



Nuclear Regulatory Authority of the Slovak Republic
Bajkalská 27, P. O. Box 24, 820 07 Bratislava 27
office Okružná 5, 918 64 Trnava

No: 5321/2017

Slovenské elektrárne, a. s.
plant Units 3 & 4 of the Power Plants Mochovce
935 39 Mochovce

DECISION No. 334/2017
to Interrupt the Administrative Procedure

The Nuclear Regulatory Authority of the Slovak Republic (the “Authority”), as a competent administrative authority pursuant to Section 5 and Section 46 of the Act No. 71/1967 Coll. on administrative procedure (administrative procedure) as amended (the “Administrative Procedure Code”), pursuant to Section 29 par. (1) of the Administrative Procedure Code and pursuant to Section 8 par. (7) of Act No. 541/2004 Coll. on the peaceful uses of nuclear energy (the Atomic Act) and on amendments to certain laws, as amended (the “Act”)

I n t e r r u p t s

for Slovenské elektrárne, a. s., BIC: 35 829 052, with its seat in Bratislava, Mlynské Nivy 47, 821 09 Bratislava 2, plant Units 3 & 4 of the Power Plants Mochovce, 935 39 Mochovce, incorporated in the Commercial Registry of the District Court of Bratislava I, under: Sa 2904/B,

the administrative procedure in the matter of issuing an authorization for the management of nuclear material at a nuclear installation Atomic Power Plant Mochovce WWER 4x440 MW, structure 3 (hereinafter also as “MO 3 & 4”) pursuant to Section 5 par. (3) g) of the Act in the scope of handling and storage of nuclear fuel in the fresh fuel node (hereinafter also the “Administrative Procedure No. 1.1“)

At the same time **calls on** Slovenské elektrárne, a. s., pursuant to Section 19 par. 3 of the Administrative Procedure Code, considering Section 3 par. 4 of the Administrative

Procedure Code, to remove the deficiencies of the submission listed in Annex 1 to the letter of the Authority No. 5260/2017 of 22 August 2017 by 15 February 2018.

If these deficiencies are not remedied within the set time limit, the Administrative Procedure No. 1.1 will be suspended in accordance with the provision of Section 30 par. 1d) of the Administrative Procedure Code and Section 8 par. 8 of the Act.

The Administrative Procedure No. 1.1, pursuant to Section 29 par. 4 of the Administrative Procedure Code, shall continue after removal of identified deficiencies of the submission as listed in the Annex 1 to the letter of the Authority ref. No. 5260/2017, and at the same time with reference to Section 6 par. 2e) of the Act, after complementing the protocols on the readiness of all equipment of the fresh fuel node for the commissioning, including the electrical fire alarm systems and air-conditioning systems for the rooms.

At the same time the Authority **calls on** Slovenské elektrárne, a. s., to submit the protocols on the readiness of all equipment of the fresh fuel node no later than 12 months after the date of delivery of this Decision. Their submission is necessary according to Section 3 par. 5 of the Administrative Procedure Code, with reference to Section 6 par. 2e) of the Act, for the reliable determination of the state of affairs, and the issue of a decision in the matter.

If the Protocols on the readiness of all equipment of the fresh fuel node are not submitted within the set time limit, the Administrative Procedure No. 1.1, in accordance with the provision of Section 30 par. 1d) of the Administrative Procedure Code and Section 8 par. 8 of the Act, shall be suspended.

Pursuant to Section 29 par. 1 of the Administrative Procedure Code and pursuant to Section 8 par. 7 of the Act:

interrupts

the administrative procedure in the matter of issuing authorization for the commissioning of a nuclear installation MO 3 & 4 under Section 5 par. 3b) of the Act in the scope of handling and storage of fresh nuclear fuel in the fresh fuel node SO 800/1-02 Reactor Hall II of the main generating block (referred to also as “Administrative procedure No. 1.2”)

At the same time **calls on** Slovenské elektrárne, a. s., pursuant to Section 19 par. 3 of the Administrative Procedure Code, considering Section 3 par. 4 of the Administrative Procedure Code, to remove the shortcomings of the submission listed in Annex 2 to the letter of the Authority No. 5260/2017 of 22 August 2017 by 15 February 2018.

If these deficiencies are not remedied within the set time limit, the administrative procedure No. 1.2 will be suspended in accordance with the provision of Section 30 par. 1d) of the Administrative Procedure Code and Section 8 par. 8 of the Act.

The Administrative Procedure No. 1.2 pursuant to Section 29 par. 4 of the Administrative Procedure Code, shall continue after removal of identified deficiencies of the submission in the Administrative Procedure No. 1.1 as listed in the Annex 1 to the Authority's letter ref. No. 5260/2017, and at the same time after removal of deficiencies of the submission identified by the Authority in the Administrative Procedure No. 1.2 (these deficiencies of the submission are listed in Annex 2 to the Authority's letter ref. No. 5260/2017), and at the same time with

reference to Annex 1 section C par. s) of the Act, upon submission of a document on the readiness of all facilities of the fresh fuel node for operation, including the electrical fire alarm and air-conditioning in the rooms.

At the same time the Authority **calls on** Slovenské elektrárne, a. s., to submit the document on the readiness of all facilities of the fresh fuel node to the Authority no later than 12 months after the date of delivery of this Decision. Its submission is necessary according to Section 3 par. 5 of the Administrative Procedure Code, with reference to Annex 1 section C par. s) of the Act, for the reliable determination of the state of affairs, and the issue of a decision in the matter.

If the document on the readiness of all facilities of the fresh fuel node for commissioning is not submitted within the set time limit, the Administrative Procedure No. 1.2, in accordance with the provision of Section 30 par. 1d) of the Administrative Procedure Code and Section 8 par. 8 of the Act, shall be suspended.

Pursuant to Section 29 par. 1 of the Administrative Procedure Code and pursuant to Section 8 par. 7 of the Act

interrupts

the administrative procedure in the matter of issuing permission for an early use of the building, Atomic Power Plant Mochovce WWER 4×440 MW structure 3, under the provisions of Section 83 of Act No. 50/1976 Coll. on spatial planning and building regulations (the Building Act) as amended (also as the “Building Act”) and pursuant to Section 5 par. 3b) of the Act and Section 19 par. 3 of the Act and within the scope of handling and storage of fresh nuclear fuel in the fresh fuel node (also as the “Administrative Procedure No. 1.3”)

At the same time **calls on** Slovenské elektrárne, a. s., pursuant to Section 19 par. 3 of the Administrative Procedure Code, considering Section 3 par. 4 of the Administrative Procedure Code, to remove the shortcomings of the submission listed in Annex 3 to the letter of the Authority No. 5260/2017 of 22 August 2017 by 15 February 2018.

If these deficiencies are not remedied within the set time limit, the Administrative Procedure No. 1.3 will be suspended in accordance with the provision of Section 30 par. 1d) of the Administrative Procedure Code and Section 8 par. 8 of the Act.

At the same time **calls on** Slovenské elektrárne, a. s., pursuant to Sections 80 to 84 of the Building Act, and pursuant to Section 19 par. 3 of the Administrative procedure code, considering Section 3 par. 4 of the administrative procedure code, to complete the documentation for the local investigation according to Annex 4 to the Authority’s letter ref. No.5260/2017 of 22 August 2017. The latest deadline for the completion of this documentation for the proceeding is linked to the time limits for issuing the authorization in the Administrative Procedure No. 1.2 under Section 8 par. 5c) of the Act in connection with Section 6 par. 2j) of the Act, and Section 80 par. 1 of the Building Act, and Section 17 par. 2d) of the MŽP SR Decree No. 453/2000 Coll., implementing certain provisions of the Building Act.

If the documentation for the local investigation for the fresh fuel node is not submitted within the set deadline, the Administrative Procedure No. 1.3 in accordance with the provision of Section 30 par. 1d) of the administrative procedure code and Section 8 par. 8 of the Act, shall be suspended.

The Administrative Procedure No. 1.3, pursuant to Section 29 par. 4 of the Administrative procedure, shall continue after removal of identified deficiencies of the submissions in the Administrative Procedure No. 1.1 (as listed in Annex 1 to the Authority's letter ref. No. 5260/2017) and No. 1.2 (as listed in Annex 2 to the Authority's letter ref. No. 5260/2017), and at the same time after providing the document on the readiness of all facilities of the fresh fuel node for operation, including the electrical fire alarm and air-conditioning in the rooms, and after complementing the documentation for the local investigation for the fresh fuel node pursuant to Sections 80 to 84 of the Building Act (according to Annex 4 to the Authority's letter ref. No. 5260/2017).

Pursuant to Section 29 par. 1 of the Administrative Procedure Code and pursuant to Section 8 par. 7 of the Act

interrupts

the administrative procedure in the matter of issuing authorization for the management of radioactive waste and spent nuclear fuel pursuant to Section 5 par. 3 f) of the Act, within the scope of buildings and facilities for operation of Unit 3, and within the scope of buildings and facilities common for Units 3 & 4 used for operation of Unit 3, including the fresh fuel node (also as "Administrative Procedure No. 2.1"),

At the same time **calls on** Slovenské elektrárne, a. s., pursuant to Section 19 par. 3 of the Administrative Procedure Code, considering Section 3 par. 4 of the Administrative Procedure Code, to remove the shortcomings of the submission listed in Annex 1 to the letter of the Authority No. 5263/2017 of 22 August 2017 by 15 February 2018.

If the deficiencies of the submission will not be removed within the specified time limit, the Administrative Procedure No. 2.1 in accordance with the provision of Section 30 par. 1d) of the administrative procedure code and pursuant to Section 8 par. 8 of the Act, shall be suspended.

At the same time the Authority, with reference to Section 6 par. 2e) of the Act, **calls on** Slovenské elektrárne, a. s., to complete the submission in the Administrative Procedure No. 2.1 with the Protocols on successful completion of tests of facilities for the management of radioactive waste and spent nuclear fuel for the operation of Unit 3, and within the scope of facilities common for Units 3 & 4 and used for operation of Unit 3, including the fresh fuel node, and with the timetable for further testing of these facilities, which need to be performed prior to launching the commissioning of Unit 3. These Protocols and the timetable are required by the Authority to be submitted according to the status of the tests as at the same deadline as for the evaluation of tests of facilities of Unit 3 or a preliminary document on the readiness of systems and facilities of Unit 3 of MO 3 & 4 for commissioning (paragraph 1 of the operative part of the Decision in the Administrative Procedure No. 2.2), no later than within 12 months from the delivery of this Decision. Their submission is needed pursuant to

Section 3 par. 5 of the administrative procedure code with reference to Section 6 par. 2e) of the Act, for the reliable determination of the state of affairs, and the issue of a decision in the matter.

If the protocols and the timetable in question are not submitted within the specified time limit, the Administrative Procedure No. 2.1 in accordance with the provision of Section 30 par. 1d) of the administrative procedure code and Section 8 par. 8 of the Act, shall be suspended.

The Administrative Procedure No. 2.1 pursuant to Section 29 par. 4 of the Administrative Procedure Code, shall continue after removal of identified deficiencies of the submission as listed in Annex 1 to the Authority's letter ref. No. 5263/2017, and at the same time with reference to Section 6 par. 2e) of the Act, after completing the relevant protocols on the tests carried out on the facilities for the management of radioactive waste and spent nuclear fuel for the operation of Unit 3, and in the scope of facilities common for Units 3 & 4 and used for operation of Unit 3, including the fresh fuel node and the timetable for further tests of these facilities that need to be carried out prior to the commencement of commissioning of Unit 3.

Pursuant to Section 29 par. 1 of the Administrative Procedure Code and pursuant to Section 8 par. 7 of the Act

interrupts

the administrative procedure in the matter of issuing authorization for the commissioning of a nuclear installation under Section 5 par. 3b) in the scope of buildings and facilities for the operation of Unit 3, and in the scope of buildings and facilities common for Units 3 & 4, used for operation of Unit 3 (also as "Administrative Procedure No. 2.2")

At the same time **calls on** Slovenské elektrárne, a. s., pursuant to Section 19 par. 3 of the Administrative Procedure Code, considering Section 3 par. 4 of the Administrative Procedure Code, to remove the shortcomings of the submission listed in Annex 2 to the letter of the Authority No. 5263/2017 of 22 August 2017 by 15 February 2018.

If the deficiencies of the submission will not be removed within the specified time limit, the Administrative Procedure No. 2.2 in accordance with the provision of Section 30 par. 1d) of the administrative procedure code and pursuant to Section 8 par. 8 of the Act, shall be suspended.

At the same time the Authority **calls on** Slovenské elektrárne, a. s., to complete the submission in the Administrative Procedure No. 2.2 as follows:

- 1) with reference to Section 6 par. 2e) of the Act, and Annex 1, section C par. s) of the Act on evaluation of tests of the systems and facilities of Unit 3 or a preliminary document on the readiness of the systems and facilities of Unit 3 of MO 3 & 4 for commissioning, which will confirm the high degree of its readiness to start the phase part of inactive tests for Unit 3 of MO 3 & 4. The Authority's requirements for evaluation/preliminary document on the readiness of systems and facilities of Unit 3 are stated in Annex 3 to the Authority's letter, ref. No. 5263/2017.
- 2) with reference to Annex 1, section C par. r) of the Act, in connection with Section 24 of the Act, and Section 16 of ÚJD SR Decree No. 52/2006 Coll. on professional

competence as amended, documents confirming fulfilment of qualification requirements for the employees of Slovenské elektrárne, a. s. to perform activities with direct impact on nuclear safety (selected employees of Slovenské elektrárne, a. s.) and with impact on nuclear safety (professionally competent staff of Slovenské elektrárne, a. s.) for the commissioning of Unit 3 of MO 3 & 4. Authority's requirements for confirmation of meeting the qualification requirements for the employees of Slovenské elektrárne, a. s. for the commissioning of Unit 3 of MO 3 & 4 are listed in Annex 3 to the Authority's letter, ref. No. 5263/2017.

The Authority **calls on** Slovenské elektrárne, a. s. to complete the submission according to par. 1) and 2) no later than 12 months after the delivery of this Decision. Their completion is needed pursuant to Section 3 par. 5 of the administrative procedure code with reference to Section 6 par. 2e) of the Act, and Annex 1 section C par. r) and s) of the Act, for the reliable determination of the state of affairs, and the issue of a decision in the matter.

If the relevant evaluation of tests of facilities of Unit 3 or the preliminary document on the readiness of the systems and facilities of Unit 3 of MO 3 & 4 for the commissioning and the required documents, confirmation of meeting the qualification requirements for the employees of Slovenské elektrárne, a. s., are not submitted within the specified time limit, the Administrative Procedure No. 2.2 in accordance with the provisions of Section 30 par. 1d) of the administrative procedure code, and Section 8 par. 8 of the Act, will be suspended.

The Administrative Procedure No. 2.2, according to Section 29 par. 4 of the Administrative Procedure Code, shall continue after removal of identified deficiencies in the submission in the Administrative Procedure No. 2.1, listed in Annex 1 to the Authority's letter, ref. No. 5263/2017, and at the same time after removal of deficiencies in the submission identified by the Authority in the Administrative Procedure No. 2.2 (deficiencies in the submission are listed in Annex 2 to the Authority's letter, ref. No. 5263/2017), and at the same time after completing the submission with the relevant evaluation of tests of facilities and systems of Unit 3 or the preliminary document on the readiness of the systems and facilities of Unit 3 of MO 3 & 4 for commissioning, and also the documents confirming the meeting of the qualification requirements for the employees of Slovenské elektrárne, a. s., for the commissioning of Unit 3 of MO 3 & 4.

Pursuant to Section 29 par. 1 of the Administrative Procedure Code and pursuant to Section 8 par. 7 of the Act

interrupts

the administrative procedure in the matter of issuing permission for an early use of the building pursuant to the provisions of Section 83 of Act No. 50/1976 Coll. on spatial planning and building regulations (the Building Act) as amended, and pursuant to Section 5 par. 3b) of the Act, and Section 19 par. 3 of the Act within the scope of buildings and facilities for the operation of Unit 3 and within the scope of buildings and facilities common for Units 3 & 4, used for operation of Unit 3 (also as "Administrative Procedure No. 2.3")

At the same time **calls on** Slovenské elektrárne, a. s., pursuant to Sections 80 to 84 of the Building Act, and pursuant to Section 19 par. 3 of the Administrative Procedure Code considering Section 3 par. 4 of the administrative procedure code, to complete the documentation for the local investigation according to Annex 4 to the Authority's letter ref. No. 5263/2017 of 22 August 2017 for all buildings of Unit 3 of MO 3 & 4, and common building objects for Units 3 & 4 of MO 3 & 4, which are needed for the operation of Unit 3 of MO 3 & 4, within a period of no more than 12 months from the fulfilment of conditions for the continuation of the Administrative Procedure No. 2.2, which are specified in the operative part of this Decision for the Administrative Procedure No. 2.2.

If the documentation according to Annex 4 to the Authority's letter ref. No. 5263/2017 of 22 August 2017, for all building objects of Unit 3 of MO 3 & 4, and the common building objects for Units 3 & 4 of MO 3 & 4 needed for the operation of Unit 3 of MO 3 & 4 is not submitted within the specified deadline, the Administrative Procedure No. 2.3 in accordance with the provisions of Section 30 par. 1d) of the Administrative Procedure Code and Section 8 par. 8 of the Act, will be suspended.

The administrative procedure No. 2.3 according to Section 29 par. 4 of the Administrative Code will continue after removal of deficiencies in the Administrative Procedure No. 2.1 (listed in Annex 1 to the Authority's letter ref. No. 5263/2017) and No. 2.2 (listed in Annex 2 to the Authority's letter ref. No. 5263/2017), and after completion of the documentation for the local investigation pursuant to Sections 80 to 84 of the Building Act according to Annex 4 to the Authority's letter ref. No. 5263/2017 for individual building object of Unit 3 of MO 3 & 4, and the common objects for Units 3 & 4, which are needed for the operation of Unit 3.

Pursuant to Section 29 par. 1 of the Administrative Procedure Code and pursuant to Section 8 par. 7 of the Act

interrupts

the administrative procedure in the matter of issuing authorization for the management of radioactive waste and spent nuclear fuel pursuant to Section 5 par. 3 f) of Act within the scope of objects and facilities for operation of Unit 4, and within the scope of objects and facilities common for Units 3 & 4 used for operation of Unit 4 (also as "Administrative Procedure No. 3.1")

At the same time **calls on** Slovenské elektrárne, a. s., pursuant to Section 19 par. 3 of the Administrative Procedure Code, considering Section 3 par. 4 of the Administrative Procedure Code to remove the shortcomings of the submission listed in Annex 1 to the Authority's letter ref. No. 5263/2017 of 22 August 2017, and which are common for the Administrative Procedures Nos. 2.1 and 3.1.

If the deficiencies of the submission will not be removed within the specified time limit, the Administrative Procedure No. 3.1 in accordance with the provisions of Section 30 par. 1d) of the administrative procedure code, and Section 8 par. 8 of the Act, will be suspended.

At the same time the Authority, with reference to Section 6 par. 2e) of the Act, **calls on** Slovenské elektrárne, a. s., to complete the submission in the Administrative Procedure No.

2.1 with the Protocols on successful completion of tests of facilities for the management of radioactive waste and spent nuclear fuel for the operation of Unit 4, and within the scope of facilities common for Units 3 & 4 and used for operation of Unit 4, and on the timetable of further tests of these facilities, which need to be performed prior to commissioning of Unit 4 of MO 3 & 4, not later than 12 months after the delivery of this Decision. Their submission is needed pursuant to Section 3 par. 5 of the Administrative Code with reference to Section 6 par. 2e) of the Act, for the reliable determination of the state of affairs, and the issue of a decision in the matter.

If the protocols and the timetable are not submitted within the specified time limit, the Administrative Procedure No. 3.1 in accordance with the provisions of Section 30 par. 1d) of the Administrative Procedure Code, and Section 8 par. 8 of the Act, shall be suspended.

The Administrative Procedure No. 3.1, according to Section 29 par. 4 of the Administrative Procedure Code, shall continue after removal of identified deficiencies of the submission (as listed in Annex 1 to the Authority's letter ref. No. 5263/2017), and after completing the submission with the protocols on testing the facilities for the management of radioactive waste and spent nuclear fuel for Unit 4 of MO 3 & 4 and the timetable of their further tests.

Pursuant to Section 29 par. 1 of the Administrative Procedure Code and pursuant to Section 8 par. 7 of the Act

interrupts

the administrative procedure in the matter of issuing authorization for the commissioning of nuclear installation pursuant to Section 5 par. 3 b within the scope of objects and facilities for operation of Unit 4 and within the scope of objects and facilities common for Units 3 & 4 used for operation of Unit 4 (also as "Administrative Procedure No. 3.2")

At the same time **calls on** Slovenské elektrárne, a. s., pursuant to Section 19 par. 3 of the Administrative Procedure Code, considering Section 3 par. 4 of the Administrative Procedure Code to remove the deficiencies of the submission listed in Annex 1 to the Authority's letter ref. No. 5265/2017 of 22 August 2017 by 15 February 2018.

If the deficiencies of the submission will not be removed within the specified time limit, the Administrative Procedure No. 3.2 in accordance with the provisions of Section 30 par. 1d) of the administrative procedure code, and Section 8 par. 8 of the Act, will be suspended.

At the same time the Authority, with reference to Section 6 par. 2e) of the Act, and Annex 1 section C par. s) of the Act **calls on** Slovenské elektrárne, a. s., to complete the submission in the Administrative Procedure No. 3.2 with the evaluation of the state of tests of systems and facilities of Unit 4 of MO 3 & 4, and the timetable of tests of systems of Unit 4 of MO 3 & 4, which will be based on the above evaluation, and no later than 12 months after the delivery of this Decision. Their completion is needed pursuant to Section 3 par. 5 of the Administrative Procedure Code with reference to Section 6 par. 2e) of the Act, for the reliable determination of the state of affairs, and the issue of a decision in the matter. The requirements of the Authority for the preliminary evaluation of the state of tests of systems and facilities of Unit 4 and the timetable of tests are given in Annex 2 to the Authority's letter ref. No. 5265/2017.

If the evaluation and the timetable are not submitted within the specified time limit, the Administrative Procedure No. 3.2, in accordance with the provisions Section 30 par. 1d) of the Administrative Procedure Code and Section 8 par. 8 of the Act, shall be suspended.

The Administrative Procedure No. 3.2, pursuant to Section 29 par. 4 of the Administrative Procedure Code, will continue after removal of the deficiencies in the submission, which are identified by the Authority in the Administrative Procedure No. 3.1 (the deficiencies of the submission are listed in Annex 1 to the Authority's letter ref. No. 5263/2017 and are common for the administrative procedures Nos. 2.1 and 3.1), and at the same time after removal of deficiencies in the submission, which are identified by the Authority in the Administrative Procedure No. 3.2 (the deficiencies in the submission are listed in Annex 1 to the Authority's letter ref. No. 5265/2017), and with reference to Section 6 par. 2e) of the Act and Annex 1 section C pa. s) of the Act, after delivery of evaluation of the state of tests of systems and facilities of Unit 4 of MO 3 & 4, and the timetable for the tests of systems of Unit 4 of MO 3 & 4, which will be based on such evaluation.

Pursuant to Section 29 par. 1 of the Administrative Procedure Code and pursuant to Section 8 par. 7 of the Act

interrupts

the administrative procedure in the matter of issuing permission for an early use of the building pursuant to the provisions of Section 83 of Act No. 50/1976 Coll. on spatial planning and building regulations (the Building Act) as amended, and pursuant to Section 5 par. 3b) of the Act, and Section 19 par. 3 of the Act within the scope of buildings and facilities for the operation of Unit 4, and within the scope of objects and facilities common for Units 3 & 4 used for the operation of Unit 4 (also as "Administrative Procedure No. 3.3")

At the same time **calls on** Slovenské elektrárne, a. s., pursuant to Sections 80 to 84 of the Building Act, and pursuant to Section 19 par. 3 of the Administrative Procedure Code considering Section 3 par. 4 of the Administrative Procedure Code, to complete the documentation for the local investigation according to Annex 3 to the Authority's letter ref. No. 5265/2017 of 22 August 2017 for the building objects of Unit 4 of MO 3 & 4, and within the scope of objects and facilities common for Units 3 & 4 used for operation of Unit 4 in accordance with the readiness of individual building objects of Unit 4 of MO 3 & 4 for the local investigation.

The Administrative Procedure No. 3.3, according to Section 29 par. 4 of the Administrative Procedure Code, will continue after removal of deficiencies in the administrative procedures No. 3.1 (as listed in Annex 1 to the Authority's letter ref. No. 5263/2017 of 22 August 2017 and are common for the administrative procedures Nos. 2.1 and 3.1) and 3.2 (as listed in Annex 1 to the Authority's letter ref. No. 5265/2017 of 22 August 2017), and after completing the documentation for the local investigation pursuant to Sections 80 to 84 of the Building Act according to Annex 3 to the Authority's letter ref. No. 5265/2017 for individual building objects of Unit 4 of MO 3 & 4, and within the scope of objects and facilities common for Units 3 & 4 used for operation of Unit 4.

Justification

The Nuclear Regulatory Authority of the Slovak Republic based on the application by Slovenské elektrárne, a. s., of 12 December 2016 ref. No. SE2016/077759, on 12 December 2016 commenced an administrative procedure in respect of the application of SE, a. s., for an authorization for:

- Management of nuclear material in the nuclear facility of MO 3 & 4 pursuant to Section 5 par. 3g) of the Act, within the scope of handling and storage of nuclear fuel in the fresh fuel node,
- Commissioning of nuclear installation of MO 3 & 4 pursuant to Section 5 par. 3b) of the Act within the scope of handling and storage of fresh nuclear fuel in the fresh fuel node SO 800/1-02 Reactor Hall II. HVB,
- For an early use of the building, the Atomic Power Plant Mochovce WWER 4×440 MW structure 3, according to the provisions of Section 83 of the Building Act, and pursuant to Section 5 par. 3b) of the Act, and Section 19 par. 3 of the Act, parts of the structure within the scope of handling and storage of fresh nuclear fuel in the fresh fuel node,
- Management of radioactive waste and spent nuclear fuel in the nuclear facility of MO 3 & 4 pursuant to Section 5 par. 3f) of the Act within the scope of objects and facilities for the operation of Unit 3, and within the scope of objects and facilities common for Units 3 & 4 used for operation of Unit 3 (including the fresh fuel node),
- Commissioning of nuclear installation of MO 3 & 4 pursuant to Section 5 par. 3b) of the Act, within the scope of objects and facilities for the operation of Unit 3, and within the scope of objects and facilities common for Units 3 & 4 used for operation of Unit 3,
- Early use of the building of the Atomic Power Plant Mochovce WWER 4x440 MW, structure 3, pursuant to provisions of Section 83 of the Building Act, and pursuant to Section 5 par. 3b) of Act, and Section 19 par. 3 of the Act, within the scope of objects and facilities for operation of Unit 3, and within the scope of objects and facilities common for Units 3 & 4 used for operation of Unit 3,
- Management of radioactive waste and spent nuclear fuel in the nuclear installation of MO 3 & 4 pursuant to Section 5 par. 3f) of the Act, within the scope of objects and facilities for the operation of Unit 4, and within the scope of objects and facilities common for Units 3 & 4 used for operation of Unit 4,
- Commissioning of nuclear installation of MO 3 & 4 pursuant to Section 5 par. 3b) of the Act, within the scope of objects and facilities for the operation of Unit 4, and within the scope of objects and facilities common for Units 3 & 4 used for operation of Unit 4,
- Early use of the building of the Atomic Power Plant Mochovce WWER 4×440 MW structure 3, pursuant to provisions of Section 83 of the Building Act, and pursuant to Section 5 par. 3b) of Act, and Section 19 par. 3 of the Act, within the scope of objects and facilities for operation of Unit 4, and within the scope of objects and facilities common for Units 3 & 4 used for operation of Unit 4.

Part of the submission is the documentation registered in file No. 3720-2016.

Following a preliminary assessment of the documentation submitted by Slovenské elektrárne, a. s., to the Authority within the above mentioned administrative procedures, due to its considerable scope (377 annexes) and the need to adapt this

documentation for consulting the file (removal of sensitive information pursuant to Section 3 par. 16 and 17 of the Act), pursuant to Section 49 par. 2 of the Administrative Procedure Code, the appellate administrative body (the Chairperson of ÚJD SR as the body authorized to decide about an appeal) extended the period for the decision-making by a letter No. 626/2017 of 01 February 2017.

After removing sensitive information from the documentation according to the internal guideline of the Authority for the identification and removal of sensitive information from the documentation, the documentation was made available for the purpose of consulting the file according to Section 23 of the Administrative Procedure Code with reference to Section 33 par. 2 of the Administrative Procedure Code in the period from 16 March 2017 until 30 June 2017. The parties to the proceeding, who made use of the possibility of having access to the file, filed their comments on the documentation, which are contained in the Minutes from the consultations of the file or sent them in writing within the given deadline by 31 July 2017. The Authority is obliged to deal with these comments according to Section 32 of the Administrative Procedure Code and for that reason incorporated the material comments made by the parties into a list of deficiencies in the submission. The parties were informed in writing about the course of the proceeding (initiation of the proceeding, extension of the time limit for taking the decision, disclosing the documentation for the purpose of consulting the file). The public has been continuously informed about these facts on the website of the Authority, by notices on the Central Public Administration Portal, and public announcements in the municipalities Kalná nad Hronom and Nový Tekov.

Upon completion of the preliminary assessment the Authority has proceeded to assess the contents of the submitted documentation, assessing in particular the compliance of the content of the documentation with the legislative requirements. Pursuant to Section 3 par. 2 of the Administrative Procedure Code, the Authority proceeded in close cooperation with the applicant, and at a working level gradually agreed on the manner of incorporating most of the Authority's comments into the relevant documentation. The result of the evaluation is comments made by the Authority on the documentation that were sent to Slovenské elektrárne, a. s., in a form of letters (references to the relevant letters of the Authority are given in the operative part of the Decision).

Following the assessment of the submitted documentation the Authority concluded that the applicant must eliminate the deficiencies in the submission or shall complete its submission. Deficiencies in the submission were sent to the applicant in writing, in a form of letters, their reg. Nos. are given in the operative part of this Decision.

The Authority notes that the deficiencies in submission, in various administrative procedures that are mentioned in the operative part of this Decision, can be divided into two groups:

- 1) Deficiencies in the submission that are caused by the state of readiness of the nuclear installation of MO 3 & 4 to perform the required tests and document their results. This documentation, for the given reason, is not available to Slovenské elektrárne, a. s., at this point, in the submission, however, it was identified with a note that it will be delivered to the Authority gradually, as the works progress and achieve the level of readiness of the nuclear facility for these tests. By supplying part of this documentation, Slovenské elektrárne, a. s., will confirm sufficient preparedness of the facility for the continuation of works leading to the commissioning of the nuclear installation. The Authority has set a reasonable time period for completing this documentation for submission.

- 2) Deficiencies in the documentation already delivered to the Authority. The Authority identified deficiencies in this documentation and in the operative part of this Decision provided for a reasonable time period for their elimination. The Authority set a shorter deadline to remedy the deficiencies in the documentation than to remedy the deficiencies in the submission under point 1), considering the relatively small number of comments, whose incorporation into the documentation still needs to be resolved.

The Authority will continue in the individual administrative proceedings in accordance with Section 29 par. 4 of the Administrative Code, if the party removes all the deficiencies in the submissions in full and within the specified time limit as listed in the operative part of this Decision.

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

Guidance

According to Section 29 par. 3 of the Administrative Procedure Code, no appeal can be filed against this Decision on interrupting the proceeding.

The Decision cannot be reviewed by a court.

In Trnava, 23 August 2017

Ing. Imrich Smrtník
Director, Nuclear Safety Department

The Decision shall be delivered to:

- 1) Slovenské elektrárne, a. s., Mlynské nivy 47, 821 09 Bratislava
- 2) Obec Nový Tekov, starosta obce, Obecný úrad Nový Tekov, 935 33 Nový Tekov + verejná vyhláška
- 3) Obecný úrad Kalná nad Hronom, starosta obce, Červenej armády ČA 55, 935 32 Kalná nad Hronom + verejná vyhláška
- 4) Inšpektorát práce Nitra, Jelenecká 49, 950 38 Nitra
- 5) Ministerstvo dopravy, výstavby a regionálneho rozvoja SR, Sekcia železničnej dopravy a dráh, dráhový stavebný úrad, P. O. box 100, Námestie Slobody 6, 810 05 Bratislava
- 6) Ministerstvo životného prostredia SR, Sekcia environmentálneho hodnotenia a odpadového hospodárstva, odbor posudzovania vplyvov na životné prostredie, Nám. E. Štúra 1, 812 35 Bratislava 1
- 7) Ministerstvo vnútra SR, Prezídium Hasičského a záchranného zboru, Drieňová 22, 826 86 Bratislava

- 8) Krajské riaditeľstvo Hasičského a záchranného zboru v Nitre, Dolnočermánska 64, 949 11 Nitra
- 9) Ministerstvo zdravotníctva SR, Limbová 2, P.O.BOX 52, 837 52 Bratislava 37
- 10) Úrad verejného zdravotníctva SR, Trnavská cesta 52, P.O.BOX 45, 826 45 Bratislava
- 11) Regionálny úrad verejného zdravotníctva so sídlom v Leviciach, Komenského 4, 934 38 Levice
- 12) Dopravný úrad, Letisko M. R. Štefánika, 823 05 Bratislava
- 13) Ministerstvo hospodárstva SR, Mierová 19, 827 15 Bratislava 212
- 14) Slovenská agentúra životného prostredia, Tajovského 28, 975 90 Banská Bystrica
- 15) Okresný úrad Levice, odbor cestnej dopravy a pozemných komunikácií, ulica Ľudovíta Štúra 53, 934 03 Levice
- 16) Okresný úrad Levice, odbor starostlivosti o životné prostredie, Dopravná 14, 934 03 Levice
- 17) Okresný úrad Nitra, Odbor krízového riadenia, Štefánikova tr. 69, 949 01 Nitra
- 18) Slovenské elektrárne, a. s., Závod 3. a 4. blok Elektrárne Mochovce, 935 39 Mochovce
- 19) Ústredný portál verejnej správy SR
- 20) Okresný úrad Nitra, Odbor starostlivosti o životné prostredie, Štefánikova trieda 69, 949 01 Nitra
- 21) Okresný úrad Nitra, Odbor opravných prostriedkov, Štefánikova trieda 69, 949 01 Nitra
- 22) Úrad Nitrianskeho samosprávneho kraja, Rázusova 2A, 949 01 Nitra
- 23) Slovenský vodohospodársky podnik, Odštepny závod Banská Bystrica, Partizánska cesta 69, 974 98 Banská Bystrica
- 24) Ústav jaderného výskumu Řež, a. s., divize EGP Praha, Na Žertvách 2247/29, 180 00 Praha 8 – Libeň, ČR
- 25) Obec Starý Tekov, Tekovská 1, 935 26 Starý Tekov
- 26) Obec Veľký Ďur, Hlavná 80, 935 34 Veľký Ďur
- 27) Mesto Tlmače, Nám. odbojárov 10, 935 21 Tlmače
- 28) Obec Malé Kozmálovce, Obecný úrad 1, 935 21 Tlmače
- 29) Obecný úrad Nemčiňany, č. 128, 951 81 Nemčiňany
- 30) Greenpeace Slovensko, Vančurova 7, P. O. Box 58, 814 99 Bratislava 1
- 31) Združenie Slatinka, A. Sládkoviča 2, 960 01 Zvolen
- 32) Spoločnosť priateľov Slatinky, Poštová 6565/6, 917 01 Trnava
- 33) VLK VÝCHODNÉ KARPATY, Ul. Kpt. Nálepku 102, 069 01 Snina
- 34) Občianske združenie Za matku Zem, Radlinského 39, P.O.Box 93, 814 99 Bratislava
- 35) Za matku Zem, Mlynské nivy 37, 824 91 Bratislava
- 36) Ing. Jozef Križan, Adlerova 21, 040 22 Košice
- 37) Ing. Jozef Pacala, Starý Tekov
- 38) Mgr. Michal Jesenič, Súťažná 1, 821 08 Bratislava
- 39) Ing. Ľubomír Sikeľ, starosta obce, Veľké Kozmálovce 178, 935 21 Veľké Kozmálovce
- 40) Dalibor Stráský, Žižkovo náměstí 80, 373 12 Borovany, Česká republika
- 41) Mr. Jorgo Riss, Director, Greenpeace European Unit, Rue Belliard 199, 1040 Brussels, Belgium
- 42) Mr. Jan Haverkamp, EU Policy campaigner dirty energy, Greenpeace European Unit, Rue Belliard 199, 1040 Brussels, Belgium
- 43) Prof.Dr. Hubert Weiger, Bund für Umwelt und Naturschutz Deutschland, Am Köllnischen Park 1, 10179 Berlin, Germany
- 44) Office of the Lower Austrian Land Government, Department of Spatial Planning and EU Regional Policy, Landhausplatz 1, A-3109 St.Pölten, Austria

- 45) Mag. Ulli Sima, Amtsführende Stadtratin für Umwelt von Wien, Rathaus, A-1082 Wien Austria
- 46) Wiener Umweltschutzwirtschaft und Atomschutzbeauftragte der Stadt Wien, Muthgasse 62, 1190 Wien, Austria
- 47) Der Grüne Klub im Parlament, 1017 Wien, Austria
- 48) Dipl. Ing. Dr. Constance Sperka-Gottlieb, Amt der Salzburger Landesregierung, Postfach 527, 5010 Salzburg, Austria
- 49) Ing. Kurt Fink, Amt der Steiermarkischen Landesregierung, Abteilung 13, Landhausgasse 7, 8010 Graz, Austria
- 50) Ms. Sandra Trenovatz, Hauptstrasse 35, Klostermarnberg, 7444 Mannersdorf a.d.R., Austria
- 51) Mr. Harald Mark, Keseweg 73, A-6710 Nenzing, Austria
- 52) Dr. Peter Weish, Das Forum Wissenschaft & Umwelt, Mariahilfer Str. 77-79, 1060 Wien, Austria
- 53) Dipl. Ing. Josef Korber, Höhenweg 32, 8044 Graz – Maria Trost, Austria
- 54) Umweltschutzorganisation, GLOBAL 2000/ Friends of Earth Austria, Neustiftgasse 36, 1070 Wien, Austria
- 55) Dipl. Ing. Dalibor Strasky, Amt der Oberösterreich Landesregierung, Anti-Atom-Beauftragter, Kärntnerstraße 10-12, 4021 Linz, Austria
- 56) Ms. Waltraud Petek, Federal Ministry of Agriculture, Forestry, Environment and Water Management, Stubenbastei 5, A-1010 Wien, Austria
- 57) Mr. Gerald Smolle, Steinbruchweg 5, 9360 Friesach, Austria
- 58) Mr. Wolfgang Goebel, Geisstusgasse 2, 1100 Wien, Austria
- 59) Mr. Egger Konrad, Dr. Eduard Fugger Str. 11, 5083 St. Leonhard, Austria
- 60) Mr. Lothar Berlich Grooden, Rillen Nr.5, 29584 Gross Thondorf, Germany
- 61) Ms. Virág Pomozi, Hungarian Ministry of Agriculture, Department of Environmental Preservation, Kossuth Lajos tér 11, H-1055 Budapest, Hungary
- 62) Greenpeace Magyarország Egyesület, Barbara Stoll, Zászlós utca 54, 1143 Budapest (Zugló), Hungary
- 63) Eliška Dvorská, Department of EIA and Integrated Prevention, Ministry of the Environment, Vršovická 65, 100 10 Praha 10, Česká republika
- 64) Ms. Katarzyna Twardowska, Deputy Director, Department of Environmental Impact Assessment, General Directorate for Environmental Protection, Wawelska St. 52/54, 00-922 Warsaw, Poland
- 65) Mr. Michael Henzler, Bayerisches Staatsministerium für Umwelt und Gesundheit, Rosenkavalierplatz 2, 81 925 München, Germany
- 66) Ms. Julia Paul, Federal Ministry for the Environment, Building, Nature Conservation and Nuclear Safety, Division G I 2, Stresemannstraße 128-130, D-10117 Berlin, Germany
- 67) Mr. Kristóf Horváth, Deputy Director General of HAEA, Hungarian Atomic Energy Authority, Fényes Adolf utca 4., H-1036 Budapest, Hungary
- 68) Zdeněk Típek, Deputy Chairman for Nuclear Safety, Státní úřad pro jadernou bezpečnost, Senovážné náměstí 9, 110 00 Praha, Česká republika
- 69) Mr. Michal Koc, Head, Coordination and Planning Division, President's Office, National Atomic Energy Agency, Państwowa Agencja Atomistyki, Krucza 36, 00-522 Warsaw, Poland
- 70) Mr. Andreas Molin, Director, Directorate I/6, General Coordination of Nuclear Affairs, Federal Ministry of Agriculture, Forestry, Environment and Water Management, Stubenbastei 5, 1010 Vienna, Austria

- 71) Ms. Ulrike Hartmann, Head of Unit "Energy", Department III.6 – Environmental Protection, Energy, Transport and Telecommunication, Federal Ministry for Europe, Integration and Foreign Affairs, Minoritenplatz 8, 1014 Vienna, Austria
- 72) Mr. Myhailo Gashev, First Deputy Chairman – Chief State Inspector on Nuclear and Radiation Safety of Ukraine, Division of International Co-operation and European Integration, State Nuclear Regulatory Inspectorate of Ukraine, 9/11 Arsenalna Street, Kyiv 010 11, Ukraine
- 73) Division of Environmental Issues, Directorate General for Economic Cooperation, Ministry of Foreign Affairs, Mykhaylivska sqr. 1, 010 18 Kyiv, Ukraine
- 74) Dr. Reinhard Uhrig, Global 2000 – Friends of Earth, Austria, Neustiftgasse 36, A-1070, Wien, Österreich
- 75) Mag. David Reinberger, Muthgasse 62, F1.29 Wien-1190, Österreich
- 76) Ms. Paricia Lorenz, Global 2000 – Friends of Earth, Austria, Neustiftgasse 36, A-1070, Wien, Österreich

Cc:

- 77) Veľvyslanectvo Slovenskej republiky vo Viedni, Armbrustergasse 24, A-1190 Wien, Rakúsko
- 78) Veľvyslanectvo Slovenskej republiky v Prahe, Pelléova 12, Praha 6, Česká republika
- 79) Veľvyslanectvo Slovenskej republiky vo Varšave, ul. Litewska 6, Warszawa Poľská republika
- 80) Veľvyslanectvo Slovenskej republiky v Kyjeve, Yaroslaviv Val St. 34, 019 01 Kyiv, Ukrajina
- 81) Veľvyslanectvo Slovenskej republiky v Budapešti, Stefánia út. 22-24, 1143 Budapest, Maďarská republika