



Slovenské elektrárne, a.s.  
Mochovce Plant, Units 3& 4  
935 39 Mochovce

## **DECISION No. 298 / 2018**

The Nuclear Regulatory Authority of the Slovak Republic (hereinafter the “Authority“ or “ÚJD SR“), as the competent administrative authority pursuant to Sections 5 and 46 of the Act No. 71/1967 Coll. on administrative proceeding (Administrative Procedure Code) as amended (hereinafter the “Administrative Procedure Code“), pursuant to Section 4 par. (1) (d) taking into account Section 8 par. (3) and pursuant to Section 4 par. 1 (j) of Act No. 541/2004 Coll. on peaceful use of nuclear energy (the Atomic Act) and on amendments to certain laws as amended (the “Atomic Act“)

### **Issues an authorization**

for Slovenské elektrárne, a.s., BIC: 358 29 052, with its seat in Bratislava, Mlynské Nivy 47, 821 09 Bratislava 2, with the place of business Units 3&4 of Mochovce power plants, 935 39 Mochovce, incorporated in the Commercial Register of the District Court Bratislava 1, No.: Sa 2904/B,

**for the commissioning of nuclear installation  
pursuant to Section 5 par. (3) (b) of the Atomic Act, in the scope of handling and storage  
of fresh nuclear fuel in the fresh fuel node**

**and**

pursuant to Section 121 par. 2 (e) of Act No. 50/1976 Coll. on spatial planning and building regulations (the Building Act) as amended (the “Building Act“), has reviewed the petition of Slovenské elektrárne, a.s., plant of Units 3&4, Mochovce NPP, and pursuant to Section 83 of the Building Act

### **A u t h o r i z e s a n E a r l y U s e o f S t r u c t u r e**

**Nuclear Power Plant Mochovce VVER 4x440 MW, project 3  
SO 800/1-02 Reactor Building II. Main Generating Block**

## **Room No. 407 Fresh Fuel Storage**

### **Rationale**

ÚJD SR, on the basis of your application dated 12 December 2016, ref. SE/2016/077759, registered at the Authority under reg. No. 7604/2016, file No. 3720-2016, initiated an administrative proceeding on 12 December 2016 concerning the application filed by Slovenske elektrárne (the "SE, a.s.") for:

- Authorization for the commissioning of the nuclear installation in the scope of handling and storage of fresh nuclear fuel in the fresh fuel node, m. No. A407 pursuant to Section 5 par. (3) (b) of the Atomic Act (the "Administrative proceeding No. 1.2"),
- Permit for an early use of the structure MO3&4 pursuant to Section 83 of the Building Act and pursuant to Section 5 par. (3) (b) and Section 19 par. (3) of the Atomic Act, part of the structure in the scope of handling and storage of fresh nuclear fuel in the fresh fuel node (the "Administrative proceeding No. 1.3").

Slovenské elektrárne, a.s., in its letter No. SE/2016/077759 dated 12 December 2016, in addition to an authorization for commissioning of a nuclear installation in the scope of handling and storage of fresh nuclear fuel in the fresh fuel node, m. No. A407 pursuant to Section 5 par. (3) (b) of the Atomic Act and permit for an early use of the structure MO3&4 pursuant to Section 83 of the Building Act and pursuant to Section 5 par. (3) (b) and Section 19 par. (3) of the Atomic Act, part of the structure in the scope of handling and storage of fresh nuclear fuel in the fresh fuel node, which are subject of this Decision, applied for other authorizations:

- Authorization for the management of nuclear materials in the nuclear installation, Nuclear Power Plant Mochovce, project 3 (the "MO3&4"), in the scope of handling and storage of fresh nuclear fuel in the fresh fuel node, m. No. A407 pursuant to Section 5 par. (3) (g) of the Atomic Act (the "Administrative proceeding No. 1.1"),
- Authorization for the management of radioactive waste and spent nuclear fuel pursuant to Section 5 par. (3) (f) of the Atomic Act in the scope of objects and facilities for operation of Unit 3, and in the scope of objects and facilities common for Units 3&4 serving for operation of Unit 3, including the fresh fuel node (the "Administrative proceeding No. 2.1"),
- Authorization for the commissioning of the nuclear installation pursuant to Section 5 par. (3) (b) of the Atomic Act in the scope of objects and facilities for operation of Unit 3, and in the scope of objects and facilities common for Units 3&4 serving for operation of Unit 3 (the "Administrative proceeding No. 2.2"),
- Permit for an early use of the structure pursuant to Section 83 of the Building Act and pursuant to Section 5 par. (3) (b) of the Atomic Act and Section 19 par. (3) of the Atomic Act in the scope of objects and facilities for operation of Unit 3, and in the scope of objects and facilities common for Units 3&4 serving for operation of Unit 3 (the "Administrative proceeding No. 2.3"),
- Authorization for the management of radioactive waste and spent nuclear fuel pursuant to Section 5 par. (3) (f) of the Atomic Act in the scope of objects and facilities for operation of Unit 4, and in the scope of objects and facilities common for Units 3&4 serving for operation of Unit 4 (the "Administrative proceeding No. 3.1"),
- Authorization for the commissioning of the nuclear installation pursuant to Section 5 par. (3) (b) of the Atomic Act in the scope of objects and facilities for operation of Unit 4, and in the scope of objects and facilities common for Units 3&4 serving for operation of Unit 4 (the "Administrative proceeding No. 3.2"),

- Permit for an early use of the structure pursuant to Section 83 of the Building Act, and pursuant to Section 5 par. (3) (b) of the Atomic Act a Section 19 par. (3) of the Atomic Act in the scope of objects and facilities for operation of Unit 4, and in the scope of objects and facilities common for Units 3&4 serving for operation of Unit 4 (the “Administrative proceeding No. 3.3“).

The Authority informed on initiation of these administrative proceedings all the parties in writing.

Issue of authorizations in the administrative proceedings Nos. 1.1, 2.1, 2.2, 2.3, 3.1, 3.2, 3.3 is not subject of this Decision.

Documentation of the Administrative proceedings Nos. 1.2, 1.3 and other administrative proceedings related to the application of SE, a.s., for an authorization for the commissioning of nuclear installation MO3&4 (Administrative proceedings Nos. 1.1, 2.1, 2.2, 2.3, 3.1, 3.2 and 3.3) with removed sensitive information according to their definition in Section 3 par. (16) and (17) of the Atomic Act, was made available by the Nuclear Regulatory Authority of SR from 16 March 2017 until 30 June 2017 in the leased premises in Mochovce.

After reviewing the documentation submitted, the Authority concluded that the applicant must complete his filing, and interrupted the administrative proceeding Nos. 1.1, 1.2, 1.3, 2.1, 2.2, 2.3, 3.1, 3.2 and 3.3 by the Authority’s Decision No. 334/2017 dated 23 August 2017. At the same time, it invited the applicant to remove, pursuant to Section 19 par. (3) of the Administrative Procedure Code, taking into account Section 3 par. (4) of the Administrative Procedure Code, the deficiencies in the filing by 15 February 2018. Deficiencies in the filing of the administrative proceedings No. 1.2 were listed in Annex 2 to the Authority’s letter reg. No. 5260/2017 of 22 August 2017, and related to the submitted documentation for the administrative proceedings (Plan for the management of radioactive waste and spent nuclear fuel, including their shipment). The Authority, with its decision on interrupting administrative proceedings, has set as a condition for the continuation of the administrative proceeding No. 1.2 also removal of deficiencies in the documentation for the Administrative proceeding No. 1.1. These deficiencies were listed in Annex 1 to the Authority’s letter reg. No. 5260/2017 of 22 August 2017 (Plan for the management of radioactive waste and spent nuclear fuel, including their shipment, and the Pre-operational Safety Report for MO3&4). At the same time, the Authority invited the applicant to submit the protocols on the readiness of the fresh fuel node or a document on the readiness of all the equipment of the fresh fuel node to the Authority not later than 12 months from the date of delivery of the decision on interrupting the above-mentioned administrative proceedings. The deficiencies in the filing in the administrative proceeding No. 1.3 were listed in Annex 3 to the Authority’s letter reg. No. 5260/2017 of 22 August 2017, and related to the requirements of the Authority to complement the evidence of fulfilment of the conditions from the ÚJD SR Decisions with specific reference to the relevant part of the documentation (in most of the cases to the Pre-operational Safety Report for MO3&4), confirming such fulfilment. The Authority, with its decision on interrupting administrative proceedings, has set as a condition for the continuation of the administrative proceeding No. 1.3 removal of deficiencies in the documentation for the administrative proceeding Nos. 1.1 and 1.2. These deficiencies were listed in Annexes 1 and 2 of the Authority’s letter reg. No. 5260/2017 dated 22 August 2017 (Plan for the management of radioactive waste and spent nuclear fuel, including their shipment, and the Pre-operational Safety Report for MO3&4). At the same time, the Authority invited the applicant to complement the documentation according to Annex 4 to the Authority’s letter reg. No. 5260/2017 of 22 August 2017, not later than by the deadline for

issuing a decision in the Administrative Proceeding No. 1.2. The requirements for the submission of documentation for the oral hearing linked with a local survey have been set by the Authority in Annex 4 to the letter reg. No. 5260/2017 in line with the proposal of SE, a.s., which was part of the submission from 12 December 2016, and applying *mutatis mutandis* the provision of Section 82 of the Building Act and Section 17 of the Decree of the Ministry of Environment of SR No. 453/2000 Coll., implementing certain provisions of the Building Act. The scope of the Authority's requirements for submission of documentation for the oral hearing linked with a local survey for an early use of the structure was determined in such a way that the documentation in question guaranteed full compliance with the requirements for nuclear safety, fire safety, safety at work and technical security already at the stage of commissioning.

SE, a.s., has gradually submitted documentation to the Authority with eliminated deficiencies. The Authority has continuously evaluated removal of deficiencies in the documentation. With its letter reg. No. 768/2018 of 13 February 2018 the Authority confirmed removal of deficiencies in the submission in the Pre-operational Safety Report MO3&4 and with letter reg. No. 766/2018 of 07 February 2018 confirmed removal of deficiencies in the submission in the Plan for the management of radioactive waste and spent nuclear fuel, including their shipment. With its letter reg. No. 897/2018 of 14 February 2018 the Authority confirmed removal of deficiencies in the submission in the account of fulfilling the conditions from the ÚJD SR Decisions No. 246/2008 of 14 August 2008, No. 266/2018 of 14 August 2008 and No. 267/2018 of 14 August 2008. SE, a.s., has removed the deficiencies in the documentation in question within the deadline, which was in line with the requirement contained in the decision on interruption of the administrative proceedings (i. e. earlier than 15 February 2018).

SE, a.s., on 22 June 2018 supplemented its filings related to application for authorizations referred to in the operative part of this Decision and the administrative proceeding No. 1.1. The Authority carried out a preliminary assessment of the additions in the filings related to the administrative proceedings No. 1.1, 1.2 and 1.3, stating that Slovenské elektrárne, a.s., by completing the submissions from 22 June 2018 fulfilled all the conditions from the Authority's Decision No. 334/2017 for the continuation in the proceedings in question.

Subsequently, the Authority with its letters reg. No. 4339/2018, 4531/2018 and 4526/2018 of 17 July 2018 informed all the parties that the administrative proceedings Nos. 1.1, 1.2 and 1.3 continue from 22 June 2018. The documents for the decision in administrative proceedings were published at the Authority's website as "documentation for the decision on fresh fuel node". The Authority invited the parties in writing to comment the documentation for the decision not later than by 27 August 2018. The Authority subsequently extended, at the request of one of the parties, the period for commenting the documentation forming the basis for a decision until 14 September 2018. The parties were informed about the extension of the time limit with letters reg. No. 5418/2018, 5422/2018 and 5425/2018 of 27 August 2018.

After completing the filing, the Authority reviewed the documentation for the administrative proceeding No. 1.2 in the following scope:

- 1) Identification data pursuant to Section 6 par. (1) (b) of the Atomic Act.

The applicant submitted the relevant identification data required under Section 6 par. (1) (b) of the Atomic Act in the filing of 12 December 2016. The applicant in the



complemented submission of 22 June 2018 confirmed that the data remain unchanged when compared to the data submitted on 12 December 2016.

- 2) Description of the activity, for which authorization is requested under Section 6 par. (1) (c) of the Atomic Act.

The applicant clearly defined the activity, for which he is seeking authorization. This is the operation of the fresh fuel node, in which fresh nuclear fuel is to be stored and handled. The description of activity, for which authorization is sought, was submitted by the applicant in the filing of 12 December 2016.

- 3) Evidence of the integrity of the company and members of statutory body of the company pursuant to Section 6 par. (2) (a) of the Atomic Act.

The applicant submitted abstracts from the Criminal Record Registry of the General Prosecutor's Office of SR for all members of the statutory body of the company and an extract from the Criminal Record of the General Prosecutor's Office of SR on the legal person Slovenské elektrárne, a.s., on 12 December 2016. All extracts were without a record. The updated extracts were submitted also in the completed filing from 22 June 2018.

- 4) Extract from the Commercial Registry pursuant to Section 6 par. (2) (b) of the Atomic Act.

The applicant submitted extract from the Commercial Registry of the District Court of Bratislava I as at 17 May 2018.

- 5) Evidence of the functional technical equipment of the applicant for the required activity pursuant to Section 6 par. (2) (e) of the Atomic Act.

The applicant submitted to the Authority documents on the preparedness of the nuclear facility for commissioning in the scope of the fresh fuel node. Subsequently the Authority carried out inspection No. 404/2018, which focused on the completeness and correctness of protocols on the functional testing of all systems related to the operation of the fresh fuel node and handling and storage of fresh nuclear fuel. Inspected programs were:

Program 3P010 – Program of testing equipment for receiving, storage and transport of fresh fuel,

Program 3P053A – Program of functional tests of radiation protection in Main Generating Unit, Unit 3,

Program 3P053C – Program of functional tests of radiation control – Electrical part, Unit 3,

Program 3P056B – Program of functional test of ventilation of the air-tight zone of Unit 3,

Program 3P056C – Program of functional tests of air supply systems for the ventilation systems of Unit 3,

Program 3P097 – Fire protection system Unit 3,

Program 3P101 – Program of tests for communication equipment and data network Unit 3,

Program 3P114 – Program FUS outlets from switchboards 6 kV and 0.4 kV for supply of energy consumers,

Program 3P160 – Program of tests for secondary switchboards LV, Unit 3.

The result of the inspection by the Authority is a statement that the fresh fuel node is operational and ready to receive fresh nuclear fuel.

- 6) Evidence that the applicant has permanent staff with the required expertise pursuant to Section 6 par. (2) (e) of the Atomic Act and an evidence on the number of permanent staff indicating their expertise pursuant to Section 6 par. (2) (i) of the Atomic Act.

The applicant submitted analysis of the capacity of the fuel management unit with scheduled activities for operation and maintenance of equipment of EMO1&2 and MO3&4 Units and new systematization of the fuel management unit as at 1 June

2018. The result of the analysis is to demonstrate the ability of the fuel management unit to provide all activities related to the operational and maintenance of the equipment needed for the management of fresh nuclear fuel in MO3&4.

- 7) Evidence on providing for the radioactive waste management including its financial coverage pursuant to Section 6 par. (2) (f) of the Atomic Act.

The applicant submitted evidence on radioactive waste management including its financial coverage in the filing from 12 December 2016. The Authority has requested the addition of some data (contained in the list of deficiencies in the filing in Annex 1 to the letter reg. No. 5263/2017 from 22 August 2017). Subsequently, the applicant supplemented required data in the letter of 13 November 2017. The Authority carried out an inspection No. 230/2017, which confirmed the completeness and correctness of supplemented data. The Authority confirmed removal of deficiencies in the filing by letter reg. No. 395/2018 from 22 January 2018.

- 8) Evidence on the ownership and organizational structure of the applicant pursuant to Section 6 par. (2) (g) of the Atomic Act.

The applicant submitted an extract from the Commercial Registry of the District Court of Bratislava I dated 17 May 2018 and the organizational structure and systemization of MO3&4 plant and unit B4000 letter of 2 November 2017.

- 9) Documentation requested for the application for commissioning pursuant to Section 6 par. (2) (h) of the Atomic Act, Annex 1 C (documentation required for the application for authorization of commissioning of the nuclear installation in the scope of the fresh fuel node, administrative proceeding 1.2):

a) Limits and conditions for safe operation – approved by the Authority's Decision No. 88/2018 of 24 April 2018.

b) List of safety related equipment – approved by the Authority's Decision No. 495/2016 of 19 September 2016.

c) Programs of testing of safety related equipment designated by the Authority – programs of testing of safety related designated by the Authority were submitted by SE, a.s., for Unit 3 of MO3&4 as part of the submission from 12 December 2016. The Authority had comments on the programs in question, which it classified as deficiencies in the filing. To remove the deficiencies the Authority specified a deadline in its Decision No. 334/2017 on the interruption of the administrative proceeding, not later than by 15 February 2018. SE, a.s., gradually submitted to the Authority documentation with removed deficiencies. The Authority confirmed removal of deficiencies in the filing with its letter reg. No. 767/2018 of 8 February 2018. SE, a.s., submitted to the Authority programs of testing of safety related equipment specified by the Authority for Unit 4 of MO3&4 with incorporated comments from the Authority on analogical program for Unit 3. The Authority accepted submission of these programs with its letter reg. No. 765/2018 of 7 February 2018.

d) Program of commissioning of nuclear installation divided into phases – program for commissioning nuclear installation divided into phases was submitted by SE, a.s., for Unit 3 of MO3&4 as part of the submission of 12 December 2016. The Authority had comments on the Program and related programs of physical and energy commissioning, which it classified as deficiencies in the filing. For removal of these deficiencies it specified a deadline in its Decision No. 334/2017 on interruption of the administrative proceeding as not later than 15 February 2018. SE, a.s., gradually submitted to the Authority documentation with removal deficiencies. The Authority confirmed removal of deficiencies in the filing with its letter reg. No. 769/2018 of 13 February 2018. SE, a.s., submitted to the Authority a Program for commissioning, divided into phases for Unit 4 of MO3&4 together with incorporated comments

- on analogical program for Unit 3. The Authority accepted submission of these programs with its letter reg. No. 765/2018 of 7 February 2018.
- e) Program of operational controls of safety related equipment – submitted to the Authority in the filing of 12 December 2016. The Authority at this stage agrees with the submitted document and expects its update on the basis of results of equipment tests and the expected commissioning of Units 3&4.
  - f) Quality Management System documentation of the applicant – approved by the Authority's Decision No. 410/2016 of 21 July 2016 (Management System Manual) and No. 445/2016 of 5 August 2016 (Phased quality assurance program for construction and commissioning).
  - g) Operating regulations acknowledged by the Authority – submitted by SE, a.s., for Units 3&4 of MO3&4 as part of the filing from 12 December 2016. The Authority had comments on the regulations, which it classified as deficiencies in the filing. For removal of these deficiencies the Authority has set a deadline with its Decision No. 334/2017 on interrupting the administrative proceeding, not later than by 15 February 2018. SE, a.s., had gradually submitted documentation to the Authority with removed deficiencies. The Authority confirmed removal of deficiencies in the filing with its letter reg. No. 771/2018 of 13 February 2018.
  - h) Internal Emergency Plan – approved by the Authority's Decision No. 396/2016 of 15 July 2016. The validity of the internal emergency plan is from the commencement of commissioning of MO3&4. Until the start of commissioning of MO3&4 the Preliminary Internal Emergency Plan is valid, which was approved by ÚJD SR Decision No. 261/2018 of 13 September 2018.
  - i) Pre-operational Safety Report (the "PpSR MO3&4") – submitted by SE, a.s., as part of the filing from 12 December 2016. The Authority had comments on PpSR MO3&4, which it classified as deficiencies in the filing. For removal of these deficiencies the Authority has set a deadline with its Decision No. 334/2017 on interrupting the administrative proceeding, not later than by 15 February 2018. SE, a.s., had gradually submitted documentation on PpSR MO3&4 with removed deficiencies. The Authority confirmed removal of deficiencies in the filing with its letter reg. No. 768/2018 of 13 February 2018.
  - j) For nuclear installations with a nuclear reactor, probabilistic safety assessment for a shutdown reactor and for low power levels, as well as for full power of the reactor (the "PSA Study") – submitted by SE, a.s., as part of the filing from 12 December 2016. The Authority had comments on the PSA Study, which it classified as deficiencies in the filing. For removal of these deficiencies the Authority has set a deadline with its Decision No. 334/2017 on interrupting the administrative proceeding. SE, a.s., had gradually submitted documentation to the Authority with removed deficiencies. The Authority confirmed removal of deficiencies in the filing with its letter reg. No. 896/2018 of 14 February 2018.
  - k) Physical Protection Plan, including an agreement with the Police Corps pursuant to Section 26 par. (10). ÚJD SR Decision No. 154/2018 of 24 May 2018 approved the document "Plan of physical protection of MO3&4 fresh fuel node", issue 1, revision 0.
  - l) Plan for the management of radioactive waste (the "RAW" ) and spent nuclear fuel (the "SNF") – submitted by SE, a.s., as part of the filing from 12 December 2016. The Authority had comments on the Plan for the management of RAW and SNF, which it classified as deficiencies in the filing. For removal of these deficiencies the Authority has set a deadline with its Decision No. 334/2017 on interrupting the administrative proceeding. SE, a.s., had submitted documentation to the Authority

- with removed deficiencies. The Authority confirmed removal of deficiencies in the filing with its letter reg. No. 766/2018 of 7 February 2018.
- m) Conceptual decommissioning plan – submitted by SE, a.s., as part of the filing of 12 December 2016. The Authority reviewed the document in question and had no requirements for its completion or modifications.
  - n) Proof of financial coverage of liability for nuclear damage except the repository under special regulation – fulfilment is shown under point 7) of the reasoning.
  - o) Training System – training system for the MO3&4 staff was approved by the Authority's Decision No. 356/2017 of 2 October 2017.
  - p) Training Programs for selected staff – approved by Authority's Decisions No. 97/2016 of 22 March 2016, 393/2016 of 27 July 2016, 355/2017 of 25 September 2017 and 240/2018 of 20 August 2018.
  - q) Training Programs for professionally competent staff – approved by Authority's Decisions No. 123/2016 of 22 March 2016 and No. 611/2015 of 5 October 2015.
  - r) Evidence on meeting the qualification preconditions for selected staff and professionally competent staff – for the purposes of administrative proceedings 1.1 and 1.2, were submitted by SE, a.s., within the scope of the mandate to perform functions for the fuel management staff. Mandates certify completion of training in accordance with the training system.
  - s) Evidence on preparedness for commissioning – list of submitted documents on preparedness is contained under point 5) of the reasoning.
  - t) Population Protection Plan in the emergency planning zone – approved by the ÚJD SR Decision No. 276/2015 of 13 April 2015 and 277/2015 of 24 April 2015 and opinions of MoI SR No. SKR-4-20/2015 and SKR-14-22/2015.
  - u) Definition of boundaries of the nuclear installation – approved by the ÚJD SR Decision No. 922/2014 of 12 December 2014.
  - v) Determining the size of the emergency planning zone of a nuclear installation – approved by the ÚJD SR Decision No. 1040/2012 of 23 November 2012.
  - w) Documentation pursuant to the Building Act – submitted for an inspection with a local survey for the fresh fuel node.
- 10) Documentation required by the Building Act for an early use of the structure pursuant to Section 6 par. (2) (j) of the Atomic Act – submitted for an inspection with a local survey for the fresh fuel node.
- 11) The data required by a special regulation “Treaty establishing the European Atomic Energy Community” pursuant to Section 12 par. (5), Art. Commission Regulation (Euratom) No. 302/2005 of 8 February 2005 on the application of Euratom safeguards. The applicant submitted a letter SE/2016/067700 on sending the basic technical characteristics (“BTC”) to the Authority, and letter SE/2016/007696 on sending BTC to the European Commission, annexed to which was the Report on the basic technical parameters for the MO3&4 site. Submission of the Report is in line with Article 4 of the Commission Regulation (Euratom) No. 302/2005.
- 12) Liability insurance for nuclear damage pursuant to Section 8 par. (1) and (2) of Act No. 54/2015 Coll. on civil liability for nuclear damage and its financial coverage and on amendments to certain laws. The applicant submitted Insurance Policy for liability insurance for the operator of a nuclear installation in the Mochovce site for damage caused by nuclear event No. 03/2016/SE-EMO3/KSJPP.

The Authority has divided the application of SE, a.s., for authorizations associated with the commissioning of MO3&4 into an administrative proceedings 1.1, 1.2 and 1.3 (related to the fresh fuel node), 2.1, 2.2 and 2.3 (related to Unit 3 of MO3&4) and 3.1, 3.2



and 3.3 (related to Unit 4 of MO3&4) due to a dual-unit structure of MO3&4 project, and the time sequence of expected activities during gradual preparation of equipment, systems and objects of MO3&4 for commissioning. Part of the documentation submitted by SE, a.s., relates only to the fresh fuel node, part of the documentation demonstrates fulfilment of the requirements from the applicable law not only for the fresh fuel node (administrative proceedings 1.1 and 1.2), but also for Unit 3, Unit 4, resp. nuclear installation of MO3&4 as a whole – it is mainly the documentation stated under points 7), 9), 11) and 12). The Authority performed review of this documentation in full, which actually goes beyond the scope required for the administrative proceeding 1.2.

SE, a.s. submitted a document to the Authority with its letter SE/2018/003485 of 12 January 2018, “Fulfilment of the binding conditions from the building permit No. 2010/86, ÚJD SR Decisions No. 246/2008, 266/2008 and 267/2008“. This document completes and specifies a similar document presented to the Authority together with the application of SE, a.s., on 12 December 2016. The update of this document was done as part of the conditions from the ÚJD SR Decision No. 334/2017 and the Authority accepted it by its letter reg. No. 897/2018 of 14 February 2018. The document confirms fulfilment of conditions from the Authority’s Decisions No. 246/2008, 266/2008 and 267/2008 for the whole project of MO3&4. Only a small part of the conditions of the Authority’s Decisions No. 246/2008, 266/2008 and 267/2008 are related to the management of fresh nuclear fuel in the fresh fuel node, and most of this is indirectly. For this reason, the Authority considers proving fulfilment of conditions of Decisions No. 246/2008 of 14 August 2008, No. 266/2008 of 14 August 2008 and No. 267/2008 of 14 August 2008 in the document “Fulfilment of binding conditions from the building permit No. 2010/86, ÚJD SR Decisions No. 246/2008, 266/2008 and 267/2008“ to be sufficient in relation to the administrative proceeding 1.2 and as going beyond the needs of this proceeding. Fulfilment of the conditions of the Decision 266/2008, relating to the fresh fuel node:

- Conditions Nos. 1 and 2 (Condition No. 1 “In line with the best international practice, to complete the design of the nuclear installation of Units 3&4 of Mochovce with a reference scenario with events involving deterministic effect from external source, for example, impact of a small aircraft, and to submit it to the Authority for review“, and condition No. 2 “On the basis of a scenario developed according to condition No. 1 to evaluate the functional potential of resistance of the design of Units 3&4 of Mochovce NPP, and to apply in the design appropriate additional systems, structures or components, as well as strategies for management of a nuclear power plant aimed at securing its resistance against possible deterministic effects from an external source, for example, deliberate impact of a small aircraft, by bringing the design in line with the best international practice. Relevant modifications to the basic design to be submitted to the Authority in accordance with the applicable legislation“). SE, a.s., submitted the relevant documents to the Authority. Their content is secret. The Authority issued Decision No. 290/2010 of 16 August 2010, permitting the construction of a protective barrier. Related documentation is subject to secrecy regime pursuant to Act No. 215/2004 Coll. on the protection of confidential information and on amendments to certain laws, therefore it was not made available to the public. The Authority considers conditions No. 1 and 2 of the Decision No. 266/2008 as fulfilled.
- Conditions Nos. 4, 5 and 6 (to complete the calculations of seismic resistance of equipment, the seismic resistance of which is required by the basic design and their verification by an independent organization, develop a manual for authors of implementation projects for calculations of anchoring of components the seismic resistance of which is required, and to ensure independent control of implementation



projects of all operational sets involving seismically qualified components). SE, a.s., submitted the required documentation and the Authority confirmed fulfilment of the above-mentioned conditions of Decision No. 266/2008 in writing. The fresh fuel node and its facilities are seismically reinforced in accordance with the conditions of the Authority's Decision No. 266/2008.

Other conditions of the Decision No. 266/2008 have no connection with the fresh fuel node. Their fulfilment will be subject of assessment in the administrative proceedings No. 2.1, 2.2, 3.1 and 3.2.

Fulfilment of conditions of the Authority's Decision No. 267/2008 that relate to the fresh fuel node, is incorporated in the relevant chapters of the Pre-operational Safety Report for MO3&4:

- Condition No. 5 from the annex to the Decision (To complete chapter 7.4.20 of the Report in such a way that compliance with the requirement from the ÚJD SR Decree No. 50/2006 Coll., Annex part B II. E. (2) (a) point 2 is sufficiently demonstrated, while taking into account the current good practice applied in this area) – incorporated in chapters 7.2.3.2 and 7.4 of the PpSR MO3&4. The quoted requirement of the ÚJD SR Decree No. 50/2006 Coll. is identical with the requirement of Annex 3 B II. E. (2) (a) point 2 of ÚJD SR Decree No. 430/2011 Coll. as amended by Decree No. 103/2016 Coll.,
- Condition No. 10 from the annex to the Decision (Relevant parts of chapter 9 of the Report to complete the requirements with the requirements for coordinating the registration of other nuclear materials such as fresh nuclear fuel and spent nuclear fuel) – is incorporated in chapter 9 of PpSR MO3&4,
- Condition No. 11 from the annex to the Decision (To harmonize the classification of nuclear materials referred to in chapter 9.5.5 of the Report with the European Commission Regulation No. 302/2005, and to supplement the possibility of sending nuclear materials from the MBA produced in the nuclear installation of MO3&4) – is incorporated in chapter 9.5 PpSR of MO3&4,
- Condition No. 22 from the annex to the Decision (Add to the relevant parts of the Report an internal flood analysis within the scope of requirements of chapter 2.5.4.3 of the approved Requirements for the quality of nuclear installation of Units 3&4 of Mochovce NPP) – incorporated in chapters 7.2.3.1 and 6.10 PpSR MO3&4,
- Condition No. 23 from the annex to the Decision (Add to the relevant chapters of the Report to supplement analysis of events related to fires and floods that are triggered by a seismic event in accordance with the requirement of the IAEA Guide, GS-G-4.1, 3.68 b) – incorporated in chap. 7.2.3.2 and 6.0 PpSR MO3&4,
- Condition No. 30 from the annex to the Decision (Add to the relevant chapters of the Report an explosion or fire risk analysis to determine the required fire resistance of the fire-separating structures in accordance with the requirement referred to in the ÚJD SR Decree No. 50/2006 Coll., Annex 3 part B I. I. (5), and in accordance with the requirements of chapter 2.5.4.3 of the approved Requirements for quality of nuclear installations of Units 3&4 of Mochovce NPP) – incorporated in chapter 7.2.3.1 PpSR MO3&4,
- Condition No. 31 from the annex to the Decision (Add to the relevant parts of the Report an analysis of combination of effects of phenomena caused by natural conditions and human activity, in accordance with the requirement referred to in the ÚJD SR Decree No. 50/2006 Coll., Annex 3 part B I. J. (2) (b) – incorporated in chap. 7.2.3.2 PpSR MO3&4. The quoted requirement from the ÚJD SR Decree No. 50/2006 Coll. is identical with the requirement of Annex 3 part B I. J. (2) (b) of ÚJD SR Decree No. 430/2011 Coll. as amended by Decree No. 103/2016 Coll.

The Authority, with its letter No. 4889/2018 of 30 July 2018 notified the parties and the authorities concerned of the initiation of the procedure for permit for an early use of part of the structure, and at the same time invited them to the oral hearing associated with local inspection on 21 August 2018. The announcement was also published on the official notice board and on the website of municipality Kalná nad Hronom, on the electronic board and the website of ÚJD SR and on the central portal of public administration.

The motion to issue a decision for an early use of the structure was examined at the construction site. The builder submitted the following documents:

- A copy of the valid building permit;
- Design documentation verified by the Building Authority in the building procedure;
- As-built design documentation;
- Acceptance protocols;
- Accompanying technical documentation containing certificates of materials and products used, product conformity declarations, revision reports and evidence of performed tests, building logbooks;
- Documentation on the readiness of the nuclear installation for commissioning in the scope of the room for receiving fuel A 407,
- Database of defects and backlog.

Technological facilities have been tested according to prescribed programs and their operational capability is documented in PNM 34482586 – Documentation on the readiness of the nuclear installation for the commissioning within the scope of room for intake of fuel A 407.

The Labour Inspectorate Nitra, having regard to the large extent of the submitted documentation, requested the submission of documents in terms of its competencies, and following their assessment, issued its binding opinion No. OBOZP I./KON/2018/2954 INA-118-46-2.1/ZS-C22,23-18 of 21 August 2018, registered at the Authority on 13 September 2018, in which approved a decision for an early use of the structure.

The Ministry of Interior of the Slovak Republic - Presidium of the Fire and Rescue Services of the Slovak Republic carried out a local inspection on 22 August 2018, and also asked for the technical documentation for review with respect to its interests within the defined scope. In its opinion No. PHZ-OPP4-2018/003350-002 of 22 October 2018, which was registered at the Authority on 24 October 2018, approves the decision on an early use of the structure SO 800/1-02 Reactor building II. Main Generating Block, Room No. 407 Storage of fresh fuel, with the condition that for the building approval is it required, in accordance with Section 13 par. 4 (g) of the MoI SR Decree No. 726/2002 Coll., laying down the characteristics of the electrical fire signalling, conditions for its operation and ensuring its regular control, to submit an As-built Design of an electrical fire signalling in the state language.

The Ministry of Environment of the Slovak Republic (the “MoEnv SR”) within the procedure and following the evaluation of meeting of the conditions defined in the Final Opinion No. 395/2010 – 3.4/hp Nuclear Power Plant Mochovce VVER 4x440 MW, project 3, issued by MoEnv SR (the “Final Opinion on EIA for MO3&4”) pursuant to Act No. 24/2006 Coll. on environmental impacts assessment, and on amendments to certain laws (the “Impact Assessment Act”) issued its Binding Opinion No. 9704/2018-1.7/hp-Zs (the “Binding Opinion of MoEnv SR”) of 22 October 2018, delivered to the Authority on 24 October 2018. In the Binding Opinion of MoEnv SR it is stated that: “...a motion for the proceeding to issue:

- A. Authorization for the management of nuclear material in the nuclear installation pursuant to Section 5 par. (3) (g) of the Atomic Act in the scope of handling and storage of fresh nuclear fuel in the fresh fuel node (the Administrative proceeding No. 1.1),
- B. Authorization for the commissioning of nuclear installation pursuant to Section 5 par. 3 (b) of the Atomic Act, in the scope of fresh fuel node, in the scope of storage and handling of fresh nuclear fuel in the building SO 800/1-02 Reactor Building II. Main Generating Block (the Administrative proceeding No. 1.2),
- C. Permit for an early use of the structure according to Section 83 of the Building Act, and according to Section 5 par. 3 (b) and Section 19 par. 3 of the Atomic Act for the fresh fuel node in the scope of storage and handling of fresh nuclear fuel in the object SO 800/1-02 Reactor Hall II. Main Generating Unit, in Room No. 407 Storage for fresh fuel (the Administrative proceeding No. 1.3),

Is conceptually in accordance with the Impacts Assessment Act, with the Final Opinion issued by MŽP SR No.: 395/2010-3.4/hp dated 28 April 2010 and its conditions.“

The Public Health Authority of the Slovak Republic informed the mover that a decision according to their competencies will be issued one month before the commissioning of the nuclear installation MO3&4 within the scope of handling and storage of fresh nuclear fuel in the fresh fuel node SO 800/1-02 Reactor Building II. Main Generating Block.

The District Office Levice justified its non-participation in the oral procedure. The other invited authorities concerned did not take part in the oral hearing and did not raise any objections or comments within the defined time limit.

In realization of the construction, general technical requirements for construction were complied with.

The construction is realized according to the design documentation verified in the building procedure. No major changes have been made. Minor changes are recorded in the Journal of minor modifications. Compared to the basic design modifications defined in the amendment No. 0089 - modification of protected escape routes in SO 800/1-02, as part of this amendment, for Room No. A 407, additional 8 fire extinguishers were placed and the wall hydrant was removed, amendment No. 0106 – change of technical means of physical protection, and amendment No. 0067 - possibility of changing the applied coating system M 24 for the M 26 system. The author of the basic design, ÚJV Řež, a. s., Divize Energoprojekt Prague confirmed that these modifications are in compliance with the basic design concept.

Early use of the building will not endanger the life and health of persons, nor the interests of the society and the environment, therefore the Authority decided as stated in the operative part of this Decision.

Pursuant to Section 7 par. (5) of the Atomic Act, a special condition for issuing an authorization under Section 5 par. (3) (g) of the Atomic Act the approval of the physical protection plan. The document: “Physical Protection Plan for MO3&4 UČP“, edition 1, revision 0, was approved by the Authority’s Decision No. 154/2018 of 24 May 2018. This document approved the technical, regime and organizational provision of physical protection in connection with commissioning of nuclear installation MO3&4, in the scope of handling and storage of fresh nuclear fuel in the fresh fuel node.

SE, a.s. has submitted to the Authority a report on implementation of the project for the installation of surveillance equipment of the International Atomic Energy Agency and the European Commission. The surveillance equipment will be installed, based on the request of the responsible staff of the IAEA and the European Commission, before commencing the commissioning of Unit 3.

Documentation supporting the decision for the administrative proceeding No. 1.1, 1.2 and 1.3 was published on the website of the Authority and the parties were informed about them in writing, letters reg. No. 4339/2018, 4531/2018 and 4526/2018. Two parties made statements on the supporting documentation for the decision: [REDACTED] on behalf of Global 2000, Friends of Earth Austria, Neustiftgasse 36, 1070 Wien (the "Global 2000") and [REDACTED] on behalf of Wiener Umweltschaff, Muthgasse 62, 1190 Wien (the "Wiener Umweltschaff"). Both statements were delivered to the Authority by E-mail on 14 September 2018 within the time period set by the Authority.

Both statements (Global 2000, Wiener Umweltschaff) formulate questions /requirements referring to the document "Fulfilment of the EIA process requirements", which was published on the website of the Authority as part of the supporting documentation for the decision concerning fresh fuel node. The document "Fulfilment of the EIA process requirements" contains the account of meeting the conditions Nos. 3.1 to 3.35 of the Final Opinion on EIA for MO3&4.

The document "Fulfilment of the EIA process requirements" is an account of the current fulfilment of requirements contained in the Final Opinion on EIA for MO3&4, which was elaborated as at 26 June 2018. It refers to the project of MO3&4 as a whole. Major part of the requirements from the Final Opinion on EIA for MO3&4 has no relationship or only very marginal relationship to the administrative procedure No. 1.1. The Authority evaluated the statements made by Global 2000 and Wiener Umweltschaff in accordance with Section 19 par. (2) of the Administrative Procedure Code.

Global 2000 states the following in its opinion:

- As to point 3.1 - Scenarios and documents are missing to explain whether changes have been implemented in accordance with the then valid decisions from 2008 (in the text, Global 2000 refers to the Authority's Decision No. 266/2008), or others according to current claims. To this statement of Global 2000, the Authority, as the administrative body states that under point 3.1 of the document "Fulfilment of the EIA process requirements" there is a confirmation of meeting the conditions contained in the Authority's Decision Nos. 246/2008, 266/2008 and 267/2008. Modifications to the basic design, which the Authority approved by its Decision No. 266/2008, were part of the EIA process for the commissioning and operation of nuclear installation of MO3&4. Changes to the Preliminary Safety Report for Units 3&4 of MO3&4, approved by the Authority by its Decision No. 267/2008, were incorporated in the PSR MO3&4, which is in compliance with Annex 1 Part C (i) of the Atomic Act clarifying the Preliminary Safety Report. PpSR MO3&4 was made available to the public while removing sensitive information according to their definition in Section 3 para (16) and (17) of the Atomic Act from 16 March 2017 until 30 June 2017 in the leased premises in Mochovce. Changes in the PSR of MO3&4 that resulted from the comments made by the Authority, were in the scope of the fresh fuel node published as "Supporting documentation for the fresh fuel node decision (UČP)" on the website of the Authority. The parties were informed about the supporting documentation in writing. For the fresh fuel node, the following modifications to the basic design were



implemented (in addition to modifications that resulted from the Authority's Decision No. 266/2008): modification of the escape routes from the building object – Main Generating Block (placement of additional fire extinguishers in the fresh fuel node and removal of the wall hydrant), a change in the technical means of physical protection (this is classified information) and the possibility of changing the applied paint system. The author of the basic design confirmed full consistency of these modifications with the concept of the basic design. The Authority accepted these changes to the basic design in writing. The fresh fuel node, its building part and equipment are fully compliant with the current applicable legislative requirements, including WENRA requirements and the IAEA documents. The binding opinion of MŽP SR No. 9704/2018-1.7/hp-Zs of 22 October 2018, which was delivered to the Authority on 24 October 2018 states the following: “The assessment of the project in question in accordance with Section 38 par. 4) of Act No. 24/2006 Coll. on environmental impacts assessment, and on amendments to certain laws as amended (the “Impact Assessment Act”) did not reveal any such facts that would have led to a reassessment of the project in question pursuant to Section 18 par. 1 and par. 2 of the Impact Assessment Act.”

- As to point 3.2 - Global 2000 has stated that as an NGO it has no access to the outcome of expert seminars in areas of common interest in nuclear safety with experts from Austria within the relevant bilateral Slovak-Austrian Agreement within the European Atomic Energy Community, Euratom, coordinated by ÚJD SR. ÚJD SR, as the administrative body states on the statement made by Global 2000: the document “Fulfilment of the EIA process requirements“ confirming that the condition No. 3.2 from the Final Opinion on EIA for MO3&4 (“Continue in providing information and organizing expert seminars in the areas of common interest in nuclear safety with the experts from Austria within the relevant bilateral Slovak-Austrian Agreement within the European Atomic Energy Community, Euratom, coordinated by ÚJD SR...””) was fulfilled. This fact is also confirmed by the record from expert seminars, confirmed by the Austrian party. The meetings were attended by experts commissioned by the Austrian Government and also by representatives of government of the federal states. Given the fact that the subject of discussions was also sensitive information, the outputs from the seminars are not publicly available.
- As to point 3.4 – Global 2000 stated that the MO3&4 power plant is not secured against the impact of an aircraft in accordance with the existing best practice. Statement by the Authority: the MO3&4 power plant is secured against the impact of a small aircraft by a separate construction design, as well as documentation describing the staff activity in case of occurrence of an initiation event – an impact of a small aircraft on the nuclear installation MO3&4. Addressing of a situation when the power plant is endangered by an aircraft, according to Section 12 par. 1 (e) of Act No. 575/2001 Coll. on the organization of government activities and organization of the central public administration as amended, is in the competence of the Ministry of Defence of SR, quote: “Ensuring the inviolability of the airspace of the Slovak Republic“. Further activity of Armed Forces concerning airspace disruption is stated under Section 4 of Act No. 321/2002 Coll. on armed forces of the Slovak Republic, as amended. The design documentation on securing the MO3&4 power plant against an impact of a small aircraft is subject to a regime, which is stipulated by Act No. 215/2004 Coll. on the protection of classified information and on amendments to certain laws, therefore it was not made available to the public.
- Global 2000 stated that the issue of the impact of the expected climate change (+2°C) on the flow of the Hron River and its water temperature is not sufficiently addressed. The Authority, as the administrative body states that the statement made by Global



2000 has no direct relation to the management of nuclear fuel in the fresh fuel node. However, in the submitted documentation by SE, a.s., (besides other PpSR MO3&4) it is stated that the nuclear power plant has a closed circuit of cooling system with cooling towers. Make-up water to the cooling circuits can be also secured from reserve sources due to their safety function. For this purpose, the power plant has established procedures that have been tested on Mochovce Units 1&2 as part of the stress tests carried out after the accident in Fukushima NPP.

Wiener Umweltanwaltschaft commented on the fulfilment of the conditions of the Final Opinion on EIA MO3&4, which is contained in the document "Fulfilment of the EIA process requirements". The Wiener Umweltanwaltschaft statement is directed at points 3.22, 3.26 and 3.28.

- As to point 3.22 it requests information about the tightness test for the tank scheduled for the second half of 2018, or whether it was already made. The requirement from the Final Opinion on EIA MO3&4 in point 3.22 is the following: "To ensure that within the proposed operation, such technical solutions are implemented to secure facilities, where hazardous substances are to be handled that will allow capturing hazardous substances that could be released during technical failure, or destruction, or would surface when extinguishing fire with water, and which are constructed in accordance with the requirements of the Slovak technical standards". The method of fulfilment of the requirement 3.22 is given in "Fulfilment of the EIA process requirements":
  - Storage of chemicals is provided in warehouses that are taken over by the contractors, and therefore they are responsible for the way and safety of storage.
  - MO3&4 conducts regular monthly inspections focusing on fire safety, safety at work and preventing occurrence of an accident related to the storage and handling of chemicals.
  - All chemical substances must be approved according to the internal document MO3&4/MNA - 190.03 Management of chemicals for the completion of Units 3&4, suppliers provide Safety Data Sheets for approval, product technical sheets, certificates and other documents, as needed.
  - In December 2013, tightness tests were carried out for all hold-up tanks in the warehouses and these are valid until 2018.

ÚJD SR has requested from SE, a.s., information on the tightness tests of all hold-up tanks in the warehouses. These tanks are located in the storage place for flammable materials and in the paint store. Currently valid MoEnv SR Decree No. 200/2018 Coll. has changed the legislative requirements from July 2018, and this test is no longer required by the legislation, or is to be performed in other periods (10, or 20 years depending on the type of tank). The technical safeguarding of facilities, in which the hazardous substances are to be handled, is in compliance with the valid MoEnv SR Decree No. 200/2018 Coll. Change in the legislative conditions for performing tightness tests of hold-up tanks occurred only after the publication of the document "Fulfilment of the EIA process requirements" as part of the documentation used as a basis for the decision in the administrative proceedings Nos. 1.1, 1.2 and 1.3 on the website of the Authority.

- As to point 3.26 it requires information, whether the monitoring data are available to the public. The requirement from the Final Opinion on EIA for MO3&4 in par. 3.26 states: "Evaluate regularly all proposed monitoring activities. Results from monitoring to be regularly provided to the public administration authorities concerned and to the public." Statement of the Authority on this request from Wiener Umweltanwaltschaft: The

monitoring data are available, for example, on the website of SE, a.s., access: “media“ → “publications“ → “Environmental Impact NPP Mochovce“ or “Environmental Impact NPP Mochovce - Units 3&4 under construction“ in the relevant month.

- As to point 3.28 it requires that dose limits are approved in the following process for MO3&4 not higher than for EMO1&2. The Authority states on this request: dose limits will be determined in the decision of the Public Health Authority of SR (the “ÚVZ SR“). The Authority expects that the decision of ÚVZ SR will be in line with the data from the Report on Evaluation of the proposed activity for environmental impacts assessment (July 2009), which was the basis for the Final Opinion on the EIA MO3&4.

The submitted documentation for submission in the administrative proceeding No. 1.1 has been reviewed by the Authority in terms of fulfilment of legislative requirements laid down in the Atomic Act, ÚJD SR Decrees, as well as in the documents of the International Atomic Energy Agency (the “IAEA“) and the Association of Nuclear Regulators of the EU states and of Switzerland (the “WENRA“):

1. ÚJD SR Decree No. 52/2006 Coll. on professional competence, as amended by Decree No. 34/2012 Coll..
2. ÚJD SR Decree No. 54/2006 Coll. on record keeping and control of nuclear materials and on notification of selected activities
3. ÚJD SR Decree No. 430/2011 Coll. on the requirements for nuclear safety as amended by the ÚJD SR Decree No. 103/2016 Coll.
4. ÚJD SR Decree No. 30/2012 Coll., laying down the details of the requirements for management of nuclear materials, radioactive waste and spent nuclear fuel as amended by the ÚJD SR Decree No. 101/2016 Coll.
5. ÚJD SR Decree No. 51/2006 laying down the details of the requirements for ensuring physical protection
6. Safety Guide, IAEA SSG-15 Storage of Spent Nuclear Fuel
7. Safety Guide, IAEA, NS-G-2.5 Core Management and Fuel Handling for Nuclear Power Plants
8. Safety Guide issued by the IAEA, NS-G-1.4 Design of Fuel Handling and Storage Systems for Nuclear Powerplants
9. WENRA requirements Report – Safety Reference Level for Existing Reactors, September 2014.

The requirements and recommendations of the IAEA and WENRA for the management and storage of fresh nuclear fuel in the nuclear facility are fully implemented in Slovak legislation, namely in the Atomic Act and the ÚJD SR Decrees, the exact identification of which is given above.

The Authority issued an authorization for the management of nuclear materials in the nuclear installation of the Nuclear Power Plant Mochovce, project 3, pursuant to Section 5 par. (3) (g) of the Atomic Act in the scope of handling and storage of fresh nuclear fuel in the fresh fuel node (the Administrative Proceeding No. 1.1) with its Decision No. 277/2018.

Within 15 days after handing over and acceptance of the construction of SO 800/1-02 Reactor Building II. Main Generating Block, the builder is required to submit to the building authority petition for building approval.

The administrative fee has not been levied because the administrative proceedings under the Atomic Act are not subject to a fee duty according to Act No. 145/1995 Coll. on administrative fees as amended.

On the basis of the above, the Authority has decided as set out in the operative part of this Decision.

### **Guidance**

Under Section 61 (1) of the Administrative Procedure Code, appeal may be lodged against this Decision to the Nuclear Regulatory Authority of the Slovak Republic, Okružná 5, 918 64 Trnava, within 15 days from the date of delivery of this Decision. Appeal lodged within this time limit has a suspensive effect.

This Decision, after exhaustion of ordinary legal remedy, can be reviewed by the administrative court according to the provisions of the Administrative Judicial Code.

Trnava, 29 October 2018

Ing. Peter Uhrík  
General Director of the Department of  
Safety Evaluation and Inspection Activities

Annex: Binding Opinion of MŽP SR No. 9704/2018-1.7/hp-Zs of 22 October 2018