

2 Overview

- (1) To repeal the exemption that defines the dose limit during emergency work of 250 mSv at TEPCO Fukushima Daiichi Nuclear Power Plant in order to lower it to the original level of 100 mSv.
- (2) As a transitional measure, until 30 April 2012, the provision of the Ministerial Ordinance on Exemption shall be effective for those radiation workers to whom the Ministerial Ordinance on Exemption was applied, who have received effective dose exceeding 100 mSv during such emergency work as of the date of enforcement of the Ministerial Ordinance on Repeal, and who have highly professional knowledge and experiences that are indispensable to such emergency work, in the event that it is difficult to obtain their successors.

In this case, the "specially unavoidable cases of emergency defined by the Minister of Health,

Labour and Welfare” in the provisions of the Ministerial Ordinance on Exemption shall mean “cases of specially unavoidable emergency, where works are performed to maintain the functions of the nuclear reactor facilities or the facilities used to cool the spent fuel storage pools at places in which there is a threat of dose exceeding 0.1 mSv/h in the nuclear reactor facilities, steam turbines and their attached facilities belonging to TEPCO Fukushima Daiichi Nuclear Power Plant or in the area around them, or cases where, in the event that there is a threat of release of a great amount of radioactive materials due to failures, damages, etc. in the nuclear reactor facilities, works are performed to maintain the function to restrict or prevent it”.

II Detailed Items

1 About transitional measure

- (1) The persons to whom the transitional measure in accordance with Article 2 of Supplementary Provisions of the Ministerial Ordinance on Repeal is applied until 30 April 2012 shall be limited to the approximately 50 employees of Tokyo Electric Power Company who have been individually recognized by the Ministry of Health, Labour and Welfare to have highly professional knowledge and experiences that are indispensable to the said emergency work and are difficult to obtain their successors. It should be noted that this transitional measure does not intend to allow unlimited exposure by such persons to the dose limit and that maximum measures should be taken to reduce the exposure dose by the said persons.
- (2) As described in Article 2 of Supplementary Provisions of the Ministerial Ordinance on Repeal, “the work to maintain the function of the reactor facility or the cooling facility to cool down the spent fuel tank in the reactor facility” shall include the following works:
Works of operation, maintenance, repair, or replacement of, addition of equipment to, and other works on the facility used to maintain the cooling function using water injection, performed in order to prevent such function from being considerably lowered or lost due to leaks from the piping, clogging of the pipes, failures of the pumps, failures of the control valves, etc.
- (3) Concerning “the work to keep running the function to control or prevent the release of a large number of radioactive materials should it be likely to occur due to malfunction or damage of the reactor facility” as described in Article 2 of Supplementary Provisions of the Ministerial Ordinance on Repeal, the following works shall be included:
 - a Works of operation, maintenance, repair, or replacement of, addition of equipment to, and other works on the facility used to maintain the function to treat the contaminated water, performed in order to prevent such function from being considerably lowered or lost due to leaks from the piping, clogging of the pipes, failures of the pumps, failures of the control valves, etc.
 - b Works of operation, maintenance, repair, or replacement of, addition of equipment to, and other works on the facility used to maintain the function that prevents the contaminated

water and radioactive materials from leaking into the ocean, groundwater, open air, or soil, performed in order to prevent such function from being considerably lowered or lost due to failures of circulating seawater purification facilities, damages in the impervious walls, damages in the contaminated material storage containers, etc.

- c Works of operation, maintenance, repair, or replacement of, addition of equipment to, and other works on the facility used to maintain the nitrogen injection function that prevents hydrogen explosions, performed in order to prevent such function from being considerably lowered or lost due to leaks of nitrogen from the piping, clogging of the piping, failures of the pumps, failures of the control valves, etc.

III Others

- (1) The works performed at places in which there is a possibility of dose exceeding 0.1 mSv/h in the nuclear reactor facilities, steam turbines facilities, and their auxiliary facilities belonging to TEPCO Fukushima Daiichi Nuclear Power Plant or in the area around them, in order to maintain the functions of the nuclear reactor facilities or the facilities used to cool the spent fuel storage pools, or the works performed in the event that there is a possibility of release of a great amount of radioactive materials due to failures, damages, etc. in the nuclear reactor facilities, in order to maintain the function to restrict or prevent it, shall be categorized as urgent works to respond to accidents that are defined in Sentence 3, Paragraph 1, Article 42 of the Ionizing Radiation Ordinance, in the urgent works (emergency work) performed to prevent workers' health impairment due to radiation in the areas as defined in the same paragraph, and it shall be interpreted that the dose limit during emergency work as defined in Article 7 of the Ionizing Radiation Ordinance (100 mSv during period of emergency work) shall be applied.
- (2) Concerning works as described above, the works as described in Second (1), (2), and (3) shall be included.