



[Note – The text in square brackets in italics and colour coded in red is an explanation to the parties. It is referred to as an “Explanatory note”. In most cases, it draws the parties’ attention to possible changes in the envisaged future decision on the case compared to this draft. It will not be mentioned in the envisaged future decision.]

[Explanatory note – the decision number and the registration number will be assigned just before the envisaged future decision on the case is issued. The reason is to maintain chronology of decision numbers and registration numbers recorded in the ÚJD SR database.]

DECISION No. xxx / 2020

[DRAFT, the publication of which in the administrative proceedings in question, is implementing Section 33 par. 2 of the Code of Administrative Procedure, where the parties are given the opportunity to express their views on the basis of the decision before the decision is issued and on the manner of its determination, or to propose its addition (hereinafter referred to as the “Draft Decision”). Similarly, this Draft Decision and its publication implements the right of the public, in particular under Article 6 par. 2 of the Convention on Access to Information, for Public Participation in Decision-making and Access to Justice in Environmental Matters (Aarhus Convention) as an international treaty, to which the Slovak Republic has acceded. (Published in the Collection of Laws of the Slovak Republic by Notice of the Ministry of Foreign Affairs of the Slovak Republic on the adoption of the Convention on Access to Information, Public Participation in Decision-Making and Access to Justice in Environmental Matters under No. 43/2006 Coll.)]

Nuclear Regulatory Authority of the Slovak Republic (hereinafter only as “ÚJD SR”), as the materially competent administrative body pursuant to Sections 5 and 46 of the Act No. 71/1967 Coll. on administrative proceedings (Code of Administrative Procedure) as amended (hereinafter referred to as the “Code of Administrative Procedure”), pursuant to Section 4 par. 1 (d) of Act No. 541/2004 Coll. on the peaceful use of nuclear energy (Atomic Act) and on amendments to certain laws as amended (hereinafter only as the “Atomic Act”)

Issues

for Slovenské elektrárne, a.s., BIC: 358 29 052, with its registered office at Mlynské Nivy 47, 821 09 Bratislava 2, with the place of business Units 3&4 of Mochovce NPP, 935 39 Mochovce, incorporated in the Commercial Register of the District Court Bratislava 1, reg. number: Sa 2904/B,

- (A) An authorization for the radioactive waste management and spent nuclear fuel management pursuant to Section 5 par. 3 (f) of the Atomic Act in the scope of objects and facilities used for operation of Unit 3, and in the scope of objects and facilities common to Units 3&4 serving for operation of Unit 3, including fresh fuel node and for the management of nuclear materials (fresh nuclear fuel) pursuant to Section 5 par. 3 (g) of the Atomic Act in the scope of objects and facilities for the operation of Unit 3, and in the scope of objects and facilities common for Units 3&4, serving for operation of Unit 3, except fresh fuel node (management of nuclear material in the scope of handling

and storage of fresh nuclear fuel in the fresh fuel node was permitted by the ÚJD SR Decision No. 277/2018, which was confirmed by ÚJD SR Decision No. 140/2019 P)

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- (B) Authorization for commissioning of a nuclear installation pursuant to Section 5 par. 3 (b) of the Atomic Act in the scope of objects and facilities used for the operation of Unit 3, and in the scope of objects and facilities common for Units 3&4 serving for operation of Unit 3, and approval for the physical start-up phase pursuant to Section 5 par. 2 (b) of the Atomic Act in the scope of objects and facilities for the operation of Unit 3, and in the scope of objects and facilities common for Units 3&4, serving for operation of Unit 3,**

and pursuant to Sections 83 and 121 par. 2 (e) of Act No. 50/1976 Coll. on land-use planning and building code (Building Act) as amended (hereinafter only as the “Building Act”), reviewed the proposal of Slovenské elektrárne, a.s., Units 3&4 of Mochovce NPP, and

(C) Authorization for early use of the project

Mochovce Nuclear Power Plant VVER 4x440 MW, Project 3

In the scope of objects and facilities used for the operation of Unit 3, and in the scope of objects and facilities common for Units 3&4, serving for operation of Unit 3,

ÚJD SR pursuant to Section 5 par. 5 and Section 8 par. 1 (c) of the Atomic Act binds the authorization (A) for the management of radioactive waste and spent nuclear fuel pursuant to Section 5 par. 3 (f) of Atomic Act in the scope of objects and facilities for the operation of Unit 3, and in the scope of objects and facilities common for Units 3&4 serving for operation of Unit 3, including fresh fuel node and for management of nuclear materials (fresh nuclear fuel) pursuant to Section 5 par. 3 (g) of the Atomic Act in the scope of objects and facilities for the operation of Unit 3, and in the scope of objects and facilities common for Units 3&4 serving for operation of Unit 3, except the fresh fuel node (management of nuclear material in the scope of handling and storage of fresh nuclear fuel in the fresh fuel node was authorized by ÚJD SR Decision No. 277/2018, which was confirmed by ÚJD SR Decision No. 140/2019 P) for the following condition related to nuclear safety, compliance with which shall be secured by the applicant – Slovenské elektrárne, a.s., Plant Units 3&4 Mochovce NPP (Plant of Units 3&4 of Mochovce NPP, hereinafter only as “MO3&4” or “Units 3&4 of Mochovce NPP”) within the given deadline:

- A.1 Demonstration of the fulfilment of the requirement of Annex 1 par. C (s) of the Atomic Act and in accordance with Annex 4 Section B part I(A) par. 5 of the ÚJD SR Decree No. 430/2011 Coll. on nuclear safety requirements as amended by ÚJD SR Decree No. 103/2016 Coll. (hereinafter only as “Nuclear Safety Decree”) – the obligation to submit to ÚJD SR a document on the preparedness of facilities for management of radioactive waste and spent nuclear fuel in the scope of objects and facilities 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 and facilities for management of nuclear materials in the scope of objects and facilities of Unit 3, and in the scope of objects and facilities common for Units 3&4 serving for operation of Unit 3, except the fresh fuel node or protocols confirming readiness of all affected facilities for the management of radioactive waste and spent nuclear fuel.

[Explanatory note on condition A.1 – The factual reason for stating condition A.1 in this Draft Decision is the fact that not all tests of facilities for management of spent nuclear fuel have

been completed so far in that part, which can only take place after the control zone has been established at Unit 3 of MO3&4. This fact prevents Slovenské elektrárne, a.s. to prepare a complete document on the readiness of facilities for management of spent nuclear fuel at the moment of publication of this Draft Decision, but it is fully in line with the phase character of the final part of non-active tests of Unit 3 of MO3&4. ÚJD SR assumes that this condition will be fully or substantially fulfilled by the date of issue of the envisaged future decision on the case. In that case, condition A.1 will not be part of the envisaged future decision on the case or will be substantially reduced. However, in the reasoning of envisaged future decision will state how Slovenské elektrárne, a.s. fulfils the requirement of Annex 1 Section C (s) of the Atomic Act, and in accordance with Annex 4 Section B Part I (A) par. 5 and 7 of Nuclear Safety Decree.]

Condition A.1 is required for Slovenské elektrárne, a.s. to be fulfilled by the start of commissioning of Unit 3 of MO3&4 at the latest. Failure to comply with condition A.1 will render the nuclear installation unsuitable for commissioning. The commissioning of the nuclear installation without fulfilment of condition A.1 may be qualified as an administrative offence pursuant to Section 34 par. 2 or par. 3 of the Atomic Act.

[Explanatory note on the previous paragraph – If, in accordance with the explanatory note on condition A.1 this condition is not mentioned in the envisaged future decision on the case, the preceding paragraph will not be included or it will be amended. In that case, the sentence before condition A.1 will not be mentioned in the envisaged future decision on the case or it will be amended accordingly]

ÚJD SR, pursuant to Section 5 par. 5 and Section 8 par. 1 (c) of the Atomic Act binds the authorization (B) for commissioning of a nuclear installation in the scope of objects and facilities for the operation of Unit 3, and in the scope of objects and facilities common for Units 3&4 serving for operation of Unit 3 for fulfil the next condition related to nuclear safety, the fulfilment of which shall be secured by the applicant – Slovenské elektrárne, a.s., MO3&4, within the given deadline.

- B.1 Obligation to submit to ÚJD SR a document on readiness of objects and facilities for the operation of Unit 3, and objects and facilities common for Units 3&4 serving for operation of Unit 3 confirming the readiness of the mentioned facilities for commissioning of Unit 3 for the phases of physical and energy start-up according to Annex 1 Section C (s) of Atomic Act and in accordance with Annex 4 Section B Part I (A) par. 5 and 7 of the Nuclear Safety Decree. In the event that not all the tests of the equipment that are only necessary for the stage of energy start-up of the Unit are completed, documentation demonstrating that the installation has been completed and at the same time demonstrating the current state of testing of such systems and equipment must be submitted. For such equipment and systems, whose tests have not been completed and which are only necessary for the phase of energy start-up, it is obligatory to submit a their test schedule, which will be in accordance with the schedule for commissioning of Unit 3.

[Explanatory note on condition B.1 – In formulating condition B.1, ÚJD SR based it on the current state of readiness of systems and equipment of Unit 3 for commissioning at the moment of publication of this Draft Decision. ÚJD SR assumes that this condition will be fully or substantially fulfilled by the date of issue of the envisaged future decision on the case. In that case, condition B.1 will not be part of the envisaged future decision on the case or will be substantially reduced. However, the reasoning of the envisaged future decision will state how Slovenské elektrárne, a.s. has met the requirement of Annex 1 Part C (s) of Atomic Act and in compliance with Annex 4 Section B Part I (A) par. 5 and 7 of Nuclear Safety Decree. The factual reason for stating condition B.1 in this draft decision is in particular the following:

- electromagnetic compatibility tests for the I&C equipment of Unit 3 of MO3&4 have not been completed. These tests are carried out in accordance with the schedule in the final phase of preparation of the Unit for commissioning,
- it is necessary to complete the modification in distribution of circulating cooling water in the forced draft cooling towers of circulating water,
- it is necessary to end the conservation mode of the secondary circuit equipment of Unit 3 of MO3&4 (turbine circuits). These devices need to be interconnected, it will be necessary to perform prescribed activities (non-destructive inspections, flushing and pressure tests) and carry out the related tests.

The above facts prevent Slovenské elektrárne, a.s. prepare complete documentation on the readiness of Unit 3 equipment for commissioning at the moment of publication of this Draft Decision. However, this condition is fully in line with the phase character of the final part of preparation of Unit 3 of MO3&4 for commissioning.]

Condition B.1 is required for Slovenské elektrárne, a.s. to be fulfilled by the start of commissioning of Unit 3 of MO3&4 at the latest. Failure to comply with condition B.1 will render the nuclear installation unsuitable for starting the physical start-up. The physical start-up of the nuclear installation without fulfilment of condition B.1 can be qualified as an administrative offense pursuant to Section 34 par. 2 or par. 3 of Atomic Act.

[Explanatory note on the preceding paragraph – If, in accordance with the explanatory note on condition B.1 this condition is not mentioned in the envisaged future decision on the case, then the preceding paragraph will not be included or will be amended. In that case the sentence before condition B.1 will not be included in the envisaged future decision on the case, or will be amended accordingly.]

ÚJD SR, according to Section 5 par. 5 of Atomic Act, Sections 83, 81 par. 1 and Section 82 par. 2 of the Building Act, binds the issue of authorization for early use of the building, Nuclear Power Plant Mochovce VVER 4x440 MW Project 3 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, to the following conditions:

- C.1 Submission of documentation to ÚJD SR and to the administrative bodies concerned and the parties to the proceedings pursuant to Section 78 par. 1 of the Building Act confirming that the conditions arising from the general technical requirements for construction are fulfilled and that the minor deficiencies identified during the proceeding for the early use of the building have been removed within the deadlines determined by the Building Office in accordance with Section 82 par. 2 and Section 83 of the Building Act.

[Explanatory note to condition C.1 - When formulating condition C.1, ÚJD SR based it on the current status in removal of minor defects from the proceedings for early use of the Project at the moment of publication of this Draft Decision. ÚJD SR does not exclude that this condition will be fully met by the date of issue of the envisaged future decision on the case. In such case, condition C.1 will not be part of the envisaged future decision on the case. However, the reasoning of the envisaged future decision will state how Slovenské elektrárne, a.s. fulfilled the requirement in question, Section 83, Section 81 par. 1 and Section 82 par. 2 of the Building Act.

If, as of the date of issue of the envisaged future decision on the case, all minor deficiencies from the proceedings for early use of the project are not remedied, then ÚJD SR shall determine, in accordance with Section 82 par. 2) of the Building Act a reasonable period for their removal in the envisaged future decision on the case. Obligation to remedy these

deficiencies, which do not prevent early use of the project, shall not be a condition of the authorization for early use of the project.]

- C.2 Obligation to submit documentation that demonstrates that the overhead power lines are technically designed in a manner that prevents the killing of birds.

[Explanatory note to condition C.2 – condition C.2 is mentioned in the Binding opinion of Ministry of Environment of the Slovak Republic no. 1360/2020/yg, that was issued pursuant to Section 38(4) of the Act no. 24/2006 Coll. on environmental impact assessment and on amendments to certain laws as amended, on the 11 February 2020 within the proceeding in the matter of early use of building Nuclear Power Plant Mochovce VVER 4x440 MW 3. construction in the scope of objects and facilities common for Units 3&4 serving for operation of Unit 3 and that was delivered to ÚJD SR on 12 February 2020 and registered as reg. no. 1166/2020 in the file no. 781-2020. ÚJD SR anticipates that the condition C.2 will be at the time the anticipated future decision in the matter is issued fulfilled. In such case the condition C.2 will not be part of the anticipated future decision in the matter. In the reasoning of the future anticipated future decision will state how Slovenské elektrárne, a.s. fulfilled the condition of Binding opinion of Ministry of Environment of the Slovak Republic.]

Slovenské elektrárne, a.s. is obligated to fulfill the condition C.2 not later than at the beginning of the commissioning of MO34 Unit 3. The failure to fulfil the condition C.2 will result in unfitness of the nuclear facility to begin the stage of physical startup. The beginning of the physical startup stage without the fulfillment of condition C.2 might be considered as administrative offence pursuant to Section 34 (2) or (3) of the Atomic Act.

REASONING

ÚJD SR, on the basis of application from Slovenské elektrárne, a.s. dated 12 December 2016, zn. SE/2016/077759, registered by ÚJD SR under reg. No. 7604/2016, file No. 3720-2016, opened an administrative proceeding on 12 December 2016 regarding the application from Slovenské elektrárne, a.s. for:

- Authorization for the management of radioactive waste and spent nuclear fuel pursuant to Section 5 par. 3 (f) of 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 (hereinafter referred to as the “Administrative Proceeding No. 2.1”),
- Authorization for the commissioning of nuclear installation pursuant to Section 5 par. 3 (b) of 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 (hereinafter referred to as the “Administrative Proceeding No. 2.2”),
- Authorization for early use of the project pursuant to Section 83 of the Building Act, and pursuant to Section 5 par. 3 (b) of Atomic Act and Section 19 par. 3 of Atomic Act in the scope of objects and facilities for the operation of Unit 3, and in the scope of objects and facilities common for Units 3&4 serving for operation of Unit 3 (hereinafter referred to as the “Administrative Proceeding No. 2.3”),

Slovenské elektrárne, a.s., in a letter dated 12 December 2016, ref. SE/2016/077759, in addition to authorizations in administrative proceedings Nos. 2.1, 2.2 and 2.3 applied for further authorizations:

- Authorization for the management of nuclear materials in the nuclear installation Mochovce NPP, Project 3 in the scope of handling and storage of fresh nuclear fuel in the fresh fuel node, room No. A407 pursuant to Section 5 par. 3 (g) of the Atomic Act (hereinafter referred to as the “Administrative Proceeding No. 1.1”),

- Authorization for the commissioning of nuclear installation in the scope of handling and storage of fresh nuclear fuel in the fresh fuel node, room No. A407 pursuant to Section 5 par. 3 (b) of Atomic Act (hereinafter referred to as the "Administrative Proceeding No. 1.2"),
- Authorization for early use of MO3&4 project pursuant to Section 83 of the Building Act, and pursuant to Section 5 par. 3 (b) and Section 19 par. 3 of Atomic Act, part of the project in the scope of handling and storage of fresh nuclear fuel in the fresh fuel node (hereinafter referred to as the "Administrative Proceeding No. 1.3"),
- Authorization for the management of radioactive waste and spent nuclear fuel pursuant to Section 5 par. 3 (f) of 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 (hereinafter referred to as the "Administrative Proceeding No. 3.1"),
- Authorization for the commissioning of a nuclear installation pursuant to Section 5 par. 3 (b) of Atomic Act in the scope of objects and facilities for the operation of Unit 4, and in the scope of objects and facilities common for Units 3&4 serving for operation of Unit 4 (hereinafter referred to as the "Administrative Proceeding No. 3.2"),
- Authorization for early use of the project pursuant to Section 83 of the Building Act, and pursuant to Section 5 par. 3, (b) of Atomic Act and Section 19 par. 3 of Atomic Act in the scope of objects and facilities for the operation of Unit 4, and in the scope of objects and facilities common for Units 3&4 serving for operation of Unit 4 (hereinafter referred to as the "Administrative Proceeding No. 3.3").

ÚJD SR informed all parties to the proceedings and other bodies concerned in writing of the commencement of the above mentioned administrative proceedings.

Issue of authorizations in administrative proceedings Nos. 1.1, 1.2, 1.3, 3.1, 3.2 and 3.3 is not subject of this decision. Proceedings Nos. 1.1, 1.2 and 1.3 were closed by issuing of the second instance Decisions Nos. 139/2019 P and 140/2019 P dated 6 May 2019, which came into force on 22 May 2019.

The first-instance administrative authority requested, by letter reg. No. 608/2017 dated 31 January 2017, the Chairperson of ÚJD SR as the appellate administrative authority in accordance with Section 49 par. 2 and Section 58 par. 1 of the Code of Administrative Procedure, in connection with Section 61 par. 2 of the Code of Administrative Procedure, for extension of the time period for decision-making in administrative proceedings Nos. 1.1, 1.2, 1.3, 2.1, 2.2, 2.3, 3.1, 3.1 and 3.3 by 6 months. The first-instance administrative authority justified its request by the large scope of the dossier to be reviewed and also by the large number of conformity checks to be carried out in order to confirm the conformity of the actual workmanship of equipment with the design in order to fully comply with Section 46 of the Code of Administrative Procedure, which requires that a decision must be based on reliably ascertained state of affairs. ÚJD SR Chairperson granted the request of the first-instance administrative authority and extended the period for the decision-making by 6 month. The parties and the other authorities concerned were informed about the extension of the period for the decision-making by ÚJD SR letters reg. No. 623/2017 dated 1 February 2017, reg. Nos. 778/2017, 779/2017 and 780/2017 dated 7 February 2017.

Documentation of administrative proceedings Nos. 2.1, 2.2 and 2.3 and other administrative proceedings related to the application of Slovenské elektrárne, a.s. to issue authorization for the commissioning of MO3&4 installation (administrative proceedings Nos. 1.1, 1.2, 1.3, 3.1, 3.2 and 3.3) with removed sensitive information as defined by Section 3 par. 16 and 17 of the Atomic Act and in accordance with Section 8 par. 3 of the Atomic Act, was disclosed by ÚJD SR from 16 March 2017 until 30 June 2017 in rented premises in Mochovce.

After reviewing the submitted documentation, ÚJD SR concluded that Slovenské elektrárne, a.s. must complete its submission, and interrupted the administrative proceedings Nos. 1.1, 1.2, 1.3, 2.1, 2.2, 2.3, 3.1, 3.2 and 3.3 by ÚJD SR Decision No. 334/2017 dated 23 August 2017. At the same time, it called on Slovenské elektrárne, a.s., in accordance with Section 19 par. 3 of the Code of

Administrative Procedure, to remedy those shortcomings in the submission that were identified in the ÚJD SR Decision No. 334/2017.

Deficiencies in the submission of the administrative proceedings No. 2.1 were listed in Annex 1 to the ÚJD SR letter reg. No. 5263/2017 dated 22 August 2017, and related to the submitted documentation of administrative proceedings (Proof of securing radioactive waste management, including its financial coverage, Radioactive Waste Management and Spent Nuclear Fuel Management Plan, Pre-Operational Safety Report for MO3&4, Certificates and authorizations from Slovenské elektrárne, a.s. for the performance of work activities for professionally competent staff). ÚJD SR Decision No. 334/2017 on suspension of administrative proceedings stipulated as a condition for the continuation of administrative proceedings No. 2.1 elimination of deficiencies in the above documentation not later than 15 February 2018. The deficiencies in the submission in the administrative proceedings No. 2.2 were listed in Annex 2 to the ÚJD SR letter reg. No. 5263/2017 dated 22 August 2017, and related to the submitted documentation of administrative proceedings (Programs of testing of safety related equipment determined by ÚJD SR, Commissioning Programs, Operating Procedures designated by ÚJD SR, Pre-Operational Safety Report for MO3&4 and Probabilistic Safety Assessment – PSA study). ÚJD SR, by its Decision No. 334/2017 of 23 August 2017 on suspension of administrative proceedings stipulated as a condition for the continuation of administrative proceedings No. 2.2 elimination of deficiencies in the above documentation by 15 February 2018, and at the same time elimination of deficiencies in the documentation of administrative proceedings No. 2.1, also by 15 February 2018.

At the same time, ÚJD SR in its Decision No. 334/2017 dated 23 August 2017 called on Slovenské elektrárne, a.s. to complete the submission in administrative proceedings No. 2.1 with Protocols on successful testing of equipment for the management of radioactive waste and spent nuclear fuel for Unit 3 operation, and to the extent of facilities common for Units 3&4 and serving for Unit 3 operation, including the fresh fuel node, and a schedule for further testing of this equipment to be carried out before the start of Unit 3 commissioning. These Protocols and a schedule were requested by ÚJD SR to be submitted according to the current state of testing as of the same date as the required evaluation of tests of Unit 3 equipment or preliminary document on the readiness of systems and equipment of Unit 3 of MO3&4 for commissioning (in administrative proceedings No. 2.2), no later than 12 months from the date of ÚJD SR Decision No. 334/2017.

At the same time, ÚJD SR called on Slovenské elektrárne, a.s. to complete the submission in administrative proceedings No. 2.2 with the following:

- 1) evaluation of system and equipment tests of Unit 3 or provisional evidence of readiness of systems and equipment of Unit 3 of MO3&4 for commissioning that would confirm a high degree of its readiness for the start of stage part of non-active tests for Unit 3 of MO3&4 (cold hydro-test of the primary circuit of Unit 3). ÚJD SR requirements for evaluation or submission of provisional document on the readiness of systems and equipment of Unit 3 were given in Annex 3 to the ÚJD SR letter ref. 5263/2017 dated 22 August 2017.
- 2) documents confirming the fulfilment of qualification requirements for the staff of Slovenské elektrárne, a.s. for carrying out activities with a direct impact on nuclear safety (selected staff of Slovenské elektrárne, a.s.), and with an impact on nuclear safety (professionally qualified staff of Slovenské elektrárne, a.s.) for the commissioning of Unit 3 of MO3&4. ÚJD SR requirements for confirmation of meeting the qualification requirements for the staff of Slovenské elektrárne, a.s., were given in Annex 3 to the ÚJD SR letter ref. 5263/2017 dated 22 July 2017.

ÚJD SR called on Slovenské elektrárne, a.s. to supplement the submission under par. 1) and 2) no later than 12 months after the Decision on suspension of administrative proceedings. In its Decision No. 334/2017 dated 23 August 2017 ÚJD SR stated that the condition for the continuation of administrative proceedings No. 2.2 is also elimination of deficiencies in the documentation of the administrative proceedings No. 2.1, that is by 15 February 2018. Deficiencies in the submission in administrative proceedings Nos. 1.1, 1.2, 1.3, 2.1, 2.2, 2.3, 3.1, 3.2 and 3.3, were published on the ÚJD SR website.

Slovenské elektrárne, a.s. continuously submitted documentation to ÚJD SR with the deficiencies removed. ÚJD SR continuously reviewed removal of deficiencies in the documentation. Removal of deficiencies in the documentation of administrative proceedings No. 2.1 and 2.2 was confirmed in writing as follows:

- In the document on securing radioactive waste management, including its financial coverage, by letter reg. No. 395/2018 dated 22 January 2018,
- in the Radioactive Waste Management and Spent Nuclear Fuel Management Plan, by letter reg. No. 766/2018 dated 07 February 2018,
- in the Pre-Operational Safety Report of MO3&4, by letter reg. No. 768/2018 dated 13 February 2018,
- in the certificates and authorizations from Slovenské elektrárne, a.s. for performance of work activities for professionally qualified staff, by letters reg. No. 100/2018 dated 08 January 2018 and 396/2018 dated 22 January 2018,
- in the Programs for testing safety related equipment designated by ÚJD SR, by letter reg. No. 767/2018 dated 08 February 2018,
- in the Commissioning Programs, by letter reg. No. 769/2018 dated 13 February 2018,
- in the Operating Procedures designated by ÚJD SR in letter reg. No. 771/2018 dated 13 February 2018,
- in the Probabilistic Safety Assessment – PSA study, by letter reg. No. 896/2018 dated 14 February 2018,
- in the document on the ownership and organizational structure, by letter reg. No. 396/2018 dated 22 January 2018.

Through these letters ÚJD SR confirmed that the deficiencies in the relevant documentation of Slovenské elektrárne, a.s. have been duly and timely removed, as required by the Decision on suspending administrative proceedings (i.e. before 15 February 2018).

Slovenské elektrárne, a.s., as of 28 August 2018 completed its filing of application for authorization under the operative part of the Draft Decision (administrative proceedings Nos. 2.1 and 2.2), and also in administrative proceedings for Unit 4 of MO3&4 (administrative proceedings Nos. 3.1 and 3.2). ÚJD SR carried out preliminary assessment of supplemented submissions in administrative proceedings Nos. 2.1, 2.2, 3.1 and 3.2, based on which it stated that Slovenské elektrárne, a.s. by completing the missing requirements, in its submission dated 28 August 2018, it fulfilled all conditions specified by ÚJD SR Decision No. 334/2017 dated 23 August 2017 for the continuation in these proceedings.

Subsequently, ÚJD SR by letters reg. nos. 5913/2018, 5918/2018, 5021/2018 dated 19 September 2018 and 6048/2018 dated 26 September 2018, informed all parties in writing that administrative proceedings Nos. 2.1, 2.2, 3.1 and 3.2 continue from 28 August 2018. At the same time, with these letters ÚJD SR informed the parties that the supporting documentation for the decision-making in the administrative proceedings Nos. 2.1, 2.2, 3.1 and 3.2 will be published on the website of ÚJD SR as “Documentation for the decision on Units 3&4” no later than 28 September 2019, and asked them to comment on the documentation for the decision-making in writing by 28 October 2018 at the latest. ÚJD SR published the supporting documentation for the decision-making on its website within the set deadline. ÚJD SR published on its website the method of removal of deficiencies in the documentation and the statement on fulfilment of recommended conditions from Ministry of Environment of the Slovak Republic (here on after “MoEnv SR”) stated in the Final Opinion on the EIA process (No. 395/2010-3.4/hp).

After supplementing the filing, ÚJD SR reviewed the documentation of administrative proceedings nos. 2.1 and 2.2 in the following:

- 1) Identification data, pursuant to Section 6 par. 1 (b) of the Atomic Act.
 - Slovenské elektrárne, a.s.– submitted the relevant identification data as required by Section 6 par. 1 (b) of the Atomic Act in the filing of 12 December 2016. Slovenské elektrárne, a.s. in the supplemented filing of 22 June 2018 it confirmed that the data given are unchanged when

compared to the data submitted on 12 December 2016. On an extract from the Register of Legal Entities, Entrepreneurs and Public Authorities pursuant to Act No. 177/2018 Coll. on certain measures to reduce administrative burdens by using public administration information systems, and on amendments to certain laws (Red Tape Law) as amended by Act No. 221/2019 Coll., which verified the accuracy of the data in question.

[Explanatory note on par. 1) – The text of this paragraph is worded in accordance with the supporting documentation submitted to ÚJD SR by Slovenské elektrárne, a.s. In the envisaged future decision on the case, the date of requesting an extract from the Register of Legal Entities shall be added, containing the details of the applicant in accordance with Section 6 par. 1 (b) of the Atomic Act at a time consistent with the date of issue of the envisaged future decision on the case. This also implements the principle of obtaining information by a public authority from a public authority and not from the applicant for decision. Without confirmation of the accuracy of the identification data under Section 6 par. 1 (b), ÚJD SR will not issue a future decision on the case.]

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

- Slovenské elektrárne, a.s. clearly defined the activities, for which authorization/license is sought. This concerns the authorization for management of radioactive waste and spent nuclear fuel management pursuant to Section 5 par. 3, (f) of the Atomic Act in the scope of objects and facilities for Unit 3 operation, and in the scope of objects and facilities common for Units 3&4, serving for operation of Unit 3, including the fresh fuel node, authorization for commissioning of a nuclear installation pursuant to Section 5 par. 3, (b) of the Atomic Act in the scope of objects and facilities for Unit 3 operation, and in the scope of objects and facilities common for Units 3&4 serving for Unit 3 operation, and authorization for early use of the project in accordance with 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 Unit 3 operation, and in the scope of objects and facilities common for Units 3&4 serving Unit 3 operation. These activities were defined by Slovenské elektrárne, a.s. in its filing of 12 December 2016.

3) Data necessary for requesting an extract from criminal record of a natural person, legal person and a person, who is a statutory body or member of a statutory body of a legal person pursuant to Section 6 par. 2 (a) of the Atomic Act.

- Slovenské elektrárne, a.s. submitted extracts from the Criminal Register of the General Prosecutor's Office of SR of all members of the statutory body of the company, and an extract from the Criminal Register for a legal person, Slovenské elektrárne, a.s., on 12 December 2016. All extracts from the Register were without any entry. An update of the extracts was also submitted in the completed filing of 22 June 2018. On an extract from the criminal record for a legal entity – Slovenské elektrárne, a.s. and all members of the statutory body of the company pursuant to Act No. 177/2018 Coll. on certain measures for reducing administrative burden by the use of public administration information systems and on amendments to certain laws (Red Tape Law) as amended by Act No. 221/2019 Coll.

[Explanatory note on par. 3) – The text of this paragraph is worded in accordance with the supporting documents submitted until now to ÚJD SR by Slovenské elektrárne, a.s. In the envisaged future decision on the case, the date of requesting an extract from the criminal record register for a legal person – Slovenské elektrárne, a.s. and all members of the statutory body of the company shall be added, pursuant to Act No. 177/2018 Coll. By this procedure ÚJD SR seeks to minimize handling of personal data of natural persons – members of the statutory body of Slovenské elektrárne, a.s. and also requesting the relevant documentation at a time that is consistent with the date of issue of the envisaged future decision on the case. It also implements the principle of obtaining information by a public authority from the public authority and not from the applicant for a decision. Without confirmation of full compliance with the requirement of Section 6 par. 2 (a) of the Atomic Act, ÚJD SR will not issue the future decision on the case.]

- 4) Extract from the Commercial Register of the company pursuant to Section 6 par. 2 (b) of the Atomic Act as amended by 31 August 2018.
- Slovenské elektrárne, a.s. submitted its extract from the Commercial Register of the District Court Bratislava I as of 17 May 2018.
[Explanatory note on par. 1) – The text of this paragraph is worded in accordance with the supporting documentation submitted to ÚJD SR by Slovenské elektrárne, a.s. In the envisaged future decision on the case, the date of requesting the extract from the Commercial Register for Slovenské elektrárne, a.s. will be added so that it is consistent with the date of issue of the envisaged future decision on the case. It also implements the principle of obtaining information by a public authority from the public authority and not from the applicant for a decision. Without confirmed meeting of the requirement of Section 6 par. 2 (b) of the Atomic Act, ÚJD SR will not issue the future decision on the case.]
- 5) Proof of a functional technical equipment of Slovenské elektrárne, a.s., for the required activity pursuant to Section 6 par. 2 (e) of the Atomic Act.
- Slovenské elektrárne, a.s. submitted to ÚJD SR major part of the documentation confirming the readiness for radioactive waste management, spent nuclear fuel management and management of nuclear materials, and for the commissioning of Unit 3 of MO3&4. Due to the state of readiness of Unit 3 for commissioning (continued testing of equipment prior to commissioning), this documentation is not and cannot be complete. ÚJD SR reflected this fact in the conditions of the Decision (conditions A.1 and B.1).
- 6) Proof that the applicant – Slovenské elektrárne, a.s., has permanent staff with a required qualification according to Section 6 par. 2 (e) of the Atomic Act, and a proof on the number of permanent staff stating their qualification pursuant to Section 6 par. 2 (i) of the Atomic Act.
- Slovenské elektrárne, a.s. submitted part of the required documentation in the supplemented filing of 28 August 2018. This documentation, however, was not complete, as the training of specially qualified staff and qualified staff was carried out as of the given date. ÚJD SR conducted inspection during November and December 2019 at SE-MO3&4, focusing on staffing of jobs with impact on nuclear safety in departments of future operation, asset management and engineering support for future operation of Unit 3 of SE-MO3&4. During this inspection, Slovenské elektrárne, a.s. submitted documents proving the following facts:
 - All positions of specially qualified staff, pursuant to Section 24 par. 2 of the Atomic Act, required for Unit 3 operation, are staffed with employees with completed training. These employees hold valid certificates of professional competence pursuant to Section 8 of ÚJD SR Decree No. 52/2006 Coll. on professional competence in the wording of Decree No. 34/2012 Coll. and Decree No. 410/2019 Coll. (hereinafter only as “Decree of professional competence”) and authorization to carry out work activities pursuant to Section 10 of the Decree of professional competence.
 - Positions of professionally competent staff pursuant to Section 24 par. 1 of the Atomic Act in the departments of future operation, asset management and engineering support for future operation of SE-MO3&4 are staffed with employees in the scale as needed for the operation of Unit 3 of SE-MO3&4. The number of vacant positions does not exceed the normal turnover values and the staffing of these positions is addressed by Slovenské elektrárne, a.s. continuously. The workers have completed their training and hold the authorizations to perform work activities pursuant to Section 10 of the Decree on professional competence.*[Explanatory note on par. 6) – During February and March 2020, ÚJD SR will conduct repeated inspection focusing on staffing of jobs having impact on nuclear safety in the departments of the future operation, asset management and engineering support for the future operation of Unit 3 of SE-MO3&4. The summary of its results will be supplemented into paragraph 6 in the expected future decision on the case.]*
- 7) Proof of securing radioactive waste management, including its financial coverage pursuant to Section 6 par. 2 (f) of the Atomic Act.
- Slovenské elektrárne, a.s. submitted a document on securing radioactive waste management, including its financial coverage in its filing of 12 December 2016. ÚJD SR requested addition of certain information (listed in the list of deficiencies of the submission in Annex 1 to letter

reg. No. 5263/2017). Subsequently, Slovenské elektrárne, a.s. completed the required information in a letter ref. SE/2017/065026 of 13 November 2017. ÚJD SR carried out an inspection No. 230/2017, the result of which was confirmation on completeness and correctness of complemented data. ÚJD SR confirmed removal of deficiencies of the submission in a letter reg. No. 395/2018 dated 22 January 2018.

- 8) Document on the ownership and organizational structure of the applicant – Slovenské elektrárne, a.s. pursuant to Section 6 par. 2 (g) of the Atomic Act.

- Slovenské elektrárne, a.s. submitted an extract from the Commercial Register of the District Court of Bratislava I of 17 May 2018, and the organizational structure and systemization of MO3&4 Plant and of B4000 unit by letter ref. SE/2017/062611 of 02 November 2017. On an extract from the Register of legal persons, entrepreneurs and public authorities was requested pursuant to Act No. 177/2018 Coll. on certain measures for reducing administrative burden by the use of public administration information systems and on amendments to certain laws (Red Tape Law) as amended by Act No. 221/2019 Coll. Systemization of MO3&4 Plant and B4000 Unit was verified by ÚJD SR inspection during November and December 2019. Part of the inspection was submission on systemization in departments of future operation, asset management and engineering support for the future operation of Unit 3 of SE-MO3&4.

[Explanatory note on par. 8) – The text of this paragraph is worded in accordance with the supporting documentation submitted to ÚJD SR by Slovenské elektrárne, a.s. In the envisaged future decision on the case, the date of requesting the extract from the Commercial Register for Slovenské elektrárne, a.s. will be added, so that it is consistent with the date of issue of the envisaged future decision on the case. It also implements the principle of obtaining information by a public authority from the public authority and not from the applicant for a decision. Without confirmation on meeting the requirement of Section 6 par. 2 (g) of the Atomic Act, ÚJD SR will not issue a future decision on the case. During February and March 2020, ÚJD SR will carry out repeated inspection, focusing on staffing of positions having impact on nuclear safety in the departments of future operation, asset management and engineering support for the future operation of Unit 3 of SE-MO3&4. Summary of its results will be added to the paragraph 8 in the envisaged future decision on the case.]

- 9) Documentation required for the application for commissioning pursuant to Section 6 par. 2 (h) of the Atomic Act, Annex 1, par. C:

- a) Limits & Conditions for safe operation – approved by ÚJD SR Decision No. 88/2018 of 24 April 2018.

[Explanatory note on par. 9a – par. 9a) is drafted according to the current state of the Limits & Conditions for safe operation for Unit 3 of SE-MO3&4. In the envisaged future decision on the case, the text may be amended due to the fact that Slovenské elektrárne, a.s. is required to incorporate into these Limits & Conditions for safe operation the Decision of the Public Health Authority of SR (hereinafter only as “ÚVZ SR”) No. OÖZPŽ/4603/2019 dated 15 October 2019. With this decision ÚVZ SR issued a permit for the release of radioactive substances that are generated during EMO 1,2,3 NPP operation, from administrative control by their discharge into the environment.]

- b) List of safety-related equipment divided into safety classes – approved by ÚJD SR Decision No. 495/2016 of 19 September 2016. ÚJD SR agrees with the submitted document at the given stage and expects it to be updated after Unit 3 is put into operation.

- c) Programs of testing safety-related equipment designated by ÚJD SR – testing programs for safety-related equipment designated by ÚJD SR were submitted by Slovenské elektrárne, a.s. for Unit 3 of MO3&4 as part of the filing of 12 December 2016. ÚJD SR made comments on these programs, which it classified as deficiencies of the filing. To eliminate the deficiencies of filing, the deadline was determined by Decision No. 334/2017 of 23 August 2017 on the suspension of the administrative proceedings, no later than 15 February 2018. Slovenské elektrárne, a.s. continuously submitted documentation to ÚJD SR with removed deficiencies. ÚJD SR confirmed the elimination of deficiencies of filing by letter reg. No. 767/2018 of 08

- February 2018. Slovenské elektrárne, a.s. submitted to ÚJD SR testing programs for safety-related equipment specified by ÚJD SR for Unit 4 of MO3&4, together with incorporated comments from ÚJD SR on similar programs for Unit 3. ÚJD SR accepted submission of these programs by a letter reg. No. 765/2018 dated 07 February 2018.
- d) Program of commissioning of a nuclear installation divided into stages – program of commissioning of nuclear installation divided into stages was submitted by Slovenské elektrárne, a.s. for Unit 3 of MO3&4 as part of the filing of 12 December 2016. ÚJD SR had comments on the Program and related programs of physical and energy start-up, which it classified as deficiencies of the filing. The deadline for removal of deficiencies in the filing was determined in Decision No. 334/2017 of 23 August 2017 on the suspension of the administrative proceedings, as no later than 15 February 2018. Slovenské elektrárne, a.s. gradually submitted to ÚJD SR documentation with removed deficiencies. ÚJD SR confirmed elimination of deficiencies of the filing by letter reg. No. 769/2018 of 13 February 2018. Slovenské elektrárne, a.s. submitted to ÚJD SR program of commissioning divided into stages for Unit 4 of MO3&4 together with incorporated comments on similar program for Unit 3. ÚJD SR accepted submission of these programs by letter reg. No. 765/2018 of 07 February 2018. Slovenské elektrárne, a.s., by a letter ref. SE/2019/050644 dated 18 September 2019, submitted a new revision of the document – Program of commissioning of Unit 3 of Mochovce NPP divided into stages (rev. 04). Compared to the previous revision of this document, revision 04 has been supplemented with pre-operational tests for the stage of energy start-up of Unit 3 of MO3&4. ÚJD SR reviewed the document as submitted. The document is in compliance with the requirements of Annex 4, Part B Section I/A par. 8 and Section G par. 1 of the Decree on Nuclear Safety and Section 15 of the Decree No. 58/2008 Coll., specifying the details on the scope, content and method of preparing documentation of nuclear installations required for individual decisions, in the wording of Decree No. 31/2012 Coll. and Decree No. 102/2016 Coll. (hereinafter only as the “Decree on documentation”). ÚJD SR approved this change in the commissioning program of nuclear installation of Mochovce Units 3&4 by a separate Decision No. 478/2019 of 18 December 2019.
- e) Program of operational inspections of safety related equipment – was submitted to ÚJD SR in the filing of 12 December 2016. At the given stage, ÚJD SR agrees with the submitted document and expects its update based on the results of equipment test and expected commissioning of Units 3&4 of MO3&4.
- f) Documentation of the applicant's Quality Management System – approved by ÚJD SR Decision No. 57/2019 of 27 February 2019 (Management System Manual of SE, a.s.) and No. 208/2019 of 08 July 2019 (Phased quality assurance program for MO3&4 for the construction and commissioning).
- g) Operating Procedures designated by ÚJD SR – were submitted by Slovenské elektrárne, a.s. pre Units 3&4 of MO3&4 as part of a filing of 12 December 2016. ÚJD SR made comments on these procedures, which it classified as deficiencies of a filing. In order to remedy deficiencies of filing, the deadline was set by Decision No. 334/2017 on suspension of administrative proceedings, as no later than 15 February 2018. Slovenské elektrárne, a.s. gradually submitted to ÚJD SR documentation with removed deficiencies. ÚJD SR confirmed removal of deficiencies of filing in letter reg. No. 771/2018 of 13 February 2018. Operating Procedures determined by ÚJD SR, after removal of deficiencies of filing, are in compliance with Section 18 of the Decree on documentation.
- h) Internal Emergency Plan – approved by ÚJD SR Decision No. 16/2020 of 14 January 2020. The Internal Emergency Plan is valid from the commencement of commissioning of MO3&4 until MO3&4 is put into operation, the Preliminary Internal Emergency Plan has been valid, as approved by the ÚJD SR Decision No. 401/2019 of 12 November 2019.
- i) Pre-Operational Safety Report (hereinafter referred to as “POSR of MO3&4”) – was submitted by Slovenské elektrárne, a.s. as part of the filing of 12 December 2016. ÚJD SR made comments on POSR MO3&4, which it classified as deficiencies in the filing. The deadline for elimination of these deficiencies of the filing was set by Decision No. 334/2017 of 23 August 2017 on the suspension of the administrative proceedings, as no later than 15 February 2018. Slovenské elektrárne, a.s. submitted to ÚJD SR documentation of POSR of

MO3&4 with eliminated deficiencies with a letter ref. SE/2017/065735 dated 15 November 2017. ÚJD SR confirmed elimination of deficiencies in the filing by letter reg. No. 768/2018 of 13 February 2018. In the second half of 2019, Slovenské elektrárne, a.s. submitted to ÚJD SR gradually new revisions of some documents that are part of POSR of MO3&4. ÚJD SR reviewed the changes made in the new revision of POSR of MO3&4 compared to the revision of this document, which was presented to ÚJD SR by letter ref. SE/2017/065735 dated 15 November 2017. The changes made in the POSR of MO3&4 meet the conditions required by Section 19 of the Decree on the documentation, and the additions made the filing meet the requirements pursuant to Section 9 par. 3 of ÚJD SR Decree No. 431/2011 Coll. on the Quality Management System, in the wording of 52ÚJD SR Decree No. 104/2016 Coll.. The reason for making changes in POSR of MO3&4 is the incorporation of results from non-active tests to POSR of MO3&4.

- j) For nuclear installations with a nuclear reactor, the probabilistic safety assessment of operation for a shut-down reactor and for low power levels, as well as for full reactor power (hereinafter only as the "PSA Study") – was submitted by Slovenské elektrárne a.s. as part of the filing of 12 December 2016. ÚJD SR made comments on the PSA Study, which it classified as deficiencies of the filing. It specified a deadline for elimination of deficiencies in the filing in the ÚJD SR Decision No. 334/2017 of 23 August 2017 on the suspension of the administrative proceedings. Slovenské elektrárne, a.s. gradually submitted to ÚJD SR documentation with deficiencies removed. ÚJD SR confirmed partial removal of deficiencies of the filing by letter reg. No. 896/2018 of 14 February 2018. ÚJD SR requested that the Probabilistic Safety Assessment is complemented with extreme weather conditions and earthquake. Slovenské elektrárne, a.s. submitted to ÚJD SR requested extension of PSA Study by letter ref. of 12 November 2019. ÚJD SR reviewed the submitted documentation, on the basis of which it stated their compliance with the requirements of Section 20 of the Decree on documentation and Safety Guides of ÚJD SR, Requirements for PSA (BNS I.4.2/2017) and Quality of PSA for PSA applications (BNS I.12.3/2014).
- k) Physical Protection Plan, including the Contract with Police Corps pursuant to Section 26 par. 10 of the Atomic Act. ÚJD SR Decision No. 154/2018 of 24 May 2018 approved the document "Physical Protection Plan for MO3&4, fresh fuel node", Issue 1, Revision 0. ÚJD SR Decision No. 280/2018 of 10 October 2018 approved change in the document "Physical Protection Plan for MO3&4, fresh fuel node", Issue 1, Revision 0 within the scope of document sent "Physical Protection Plan for MO3&4, fresh fuel node", Issue 1, Revision 1. ÚJD SR Decision No. 134/2019 of 13 May 2019 approved the change to the document "Physical Protection Plan for MO3&4, fresh fuel node", Issue 1, Revision 0, and its change approved by ÚJD SR within the scope of the document "Physical Protection Plan for MO3&4, fresh fuel node", Issue 1, Revision 2. ÚJD SR Decision No. 39/2020 of 30 January 2020 approved the change in the Physical Protection Plan for MO3&4 ,fresh fuel node, within the scope of the document "Physical Protection Plan for MO3&4, fresh fuel node", Issue 1, Revision 3. ÚJD SR Decision No. 260/2018 of 19 September 2018 approved the "Physical Protection Plan for SE-MO3&4", Issue 1, Revision 0. ÚJD SR Decision No. 281/2018 of 10 October 2018 approved a change to the document "Physical Protection Plan for SE-MO3&4", Issue 1, Revision 0 in the scope of a document sent "Physical Protection Plan for SE-MO3&4", Issue 1, Revision 1, and Decision No. 133/2019 of 13 May 2019 approved the change to be made to the document "Physical Protection Plan for SE-MO34", Issue 1, Revision 0, and its change approved by ÚJD SR within the scope of the document sent "Physical Protection Plan for SE-MO3&4", Issue 1, Revision 2.
- l) Radioactive Waste Management (hereinafter only as "RAW") and the Spent Nuclear Fuel Plan (hereinafter only as "SNF") including its transport – was submitted by Slovenské elektrárne, a.s. as part of the filing of 12 December 2016. ÚJD SR had comments on the RAW Management and SNF Management Plan, including their transport, which it classified as deficiencies of the filing. In order to remedy the aforementioned deficiencies of the filing, the deadline was set by Decision No. 334/2017 of 23 August 2017 on suspension of administrative proceedings. Slovenské elektrárne, a.s. submitted to ÚJD SR documentation with removed deficiencies. ÚJD SR confirmed removal of deficiencies of the filing by letter

reg. No. 766/2018 of 07 February 2018. On 8 November 2019, Slovenské elektrárne, a.s. submitted to ÚJD SR by letter ref. SE/2019/061205 an updated document "RAW and SNF Management Plan, including their transport", in connection with changes to generally binding legal regulations that have occurred since the initial application has been filed. ÚJD SR accepts incorporation of these changes in accordance with the requirements of Section 21 of the Decree on documentation, which was confirmed by letter ref. XXXX/2020 of XX February 2020.

- m) Conceptual Decommissioning Plan – was submitted by Slovenské elektrárne, a.s. as part of the filing of 12 December 2016. ÚJD SR carried out an assessment of the document in question and had no requirements for its additions or modifications. In November 2019, the applicant submitted to ÚJD SR by letter ref. SE/2019/061205 an updated Conceptual Decommissioning Plan in connection with changes to generally binding legal regulations that have occurred since the initial application has been filed.

[Explanatory note on par. 9m) – The text has been drafted according to the current state of assessment of the updated Conceptual Decommissioning Plan. ÚJD SR is currently evaluating the correctness and completeness of incorporation of new legislative requirements into the document in question, the fulfilment of which was submitted to ÚJD SR by letter ref. SE/2019/061205 of 08 November 2019. In the envisaged future decision on the case, ÚJD SR will state how the revised Conceptual Decommissioning Plan meets the new legislative requirements. Without a positive opinion on the changes in the Conceptual Decommissioning Plan resulting from legislative changes, ÚJD SR will not issue the envisaged future decision on the case.]

- n) Evidence of securing financial coverage of liability for nuclear damage other than a repository, pursuant to a special regulation – fulfilment is stated in par. 12) of the reasoning.
- o) Training System – The latest change in the training system to train the staff of the license holder was approved by ÚJD SR Decision No. 327/2018 dated 28 November 2018 and ÚJD SR Decision No. 296/2019 dated 09 September 2019.
- p) Training Programs of selected employees – the latest changes were approved by ÚJD SR Decision No. 756/2015 dated 15 December 2015, No. 97/2016 of 22 March 2016, No. 393/2016 of 27 July 2016, No. 355/2017 of 25 September 2017, No. 25/2018 of 13 February 2018, No. 285/2019 of 03 September 2019 and No. 21/2020 of 29 January 2020.
- q) Training Programs of professionally competent staff – approved by ÚJD SR Decisions No. 123/2016 of 22 March 2016 and No. 315/2018 of 28 November 2018.
- r) Evidence of fulfilment of qualification prerequisites of selected staff and professionally competent staff – Slovenské elektrárne, a.s. submitted part of the required documentation in the supplemented filing of 28 August 2018. This documentation was not complete, as the training of staff with special professional competence and staff of professional competence was still going on as of the given date. In November and December 2019 ÚJD SR carried out inspection at SE-MO3&4 focusing on staffing of positions with impact on nuclear safety in the departments of future operation, asset management and engineering support of future operation of Unit 3 of SE-MO3&4. During this inspection, Slovenské elektrárne, a.s. presented documentation showing the following facts:
- All positions of professionally competent staff pursuant to Section 24 par. 2 of the Atomic Act, required for Unit 3 operation, are staffed with employees with completed training. These employees hold valid certificates of special professional competence pursuant to Section 8 of the Decree on professional competence and authorization for performing work activities pursuant to Section 10 of the Decree on professional competence.
 - Positions of professionally competent staff pursuant to Section 24 par. 1 of the Atomic Act in departments of future operation, asset administration and engineering support of future operation of SE-MO3&4 are staffed with employees within the scale as required Unit 3 operation of SE-MO3&4. The number of vacant positions does not exceed the normal turnover and staffing of these positions is dealt with by Slovenské elektrárne, a.s.. Workers have completed their training and have been issued authorization to perform activities pursuant to Section 10 of the Decree on professional competence.

[Explanatory note on par. 9q) – In February and March 2020, ÚJD SR will carry out repeated inspection focusing on staffing of positions with impact on nuclear safety in the departments of future operation, asset management and engineering support of future operation of Unit 3 of SE-MO3&4. Summary of its results shall be added to par. 9q) in the envisaged future decision on the case.]

- s) Evidence of readiness for commissioning – Slovenské elektrárne, a.s. submitted to ÚJD SR a substantial part of required documentation – Reports on testing of equipment and systems. The course of testing of systems and equipment has been inspected and the Reports on their testing are checked during ÚJD SR inspections in Mochovce. The subject of inspection was the implementation of the following programs of inactive tests:

3P001	Program of tests on erection works on reactor and on reactor concrete shaft equipment	Completed to the extent of inactive tests
3P002	Test Program for HRK drives	Completed
3P004	Program for handling steel samples of reactor pressure vessel	Program implementation not completed
3P005	Testing and Setup Program for steam generators	Program completed
3P006A	Testing and Setup Program for primary circuit equipment – main circulation pumps	Program completed
3P006B	Testing and Setup Program for primary circuit equipment – main circulation pipes and main shut-off valves	Program completed
3P007	Testing and Setup Program for oil management system of main circulation pumps	Program completed
3P008	Testing and Setup Program for equipment of the pressurizer system	Program completed
3P010	Test Program for equipment for reception, storage and transport of fresh fuel	Program completed
3P011	Test Program for sampling system for checking hermetic cover	Program completed
3P012	Fuel loading machine	Completed to the extent of inactive tests
3P013	Test Program for transport of reactor internals and of reactor upper block	Program completed
3P015	Test Program of the reactor main dividing plane screw tightener	Program completed
3P017	Test Program for handling ionization chambers	Program completed
3P019	Test Program for the system of storage and SNF handling	Completed to the extent of inactive tests
3P020	Program of testing for equipment for preparation of transport container for SNF removal	Completed to the extent of inactive tests
3P021	Program of testing continuous purification system of primary circuit water	Program completed
3P022	Program of testing the make-up system for the primary circuit and boric acid control	Program completed, further tests need to be performed after repair
3P023	Test Program for oil management system make-up pumps	Program completed, further tests need to be performed after repair
3P024	Storage pool cooling system	Implementation not completed
3P025	Test Program for hydrogen combustion system	Implementation not completed

3P026	Test Program of organized leak system of primary circuit	Program completed
3P028	Test Program of steam generators blowdown system	Program completed
3P029	Program of tests of primary circuit drainage water purification system	Being implemented
3P030	Test Program for active water collection system	Program completed
3P031	Evaporator Test Program	Implementation not completed
3P032	Test Program of condensate purification from evaporator	Program completed
3P033	Test Program of clean condensate system	Program completed
3P034	Functional tests of ŠOV-4 system, ŠOV-4 purification	Program completed
3P035	Test Program of boron concentrate purification	Program completed
3P036	Test Program for the make-up system of boron concentrate	Program completed
3P037	Program for testing the chemical preparation system	Program completed
3P038	Test Program of treatment station for technological venting	Program not completed
3P039	Test Program of water treatment station for the pool and the emergency system tanks	Program completed
3P040	Test Program of blowdown treatment station system of steam generators - filters	Program completed
3P041	Program of tests for emergency systems make-up and core cooling	Program completed
3P042	Test Program of primary circuit cooldown after seismic event	Program completed
3P043	Test Program of pressure relief system in hermetic spaces and leaks location	Program completed
3P044	Test Program of intermediate cooling system, main circulation pumps	Program completed
3P045	Test Program of intermediate drives cooling system	Program completed
3P046 A, B, C, D	RAW Management Programs	Program completed
3P047	Test Program of technological venting system of tanks (KPP)	Program completed
3P051A	Functional Test Program of Operational diagnostic A, Unit 3	Completed to the extent of inactive tests
3P051B	Functional Test Program of Operational diagnostic B, Unit 3	Program completed
3P051C	Functional Test Program of Operational diagnostic C, Unit 3	Program completed
3P051E	Functional Test Program of Operational diagnostic E, 3.blok	Program completed
3P051F	Functional Test Program of Operational diagnostic F, 3.blok	Program completed
3P051H	Functional Test Program of Operational diagnostic H, 3.blok	Program completed
3P051N	Functional Test Program of Operational diagnostic N, 3.blok	Program implementation completed in the scope of

		inactive tests
3P051R	Functional Test Program of Operational diagnostic R, 3.blok	Program completed
3P052	Program of testing emergency support centres	Program implementation not completed
3P053A, B, C	Functional Test Program of radiation control in the main generating unit – Unit 3, accessories and electric part	Program completed
3P055	Functional Test Program of sampling system	Program completed
3P056A	Functional Test Program of HVAC systems of hermetic zone	Completed in the scope of inactive tests
3P056B	Functional Test Program of HVAC systems of the airtight zone	Completed in the scope of inactive tests
3P056C	Functional Test Program of HVAC air supply systems	Completed in the scope of inactive tests
3P056E	Functional Test Program of HVAC for the building of active auxiliary operations	Program not completed
3P057	CCTV functional test program	Program completed
3P058	Functional Test Program for measurement of hydrogen concentration in the hermetic zone	Program completed
3P059	Functional Test Program of ASFES	Program not completed
3P060	Program of passivation of internal surfaces of primary circuit during 2. HS	Program completed
3P061A	Test of gravity filling of the spent fuel cooling pool from flumes of the system to detect accidents	Program completed
3P061C	Verification of operation of valves of emergency venting of steam generators and reactor	Program completed
3P061E	Test of coolant drain from bubbler flume to the floor of steam generator box	Program completed
3P062A	Testing the throughput of super-emergency supply routes using pumps of the Plant Fire Unit	Program completed
3P062B	Testing throughput of gasoline pumps from coolant pool to the ESW system	Program completed
3P063A	Verifying the ability to cool the primary circuit with PSA PG, PV PG system and low-pressure emergency make-up system	Program completed
3P063B	Verifying configuration of system of emergency source of coolant and its ability to replenish the coolant according to the design	Program completed
3P063C	Test of gravity replenishment of water to steam generators from supply tanks	Program completed
3P064	Functional Test Program of pneumatic quick-acting valves – Unit 3	Program completed
3P065	Functional test of valves and drive controllers	Program completed
3P066	Comprehensive ESFAS tests, Unit 3	Program not completed, will continue during FS and ES
3P067	Program of APS testing in the stage of inactive tests and start-up	Implementation completed within the scope of inactive tests
3P070	110 kV substation, EMO1-3	Program completed
3P071	Back-up transformer 63 MVA, Unit 3	Program completed
3P072	400kV substation, transformers 300 MVA, 32 MVA, Unit 3	Program completed

3P076	Secured power supply, category 1, Unit 3	Program completed
3P077	High voltage switchgear, Unit 3	Program completed
3P077B	High voltage switchgear, Unit 3, interconnections	Completed within the scope of inactive tests
3P078	Low voltage switchgear, Unit 3	Program not completed
3P079	Essential Service Water System, pumping station and forced draft cooling towers, Unit 3	Program completed
3P080	System of non-essential cooling water, pumping station and cooling towers of Unit 3	Program completed
3P081	Cooling water Unit 3, functional test program	Program not completed, will be completed after the repair of cooling towers
3P082	System of demi-water distribution 1 MPa, Unit 3	Program not completed
3P083	HVAC systems of secondary circuit, Unit 3	Testing under way
3P085	Turbine hall condensate collection tank, Unit 3	Completed in the scope of inactive tests
3P086	Main condensate system	Program not completed
3P087	Super emergency power supply, Unit 3	Program completed
3P088	Power supply system, Unit 3	Completed in the scope of inactive tests
3P089	Live steam system, Unit 3	Implementation in progress, will be completed in the energy start-up stage
3P090	Generator and its auxiliaries	Completed in the scope of inactive tests
3P091	Functional test of TG I&C	Not implemented, part of the tests will be during ES
3P092, 3P093	Program of turbine functional tests	Implementation in progress, will be completed in the energy start-up stage
3P094	ASDR terminal tests	Program completed
3P095	Program of functional tests of the generator and its auxiliaries	Implementation in progress, will be completed in the energy start-up stage
3P096	DGS, Unit 3	Program completed
3P097	Program of EPS testing	Implementation underway
3P098	Low-pressure compressed air system, Unit 3	Program completed
3P099	Turbine vacuum system	Implementation in progress, will be completed in the energy start-up stage
3P101	Communication and data network equipment, Unit 3	Program completed
3P103	Primary circuit cooldown system, Unit 3	Program completed
3P105	Chemical treatment of condensate	Program being implemented
3P106	HP air Program, Unit 3	Program completed
3P110	Steam for own consumption	Completed in the scope of inactive tests
3P111A	Integral test of I&C system, secondary circuit	Program being implemented
3P114	Functional tests of outlets from 6 kV and 0.4 kV switchboards for power supply of nuclear island	Program completed

	consumers	
3P127	Program of functional tests of essential and non-essential service water distribution, Unit 3	Program completed
3P133A, B	Program of functional tests of TXS system	Program completed
3P134	Safety systems switchgear (24 V) power test program - Individual Test "B"	Program completed
3P135A	Test Program of reactor limitation system - Individual Test "B"	Program completed
3P135B	Test Program of reactor limitation system	Program completed
3P136	Test Program of post-accident monitoring system PAMS/SAMS	Program completed
3P137A1	EXCORE system test program	Completed under inactive conditions
3P138A, B	Program of functional test of TXS and AO RTB breakers	Program completed
3P139	Program of testing the integration of bus-interconnected systems	Tests not completed
3P140A, B	RCS reactor power management system test program	Program completed
3P141B	Test Program for the main control system of nuclear and conventional island	Program not completed
3P142	Test Program for primary circuit measurements	Program not completed
3P143	Program of testing seismic monitoring system	Program completed
3P145	Program of testing electromagnetic compatibility of primary circuit	Program not completed
3P146	Test Program of chemical monitoring system - Individual Test "B"	Program not completed
3P149	Functional test of an autonomous control and management system of secondary circuit HVAC	Program not completed
3P160	Secondary switchgears, LV, Unit 3 nuclear island	Program completed
8P116	Fire water system seismically not reinforced	Not completed
8P116A	Testing fire extinguishing for Unit transformers	Program completed
8P116B	Fire extinguishing tests for back-up transformers and station service transformers	Program completed
8P116D	Foam fixed fire extinguishers for TG oil tanks	Program not completed
8P116E	Fixed fire extinguishers seismically not reinforced	Program completed
8P117	Fixed fire extinguishers seismically reinforced, Unit 3	Program completed
8P118	System of chilled water 6/12° C	Program completed
8P119	Raw water treatment, Units 3&4	Program completed
8P121	Common diesel generator	Program completed
8P121A	Common diesel generator – electric part	Program completed
8P121B	Independent I&C of the common diesel generator	Program completed
8P126	Functional test of autonomous system of control and management of high-pressure air	Program completed
8P130	Functional test of HRS control system	Program completed
3P200	Pressure test program of detachable parts of the primary circuit	Program completed
3P201	Cold hydro test program	Program completed

3P202	Minor Revision Program of Unit 3	Program completed
3P203	Hot hydro test program Unit 3	Program completed
3P204	Program of extended revision of Unit 3	Program completed
3P206	Determination of flow distribution unevenness	Program completed

Documents on readiness and also equipment testing according to individual programs of inactive tests were reviewed by ÚJD SR inspectors during inspections in Mochovce. Several of these programs are of a general nature and cannot be unequivocally attributed to specific authorizations/licenses according to this Decision, namely authorization for commissioning of Unit 3 of MO3&4 (designated as B in the operative part of the Decision), or the authorization for radioactive waste management, spent nuclear fuel management and handling of nuclear materials – fresh nuclear fuel (designated as A in the operative part of the Decision). Examples of such programs of inactive tests are the following programs: 3P065, 3P068, 3P070, 3P071, 3P072, 3P076, 3P077, 3P078, 3P080, 3P098, 3P114, 3P142, 3P145, 3P146, 3P160, 8P116, 8P116E, 8P117B and others, verifying the operability of equipment common for the Unit operation, radioactive waste and spent nuclear fuel management as well as fresh nuclear fuel management. Some of the equipment test programs may clearly be assigned to authorizations (A) or (B) according to the operative part of this Decision, depending on the purpose of the equipment under testing. Equipment testing for radioactive waste management includes programs 3P046A, B, C, D, 3P056E and 3P030. Equipment testing for spent nuclear fuel management includes programs 3P019, 3P020 and 3P024. Equipment testing for nuclear material handling in the scope of fresh nuclear fuel outside the fresh fuel node, includes 3P010 programs and partly also 3P012.

[Explanatory note No. 1 on par. 9r) – documents on readiness for commissioning (equipment and system test reports) are not and cannot be complete as at the date of publication of this Draft Decision, in particular in view of the gradual equipment test process. At the same time, the test reports for equipment and systems of Unit 3 are an essential basis for the preparation of the document on the readiness of Unit 3 (RAW management facilities) for commissioning. ÚJD SR continuously monitors the state of readiness of individual systems and equipment needed for commissioning during inspections conducted at Mochovce. ÚJD SR reflected the requirement for test reports from completed tests of equipment and systems of Unit 3 into the conditions of the Decision (conditions A.1 and B.1)].

[Explanatory note No. 2 on par. 9r) – In this Draft Decision, ÚJD SR lists those programs it supervises for inactive testing of equipment and systems, and the status of their implementation as of the date of publication of this Draft Decision. It is clear from the list of supervised programs that a substantial part of Unit 3 tests have been performed under inactive test conditions. ÚJD SR assumes that as of the date of issue of the envisaged future decision on the case Slovenské elektrárne, a.s. will provide for complete testing of other systems and equipment of Unit 3 of MO3&4. For this reason, ÚJD SR may modify the text in the envisaged future decision on the case in par. 9r) so that it states a full list of programs, or lists only those programs, the implementation of which will not be completed (if such programs exist), or merely stating that all programs of inactive tests have been fully implemented as of the date of issue of the envisaged future decision on the case.]

[Explanatory note No. 3 on par. 9r) – The envisaged future decision on the case will be issued only after the fulfilment of conditions according to Annex 4 Part B Section I (A) par. 5 par. and par. 7 of the Decree on nuclear safety, and thus ÚJD shall deem it established that by submitting the relevant documentation there are no such punch list items that could impact nuclear safety.]

Some of the activities related to the management of nuclear material (fresh nuclear fuel) are carried out outside the fresh fuel node, and thus are beyond the scope of authorizations for the

handling of fresh nuclear fuel in the fresh fuel node, which ÚJD SR authorized by its Decisions No. 277/2018, and No. 298/2018 of 29 October 2018, and which were confirmed by appeal ÚJD SR Decision No. 139/2019 P and No. 140/2019 P of 06 May 2019. Slovenské elektrárne, a.s. has installed facility that is designed to handle fresh nuclear fuel outside the fresh fuel node and performs its testing. Considering these facts and applying Section 19 par. 2 of the Code of Administrative Procedure accordingly, in this Decision, ÚJD SR also issued an authorization for management of nuclear materials (fresh nuclear fuel) pursuant to Section 5 par. 3 (g) of the Atomic Act in the scope of objects and facilities for Unit 3 operation, and in the scope of objects and facilities common for Units 3&4 serving for Unit 3 operation except for the fresh fuel node (handling nuclear materials in the scope of handling and storage of fresh nuclear fuel in the fresh fuel node by ÚJD SR Decision No. 277/2018, confirmed by ÚJD SR Decision No. 140/2019 P).

- t) Population protection plans in case of incident or accident of nuclear installation Mochovce NPP in territorial districts of Banská Bystrica and Nitra Regions – reviewed by ÚJD SR Decision No. 276/2015 of 13 April 2015 and No. 277/2015 of 24 April 2015 and approved by the Ministry of Interior of the Slovak Republic No. SKR-14-20/2015 and SKR-14-22/2015.
 - u) Demarcation of the boundaries of a nuclear installation – approved by ÚJD SR Decision No. 922/2014 of 12 December 2014.
 - v) Demarcation of the size of emergency planning zone around a nuclear installation – approved by ÚJD SR Decision No. 1040/2012 of 23 November 2012.
 - w) The documentation according to the Building Act – was gradually submitted to oral hearings connected with the site inspections (local surveys) for individual objects of Unit 3 and common objects of Units 3&4, needed for Unit 3 operation.
- 10) Documentation required by the Building Act for early use of the building pursuant to Section 6 par. 2 (j) of the Atomic Act
- Slovenské elektrárne, a.s. submitted this documentation to oral hearings connected with the inspections connected with the site inspections (local surveys) for individual objects of Unit 3 and common objects for Units 3&4 required for Unit 3 operation.
 - Information required by a special regulation of the “Treaty establishing the European Atomic Energy Community” pursuant to Article 12 par. 5 of Commission Regulation (Euratom) No. 302/2005 of 08 February 2005 on the application of the Euratom safeguards system. Slovenské elektrárne, a.s. submitted letter SE/2016/067700 on sending the basic technical characteristics (hereinafter only as the “BTC”) ÚJD SR, and letter SE/2016/007696 on sending BTC to European Commission, with the attached Report on basic technical parameters for MO3&4 sites. The submission of the report is in accordance with Article 4 of Commission Regulation (Euratom) No. 302/2005. BTC was then updated as of 23 March 2018 and sent by SE, a. s. letter ref. SE/2018/021092 of 5 April 2018.
- 11) Liability insurance for nuclear damage according to Section 8 par. 1 and 2, Act No. 54/2015 Coll. on civil liability for nuclear damage and its financial coverage and on amendments to certain laws.
- Slovenské elektrárne, a.s. submitted an Insurance Policy for liability insurance of the nuclear installation operator in Mochovce site for damage caused by nuclear event, No. 03/2016/SE-EMO3/KSJPP. With the letter ref. SE/2018/072243/Ov dated 19 December 2018, Slovenské elektrárne, a.s. notified ÚJD SR about the change in the operator’s liability insurance structure for damage caused as a consequence of nuclear event for the Mochovce site, Units 3&4, effective as of 12 December 2018, and subsequently by letter ref. SE/2019/007259Ov dated 01 February 2019, change in the share of insurers in the insurance coverage for the given site as at 21 January 2019. Letter ref. SE/2019/034734/Ov, registered at ÚJD SR under No. 4385/2019 on 18 June 2019 containing specification of information regarding the financial coverage of the operator’s liability for nuclear damage for the nuclear installation Mochovce Units 3&4. The submitted documentation shows that the part of the obligation to cover nuclear liability meets the requirements for financial coverage of nuclear liability in the prescribed manner, and within the limit set by law No. 54/2015 Coll. on civil liability for nuclear damage and on its financial coverage and on amendments to certain laws.

- 12) According to Section 7 par. 5 of the Atomic Act, a special condition for issuing authorization pursuant to Section 5 par. 3 (g) of the Atomic Act is the approval of the physical protection plan. ÚJD SR Decision No. 154/2018 of 24 May 2018 approved the document "Physical Protection Plan for MO3&4, fresh fuel node", Issue 1, Revision 0. ÚJD SR Decision No. 280/2018 of 10 October 2018 approved the change to the document "Physical Protection Plan for MO3&4, fresh fuel node", Issue 1, Revision 0 in the scope of document "Physical Protection Plan for MO3&4, fresh fuel node", Issue 1, Revision 1, and Decision No. 134/2019 of 13 May 2019 approved changes to the document "Physical Protection Plan for MO3&4, fresh fuel node", Issue 1, Revision 0, and its change approved by ÚJD SR within the scope of the document "Physical Protection Plan for MO3&4, fresh fuel node", Issue 1, Revision 2. ÚJD SR Decision No. 39/2020 of 30 January 2020 approved the change in the physical protection plan for MO3&4, fresh fuel node, in the scope of the document "Physical Protection Plan for MO3&4, fresh fuel node", Issue 1, Revision 3.

ÚJD SR Decision No. 260/2018 of 19 September 2018 approved the "Physical protection plan for SE-MO3&4", Issue 1, Revision 0. ÚJD SR Decision No. 281/2018 of 10 October 2018 approved a change to the document "Physical protection plan for SE-MO3&4", Issue 1, Revision 0 in the scope of the document "Physical protection plan for SE-MO3&4", Issue 1, Revision 1, and ÚJD SR Decision No. 133/2019 of 13 May 2019 approved the change to the document "Physical protection plan for SE-MO3&4", Issue 1, Revision 0, and its change approved by ÚJD SR within the scope of the document "Physical protection plan for SE-MO3&4", Issue 1, Revision 2.

Slovenské elektrárne, a.s. submitted a report to ÚJD SR on the project implementation to install surveillance equipment of the International Atomic Energy Agency and of the European Commission.

Surveillance equipment was installed by the responsible staff member of the European Commission on 10 and 11 December 2019. Subsequent surveillance operations will be carried out during an international inspection in the first quarter of 2020.

By Decision No. 334/2017 of 23 August 2017, ÚJD SR divided the application by Slovenské elektrárne, a.s. for authorizations related to the commissioning of MO3&4 into administrative proceedings Nos. 1.1, 1.2 and 1.3 (related to fresh fuel node), Nos. 2.1, 2.2 and 2.3 (related to Unit 3 of MO3&4) and Nos. 3.1, 3.2 and 3.3 (related to Unit 4 of MO3&4) due to the two-unit structure of MO3&4 project and the time sequence of anticipated activities during the gradual preparation of equipment, systems and objects of MO3&4 for commissioning. Part of the documentation submitted by Slovenské elektrárne, a.s. in administrative proceedings 2.1, 2.2 and 2.3 only relates to Unit 3 of MO3&4 and facilities common for Units 3&4 of MO3&4, which are needed for Unit 3 operation, part of the documentation demonstrates compliance with applicable legislation not only for Unit 3 and common facilities for Units 3&4, which are needed for Unit 3 operation, but also for Unit 4, or for nuclear installation of MO3&4 as a whole – in particular the documentation referred to in par. 7), 9f), 9h) to 9j), 9l) to 9o), 9t) to 9v), 11) and 12). ÚJD SR assessed this documentation in full, which in fact exceeds the scope required for administrative proceedings 2.1, 2.2 and 2.3.

By letter reg. No. 7772/2018 dated 04 December 2018, the first-instance administrative authority asked the Chairperson of ÚJD SR as an appellate administrative authority in accordance with Section 49 par. 2 and Section 58 par. 1 of the Code of Administrative Procedure, in connection with Section 61 par. 2 of the Code of Administrative Procedure, to extend the time period for the decision-making in the administrative proceedings 2.1, 2.2, 3.1 and 3.2 by 6 months pursuant to Section 49 par. 2 of the Code of Administrative Procedure. The first-instance administrative authority justified its request with a large range of control activities to be carried out before commencement of commissioning of Unit 3 of MO3&4, in order to fully comply with Section 46 of the Code of Administrative Procedure, which states that the decision must be based on reliably established state of affairs. The ÚJD SR Chairperson granted the request of the first-instance administrative authority and extended the period for the decision by 6 months. The parties to the proceedings and other bodies

concerned were informed of the extended period by ÚJD SR letters reg. No. 157/2019, 158/2019 and 7058/2018 of 07 January 2019.

Fulfilment of conditions of ÚJD SR Decision No. 266/2008, related to Unit 3 of MO3&4 is as follows:

- Conditions Nos. 1 and 2 (Condition No. 1 "In accordance with best international practice, finalize the project of nuclear installation of Units 3&4 of Mochovce with reference scenario for an event involving deterministic effect from an external source, for example an impact of a small aircraft, and submit it to ÚJD SR for review", and Condition No. 2 "Based on the scenario developed under Condition No. 1, evaluate the functional potential of robustness of the project, Unit 3&4 of Mochovce NPP, and apply appropriate additional systems, structures or components, as well as strategy for the management of NPP to ensure its robustness against possible deterministic effects from external source, for example, malicious impact of a small aircraft, in order to bring the project in line with the best international practice. The relevant changes to the basic design to be submitted to ÚJD SR in accordance with the applicable law"). Slovenské elektrárne, a.s. submitted to ÚJD SR the relevant documentation, their contents is confidential. ÚJD SR issued Decision No. 290/2010 of 16 August 2010, authorizing the construction of a protective barrier. Related documentation is classified in accordance with Act No. 215/2004 Coll. on the protection of classified information and on amendments to certain laws, has not been disclosed to the public for this reason. ÚJD SR considers conditions No. 1 and 2 of the Decision No. 266/2008 as fulfilled.
- Condition No. 3 (In accordance with the best international practice, and based on the recommendations included in the IAEA document NS-G-1.10, to implement double sealing on the Slovak nuclear installations that are in operation, with the possibility of testing the space in between the seals, on hermetic doors and hermetic lids at the containment boundaries of the nuclear installation of Units 3&4 of MO NPP. This modification was implemented and its implementation was checked by the ÚJD SR inspectors on-site in Mochovce.
- Conditions No. 4, 5, and 6 (To add more detailed calculations on the seismic reinforcement of the equipment, whose seismic resistance is required by the basic design, and their verification by an independent organization, to develop manual for the authors of detailed design projects for the calculations of component anchoring, the seismic resistance of which is required, and to ensure independent inspection of detailed design projects of all operational sets containing seismically qualified components). Slovenské elektrárne, a.s. submitted to ÚJD SR the required documentation, and ÚJD SR confirmed fulfilment of conditions of the Decision No. 266/2008 in writing (ÚJD SR letter reg. No. 4989/2015 dated 06 August 2015 – Condition No. 4, by letter reg. No. 443/320-150/2009 dated 04 May 2009 – Condition No. 5, by letter reg. No. 4989/2015 dated 06 August 2015 – Condition No. 6).
- Condition No. 7 (Ensure that a repeated nuclear safety assessment is carried out in the next stages of the project of a nuclear installation, in accordance with the requirement of Annex 3 Part B Section I. par. A (u) of the ÚJD SR Decree No. 50/2006 Coll. in the version effective as of the date of the Decision 266/2008, this requirement is stated in Annex 3 Part B Section I A par. 20 of the Nuclear Safety Decree. ÚJD SR confirmed fulfilment of this condition by letter reg. No. 1104/320-353/2009. All modifications to the basic design are elaborated by the author of the basic design, and the author of the basic design confirms the compliance of the design and detailed design documentation with the basic design. ÚJD SR approves the license holder's documentation in accordance with the requirements of the Atomic Act and the related ÚJD SR Decrees. Nuclear safety assessment is included in the Pre-Operational Safety Report of MO3&4.
- Condition No. 8 (To adopt measures as outlined in chapter 7.5 of the Preliminary Safety Report that would ensure balancing the risk in terms of a probabilistic safety assessment between the power and non-power states of the operation of a nuclear installation. Technical report on the implemented modifications to be submitted to ÚJD SR) – this condition is met in the current revision of the Probabilistic Safety Assessment study (PSA). The risk between power and non-power states is balanced.

Fulfilment of conditions from the ÚJD SR Decision No. 267/2008 is included in the relevant chapters of Pre-Operational Safety Report of MO3&4 as follows:

- Condition No. 1 from the annex to the Decision (Add to the relevant part of chapter 7 of POSR MO3&4 categorization of postulated initiation events according to frequency of their potential occurrence according to the requirement of Annex 3 Part B Section I/A. (1) of the Decree No. 50/2006 Coll. in the wording effective as at the date of Decision 267/2008: – it is incorporated in chapter 7.3.0 of POSR MO3&4. Cited requirement of ÚJD SR Decree No. 50/2006 Coll. in the version effective at the date of Decision 267/2008 is identical with the requirement of Annex 3 Part B 1. A. par. 12 of Nuclear Safety Decree,
- Condition No. 2 from the annex to the Decision (Incorporate in the relevant part of chapter 7 of POSR MO3&4 for analysed postulated initiation events a requirement according to Annex 3 Part B Section I/B par. 3 (a) of the Decree No. 50/2006 Coll. in the version effective as at the date of the Decision 267/2008 – is incorporated in chapter 7.4 of POSR MO3&4. Cited requirement of ÚJD SR Decree No. 50/2006 Coll. in the version effective as at the date of Decision 267/2008 is included in Annex 3 Part B Section I/B. par. 3 (a) of the Nuclear Safety Decree in its applicable version,
- Condition No. 3 from the annex to the Decision (To incorporate into the relevant part of chapter 7 of POSR MO3&4 for analysed postulated initiation events a requirement according to Annex 3 Part B Section I/ B par. 3 (c) of the Decree No. 50/2006 Coll. in the version effective as at the date of the Decision 267/2008 – is incorporated in chapter 7.4 of POSR MO3&4. Cited requirement of the Decree No. 50/2006 Coll. in the version effective as at the date of Decision 267/2008 is included in Annex 3 Part B Section I/ B par. 3 (c) of the Nuclear Safety Decree in its applicable version,
- Condition No. 4 from the annex to the Decision (To add to the relevant part of chapter 6 of POSR MO3&4 an analysis of the effects of postulated initiation events for those systems and components, for which such assessment is not given, or to assess the possibility of influencing the operation of these systems and components in terms of effects of external postulated initiation events according to Annex 3 Part B Section I / H par. 7 of the Decree No. 50/2006 Coll. in the wording effective as at the date of the Decision 267/2008 – is incorporated in chapter 6.0 of POSR MO3&4. Cited requirement of the Decree No. 50/2006 Coll. in the wording effective as at the date of the Decision 267/2008 is included in Annex 3 Part B Section I/ H par. 7 of the Nuclear Safety Decree in its applicable version,
- Condition No. 5 from the annex to the Decision (Complement chapter 7.4.20 of POSR MO3&4 so that fulfilment of the requirement from Annex 3 Part B Section II / E par. 2 (a) (2) of ÚJD SR Decree No. 50/2006 Coll. in the wording effective as at the date of the Decision 267/2008 is sufficiently proven, taking into account the current good practice used in this area – is incorporated in chapters 7.2.3.2 and 7.4 of POSR MO3&4. Cited requirement of Decree No. 50/2006 Coll. in the wording effective as at the date of Decision 267/2008 is identical with the requirement of Annex 3 Part B Section II/ E par. 2 (a) (2) of the applicable Nuclear Safety Decree,
- Condition No. 6 from the annex to the decision (In chapter 14 of POSR MO3&4, add requirements and indicate how they are met to maintain sub-criticality in radioactive waste management according to the requirement of Section 21 par.3 (a) of Act No. 541/2004 in the wording effective as at the date of the Decision 267/2008 – is incorporated in chapter 14 of POSR MO3&4. Cited requirement of the Act No. 541/2004 in the wording effective as at the date of the Decision 267/2008, in its applicable version is identical with the requirement of Section 21 par. 4 (a) of the Atomic Act,
- Condition No. 7 from the annex to the decision (In chapter 14 of POSR MO3&4, complement requirements and indicate how they are fulfilled to ensure residual heat removal in radioactive waste management, in accordance with the requirement of Section 21 par. 3 (b) of Act No. 541/2004 in the wording effective as at the date of the Decision 267/2008 – is incorporated in chapter 14 of POSR MO3&4. Cited requirement of the Act No. 541/2004 in the wording effective as at the date of the Decision 267/2008 in its applicable version, is identical with the requirement of Section 21 par. 4 (b) of the Atomic Act,

- Condition No. 8 from the annex to the decision (In chapter 14.6 of POSR MO3&4, add a requirement in accordance with Section 21 par. 10 of Act No. 541/2004 in the wording effective as at the date of the Decision 267/2008) – is incorporated in chapter 14 of POSR MO3&4. Cited requirement of the Act No. 541/2004 in the wording effective as at the date of the Decision 267/2008 in its applicable version is stated in Section 21 par. 11 of the Atomic Act,
- Condition No. 9 from the annex to the decision (In chapter 14.6 of POSR MO3&4, add a requirement that samples of radioactive waste be kept until the waste is received at the repository in accordance with the requirement of Section 3 par. 3 of the Decree No. 53/2006 Coll. in the wording effective as at the date of the Decision 267/2008 – is incorporated in chapter 14 of POSR MO3&4. Cited requirement of the Decree No. 53/2006 Coll. in the wording effective as of the date of the Decision No. 267/2008 in its applicable version is stated in Section 3 par. 3 of the Decree No. 30/2012 Coll. as amended by Decree No. 101/2016 Coll. as follows: “At decisive points of radioactive waste management, the license holder, pursuant to Section 5 par. 3 (f) of the Atomic Act, takes, analyses and retains representative samples for documenting and evaluating radioactive waste management. Samples are retained until radioactive waste is received at the repository and samples from waste characterization in operation of the repository are retained until the end of operation of the repository“,
- Condition No.10 from annex to the decision (The relevant parts of chapter 9 of POSR of MO3&4 should be supplemented by requirements for coordination of records of other nuclear materials, such as fresh nuclear fuel and spent nuclear fuel) – is incorporated in chapter 9.5 of POSR of MO3&4,
- Condition No. 11 from annex to the decision (Align the classification of nuclear materials given in chapter 9.5.5 of the report with the European Commission Regulation 302/2005, and add the possibility to send nuclear materials from MBA generated in the nuclear installation MO3&4) – is incorporated in chapter 9.5 POSR MO3&4,
- Condition No. 12 from annex to the decision (In chapter 11.05 of the report take into account the quality assurance program of radiation protection according to Annex 4 of Act No. 355/2007 Coll. in the wording effective as at the date of Decision 267/2008 – is included in chapter 11.5 of POSR MO3&4. In the current Act No. 87/2018 Coll. on radiation protection and on amendments to certain laws there is an analogous requirement stated in part 2 of the documentation that is part of the application for license/authorization,
- Condition No. 13 from annex to the decision (Revise the relevant parts of chapter 11 of the report in order to make sufficient use of experience and knowledge from operation of Units 1&2 of Mochovce NPP in the field of radiation protection) – is incorporated in chapter 11.5 of POSR MO3&4,
- Condition No. 14 from annex to the decision (Include gamma and neutron in chapter 11 of the report, describing the sources of radiation, complement gamma and neutron overlaps and describe possible measures to eliminate or reduce overlaps) – is incorporated in chapter 11.2 of POSR MO3&4,
- Condition No. 15 from annex to the decision (Add to section of chapter 11 of the report, describing the sources of radiation, information on the experience with application of chemical regimes on Units 1&2 of Mochovce NPP in relation to ensuring radiation protection) – is incorporated in chapter 11.2 of POSR MO3&4,
- Condition No. 16 from annex to the decision (In part of chapter 11, include the objectives of radiation protection, such as for example, limiting dose for the staff, regulatory levels for individual exposure and collective dose objectives) – is incorporated in chapter 11.5 of POSR MO3&4,
- Condition No. 17 from annex to the decision (Add to part of chapter 11, an assessment on how the operation of Units 3&4 of Mochovce NPP will impact the individual doses of the personnel, who will work in all four Units of this power plant) – is incorporated in chapter 11.5 of POSR MO3&4,
- Condition No. 18 from annex to the decision (Include in chapter 11 of the report a statement that ensuring radiation protection is a primary condition for safe operation of nuclear

- installation, and to this end, the radiation protection management unit should be independent of economic and operational indicators) – is incorporated in chapter 11.5 POSR MO3&4,
- Condition No. 19 from annex to the decision (In chapter 11, add, assess and highlight the importance of expert for radiation protection, his competencies, rights and obligations) – is incorporated in chapter 11.5 POSR MO3&4,
 - Condition No. 20 from annex to the decision (In chapter 11 of POSR MO3&4, reclassify working activities in the controlled zone into relevant categories of risk in accordance with the applicable legislation) – is incorporated in chapter 11.5 POSR MO3&4,
 - Condition No. 21 from annex to the decision (Add to relevant parts of POSR MO3&4 an analysis on the potential errors and their consequences (FMEA) of all relevant systems that fully demonstrate the consequences of individual failure of components on the system operability) – is incorporated in chapter 6.5.3 POSR MO3&4,
 - Condition No. 22 from annex to the decision (Add to relevant parts of POSR MO3&4 an analysis of internal flooding in the scope of the requirements of chapter 2.5.4.3 approved requirements for the quality of nuclear installations of Units 3&4 of Mochovce NPP) – is incorporated in chapters 7.2.3.1 and 6.10 POSR MO3&4,
 - Condition No. 23 from annex to the decision (Add to relevant chapters of POSR MO3&4 an analysis of incidents connected with fires and flooding caused by seismic event according to the requirement of the IAEA Guide GS-G-4.1, 3.68 b) – incorporated in chapters 7.2.3.2 and 6.0 of POSR MO3&4,
 - Condition No. 24 from annex to the decision (Breakdown of the commissioning process of a nuclear installation, described in chapter 8 of the report, to align with the requirements of Annex 4, Part B Section II /A par. 1 of the Decree No. 50/2006 Coll. in the wording effective as at the date of decision 267/2008 – chapter 8 of POSR MO3&4, revised according to Annex 4 Part B Section II /A par. 1 of the Nuclear Safety Decree,
 - Condition No. 25 from annex to the decision (Recalculate LERF and CDF values stated in chapter 7.5.1 of the report for a shutdown reactor) – incorporated in chapter 7.3 of POSR MO3&4,
 - Condition No. 26 from annex to the decision (Modify the contents of chapter 5.1.1.3 to fully comply with and demonstrate unequivocal compliance with the requirements of Annex 3 Part B Section I /C par. 1 of the Decree No. 50/2006 Coll., in the wording effective as at the date of Decision 267/2008 – incorporated in chapters 5.1 and 5.2 of POSR MO3&4. Cited requirement of Decree No. 50/2006 Coll. in the wording effective as at the date of Decision 267/2008, is stated in Annex 3 Part B Section I / C par. 1 (c) of the Nuclear Safety Decree,
 - Conditions No. 27 from annex to the decision (In the relevant sections of chapters 5.2 and 7.4 of the report, add information on the limit conditions for which systems and components relevant to nuclear safety are designed in accordance with the requirement set out in Annex 3 Part B I Section I /F par. 1 of the Decree No. 50/2006 Coll., in the wording effective as at the date of Decision 267/2008 – is incorporated in chap. 5.2 and 7.4 of POSR MO3&4. Cited requirement of Decree No. 50/2006 Coll. in the wording effective as at the date of Decision 267/2008, is stated in Annex 3, Part B Section I / F par. 1 of the Nuclear Safety Decree,
 - Condition No. 28 from annex to the decision (Complement the relevant safety analyses for non-power operating modes and shut-down reactor with the application of simple failure criterion in accordance with the requirement given in Annex 3 Part B Section I/ H par. 1 of Decree No. 50/2006 Coll. in the wording effective as at the date of Decision 267/2008 – is incorporated in chapter 7.4 of POSR MO3&4. Cited requirement of the Decree No. 50/2006 Coll. in the wording effective as at the date of Decision 267/2008, is given in Annex 3 Part B Section I/ H par. 1 of the Nuclear Safety Decree.
 - Condition No. 29 from annex to the decision (Add to relevant chapters of POSR MO3&4 possible failure to meet the simple failure criterion together with a justification according to the requirements given in Annex 3 Part B diel I/ H par. 4 of ÚJD SR Decree No. 50/2006 Coll. in the wording effective as of the date of Decision 267/2008 – in incorporated in chap. 7.4 of POSR MO3&4. Cited requirement of Decree No. 50/2006 Coll. in the wording effective as at the date of Decision 267/2008, is given in Annex 3 Part B Section I/ H par. 4 of the Nuclear Safety Decree,

- Condition No. 30 from annex to the decision (To add to the relevant chapters of POSR MO3&4 risk analysis of explosion or fire risk to determine the required fire resistance of fire-resisting structures according to the requirement given in Annex 3 Part B Section I/I par. 5 of ÚJD SR Decree No. 50/2006 Coll., in the wording effective as of the date of Decision 267/2008 – incorporated into chapters 7.2.3.1 and 7.2.3.2 of POSR of MO3&4.
- Condition No. 31 from annex to the decision (Add to the relevant sections of POSR MO3&4 an analysis of combination effects caused by natural conditions and human activity according to the requirement given in Annex 3 Part B Section I/ J par. 2 (b) of Decree No. 50/2006 Coll. in the wording effective as of the date of the Decision 267/2008 – incorporated in chap. 7.2.3.2 of POSR MO3&4.
- Condition No. 32 from annex to the decision (Finalize the safety analyses so that they fully meet the requirements of Annex 3 Part B Section II /F of the Decree No. 50/2006 Coll., in the wording effective as at the date of the Decision 267/2008 – requirement is incorporated in chapter 7.2.3.1 of POSR MO3&4. Cited requirement of the Decree No. 50/2006 Coll. in the wording effective as of the date of Decision 267/2008 is given in Annex 3 Part B Section II/ G of the Nuclear Safety Decree.

The first instance administrative body requested by letter reg. No. 4594/2019 dated 25 June 2019 the Chairperson of ÚJD SR as the appellate administrative authority in accordance with Section 49 par. 2 and Section 58 par. 1 of the Code of Administrative Procedure, in connection with Section 61 par. 2 of the Code of Administrative Procedure, to extend the time limit for the decision-making in administrative proceedings No. 2.1 and 2.2, by 6 months. The first instance administrative body justified its request with an extensive scope of inspection activities to be carried out after the hot hydrotest of Unit 3 of MO3&4 is completed, in particular by verifying full completion of all construction and erection work in the hermetic zone, verification of removal of punch list items, as well as checking the readiness of the Unit for a re-heating so that the provisions of Section 46 of the Code of Administrative Procedure are fully complied with, stating that the decision must be based on reliably established state of affairs. ÚJD SR Chairperson granted the request of the first-instance administrative body and extended the period for the decision-making by 6 months. The parties to the proceedings and other authorities concerned were informed of the extension of the period by ÚJD SR letters reg. No. 4683/2019 and 4681/2019 of 28 June 2019.

Slovenské elektrárne, a.s. gradually notified ÚJD SR of the readiness of individual objects of Unit 3 of MO3&4, or common objects for Units 3&4, which are necessary for Unit 3 operation, to continue in the proceedings concerning the application of Slovenské elektrárne, a.s. for authorization for early use of the project. ÚJD SR duly evaluated the importance of these objects for nuclear safety applying graded approach. Only after confirming the preparedness of the decisive objects for holding oral hearings connected with site inspections (local surveys), in particular of the main generating unit, auxiliary building and diesel generator station, ÚJD SR considered that the conditions for continuing administrative proceedings No. 2.3 are met. ÚJD SR informed the parties by letters reg. No. 6122/2019, 6124/2019 and 6125/2019 of 23 August 2019, about the continuation in the administrative proceeding No. 2.3 of 19 August 2019. Information on the continuation of the proceedings was published on the central official electronic board, in a form of a public notice at municipal offices of Kalná nad Hronom and Nový Tekov and on the website of ÚJD SR.

ÚJD SR, taking into account the requirements of the representatives of the state authorities concerned (in particular the Fire and Rescue Services and the Labour Inspectorate), and in accordance with the proposals of Slovenské elektrárne, a.s., organized oral hearings connected with site inspections (local surveys) by individual objects partially so that the representatives of these public authorities were provided with optimal conditions to carry-out an assessment of the status in their areas of competence.

Due to the large number of individual buildings and their extent, the oral hearings connected with site inspections (local surveys) were held step by step for individual buildings (groups of buildings) or their floors on the dates set by ÚJD SR. Announcements on the date of oral hearings with site inspections (local survey) were also published on the official notice board and on the website of

municipality of Kalná nad Hronom, on electronic board and the website of ÚJD SR and on the central portal of public administration.

The proposal for early use of individual buildings or their floors was reviewed on site. The builder submitted the following documents to the individual hearings connected with site inspections (local surveys):

- A copy of the final building permit,
- Design documentation verified by the Building Authority in the building proceedings,
- Modifications to the basic design related to the relevant object,
- Accompanying technical documentation and construction logs.

The current status of individual building objects and its compliance with the required documentation (among other, conditions from ÚJD SR Decision No. 246/2008 of 14 August 2008 on the change of construction before completion) was part of oral hearings connected with site inspections (local surveys) for individual objects of project 3 of Mochovce.

Technological equipment in individual objects was tested/their testing continued according to prescribed programs and their readiness for commissioning was documented in test reports in accordance with the status of their tests. Inspections for individual objects were performed in MO3&4 object as follows:

SO title	Date	Status of object
Side gate and fencing	8 Jan.2019	Meets the requirements for early use
Sewage system Fire and utility water supply Thermal network on the territory of power plant Foundations of piping bridge	2 April 2019	Meet the requirements for early use
Rainwater sewer Pumping of diesel and oil II. HVB	17 April 2019	Meet the requirements for early use
Power cable lines, Industrial sewerage Cooling water pipes in the tower circuit, Cooling water channels in the tower circuit	30 April 2019	Meet the requirements for early use
Reactor buildings II. HVB +22.20 m, +29.10 m, +32.93 m, 34.20 m	25 June 2019	Meets the requirements for early use
Oil management of DGS Building of active auxiliary operations +18.60 m, +25.20 m	27 June 2019	Meet the requirements for early use
External substation 110 kV and 400 kV	4 July 2019	Meets the requirements for early use
Air duct to the ventilation stack	30 July 2019	Meets the requirements for early use
Connecting bridge between Main Generating Unit I. and MGU II.	30 July 2019	Meets the requirements for early use
Forced draft cooling tower 41	30 July 2019	Meets the requirements for early use
Forced draft cooling tower 32	30 July 2019	Meets the requirements for early use
Connecting bridge between MGU II. and SO 801/1-02	27 Aug.2019	Meets the requirements for early use
Ventilation stack	27.8.2019	Meets the requirements for early use
Foundations for transverse rails for transformers	26.9.2019	Meets the requirements for early use

SO title	Date	Status of object
MGU II.		use
Premises of el. equipment longitudinal Units 3&4 , floor +5.40 m	17 Oct.20019	Meets the requirements for early use
Premises of el. equipment longitudinal Units 3&4, floor +39.50 m	29 Oct.2019	Meets the requirements for early use
Service roads within the plant – Part 2	22 Nov.2019	Meets the requirements for early use
Trenches and ducts for power cables – Part 1	28 Nov.2019	Meets the requirements for early use
Outdoor lighting – Part 2	28 Nov.2019	Meets the requirements for early use
Sewage piping from cooling towers MGU II	28 Nov.2019	Meets the requirements for early use

[Explanatory note on table – The table shows only those building objects that are meeting requirements for early use, and in respect of which ÚJD SR has received positive opinions from all the public administration authorities concerned, and there are no deficiencies that would prevent the early use of the relevant building/object. These objects may have minor deficiencies that do not endanger the health and safety of persons, and in its aggregate do not hinder the proper and undisturbed use of the building for its intended purpose. These deficiencies are duly recorded, and the deadline for their latest elimination is set. Slovenské elektrárne, a.s. has been eliminating these deficiencies. If any of these deficiencies are not remedied as at the date of issuing the envisaged future decision on the case, ÚJD SR shall state them with the deadlines for their latest remedy. The table in the envisaged future decision on the case will be extended to all objects of Unit 3 or objects common for Units 3&4, which are needed for Unit 3 operation. The obligation to submit a list of minor deficiencies as at the date of envisaged future decision on the case was reflected by ÚJD SR in condition C.1 in the operative part of this Draft Decision.]

[Explanatory note – Authorization for early use of the building shall not be issued before binding opinions of all public administration bodies concerned are issued for all building objects of Unit 3, or buildings common for Units 3&4 needed for Unit 3 operation.]

An oral hearing was held on 27 November 2019 connected with local survey of objects of Unit 3 of Mochovce NPP, and in the scope of objects and facilities common for Units 3&4 needed for Unit 3 operation in connection with the application for authorization for early use of Mochovce NPP Project 3. ÚJD SR notified the parties to the proceedings of the date of the oral hearing connected with local survey in writing – letters reg. No. 7860/2019, 7864/2019 and 7865/2019 of 30.10.2019 ÚJD SR published the details on the organization of the local survey on its website. The procedural act was attended by the parties, including representatives of Slovenské elektrárne, a. s., a representative of the NGO GLOBAL 2000 (Austria), and a representative of territorial self-government, as well as representatives of the authorities concerned and ÚJD SR. Engineering and commissioning units of Slovenské elektrárne, a.s. presented to the attendees the objects and facilities, which were subsequently subject of site walkdown as a follow-up to the oral hearing. During oral hearing connected with local survey, the present persons asked questions and made comments, which were answered by the relevant representatives of Slovenské elektrárne, a.s. and the representatives of ÚJD SR. The persons present also had the opportunity to consult the relevant documentation. Minutes and a protocol were drawn up from the oral hearing and walkdown of objects and facilities within the local survey, the content of which was agreed by the parties, the authorities concerned and other present persons. The Minutes and the Protocol are published on the website of ÚJD SR.

The general technical requirements for construction were observed during construction.

The project is implemented according to the design documentation verified in the building proceedings concerning the change of construction during completion for the Mochovce NPP, VVER

4x440 MW, Project 3, which was closed with the ÚJD SR Decision No. 246/2008 dated 14 August 2008. It can be stated that the early use of the building will not endanger the life and health of persons, nor the interests of society and the environment, therefore ÚJD SR decided as stated in the operative part of this Decision.

[Explanatory note on the previous paragraph – Given the current state of proceedings on early use of buildings, the text of the previous paragraph applies only to those buildings that comply with the requirements for early use and in relation to which ÚJD SR received positive opinions from all public administration authorities concerned, and there are no deficiencies that would prevent early use of the relevant building/object. ÚJD SR will not issue the envisaged future decision on the case before having the binding opinions of all public authorities concerned for all building objects of Unit 3, or objects common for Units 3&4, needed for operation of Unit 3.]

Fulfilment of the binding conditions of ÚJD SR Decision No. 246/2008 (permission to change the construction “Mochovce NPP VVER 4x440 MW, Project 3” before completion) was part of supporting documentation for individual oral hearings connected with walkdowns (local surveys). Summary assessment of the fulfilment of binding conditions of ÚJD SR Decision No. 246/2008 was submitted by Slovenské elektrárne, a.s. to ÚJD SR as part of the filing of 12 December 2016 and updated it by letter ref. SE/2019/063998 of 20.11.2019, registered at ÚJD SR under No. 8584/2019.

Slovenské elektrárne, a.s. submitted to ÚJD SR by letter ref. SE/2019/050765 dated 18 September 2019, registered at ÚJD SR under reg. No. 6722/2019 “Final opinion on the assessment of compliance between DD (detailed design) with the BD concept (Basic Design)”. Author’s supervision (ÚJV Řež, a.s., Division Energoprojekt Praha) in this document states compliance between the Detailed Design and the Basic Design and its amendments. In individual cases the author’s supervision requires to make modifications in the area of nuclear, mechanical, electric and I&C in order to achieve full compliance between the Detailed Design and the Basic Design. These modifications are in most cases of a formal nature (modifications to the dossier requiring it to be in line with other legislative changes).

Based on the opinion of the author’s supervision, ÚJD SR requested Slovenské elektrárne, a.s. to update the document “Final opinion on the assessment of compliance between DD (Detailed Design) with the BD concept (Basic Design).

[Explanatory note on the previous two paragraphs – An updated opinion of the author’s supervision on compliance between the detailed design and the basic design concept, is an important part of demonstrating the compliance of the realized work with the requirements for nuclear safety of the nuclear installation during its design. The requirements for nuclear safety of nuclear installations in their design at the date of the Decision on change of construction before completion (ÚJD SR Decision No. 246/2008) were given in Annex 3 of the then valid Decree No. 50/2006 Coll., laying down the details of requirements for nuclear safety of nuclear installations during their siting, design stage, construction, commissioning, operation, decommissioning and when closing a repository, as well as criteria for categorizing safety-related equipment into safety classes. These requirements are reasonably in conformity with the requirements given in Annex 3 of the current Decree on nuclear safety. The text of the previous two paragraphs will be modified after the updated Final Opinion of the author’s supervision is submitted. Without updating the Final Opinion of the author’s supervision, ÚJD will not issue the envisaged future decision on the case.]

The Public Health Authority of SR issued a Decision No. OOPŽ/4603/2019 of 15 October 2019 permitting release of radioactive substances produced during operation of EMO NPP 1,2,3 from administrative control by their discharge into environment. The present Decision defines the basic authorized limits for limiting the exposure of the population in the vicinity of nuclear installation caused by radioactive substances released from administrative control into the air and surface water in operation of NPP EMO 1,2,3, for the computational program for model assessment of population exposure caused by release of radioactive substances from administrative control into the environment during standard operation of NPP EMO 1,2,3, reference levels of radionuclide activity discharged into the air per calendar year that must not be exceeded, reference levels of radionuclide activity discharged in waste water into surface water of Hron river per calendar year that must not be exceeded, requirements for monitoring of radionuclide activity discharged into the air, activity of

radionuclides discharged in waste water into surface water of the Hron river, and other important rules for the release of radioactive substances that are produced during NPP EMO 1,2,3 operation from administrative control by their release into the environment.

The first-instance administrative authority requested by letter reg. No. 8862/2019 dated 09 December 2019 the Chairperson of ÚJD SR as the appellate administrative body in accordance with Section 49 par. 2 and Section 58 par. 1 of the Code of Administrative Procedure, in connection with Section 61 par. 2 of the Code of Administrative Procedure, for extension of the time period for decision-making in the administrative proceedings No. 2.1 and 2.2, by 6 months. The first-instance administrative authority justified its request by the need to carry out additional inspection activities during reheating of Unit 3 of MO3&4, and also give the parties sufficient time to comment on the supporting documentation for the decision-making in accordance with Section 33 par. 2 of the Code of Administrative Procedure. ÚJD SR Chairperson complied with the request of the first-instance administrative authority and extended the period for the decision-making by 6 months. The parties to the proceedings and the other authorities concerned were informed about the extension by ÚJD SR letters reg. No. 9187/2019, 9198/2019 and 9190/2019 of 19 December 2019.

With letter reg. No. 161/2020 of 09 January 2020, ÚJD SR submitted to MoEnv SR an update on the account of fulfilled conditions from the Final Opinion 395/2010 – 3.4/hp Nuclear Power Plant Mochovce VVER 4x440 MW, Project 3, issued by MoEnv SR (hereinafter only as the “EIA Final Opinion for MO3&4”). This updated list of fulfilled conditions from the MO34 EIA Final Opinion was elaborated by Slovenské elektrárne, a.s. and was sent to ÚJD SR by letter ref. SE/2019/069972 of 18 December 2019. ÚJD SR inspectors checked the data on the list during their inspection in Mochovce. This updated was performed upon request from ÚJD SR after issuing ÚVZ SR Decision No. OOZPŽ/4603/2019 of 15 October 2019. At the same time when submitting updated list of fulfilled conditions from the EIA Final Opinion for MO3&4, ÚJD SR requested MoEnv SR with letter reg. No. 161/2020 to issue its Binding Opinion on the fulfilment of recommended conditions of the EIA Final Opinion for MO3&4 pursuant to Section 38 par. 4 of Act No. 24/2006 Coll. on environmental impact assessment and on amendments to certain laws as amended (hereinafter only as “Act on Environmental Impact Assessment”).

MoEnv SR within the proceeding and after the evaluation of the written evaluation of condition fulfilment of the MO34 EIA Binding opinion, issued pursuant to Act on environmental impact assessment, issued Binding opinion no. 1360/2020/zg (hereon after “Binding opinion of MoEnv SR) of 11.02.2020, delivered to ÚJD SR on 12.02.2020 and registred under the reg. no. 1166/2020 in the file no. 781-2020. In the MO34 EIA final opinion MoEnv SR states that: “...the proposal for proceeding in the matter of issuing authorization for early use of individual objects of Unit 3 and objects common for Unit 3&4 that are necessary for operation of Unit 3 is from the conceptual point of view in accordance with the Act on environmental impact assessment, final opinion of MoEnv SR no. 395/2010-3.4/hp of 28.04.2010 and its conditions”. In the Binding opinion of MoEnv SR states the following conditions (hereon after “conditions or condition of the Binding opinion f MoEnv SR):

- 1) Evaluation of environmental impact pursuant to Section 17 of the Decree no. 33/2012 Coll on the regular, comprehensive and systematic evaluation of the nuclear safety of nuclear equipment.
- 2) The overhead power lines will be technically designed that will prevent the killing of birds.

ÚJD SR reflected the condition from Binding opinion of MoEnv SR into condition no. C.2 of this draft decision.

Fulfilment of condition no. 1 of the Binding opinion of MoEnv can be only verified after the commissioning/trial operation of MO34 Unit 3. Due to the stated reason ÚJD SR will implement this condition into anticipated future decision in the matter of issuing authorization for trial operation of MO34 Unit 3. Agreement of MoEnv SR with this approach of ÚJD SR is stated in written communication, that is included in the file no. 781-2020 under the reg. no 1271/2020.

Supporting documentation for the decision in administrative proceedings No. 2.1 and 2.2 was published on the website of ÚJD SR. The parties and other authorities concerned were informed about

disclosure of the supporting documentation for the administrative proceedings No. 2.1 and 2.2 in writing by letters reg. No. 5918/2018, 5913/2018 and reg. No. 5921/2018 of 17 July 2018. None of the parties commented on the supporting documentation for the decision within the set period (until 28 October 2018).

ÚJD SR verified fulfilment of actions from the Action Plan after the Stress Tests following the Fukushima accident, in a form of an inspection. By this inspection ÚJD SR verified the data that were provided in the submitted account of fulfilled tasks from the Action Plan on-site. This account of fulfilled tasks was submitted by Slovenské elektrárne, a.s. ÚJD SR by letter from 31 October 2019, which was registered by ÚJD SR under No. 7977/2019. ÚJD SR confirmed by the inspection that the actions from the Action Plan following the Stress Tests are fulfilled, or will be fulfilled within the set deadlines.

[Explanatory note on the previous paragraph - ÚJD SR will conduct an inspection during February and March 2020 to verify fulfilment of additional actions resulting from meteorological analyses that were used to extend the PSA study. The summary of inspection results shall be provided in addition to the previous paragraph. ÚJD SR will not issue the envisaged future decision on the case without full compliance with these measures.]

[Explanatory note on the following text shown in italics and with a grey background – this text refers to the period after publication of this draft decision.]

Supporting documentation for the decision-making in the administrative proceedings Nos. 2.1, 2.2 and 2.3 is published on the website of ÚJD SR and on the central official electronic notice board on 15 February 2020, as supporting documentation, the publication of which in the present administrative proceedings implements Section 33 par. 2 of the Code of Administrative Procedure, where the parties are given an opportunity to comment on the supporting documentation and on how it was established or to propose any supplement before issuing a decision. Similarly, this draft decision and its publication implements the right of the public, in particular under Art. 6 par. 2 of the Convention on Access to Information, Public Participation in Decision-Making and Access to Justice in Environmental Matters (Aarhus Convention) as an international treaty, to which the Slovak Republic has acceded. (Published in the Collection of Laws by Notification of the Ministry of Foreign Affairs of the Slovak Republic on the adoption of the Convention on Access to Information, Public Participation in Decision-Making and Access to Justice in Environmental Matters No. 43/2006 Coll.)]
As a supporting documentation for the decision as mentioned above, the following was disclosed:

- Draft Decision on the case,
- Chapter 13 of the Pre-Operation Safety Report of MO3&4,
- Account of fulfilment of the conditions from the Final Opinion No. 395/2010 – 3.4/hp Nuclear Power Plant Mochovce VVER 4x440 MW, Project 3, issued by the MoEnv SR.

ÚJD SR asked the parties to the proceedings and other authorities concerned to comment on the disclosed documentation for the decision in accordance with Section 33 par. 2 of the Code of Administrative Procedure, in writing by 15 April 2020 at the latest.

Other supporting documentation are individual types of documents used in the reasoning to this Decision. They represent partial approval or assessment procedures, which have been conducted separately or in parallel with the procedure for issuing this authorization.

[Explanatory note – In the envisaged future decision on the case, the statements by the parties and other authorities concerned will be set out here and the method how the administrative authority dealt with those.]

Documentation submitted in administrative proceedings No. 2.1, 2.2 and 2.3 has been reviewed by ÚJD SR for compliance with legislative requirements specified in the Atomic Act, ÚJD SR Decrees, as well as in the documents of the International Atomic Energy Agency and Association of Nuclear Regulators of the EU countries and Switzerland (hereinafter only as “WENRA”):

1. Act No. 541/2004 Coll. on the peaceful use of nuclear energy (Atomic Act), and on amendments to certain laws as amended,

2. Act No. 50/1976 Coll. on land use planning and Building Code (Building Act) as amended,
3. Act No. 54/2015 Coll. on civil liability for nuclear damage and on its financial coverage, and on amendments to certain laws as amended,
4. ÚJD SR Decree No. 51/2006 Coll. laying down the details of the requirements for physical protection,
5. ÚJD SR Decree No. 52/2006 Coll. on professional competence as amended by Decree No. 34/2012 Coll., and Decree No. 410/2019 Coll.,
6. ÚJD SR Decree No. 54/2006 Coll. on the registration and control of nuclear materials and on notification of selected activities,
7. ÚJD SR Decree No. 55/2006 Coll. on details in emergency planning in case of incident or accident, as amended by Decree No. 35/2012 Coll., and Decree No. 9/2018 Coll.,
8. ÚJD SR Decree No. 58/2006 Coll., laying down details on the scope, content and manner of drafting nuclear installations documentation necessary for individual decisions, as amended by Decree No. 31/2012 Coll. and Decree No. 102/2016 Coll.,
9. ÚJD SR Decree No. 430/2011 Coll. on nuclear safety requirements, as amended by ÚJD SR Decree No. 103/2016 Coll.,
10. ÚJD SR Decree No. 431/2011 Coll. on Quality Management System as amended by ÚJD SR Decree No. 104/2016 Coll.,
11. ÚJD SR Decree No. 30/2012 Coll., laying down details on requirements for nuclear materials management, radioactive waste management and spent nuclear fuel management, as amended by ÚJD SR Decree No. 101/2016 Coll.,
12. IAEA Safety Guide SSG-28 Commissioning for Nuclear Power Plants,
13. IAEA Safety Guide SSG-15 Storage of Spent Nuclear Fuel,
14. IAEA Safety Guide NS-G-2.5 Core Management and Fuel Handling for Nuclear Power Plants,
15. WENRA Report requirements – Safety Reference Level for Existing Reactors, September 2014.

The administrative fee was not levied, because the administrative procedure conducted under the Atomic Act is not subject to the fee obligation under Act No. 145/1995 Coll. on administrative fees as amended.

Based on the above facts, ÚJD SR has decided as stated in the operative part of this Decision.

[Explanatory note on the reasoning: The wording of the reasoning will be adequately supplemented as appropriate and in the light of circumstances following the publication of the draft decision.]

Guidance

According to Section 61 par. 1 of the Code of Administrative Procedure, an appeal can be filed 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. A timely filing of an appeal has a suspensory effect.

After exhaustion of the admissible ordinary remedy, this Decision can be reviewed by the administrative court in accordance with the provisions of Act No. 162/2015 Coll. the Code of Administrative Court Procedure, as amended.

Done in Trnava,2020

[Explanatory note to date – in the anticipated future decision in the matter the real issue date will be stated]

Ing. Peter Uhrík
Director General
Safety Assessment and Inspections Section

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