

**REGULATION ON THE TERMS AND PROCEDURE FOR DELIVERY OF
RADIOACTIVE WASTE TO THE RADIOACTIVE WASTE STATE-OWNED
COMPANY**

Promulgated in SG, No.64 of 23 July 2004

**Chapter One
GENERAL PROVISIONS**

Article 1.

This Regulation sets out the terms, procedure and time limits for delivery of radioactive waste (hereinafter referred to as “RAW”) to the Radioactive Waste state-owned company, hereinafter referred to as “the state-owned company”, as well as the categories and types of RAW, which shall not be subject to delivery to the state-owned company.

Article 2.

(1) Subject to delivery to the state-owned company shall be:

1. radioactive waste, which is generated as a result of the activities of licensees and permit holders within the meaning of the Safe use of nuclear energy act (SUNEA) (hereinafter referred to as “RAW generators”);
2. radioactive waste from past practices;
3. radioactive waste, the owner of which is not known;
4. radioactive waste, imported into the territory of the Republic of Bulgaria, which can not be returned back;
5. radioactive waste, which has been generated as a result of the activity of the RAW generators, which have been declared insolvent or in liquidation.

(2) Radioactive waste shall not be subject to delivery to the state-owned company, in case:

1. it was exempted from regulatory control according to the Regulation for radiation protection during activities involving ionising radiation sources pursuant to Article 26(2) of the SUNEA;

2. it may be exempted from regulatory control under item 1 above, having its appropriate conditioning and/or storage by the persons, as a result of whose activity it was generated;
3. it has been managed or is subject to management at a RAW management facility under Article 76(3) of SUNEА, for which the process of management does not envisage subsequent delivery to the state-owned company;
4. it contains only natural radioactive substances, including such with technologically modified radionuclide concentration, except disused sealed radioactive sources.

Article 3.

(1) The state-owned company shall be obliged to accept all RAW under Article 2 (1), in regard to which:

1. compliance exists with the conditions, set out in this Regulation;
2. the documents for the delivery of RAW have been prepared and submitted in accordance with the requirements of this Regulation;
3. compliance exists with the criteria for acceptance into a RAW management facility, with the approved internal rules, procedures and other documents of the state-owned company, based on which a license was issued for operation of a RAW management facility under the procedure of Articles 53 - 55 of the Regulation for the procedure for issuance of licenses and permits for safe use of nuclear energy (SG, No.41 of 2004).

(2) The state-owned company shall determine the criteria under paragraph 1, item 3, depending on the categories of RAW, in accordance with the respective Regulation on safety of RAW management under Article 26(2) of the SUNEА.

Chapter Two.

DELIVERY OF RADIOACTIVE WASTE TO THE STATE-OWNED COMPANY

Section I.

General terms and procedure

Article 4.

(1) Generators of RAW, subject to delivery to the state-owned company, shall develop:

1. programme of RAW management, including technical specifications of the generated RAW and RAW packages, where applicable; a schedule for delivery of RAW to the state-owned company and a financial evaluation of the obligations towards the Radioactive Waste fund;
2. quality assurance programme, describing the measures for ensuring efficient RAW management and control from the point of its generation until its delivery to the state-owned company.

(2) The documents under paragraph 1 shall be submitted to the state-owned company at least 2 years prior to the planned delivery of RAW, in accordance with the schedule under paragraph 1, item 1.

Article 5.

(1) The state-owned company shall perform a qualification of RAW for acceptance in order to ensure that at all stages of RAW management technical and administrative measures have been applied for ensuring conformity with the acceptance criteria.

(2) Qualification of RAW for acceptance shall include:

1. preliminary qualification, which consists of a review of the documents under Article 4(1);
2. detailed qualification, which consists of a review of the process of RAW generation and management at the generator, in accordance with the documents under item 1, if required.

(3) the preliminary qualification shall be mandatory and detailed qualification shall be performed, if necessary.

(4) The state-owned company shall determine the terms and procedures for the qualification, as well as the criteria for the necessity in performing detailed qualification.

Article 6.

(1) Based on the preliminary qualification performed, the state-owned company shall issue a standpoint that shall include:

1. conclusion on the conformity of RAW and its management by the generator with the acceptance criteria, including recommendations with regard to RAW management and quality assurance;
2. consent to the planned time limits for delivery of RAW to the state-owned company;
3. justification of the need in performing a detailed qualification in accordance with the criteria under Article 5(4).

(2) The standpoint under paragraph 1 shall be drawn up within 2 months following the receipt of all documents under Article 4(1) and shall be submitted to the RAW generator, with a copy to the Nuclear Regulatory Agency (NRA) Chairman for information.

Article 7.

(1) The state-owned company shall perform a detailed qualification only in regard to such RAW, for which the need of its performance has been indicated in the standpoint under Article 6(1).

(2) The state-owned company shall draw up a detailed qualification protocol, which shall confirm the conformity of the process of RAW management by the generator to the criteria for acceptance of RAW by the company or measures shall be recommended for bringing it into conformity. The protocol shall be submitted to the RAW generator, with a copy to the NRA Chairman for information.

Article 8.

(1) RAW generators shall prepare it for delivery and submit to the state-owned company a written application for RAW delivery not later than two months prior to the planned delivery, in accordance with the schedule from the annual programme of acceptance of RAW by the state-owned company.

(2) The application shall be submitted in a standard format, developed by the state-owned company and shall contain data in accordance with Attachment No. 1.

Article 9.

Within 7 days following receipt of the application, the state-owned company shall send a letter of confirmation to the RAW generator, wherein it shall declare its readiness for acceptance of the RAW and shall inform him on the organisation of acceptance of RAW, including:

1. the date of performance of the conformity check;
2. full names and position of the official in the state-owned company, in charge of checking the conformity of RAW;
3. the date and place of delivery of RAW;
4. full names and position of the official of the state-owned company, authorised to sign the acceptance protocol.

Article 10.

(1) Within 14 days following submission of the letter under Article 9, the state-owned company shall perform an inspection of conformity of the RAW, prepared for delivery, at the RAW generator.

(2) The inspection of conformity under paragraph 1 shall be performed under a procedure, determined by the state-owned company, and shall include:

1. check of the readiness, declared by the RAW generator to deliver the RAW to the state-owned company;
2. verification of the declared technical parameters of the RAW, prepared for delivery;
3. check for presence of additional circumstances, which could impede the delivery or the subsequent safe management of the delivered RAW by the state-owned company.

(3) A protocol shall be drawn up with regard to the results of the check of conformity, by which conformity shall be verified and in case when non-conformity is found, conditions shall be determined for acceptance of RAW by the state-owned company.

(4) In case of verified conformity, the state-owned company shall ensure acceptance of RAW within 14 days since signing the protocol under paragraph 3.

(5) The RAW generator shall inform the state-owned company in writing on fulfilment of the conditions under paragraph 3. The state-owned company may perform an additional inspection of the conformity of RAW under the procedure specified in paragraphs 1 - 4. The delivery of

RAW shall take place within 7-day period since confirmation by the state-owned company of fulfilment of the specified conditions.

Article 11.

(1) A hand-over and acceptance protocol shall be prepared in a standard format, developed by the state-owned company, with regard to delivery of RAW and its acceptance by the state-owned company, which shall contain data in accordance with Attachment No. 2.

(2) The official, authorised by the state-owned company, shall sign the protocol having proved that:

1. a protocol for verification of conformity has been signed, as regards to the RAW, prepared for delivery, and, respectively, the state-owned company has confirmed compliance with the conditions under Article 10(3);
2. all financial obligations of the RAW generator towards the Radioactive Waste Fund and the state-owned company have been fulfilled.

(3) In the cases when the RAW generator is exempted from making contributions to the Radioactive Waste Fund, it shall attach the respective document, issued by the managing bodies of the Fund.

Article 12.

(1) Provisions of Articles 4 – 7 shall not apply to delivery of RAW, which are disused sealed sources of categories III, IV and V, to the state-owned company.

(2) RAW generators under paragraph 1 shall submit the following to the state-owned company in a timely manner:

1. technical specifications of the generated RAW and RAW packages, where applicable;
2. a schedule of delivery of RAW to the state-owned company;
3. financial evaluation of the obligations towards the Radioactive Waste Fund.

(3) The categories under paragraph 1 shall be determined in accordance with the categorisation of the radioactive sources pursuant to the Regulation under Article 123 of SUNEА.

Article 13.

Radioactive waste shall become state property upon signing the hand-over and acceptance protocol by all authorised persons and the state-owned company shall assume responsibility for safe management of the accepted RAW.

**Section II.
Special cases****Article 14.**

(1) Radioactive waste under Article 2(1), item 2, stored in facilities other than those of the state-owned company, shall be accepted under specific terms, procedure and time limits, set out in a special programme of the state-owned company.

(2) The special programme for acceptance of RAW under paragraph 1 shall be developed based on information on:

1. the accumulated RAW inventories and characteristics;
2. the facilities and technical means of the state-owned company for acceptance of RAW;
3. the financial resources needed for acceptance of RAW.

(3) Articles 8 – 13 shall apply, respectively, to the delivery of RAW under paragraph 1, unless envisaged otherwise in the special programme under paragraph 1.

(4) The special programme under paragraph 1 shall represent a part of the state-owned company's annual programmes for acceptance of RAW.

Article 15.

(1) Radioactive waste under Article 2(1), items 3 - 5 shall be accepted by the state-owned company based on the NRA Chairman order, which shall designate the person to deliver the RAW, as well as the terms, procedure and time limits for its delivery.

(2) The order under paragraph 1 shall be handed over to the executive director of the state-owned company or to an official, explicitly authorised by him.

(3) The state-owned company shall perform a check of the conformity of RAW for their acceptance within 24 hours since receipt of the order under paragraph 1 by the NRA

Chairman. The results of the check shall be documented in a protocol, a copy of which shall be submitted to the NRA Chairman.

(4) a hand-over and acceptance protocol with regard to delivery of RAW shall be prepared in a standard format, developed by the state-owned company, and it shall contain data in accordance with Attachment No. 2.

Section III.

Information exchange and planning

Article 16.

The state-owned company shall notify in writing the NRA Chairman of:

1. upcoming acceptance of RAW within 7 days since the verified conformity for acceptance in accordance with Article 10;
2. acceptance of RAW within 7 days since signing the hand-over and acceptance protocol, a copy of which shall be attached to the notification letter;
3. inspection of conformity of RAW performed under Article 15(3) within 24 hours since signing the protocol;
4. acceptance of RAW under Article 15(4) within 24 hours since signing the hand-over and acceptance protocol, a copy of which shall be attached to the notification letter.

Article 17.

(1) The state-owned company shall inform the RAW generators in a suitable and generally accessible manner of:

1. RAW management activities, which it performs, including the criteria for acceptance of RAW;
2. the annual programme of acceptance of RAW;
3. the approved forms of the application under Article 8 and of the protocol under Article 11 (1).

(2) The state-owned company shall inform the public in an appropriate manner, including over the Internet, of the RAW accepted.

(3) The state-owned company shall maintain a database of accepted RAW.

Article 18.

RAW generators shall notify the NRA Chairman in writing of the delivery of RAW to the state-owned company within 7 days following the signing of the hand-over and acceptance protocol, indicating the number and date of the protocol in the notification letter.

Article 19.

(1) The state-owned company shall develop the following in relation to its RAW management activity:

1. an annual plan of qualification of RAW for acceptance;
2. an annual programme of acceptance of RAW in facilities of the state-owned company and in other facilities upon an agreement, including acceptance of RAW in special cases;
3. development plans within the one-year, three-years and long-term programmes aimed at ensuring safe and efficient RAW management, including provision of services by other licensees or permit holders under the SUNEА;
4. programmes for encouragement of RAW generators for application of all possible measures for limitation of RAW generation and for minimisation of RAW, including by RAW recycling and conditioning and re-use of radioactive substances;
5. guides on safe RAW management for delivery to the state-owned company.

(2) The plans and programmes shall be approved by the Radioactive Waste Fund and represent grounds for financing the activity of the state-owned company.

Supplementary provision

§ 1. Within the meaning of this Regulation:

1. “Qualification of RAW for acceptance” is a review of the documents on RAW management and of the process of implementation of RAW management activities, which shall establish

the existence of technical and organisational measures, ensuring conformity of the generated RAW to the applicable criteria for acceptance.

2. “Criteria for acceptance of RAW” are requirements in terms of quality and quantity, which radioactive waste shall meet, in order to be accepted for management by the Radioactive Waste state-owned company. These requirements can be technical (mechanical, physical, chemical, radiological, thermal and biological), documentary and organisational and shall relate to all stages of RAW management.

3. “RAW from past practices” is RAW, generated until the entry into force of SUNEА and stored in facilities, other than the facilities of the state-owned company and the facilities under Article 76(3) of the SUNEА.

Transitional and final provisions

§ 2. The state-owned company shall prepare the special programme under Article 14(1) within 18 months following entry of this Regulation into force.

§ 3. The NRA Chairman shall provide directions regarding application of this Regulation and shall issue manuals, methodologies and other internal acts on the application of this Regulation.

§ 4. This Regulation was adopted on the legal grounds of Article 77(3) of the Safe use of nuclear energy act.

Attachment No. 1 to Article 8 (2)**Model Structure of an Application for Delivery of RAW to the Radioactive Waste State-Owned Company**

1. Identification data regarding the person, delivering RAW and the full names, position and signature of its employee, authorised to deliver RAW.
2. Registration number of the license/permit, issued by the NRA Chairman for the activities, as a result of which the RAW subject to delivery was generated.
3. Registration number of a qualification protocol, issued by the state-owned company, when such one is required.
4. Date of the delivery planned in accordance with the schedule of the RAW management programme.
5. Evaluation of the financial obligations towards the Radioactive Waste Fund, with regard to the delivery planned.
6. Specification, characterising the type and origin of RAW.
7. Type and identification data on the packaging.
8. Starting and final date of filling the packaging up.
9. Type and identification data regarding the RAW package.
10. Total activity.
11. Activity of separate radionuclides, the content of which is limited by the criteria for acceptance of RAW by the state-owned company, and the mode of documenting thereof.
12. Activity of other significant radionuclides, with a contribution to total activity of over 1 %.
13. Values of other parameters, determined in the acceptance criteria.
14. Dose rate at the surface of the RAW package.
15. Total weight of the RAW package.
16. Data regarding the surface radioactive contamination of the RAW package.
17. Location of RAW delivery.
18. Declaration of readiness for delivery of RAW to the state-owned company, including for payment of the contribution to the Radioactive Waste Fund.
19. Special requirements.

Attachment No. 2 to Article 11 (1) and Article 15 (4)**Model Content of a Hand-over and Acceptance Protocol of RAW to the Radioactive Waste State-Owned Company**

1. Specification, characterising the RAW type and origin.
2. Type and identification data on the packaging.
3. Starting and final date of filling the packaging up.
4. Type and identification data regarding the RAW package.
5. Total activity.
6. Activity of separate radionuclides, the content of which is limited by the criteria for acceptance of RAW by the state-owned company, and the mode of documenting thereof.
7. Activity of other significant radionuclides, with a contribution to the total activity of over 1 %.
8. Values of other parameters, determined in the acceptance criteria.
9. Dose rate at the surface of the RAW package.
10. Total weight of the RAW package.
11. Data regarding the surface radioactive contamination of the RAW package.
12. Date of issuance of the protocol.
13. Inventory of the documentation, on the basis of which the protocol was issued, including qualification protocols and such for verification of conformity.
14. Identification data of the person, delivering RAW, and the full names, position and signature of its employee, authorised to deliver RAW.
15. Full names, position and signature of the official of the state-owned company, authorised to accept RAW.
16. Other data.