

**317**  
**DECREE**

**of the State Office for Nuclear Safety**  
of 13 June 2002,

**On type-approval of packagings for shipment, storage and disposal of nuclear materials and radioactive substances, on type-approval of ionizing radiation sources and shipment of nuclear materials and specified radioactive substances (on type-approval and shipment)**

The State Office for Nuclear Safety, pursuant to Section 47 paragraph 7 of the Act, to implement Section 9 paragraph 1 letters m) and p), Section 13 paragraph 3 letter d), Section 20 paragraph 1 letters b) and d) and Section 23 of Act No. 18/1997 Coll. on peaceful utilization of nuclear energy and ionizing radiation (Atomic Act) and on amendments to and alterations of some acts, as amended by Act No. 13/2002 Coll. (hereinafter “the Act”), establishes as follows:

**Section 1**

**Scope**

This Decree

- a) establishes details and procedure for type-approval of packagings for shipment, storage or disposal of nuclear materials and radioactive substances and ionizing radiation sources and for verification and documentation of their compliance with the approved type,
- b) specifies nuclear materials and radioactive substances requiring a licence for their shipment, methods of shipment provision, content, scope and format of the documents to be approved as part of an application for the licence,
- c) specifies the scope and methods of international shipment of radioactive wastes and sealed sources in accordance with the EC law<sup>1)</sup>.

**PART ONE**  
**TYPE-APPROVAL**

**Section 2**

**Products Subject to Type-approval**  
(on Section 23 paragraph 1 of the Act)

- (1) The type-approval shall apply to
  - a) the following types of packagings designed for shipment, storage and disposal of nuclear materials and radioactive substances

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1) Council Directive 92/3 Euratom of 3 February 1992 on supervision and control of shipments of radioactive waste between Member States and into and out of the Community, Council Regulation 1493/93/Euratom of 8 June 1993 on shipments of radioactive substances between Member States

1. packagings of type IP – 1, IP – 2 and IP – 3 for shipment of nuclear materials,
  2. packagings for shipment of 0.1 kg and more of uranium hexafluoride,
  3. packagings of type A for shipment of nuclear materials,
  4. packagings of type B(U), B(M) and C for shipment of nuclear materials and radioactive substances,
  5. packagings type D for disposal of spent or irradiated nuclear fuel or radioactive wastes generated from its reprocessing,
  6. packagings type S for storage of nuclear materials and radioactive substances, specifically for radioactive substances in special form whose activities exceed  $A_1$  levels or for radioactive substances other than in special form whose activities exceed  $A_2$  levels. The levels  $A_1$  and  $A_2$  are laid down in Table 1 (I.) in Appendix No. 3,
- b) special form radioactive material, which include solid non-dispersing radioactive substances or radioactive substances in tightly sealed capsule and low dispersible radioactive material, i.e. radioactive substances in solid state with a limited ability to disperse or radioactive substances in a closed capsule,
- c) sources of ionizing radiation
1. generators of radiation, except insignificant sources of ionizing radiation,
  2. sealed radionuclide sources and equipment contained sealed sources in,
  3. unsealed radionuclide sources designed for medical exposure and industrial applications, except radio-pharmaceuticals registered under a special legal regulation<sup>2)</sup> subject to an approval by the State Office for Nuclear Safety (hereinafter the “Office”),
  4. ionization fire alarms,
  5. light sources with radionuclide sources,
  6. consumer products established in a special legal regulation<sup>3)</sup>, containing radioactive substances and products into which radioactive substances were deliberately added during their manufacture.
- (2) The type-approval shall apply to the products specified in paragraph 1 letters b) and c) provided they are put on the market as second-hand products or after a general repair, and products specified in paragraph 1 letter a) in the cases specified in resolutions on their type-approval.
- (3) Products specified in paragraph 1 intended for demonstration or testing purposes and not to be put on the market shall not be subject to type-approval.

### **Section 3**

#### **Particulars of a Type-approval Application** (on Section 23 paragraph 2 of the Act)

- (1) An application for type-approval shall include
- a) for a physical person the business name, date of birth, permanent residential address, identification number, if any, and, if applicable, name and surname, date

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<sup>2)</sup> Act No. 123/2000 Coll. on medical means and alterations of some related acts.

<sup>3)</sup> Decree No. 307/2002 Coll. on radiation protection.

- of birth and permanent residential address of the responsible representative<sup>4)</sup>; for a legal person the business name, seat, identification number, if any, name and surname, permanent residential address of a person or persons acting as its statutory body or appointed responsible representative,
- b) identification of the manufacturer, if different from the applicant; for a physical person the business name, seat or place of doing business, identification number, if any; for a legal person the business name, seat, identification number, if any,
  - c) identification of the approved product, name, description, identification of design type, its parts, classification<sup>3)</sup>, use and for a packaging limit values for its use,
  - d) description of an use and a method of product introduction on the market, and for sources of ionizing radiation also justification of its use under Section 4 paragraph 2 of the Act,
  - e) a list of legal regulations and technical standards employed in the documents for type-approval,
  - f) specification of a period in which regular operating inspections shall be repeated and their methods and scope, for sources of ionizing radiation also data about the scope and method of receiving tests, tests of long-term stability and operating stability under a special legal regulation<sup>3)</sup>,
  - f) instructions for use in Czech language, including the rules for safe handling of the product,
  - g) required period of validity of the type-approval,
  - h) description of quality assurance system established in a special legal regulation<sup>5)</sup>,
  - i) documents about the tests under Section 4.
- (2) An application for type-approval shall include
- a) for all packagings
    1. material specification of radioactive substances or nuclear materials for which the packaging has been designed, particularly description of their physical and chemical state,
    2. detailed description of the packaging type, including design documents, complete technical drawings, a list of materials and technological methods employed for its manufacture,
    3. description of quality assurance system as established in a special legal regulation<sup>5)</sup>,
    4. technological and manufacturing documents with detailed description of materials and technological procedures employed in manufacture of the closing (containment) system, description of sampling and types of tests to be performed, if the packaging has been designed for the maximum normal operating overpressure higher than 100 kPa,
    5. documents about radiation protection or nuclear safety assurance, if the packaging has been designed for special fissile materials or <sup>241</sup>Pu,
    6. a list and reasons of assumptions concerning characteristics of the irradiated fuel, as used in safety analyses to calculate subcriticality, if the packaging has been designed for irradiated nuclear fuel,

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<sup>4)</sup> Act No. 455/1991 Coll. on trade licensing (Trade Licensing Act), as amended later.

<sup>5)</sup> E.g. Decree No. 214/ 1997 Coll. on quality assurance at activities associated with the use of nuclear energy and radiation practices and on specification of criteria for classification and categorization into safety classes, ISO 9000 standards series.

7. a list of special requirements necessary to remove heat from packagings containing nuclear materials or radioactive substances producing heat, in respect to a specific transport mode and means of transport,
  8. reproducible drawing of the packaging on A4 format with the maximum size 21 cm x 30 cm.
- b) for all packagings of type B(M) the following additional documents shall be provided
1. a list of additional technical, operational and administrative measures established to assure nuclear safety and radiation protection, provided the packaging fails to meet the requirements specified in paragraphs 43, 59, 60 and 63 through 70 in Part I of Appendix No. 1,
  2. data about all limitations in respect to the transport mode and about all special procedures during loading, shipment, unloading or handling,
  3. the highest and lowest levels of the ambient conditions (temperature, sunshine) which are expected to be encountered during the shipment and which have been taken into account in the design,
- c) for ionizing radiation sources
1. detailed description of basic technical data about the specific type, design drawings, descriptions and explanations used for their manufacture,
  2. a list of legal regulations and technical standards used for their manufacture; if no standards were used then description of the technical solution and documents confirming fulfillment of requirements for radiation protection,
  3. a test report developed by the equipment manufacturer, including data about the actual operating parameters,
- d) for ionizing radiation sources which are radioactive substances the following additional documents shall be provided
1. data about the radionuclide, its type, manufacturer, activity, chemical and physical form, description how requirements for radiation protection have been addressed, a document about permission to produce the equipment in the manufacturer's country; for unsealed radionuclide sources an accompanying sheet for unsealed radionuclide sources issued by the manufacturer; for sealed radionuclide sources data about its resistance classification, sealing method, design description, recommended inspections of sealing, radionuclide expiry date or, if applicable, certificate of a sealed radionuclide source issued by the manufacturer,
  2. a concept of their decommissioning, containing also description of safe management of radioactive wastes.

## **Section 4**

### **Test Documents**

(on Section 23 paragraph 3 of the Act)

- (1) The test documents shall include
- a) for packagings results of tests performed in accordance with Appendix No. 1 part II, paragraph 13 through 37 and evaluated in accordance with Appendix No. 1, part II, paragraphs 1 and 2, which document fulfillment of the respective requirements specified below in items 1 through 9, specifically

1. requirements in paragraphs 9 through 21 in part I of Appendix No. 1 for all packagings,
  2. requirements in paragraphs 26 through 34 in part I of Appendix No. 1 for packagings of type IP – 1, IP – 2 and IP – 3,
  3. requirements in paragraphs 35 through 38 in part I of Appendix No. 1 for packagings to shipment 0.1 kg and more of uranium hexafluoride,
  4. requirements in paragraphs 39 through 55 in part I of Appendix No. 1 for packagings of type A,
  5. requirements in paragraphs 56 through 70 in part I of Appendix No. 1 for packagings of type B(U),
  6. requirements in paragraphs 71 and 72 in part I of Appendix No. 1 for packagings of type B(M),
  7. requirements in paragraphs 73 through 76 in part I of Appendix No. 1 for packagings of type C,
  8. requirements in paragraphs 77 through 88 in part I of Appendix No. 1 for packagings containing fissile materials,
  9. requirements in paragraphs 56 through 70 in part I of Appendix No. 1 and requirements of Appendix No. 2 for packagings of type D and packagings of type S,
- b) for special form radioactive material results of tests performed in accordance with paragraphs 4 through 11 in part II of Appendix No. 1,
  - c) for low dispersible radioactive material results of tests performed in accordance with paragraph 12 in part II of Appendix No. 1,
  - d) for radiation generators results of tests proving compliance with the respective technical standards<sup>6)</sup>,
  - e) for sealed radionuclide sources results of tests proving their tightness and level of resistance in accordance with the respective technical standards<sup>7)</sup>,
  - f) for equipment containing radionuclide sources results of tests proving compliance of the equipment and its classification in accordance with technical standards<sup>8)</sup>,
  - g) for unsealed radionuclide sources or products containing unsealed radionuclide sources results of tests in the scope of the accompanying sheet of an unsealed source, as specified in a special legal regulation<sup>3)</sup>,
  - h) for ionizing fire alarms with sealed radionuclide source results of tests confirming their level of resistance against fire, very high temperatures and tightness, in accordance with the respective technical standards<sup>7)</sup>,
  - i) for ionizing radiation sources whose operation results in production of radionuclides reports about tests results confirming that their declared properties meet requirements of the radiation protection from the viewpoint of purpose and use of the source ,
  - j) for consumer products containing radioactive substances and in which radioactive substances were deliberately added in the course of their manufacture a document proving provision of the basic requirements for radiation protection throughout their use.

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<sup>6)</sup> E.g. standards in the series ČSN EN 60601-1-1 through ČSN EN 60601-2-45.

<sup>7)</sup> E.g. standards in the series ČSN 404302, ISO 2919, ISO 9978.

<sup>8)</sup> E.g. standard ISO 7205

- (2) The test shall be performed on products, prototypes or their samples. The tests may be also performed on models or specimens made so that they, to the maximum extent, simulate qualities important for assessment of nuclear safety, radiation protection and designed content of radionuclides.
- (3) The tests documents for products may be replaced with references to previous successful results of tests performed on products of the same or similar use or with a documented calculation performed by authorized persons or persons assigned by the Office, provided the reliability or conservative character of the computation methods (codes) and the used parameters are acceptable for the Office for assessment purposes.

## **Section 5**

### **Approval Method**

(on Section 23 paragraph 2 of the Act)

The Office shall state the following in its decision on type-approval

- a) identification of the applicant, in the scope under Section 3 paragraph 1 letter a)
- b) identification of the manufacturer, in the scope under Section 3 paragraph 1 letter b)
- c) identification of the product, in the scope under Section 3 paragraph 1 letter c)
- d) scope and method of conformity assessment under Section 6,
- e) conditions under which the product approval is issued; for packagings, special form radioactive material and low dispersible radioactive material their identification mark shall be provided,
- f) for sources of ionizing radiation their classification, frequency and minimum scope of receiving tests, tests of long-term stability and operating stability,
- g) validity period of a decision on type-approval.

## **Section 6**

### **Verification and Documentation of Conformity, their Scope and Method**

(on Section 23 paragraphs 4 and 5 of the Act)

- (1) A manufacturer, importer or person introducing the product on the market shall assure verification of the product conformity with the approved type
    - a) for each packaging subject to type approval under Section 2 paragraph 1, for special form radioactive material and for low dispersible radioactive material in the scope established by conditions in the decision on type approval,
    - b) for each sealed radionuclide source with a tightness test and other tests in the scope of the sealed source certificate, as established by a special legal regulation<sup>3)</sup> or, if applicable, in the scope established in the resolution on type-approval,
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- c) for each unsealed radionuclide source with tests in the scope of the unsealed source accompanying sheet, as established by a special legal regulation<sup>9)</sup> or, if applicable, in the scope established in the resolution on type-approval,
  - d) for ionizing radiation sources other than radioactive substances:
    - 1. using procedures under a special legal regulation<sup>9)</sup>,
    - 2. for other sources of ionizing radiation on every product or on a statistically selected sample, if specified so by the Office in the decision on type-approval.
- (2) The conformity of products shall be documented by the manufacturer, importer or person introducing the product on the market:
- a) for sealed radionuclide sources with a certificate,
  - b) for unsealed radionuclide sources with an accompanying sheet,
  - c) for packagings, special form radioactive material, low dispersible radioactive material, ionizing radiation sources other than radionuclide sources and other products with a written statement of conformity in Czech language, containing the following particulars:
    - 1. identification data of the manufacturer or importer issuing the statement of conformity, in the scope under Section 3 paragraph 1 letter a)
    - 2. identification data of the product, at least in the scope of Section 3 paragraph 1 letter c),
    - 3. a statement that the product is safe and suitable for the given purpose,
    - 4. the used method of conformity verification and a list of legal regulations and technical standards used for conformity verification<sup>9)</sup>,
    - 5. name, address of the seat and identification number of the person involved in the conformity verification,
    - 6. issuance date of the conformity statement, name and position of the responsible person,
- (3) The manufacturer, importer or person introducing the product on the market shall issue a new statement of conformity provided there is any change in the facts which may influence product qualities from the viewpoint of nuclear safety or radiation protection and the product is to be introduced on the market also after the change.
- (4) Products for which a written statement of conformity was issued shall be provided by the manufacturer or person introducing products on the market with a mark of conformity in accordance with a special legal regulation<sup>9)</sup>, except sealed radionuclide sources, special form radioactive material and low dispersible radioactive material where the mark shall be replaced with a sealed radionuclide source certificate, in case of sealed radionuclide sources, and with a type approval, in case of special form radioactive material and low dispersible radioactive material .
- (5) For ionizing radiation sources whose conformity was verified under a special legal regulation<sup>9)</sup> the manufacturer, importer or person introducing the product on the

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<sup>9)</sup> Act No. 22/1997 Coll. on technical requirements for products and alterations of and amendments to some acts, as amended by Act No. 71/2000 Coll. and Act No. 102/2001 Coll.

market shall establish its classification and minimum scope of receiving tests, tests of long-term stability and operating stability<sup>3)</sup>.

## **PART TWO**

### **SHIPMENT OF NUCLEAR MATERIALS AND SPECIFIED RADIOACTIVE SUBSTANCES**

#### **Section 7**

##### **Licence for Shipment**

(on Section 9 paragraph 1 letter m) of the Act)

A licence from the Office is required for

- a) shipment of nuclear materials, except uranium depleted of <sup>235</sup>U isotope, provided it forms shielding of packagings,
- b) shipment of special form radioactive material with activity greater than  $3.10^3$  of  $A_1$  and radioactive substances other than in special form with activity greater than  $3.10^3$  of  $A_2$  or radioactive substance with activity higher than 1000 TBq, depending on which level is lower,
- c) shipment of nuclear materials or radioactive substances in packagings of type B(M), not designed for the range of temperatures from minus 40°C to plus 70°C or designed to enable controlled intermittent venting,
- d) shipping under special arrangement when all requirements stated in Section 9 cannot be met and when such requirements are replaced with special conditions which assure that the level of nuclear safety, radiation protection and physical protection during the shipment is identical or higher,
- e) shipment by a special-purpose vessel, with a specified program of radiation protection,
- f) shipment of nuclear material or radioactive substances whose  $A_1$  and  $A_2$  values were determined by a calculation.

#### **Section 8**

##### **Scope and Format of Documents to be Approved for Shipping Licence**

(on Section 13 paragraph 3 letter d) of the Act)

- (1) The emergency rules for transport and shipping of nuclear materials and radioactive substances shall be developed by the applicant for the licence under a special legal regulation<sup>10)</sup>; this shall in no way affect the licensee's obligation to have available shipping documents under special legal regulations<sup>11)</sup>.

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<sup>10)</sup> Decree No. 318/2002 Coll. on details for assurance of emergency preparedness at nuclear installations and workplaces with sources of ionizing radiation and on requirements for the content of on-site emergency plans and emergency rules

<sup>11)</sup> E.g. Act No. 266/1994 Coll. on railway, as amended later, Government Order No. 1/2000 Coll. on railway shipping rules for public railway freight transport, as amended later, Decree No. 8/1985 Coll. on treaty about

- (2) Classification of the shipped nuclear materials into the respective category from the viewpoint of physical protection shall be performed under a special legal regulation<sup>12)</sup>. A method of physical protection shall be specified in special legal regulations<sup>12), 13)</sup>.
- (3) Provided a certain part of international shipment takes place in the Czech Republic then the scope and format of documents is required in accordance with paragraphs 1 and 2 only for such a part.

## Section 9

### Provision of Transport and Shipment by the Consignor

(on Section 20 paragraph 1 letters b) and d) of the Act)

- (1) A consignor shipping nuclear materials and radioactive substances under Section 7 shall
  - a) the Czech Republic's report the beginning of any shipment to the Office 7 days in advance, unless a special legal regulation<sup>14)</sup> establishes otherwise,
  - b) provide documents proving assurance of any cooperation with third persons in solving emergency situations. Provided the emergency rules anticipate cooperation with fire brigades from more than one region the consignor shall assure the cooperation through the Interior Ministry – General Headquarters of Fire Brigade,
  - c) provide documents to the effect that all persons involved in the shipment have been made familiar with the emergency rules in a demonstrable way,
  - d) in case of a radiation accident or suspicion of its occurrence inform immediately the Office, respective operation center of the Czech Republic Police, respective operation and information center of the fire brigade and respective regional administration authority; in both cases the consignor shall send to the Office within thirty days after the event has occurred its assessment in cooperation with the carrier,
  - e) provide for physical protection of the shipment under special legal regulations<sup>12),13)</sup>,

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international railway forwarding (COTIF) as amended later, Decree No. 64/1987 Coll. on European treaty on international road transport of dangerous items (ADR), as amended later, Act No. 111/1994 Coll. on road transport, as amended later, Act No. 114/1995 Coll. on inland navigation, as amended later, Decree No. 222/1995 Coll. on water routes, navigation in ports, common accident and transport of dangerous items, as amended later, Act No. 49/1997 Coll. on civil aviation, and amendments to Act No. 455/1991 Coll. on trade licensing (Trade Licensing Act) as amended later, Decree No. 17/1966 Coll. on aviation shipping rules, as amended later.

<sup>12)</sup> Decree No. 144/1997 Coll. on physical protection of nuclear materials and nuclear facilities and their classification into individual categories.

<sup>13)</sup> Act No. 283/1991 Coll. on Czech Republic's Police, as amended by Act No. 26/1993 Coll., Act No. 67/1993 Coll., Act No. 163/1993 Coll., Act 326/1993 Coll., Act No. 82/1995 Coll., Act 152/1995 Coll., Act No. 18/1997 Coll., judgment of the Constitutional Court No. 186/1997 Coll., Act No. 168/1999, Coll. Act 325/1999 Coll., Act 326/1999 Coll., Act 105/2000 Coll., judgment of the Constitutional Court No. 138/1999 Coll., Act No. 329/1999 Coll., Act No. 258/2000 Coll., Act No. 361/2000 Coll., Act No. 60/2001, Act No. 120/2001 Coll. and Act No. 265/2001 Coll.

<sup>14)</sup> Decree No. 145/1997 Coll. on accounting for and control of nuclear materials and their detailed specification

- f) meet the appropriate requirements specified in Appendix No. 4 and requirements under special legal regulations<sup>12)</sup>.
- (2) Before shipping sealed sources the consignor shall send to the consignee a form to be filled; a specimen of the form is given in Appendix No. 5.

### **PART THREE**

#### **INTERNATIONAL SHIPMENT OF RADIOACTIVE WASTE**

##### **Section 10**

#### **Scope and Methods of International Shipment of Radioactive Wastes, Documents for the Licence and Shipment Supervision**

(on Section 9 paragraph 1 letter p) of the Act and item P of the Appendix thereto)

- (1) A licence under Section 9 paragraph 1 letter p) of the Act whose validity may be limited in time by the Office is required for international shipment of radioactive wastes whose activity and weight activity exceeds the levels specified in a special legal regulation<sup>2)</sup> and for the following types of shipment:
- a) from the Czech Republic to a Member State of the European Union,
  - b) from a Member State of the European Union to the Czech Republic,
  - c) from the Czech Republic into a non-Member State of the European Union, including transit through Member States of the European Union,
  - d) from a non-Member State of the European Union to the Czech Republic, including transit through Member States of the European Union,
  - e) between non-Member States of the European Union, including transit via Member States of the European Union, while the Czech Republic is the Member State the waste is first to enter the European Union,
- (2) The filled-in forms as provided in sections No. 1, 3 and 4 of Appendix No. 6 shall be enclosed to the documents transported along with the wastes.
- (3) A licence to perform more than one shipment may be requested in a single application provided
- a) the radioactive wastes covered by the application has essentially identical physical, chemical and radioactive characteristics,
  - b) the shipment is performed between the same holder and consignee and concerns the same competent authorities. The holder of radioactive waste shall be a physical or legal person legally responsible for the waste before the shipment and intend to transfer the waste to the consignee,
  - c) the shipment concerning the Czech Republic and a non-Member State of the European Union is performed via the same border crossings, unless an approval is granted to another transport route.
- (4) In case of international shipment of radioactive waste under paragraph 1 letter a)
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- a) the holder of radioactive waste shall submit to the Office an application on the form whose specimen is given in Part 1 of Appendix No. 6, and fill in and confirm the form whose specimen is given in Part 4 of Appendix No. 6,
  - b) the Office
    - 1. shall request positions from the competent authorities in the country of destination and country or countries of transit, using the form whose specimen is given in Part 2 of Appendix No. 6,
    - 2. use the form whose specimen is given in Part 3 of Appendix No. 6 to issue a decision to the application for a licence for international shipment of radioactive waste,
    - 3. inform the competent authorities in the country of destination and countries of transit about the licence for shipment, using the form whose specimen is given in Part 3 of Appendix No. 6,
    - 4. send copies of the form whose specimen is given in Part 5 of Appendix No. 6, as received from the competent authority in the country of destination, to the holder of radioactive waste.
- (5) In case of international shipment of radioactive waste under paragraph 1 letter b)
- a) the consignee of radioactive waste shall within 15 days after receiving the waste send to the Office the filled-in form whose specimen is given in Part 5 of Appendix No. 6,
  - b) after receiving the form, whose specimen is given in Part 5 of Appendix No. 6, the Office shall submit its copy to the competent authorities of the European Union Member States affected by the shipment.
- (6) In case of international shipment of radioactive waste under paragraph 1 letter c)
- a) the holder of radioactive waste shall
    - 1. submit to the Office an application on the form, whose specimen is given in Part 1 of Appendix No. 6,
    - 2. make sure that the consignee immediately after receiving the radioactive waste sends to the holder the filled-in and confirmed form, whose specimen is given in Part 5 of Appendix No. 6, or his own statement with the same content and identifies the customs office through which the shipment has passed,
    - 3. fill in and confirm the form, whose specimen is given in Part 4 of Appendix No. 6,
    - 4. submit to the Office within 14 days after the handover of radioactive waste to the consignee the forms, whose specimens are given in Parts 4 and 5 of Appendix No. 6. Provided the consignee fails to fill in the form, whose specimen is given in Part 5 of Appendix No. 6, the form shall be filled in by the holder of radioactive waste and shall be accompanied by the consignee's statement under paragraph 6 letter a) item 2,
  - b) the Office shall
    - 1. request positions from the competent authorities of European Union Member States affected by the shipment, using the form, whose specimen is given in Part 2 of Appendix No. 6, and cooperate in the matters of shipment with competent authorities of other countries affected by the shipment,
    - 2. in order to issue a decision about the application for licence for international shipment of radioactive waste use the form, whose specimen is given in Part 3 of Appendix No. 6,

3. inform the competent authorities in countries affected by the shipment about the licence using the form, whose specimen is given in Part 3 of Appendix No. 6, for the purpose,
  4. after obtaining the forms, whose specimens are given in Parts 4 and 5 of Appendix No. 6, send their copies to the competent authorities in European Union Member States affected by the shipment.
- (7) In case of international shipment of radioactive waste under paragraph 1 letter d)
- a) the consignee of radioactive waste shall
    1. submit to the Office an application on the form, whose specimen is given in Part 1 of Appendix No. 6,
    2. make sure that the holder of radioactive waste fills in and confirms the form, whose specimen is given in Part 4 of Appendix No. 6,
    3. send to the Office within 14 days after receiving the radioactive waste filled-in and confirmed forms, whose specimens are given in Parts 4 and 5 of Appendix No. 6,
  - b) the Office shall
    1. request positions from the competent authorities of European Union Member States affected by the shipment, using the form, whose specimen is given in Part 2 of Appendix No. 6, and cooperate in the matters of shipment with competent authorities of other countries affected by the shipment,
    2. in order to issue a decision about the application for licence for international shipment of radioactive waste use the form, whose specimen is given in Part 3 of Appendix No. 6,
    3. inform the competent authorities in countries affected by the shipment about the licence using for the purpose the form, whose specimen is given in Part 3 of Appendix No. 6,
    4. after obtaining the forms, whose specimen are given in Parts 4 and 5 of Appendix No. 6, submit their copies to the competent authorities of European Union Member States affected by the shipment.
- (8) In case of international shipment of radioactive waste under paragraph 1 letter e)
- a) the person responsible for carrying out the shipment on the Czech Republic's territory shall submit to the Office an application on the form, whose specimen is given in Part 1 of Appendix No. 6,
  - b) the licensee shall
    1. make sure that the holder of the radioactive waste fills in and confirms the form, whose specimen is given in Part 4 of Appendix No. 6,
    2. make sure that the consignee immediately, after receiving the radioactive waste, submits to the licensee a filled-in and confirmed form, whose specimen is given in Part 5 of Appendix No. 6 or his own statement with the same content and identifies the customs office through which the shipment passed,
    3. submit to the Office within 14 days after the handover of radioactive waste to the consignee the forms, whose specimens are given in Parts 4 and 5 of Appendix No. 6. Provided the consignee fails to fill in the form, whose specimen is given in Part 5 of Appendix No. 6, the form shall be filled in by the holder of radioactive waste and shall be accompanied by the consignee's statement under paragraph 8 letter b) item 2,
  - c) the Office shall

1. request positions from the competent authorities of European Union Member States affected by the shipment, using the form, whose specimen is given in Part 2 of Appendix No. 6, and cooperate in the matters of shipment with competent authorities of other countries affected by the shipment,
  2. in order to issue a decision about the application for licence for international shipment of radioactive waste use the form, whose specimen is given in Part 3 of Appendix No. 6,
  3. inform the competent authorities of countries affected by the shipment about the licence using the form, whose specimen is given in Part 3 of Appendix No. 6, for the purpose,
  4. after obtaining the forms, whose specimen are given in Parts 4 and 5 of Appendix No. 6, send their copies to the competent authorities in European Union Member States affected by the shipment.
- (9) Provided the Office is not the body in charge to decide about the licence for international shipment, however, the shipment concerns the Czech Republic, within two months at the latest after receiving the application, the Office shall communicate to the competent authority in charge its position or conditions for the shipment on the national territory or the reason of its refusal. The form, whose specimen is given in Part 2 of Appendix No. 6, shall be used for the purpose. Additional time may be requested by the Office to consider the application, however up to one month in addition to the period specified above. Provided the Office fails to give its position within the said period its approval of the shipment shall be deemed granted.

## **Section 11**

### **Common and Temporary Provisions**

- (1) Packagings specified in Section 2 paragraph 1 letter a) and manufactured before the effective date hereof may be used by 31 December 2003. After this date they may be used only if their technical design complies with limits of activities and material limitations specified in Appendix No. 3, and in addition meets requirements specified in paragraph 86 in Part I of Appendix No. 1, if designed for air shipment of nuclear materials.
  - (2) Special form radioactive material type-approved before the effective date hereof may be shipped by 31 December 2003. After this date they may be shipped only as radioactive substances other than of special form.
  - (3) Low dispersible radioactive material type-approved before the effective date hereof may be shipped by 31 December 2003. After this date they may be shipped only as radioactive substances other than low dispersible radioactive material.
  - (4) Ionizing radiation sources type-approved before the effective date hereof, whose parameters and operating properties meet requirements of long-term stability tests under a special legal regulation<sup>3)</sup>, and before the date of their expiration specified by the manufacturer, shall be from the viewpoint of radiation protection considered as
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compliant. Ionizing radiation sources with no specified expiry date may be used by 30 June 2007, unless provided otherwise in a special legal regulation<sup>3)</sup>.

## **Section 12**

### **Repealing Provisions**

The following shall be repealed:

1. Decree No. 142/1997 Coll. on type-approval of packagings for shipment, storage or disposal of radionuclide sources and nuclear materials, type-approval of ionizing radiation source, type-approval of protective aids for works with ionizing radiation sources and other equipment for such works ( on type-approval),
2. Decree No. 143/1997 Coll. on transport and shipment of specified nuclear materials and specified radionuclide sources.

## **Section 13**

### **Entry into Effect**

This Decree shall enter into force on the day of its publication, except Section 10 which shall enter into force on the date of Accession Treaty to the European Union will take effect for the Czech Republic. Provision of Section 9 paragraph 2 shall cease to apply on the date of Accession Treaty to the European Union will take effect for the Czech Republic.

Chairperson:  
Ing. Dana Drábová

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