

**Circular No. 02/2011/TT-BKHCN of
March 16, 2011, guiding the control of
nuclear materials and source nuclear
materials**

Pursuant to the Government's Decree No. 28/2008/ND-CP of March 14, 2008, defining the functions, tasks, powers and organizational structure of the Ministry of Science and Technology;

Pursuant to the Prime Minister's Decision No. 45/2010/QĐ-TTg of June 14, 2010, promulgating the Regulation on nuclear control;

The Minister of Science and Technology guides the control of nuclear materials and source nuclear materials as follows:

Chapter I

GENERAL PROVISIONS

Article 1. Scope of regulation

This Circular provides guidance on:

1. Nuclear accounting process,
2. Engineering dossiers of facilities subject to nuclear control;
3. Information reports on facilities that possess nuclear materials or source nuclear materials weighing less than 1 effective kg;
4. Nuclear accounting dossiers;
5. Export and import reports;
6. Special reports;
7. Conditions and procedures for recognizing the discharge of responsibility of organizations and individuals to comply with nuclear control regulations.

Article 2. Subjects of application

This Circular applies to organizations and individuals that use, store, export or import nuclear materials and source nuclear materials in Vietnam.

Article 3. Interpretation of terms

1. Material batch means a portion of nuclear materials handled as a unit for inventory purposes at a key measurement point.

2. Material balance area (MBA) means an area inside or outside of a facility into or out of which the quantity of nuclear material in each transfer can be determined and in which a physical inventory can be conducted when necessary in order to establish the material balance.

3. Key measurement point (KMP) means a location where nuclear materials appear in such a form that can be measured to inventory or determine the material flow.

Chapter II

NUCLEAR ACCOUNTING PROCESS,
ENGINEERING DOSSIERS AND
INFORMATION REPORTS ON NUCLEAR
MATERIALS AND SOURCE NUCLEAR
MATERIALS

Article 4. Nuclear accounting process

1. Organizations and individuals that use or store nuclear materials and source nuclear materials specified in Articles 6 and 7 of the Regulation on nuclear control, promulgated together with the Prime Minister's Decision No. 45/2010/QĐ-TTg of June 14, 2010, shall set up

and apply the nuclear accounting process.

2. A nuclear accounting process involves the following jobs:

a/ Establishing a MBA and determining KMPs to serve the accounting and control of nuclear materials and source nuclear materials at the facility;

b/ Building and applying a process to determine the quantity of nuclear materials and source nuclear materials received, produced, transferred, lost or excluded from the inventory sheet and the quantity of nuclear materials and source nuclear materials physically inventoried at the facility;

c/ Building and applying a process to assess the accuracy and repetition of measurements and approximate the reliability of these measurements;

d/ Building and applying a process to assess the difference between nuclear material and source nuclear material amount measured in the place of departure and in the place of admission;

e/ Building and applying a process to conduct physical inventory;

f/ Building and applying a process to assess immeasurable quantities of inventoried nuclear materials and source nuclear materials and immeasurable losses;

g/ Building and applying a process of making and keeping nuclear accounting dossiers and submitting nuclear accounts;

h/ Appointing personnel to take charge of nuclear accounting and control of nuclear materials and source nuclear materials at the facility.

Article 5. Engineering dossiers

1. Organizations and individuals that have facilities subject to nuclear control shall make and submit all required engineering dossiers and report on engineering changes as follows:

a/ An engineering dossier shall be made and submitted to the Vietnam Agency for Radiation and Nuclear Safety within 15 days after the approval of a project to construct a facility subject to nuclear control. Such dossier shall be made under the guidance provided in Appendix I to this Circular (*not printed herein*) and based on available information on the project.

b/ An engineering dossier shall be made and submitted to the Vietnam Agency for Radiation and Nuclear Safety at least 240 days before the date of commencing the construction of the facility subject to nuclear control. Such dossier shall be made under the guidance provided in Appendix I to this Circular and based on information included in the basic design.

c/ An engineering dossier shall be made and submitted to the Vietnam Agency for Radiation and Nuclear Safety at least 240 days before the date planned for first-time admission of nuclear materials and source nuclear materials into the facility. Such dossier shall be made under the guidance provided in Appendix I to this Circular and based on information included in the approved detailed design.

d/ A report on engineering changes shall be made and submitted upon the occurrence of changes in the engineering dossier specified at Point e of this Clause. Such report must clearly

indicate changed details and shall be submitted to the Vietnam Agency for Radiation and Nuclear Safety at least 90 days before the date planned for completion of changes.

e/ An engineering dossier shall be remade after completion of changes indicated in a report on changes in the engineering dossier specified at Point d of this Clause. Such dossier shall be made under the guidance provided in Appendix I to this Circular, indicate completed changes and be submitted to the Vietnam Agency for Radiation and Nuclear Safety within 15 days after the completion of changes.

2. Engineering dossiers and reports on engineering changes shall be supplemented and finalized at the request of the Vietnam Agency for Radiation and Nuclear Safety.

Article 6. Information reports on nuclear materials and source nuclear materials

1. Organizations and individuals that use or store nuclear materials and source nuclear materials specified in Article 7 of the Regulation on nuclear control, promulgated together with the Prime Minister's Decision No. 45/2010/QĐ-TTg of June 14, 2010, shall submit information reports on nuclear materials and source nuclear materials to the Vietnam Agency for Radiation and Nuclear Safety at least 240 days before the date planned for first admission of these materials. These reports shall be made under the guidance in Appendix II to this Circular (*not printed herein*).

2. In case of a change in details in an information report on nuclear materials and source nuclear materials already submitted

under Clause 1 of this Article, such report shall be remade, indicating such change, and submitted to Vietnam Agency for Radiation and Nuclear Safety the within 15 days after the occurrence of the change.

3. Information reports on nuclear materials and source nuclear materials shall be supplemented and finalized at the request of the Vietnam Agency for Radiation and Nuclear Safety.

Chapter III

NUCLEAR ACCOUNTING DOSSIERS

Article 7. Nuclear accounting dossiers

1. Organizations and individuals that use or store nuclear materials and source nuclear materials as specified in Articles 6 and 7 of the Regulation on nuclear control, promulgated together with the Prime Minister's Decision No. 45/2010/QĐ-TTg of June 14, 2010, shall make and keep nuclear accounting dossiers and submit nuclear accounts.

2. A nuclear accounting dossier consists of a nuclear account, nuclear accounting documents and an operation dossier.

3. A nuclear accounting dossier shall be kept during the presence of nuclear materials and source nuclear materials at the facility and for at least 5 years after making the dossier.

Article 8. Nuclear accounts

1. A nuclear account consists of a periodical inventory report, a material balance report, an inventory change report and written remarks enclosed with these reports.

2. Periodical inventory report means a report on results of inventory of nuclear material and source nuclear material quantities following each periodical inventory at a frequency approved by the Vietnam Agency for Radiation and Nuclear Safety. Periodical inventory reports shall be made according to a form provided in Appendix III to this Circular (*not printed herein*) and submitted to the Vietnam Agency for Radiation and Nuclear Safety within 15 days after the completion of a periodical inventory.

3. Material balance report means a report presenting the balance of materials based on results of inventory of nuclear materials and source nuclear materials actually present at the facility and inventory figures in the previous inventory period. Material balance reports shall be made according to a form provided in Appendix III to this Circular and submitted to the Vietnam Agency for Radiation and Nuclear Safety together with periodical inventory reports specified in Clause 2 of this Article.

4. Inventory change report means a report on change in nuclear material and source nuclear material quantities at the facility. Inventory change reports shall be made according to a form provided in Appendix III to this Circular and submitted to the Vietnam Agency for Radiation and Nuclear Safety within 15 days after the occurrence of a change in nuclear material and source nuclear material quantities in the MBA.

5. Written remarks means documents enclosed with reports specified in Clauses 2, 3 and 4 of this Article, explaining inventory changes or notable points in each report. Written remarks shall be made according to a form

provided in Appendix III to this Circular.

Article 9. Nuclear accounting documents

Nuclear accounting documents include:

1. Inventory change documents which present changes in nuclear material and source nuclear material quantities in each batch and information related to material characteristics and batch data.

2. Documents on measurement results which present measurement time and results to be used to determine physically inventoried nuclear material and source nuclear material quantities.

3. Documents on adjustments and modifications which present all adjustments and modifications already made in relation to inventory changes and the difference between book inventory and physical inventory.

Article 10. Operation dossiers

An operation dossier contains the following details:

1. Operation data which are used to determine changes in the amount and composition of nuclear materials;

2. Data obtained through the correction of containing vessels and equipment, sample taking and analysis; process of measurement quality control; unbiased errors and biased errors;

3. Description of steps of preparing and conducting physical inventory to assure that the inventory is accurate and adequate;

4. Description of steps of confirming causes and level of material losses.

Chapter IV

REPORTS ON EXPORT OR IMPORT OF
NUCLEAR MATERIALS AND SOURCE
NUCLEAR MATERIALS AND SPECIAL
REPORTS

Article 11. Reports on export or import of nuclear materials and source nuclear materials

1. Exporters of nuclear materials and source nuclear materials shall, within 30 days before the date planned for export of the first batch, send reports made according to a form provided in Appendix IV to this Circular (*not printed herein*), enclosed with copies of signed export contracts to the Vietnam Agency for Radiation and Nuclear Safety.

2. Importers of nuclear materials and source nuclear materials shall, within 15 days before the date planned for arrival of materials in Vietnam, send reports made according to a form provided in Appendix IV to this Circular, enclosed with copies of import contracts to the Vietnam Agency for Radiation and Nuclear Safety.

3. In case of a change in reported information on export or import of nuclear materials and source nuclear materials, an exporter or importer shall report such change in writing to the Vietnam Agency for Radiation and Nuclear Safety before the date planned for export or import.

4. At the request of the Vietnam Agency for Radiation and Nuclear Safety, exporters and importers of nuclear materials and source nuclear materials shall clarify or supplement

information in their submitted reports under Clauses 1, 2 and 3 of this Article.

Article 12. Special reports

1. Special reports means a reporting regime applicable to organizations and individuals that use, store, export or import nuclear materials and source nuclear materials in the following abnormal cases:

a/ There occurs an emergency or circumstance which may lead to a belief that a nuclear material or source nuclear material is lost or possibly lost;

b/ There is an abnormal change in access surveillance or containment measures.

2. Special reports in abnormal cases specified in Clause 1 of this Article are specified as follows:

a/ Upon detection of an abnormality, a report thereon shall be immediately made via phone or facsimile to the Vietnam Agency for Radiation and Nuclear Safety.

b/ Within 5 days after the detection of an abnormality, a written report thereon shall be made and sent to the Vietnam Agency for Radiation and Nuclear Safety.

Chapter V

RECOGNITION OF DISCHARGE OF
RESPONSIBILITY TO COMPLY WITH
NUCLEAR CONTROL REGULATIONS

Article 13. Conditions on recognition of discharge of the responsibility to comply with nuclear control regulations

Organizations and individuals will be recognized as having discharged their responsibility to comply with nuclear control regulations with regard to nuclear materials and source nuclear materials once these materials are spent or so diluted that they can no longer be used for any nuclear activity or physically irretrievable.

Article 14. Procedures for recognizing discharge of the responsibility to comply with nuclear control regulations

1. Organizations and individuals that wish to be recognized as having discharged their responsibility to comply with nuclear control regulations with regard to nuclear materials and source nuclear materials shall send dossiers of request for recognition to the Vietnam Agency for Radiation and Nuclear Safety.

2. A dossier of request for recognition of discharge of the responsibility to comply with nuclear control regulations comprises:

a/ A request for recognition of discharge of the responsibility to comply with nuclear control regulations, made according to a form provided in Appendix V to this Circular (*not printed herein*);

b/ Relevant documents proving that the facility has satisfied the conditions on recognition of discharge of the responsibility to comply with nuclear control regulations as specified in Article 13.

3. Within 60 days after receiving a dossier of request for recognition of discharge of the responsibility to comply with nuclear control

regulations, the Vietnam Agency for Radiation and Nuclear Safety shall verify information and grant or refuse to grant a certificate of recognition of discharge of the responsibility to comply with nuclear control regulations. In case of refusal, it shall reply in writing, clearly stating the reason.

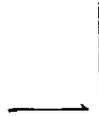
Chapter VI

IMPLEMENTATION PROVISIONS

Article 15. Effect

1. This Circular takes effect on June 1, 2011.
2. Any problems arising in the course of implementation should be promptly reported to the Ministry of Science and Technology for study, modification or supplementation.

*For the Minister of
Science and Technology*
Deputy Minister
LE DINH TIEN



THE MINISTRY OF FINANCE

Circular No. 34/2011/TT-BTC of March 14, 2011, amending the Ministry of Finance's Circular No. 228/2009/TT-BTC of December 7, 2009, guiding the appropriation and use of provisions for devaluation of inventories, loss of financial investments, bad receivable debts and