RULES ON THE TRANSBOUNDARY SHIPMENT OF NUCLEAR AND RADIOACTIVE SUBSTANCES

(JV12)

**UNOFFICIAL TRANSLATION**

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Pursuant to the Ionising Radiation Protection and Nuclear Safety Act (Official Gazette of the Republic of Slovenia, No. 102/04 – official consolidated text) Article 103, paragraph 3, and implementing Article 138 of the said act, the Minister of the Environment and Spatial Planning issues the following

**RULES**

**on the transboundary shipment of nuclear and radioactive substances**

# Article 1 (content)

These Rules lay down radiation sources with significant activity, the content of the application for and conditions for the issuing of an import or export licence for nuclear or radioactive substances, a licence for shipment of nuclear substances from a European Union (hereinafter referred to as: EU) Member State or for shipment of nuclear substances to an EU Member State, and a licence for transit of nuclear substances and radiation sources with significant activity, the method of notifying the competent ministries and authorities of other countries, the handling of multiple shipments and other conditions relating to nuclear and radiation safety.

# Article 2 (definitions)

The terms appearing in these Rules shall have the following meanings:

1. low enriched uranium means uranium containing the U-235 radionuclide or U-233 radionuclide or both in such concentrations that the percentage of the sum of these concentrations is greater than the percentage of U-235 in natural uranium but less than 20 %;
2. depleted uranium means uranium containing the U-235 radionuclide in a concentration lower than that in natural uranium;
3. radiation source with a significant activity is a radiation source containing a radionuclide the activity of which equals or exceeds category 2 set out in Table 5 of the Decree on activities involving radiation (Official Gazette of the Republic of Slovenia, No. 48/04 and 9/06);
4. high enriched uranium means uranium containing the U-235 radionuclide or U-233 radionuclide or both in such concentrations that the percentage of the sum of these concentrations equals or exceeds 20 %.

# Article 3 (competent authority)

Pursuant to the act governing ionising radiation protection and nuclear safety, the authority competent for the issuing of licences under these Rules is the Slovenian Nuclear Safety Administration, except in cases of import or export of radioactive substances applied in health or veterinary care, where the competent authority is the Slovenian Radiation Protection Administration.

**Article 4**

**(contents of an application for licence)**

1. A person who intends to import or export nuclear or radioactive substances or ship from or to the EU Member States nuclear substances, or a person representing the consignor in a transit of nuclear substances or radiation sources with significant activity in the Republic of Slovenia, shall submit an application to the competent authority.
2. The application referred to in the previous paragraph shall provide information on:
	* the consignor;
	* the consignee;
	* the carrier;
	* the radiation sources or nuclear substances, in particular the types of radionuclides, their individual and total activity and the number of sources, and
	* the designation of the packaging type certificate pursuant to the regulations governing the transport of dangerous goods and the envisaged time and place of the crossing of the border of the Republic of Slovenia and the transport route where a radiation source with a significant activity is involved.
3. The following shall be attached to the application referred to in paragraph 1:
	* documentary evidence of the provision of financial securities where required by the regulations governing financial securities or liability for nuclear damage ;
	* approved assessment of radiation protection of exposed workers during transport in accordance with the act governing ionising radiation protection and nuclear safety where the regulations governing the transport of dangerous goods require approval of the packaging in the Republic of Slovenia;
	* information on the authorisation of the end-user for practices involving radiation where import of nuclear or radioactive substances or their shipment from an EU Member State, as referred to in paragraph 1 of this Article, is involved.
4. In considering the application, the competent authority shall also take into account the approved plan of physical protection during transport, which shall be obtained from the ministry responsible for internal affairs. The physical protection plan shall only be produced where required by the regulations governing physical protection.
5. In the case of an application for licence for multiple shipments, the following information shall additionally be provided:
	* the envisaged total number of shipments;
	* the type of radionuclides and the envisaged maximum individual activity and the envisaged maximum total activity of a single shipment;
	* the time period in which the shipments are to take place.

# Article 5 (export conditions)

1. The authority competent for the issuing of the export licence for radiation sources with significant activity shall, prior to issuing the licence, obtain consent to the import from the competent authority of the shipment recipient country, which shall demonstrate that the shipment consignee fulfils the conditions for the acceptance of the radiation source with significant activity.
2. The conditions referred to in the previous paragraph shall comply with the Code of Conduct on the Safety and Security of Radioactive Sources of the International Atomic Energy Agency (IAEA/CODEOC/2004).
3. The consignor shall notify, at least 7 days prior to the dispatch, the consignee, the competent authority of the recipient country of the shipment, having issued the consent referred to in paragraph 1, and the competent authority having issued the export licence, of the date and time of dispatch of the radiation source with significant activity.

**Article 6**

**(compliance with import conditions)**

Upon receiving a request for verification of compliance with the conditions for import of radiation sources with significant activity into the Republic of Slovenia from the competent authority of the exporting country, the authority competent for the issuing of import licence in the Republic of Slovenia shall notify the foreign authority of the compliance with the said conditions upon issuing the import licence to the consignee based on the application referred to in Article 4 of these Rules.

# Article 7 (exemption)

1. A licence for transit of nuclear substances shall not be required if the weight of nuclear substance is less than the following values:
	* depleted uranium: 350 kg
	* thorium: 200 kg
	* natural uranium: 100 kg
	* low enriched uranium: 1 kg
	* high enriched uranium: 5 g or
	* plutonium: 5 g.
2. Where several nuclear substances are involved, the sum of quotients of the actual quantity of a particular substance and the corresponding value listed in paragraph 1 of this article shall be taken into account. A licence for transit of nuclear substances shall not be required if the sum is less than 1.
3. A licence for import or export of nuclear substances or a licence for shipment from or to an EU Member State shall not be required where application of depleted uranium for civil purposes other than in a

nuclear fuel cycle is involved, e.g. application for protection against ionising radiation or application as packaging, and the total quantity does not exceed 350 kg.

# Article 8 (notification)

1. The person representing the consignor in the Republic of Slovenia shall notify the competent authority having issued the licence of the transit of nuclear substances or radiation sources with significant activities no later than 48 hours prior to the shipment’s entry into the Republic of Slovenia.
2. The person having obtained the licence based on the application referred to in Article 4 of these Rules shall report to the competent authority having issued the licence:
	* within 15 days of the end of the month of the completion of the import or export of a nuclear substance or radiation sources with significant activity or the shipment of a nuclear substance from or to an EU Member State or the transit of nuclear substances or radiation sources with significant activity;
	* within 21 days of the end of each quarter on the imports and exports of radioactive substances completed in the past quarter.

# Article 9 (final provision)

These Rules shall enter into force on the fifteenth day after their publication in the Official Gazette of the Republic of Slovenia, and shall begin to apply on 1 October 2008.

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Ljubljana, on 7 July 2008

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# Janez Podobnik

Minister

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