

REGULATION

ON THE TERMS AND PROCEDURE FOR EXEMPTION OF SMALL QUANTITIES OF NUCLEAR MATERIAL FROM THE APPLICATION OF THE VIENNA CONVENTION ON CIVIL LIABILITY FOR NUCLEAR DAMAGE

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Chapter One

GENERAL PROVISIONS

Article 1

(1) This Regulation shall regulate the terms and procedure for exemption of small quantities of nuclear material from the application of the Vienna convention on civil liability for nuclear damage (SG, No.76 of 1994), hereinafter referred to as “the Vienna convention”.

(2) This Regulation shall not cover nuclear material, which:

1. is stored at the site of a nuclear installation or is finally disposed as radioactive waste;
2. is located outside the site of a nuclear installation as a result of loss, abandonment, as well as theft, robbery or other illegal acts involving nuclear material.

Article 2

(1) Nuclear material shall be exempted from application of the Vienna convention only in the course of transport or use outside a nuclear installation – for the period of time, during which the nuclear material is located outside a nuclear installation.

(2) During transport the nuclear material shall comply with the technical provisions for safe transport, specified in the Regulation under Article 26 (4) of the Act on the Safe Use of Nuclear Energy (ASUNE).

Chapter Two

CONDITIONS FOR EXEMPTION

Section I

General requirements

Article 3

(1) The total activity of any consignment, containing a single radionuclide or several radionuclides of the same Group, shall not exceed the limiting activity for this Group in accordance with Attachment № 1.

(2) A radionuclide with activity A_2 not known shall be considered as being in Group 1 from the Attachment under para.1.

Article 4

The total activity of any consignment, containing radionuclides in the form of Special Form Radioactive Material shall not exceed $1,85 \times 10^{13}$ Bq.

Article 5

(1) When a consignment contains of Special Form Radioactive Material and radionuclides not in that form, including radionuclides in different Groups, whether the contents are packaged separately or together, a separate value shall be determined for each radionuclide, representing the ratio between the individual activity of the radionuclide and the limit activity for the respective group in accordance with Articles 3 and 4.

(2) The sum for all radionuclides of the individual values under paragraph 1 shall not exceed 1.

(3) Where in the consignment under paragraph 1 the individual activities of some of the radionuclides are not known, an aggregate value shall be determined for all of them, representing the ratio between their total activity and the limiting value of the radionuclide with the lowest limiting activity.

(4) Where in the consignment under paragraph 1 the activity of all of the radionuclides is not known, the total activity of the consignment shall not exceed the limiting activity of the radionuclide with the lowest limiting activity.

Section II

Supplementary requirements towards special nuclear material

Article 6

(1) Consignments containing special nuclear material shall comply with the requirements of Section I and the requirements for safe transport of special nuclear material, as specified in the Regulation under Article 26 (4) of the ASUNE.

(2) The quantity of special nuclear material in consignments under paragraph 1, which contain a single radionuclide, shall not exceed the limits, as determined in Attachment № 2.

(3) If the consignment under paragraph 1 contains more than one radionuclide, a limiting value shall be determined for each radionuclide, representing the ratio between the quantity of the radionuclide and the limiting quantity under Attachment № 2.

(4) The sum of the individual values under paragraph 3 shall not exceed 1.

Chapter Three

PROCEDURE FOR EXEMPTION

Article 7

(1) Small quantities of nuclear material may be exempted from the application of the Vienna Convention at the written request of the applicant.

(2) The request under paragraph 1 shall be submitted to the Nuclear Regulatory Agency Chairman, together with the application for a permit for transport of nuclear material.

Article 8

(1) The Nuclear Regulatory Agency Chairman may exempt small quantities of nuclear material from the application of the Vienna Convention on the basis of the submitted documents following the procedure specified by the the Regulation for issuance of licenses and permits for safe use of nuclear energy (SG, No. 41 of 2004) when the conditions for exemption, determined in this Regulation, have been met.

(2) Exemption of small quantities of nuclear material from the application of the Vienna Convention shall be effected by the permit for transport of nuclear material.

Final provisions

§ 1. The Nuclear Regulatory Agency Chairman gives instructions for the application of this Regulation and may issue guides, methodologies and other internal acts on the implementation of this Regulation.

§ 2. This Regulation was adopted on the legal basis of Article 135 of the ASUNE.

Limiting activity of the various groups of radionuclides

Group	Radionuclides in the group	Limiting activity (Bq)
1	Radionuclides with A2 values lower than or equal to $3,7 \times 10^8$ Bq	$7,4 \times 10^{10}$ Bq
2	Radionuclides with A2 values lower than or equal to $3,7 \times 10^{10}$ Bq, but greater than $3,7 \times 10^8$ Bq	$7,4 \times 10^{11}$ Bq
3	Radionuclides with A2 values lower than or equal to $3,7 \times 10^{12}$ Bq, but greater than $3,7 \times 10^{10}$ Bq	$7,4 \times 10^{12}$ Bq
4	Radionuclides with A2 values lower than or equal to $3,7 \times 10^{13}$ Bq, but greater than $3,7 \times 10^{12}$ Bq	$1,85 \times 10^{14}$ Bq
5	Radionuclides with A2 values greater than or equal to $3,7 \times 10^{13}$ Bq	$1,85 \times 10^{15}$ Bq

Limiting quantities for special nuclear material

Radionuclide	Limiting quantity in grams
Plutonium-239	375
Plutonium-241	375
Uranium-233	375
Uranium-235	600