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Nuclear Energy Decree

(161/1988; amendments up to 732/2008 included)

Chapter 1 – Definitions

Section 1

For the purposes of this Decree:

(1) *natural uranium* means uranium in which the abundance ratios of isotopes have not been changed from what they are in uranium found in nature;

(2) *enriched uranium* means uranium in which the ratio of those uranium atoms with an atomic weight of 235 or 233 to all atoms (enrichment factor) is higher than in natural uranium;

(3) *depleted uranium* means uranium in which the enrichment factor is lower than that of natural uranium;

(4) *effective kilogram* means a special unit used in safeguarding nuclear material and other fissile material; the quantity of material in effective kilograms is obtained by taking the mass of the material as kilograms and multiplying this:

(a) by 1, if the material is plutonium and uranium-233 isotope;

(b) by the square of its enrichment factor, if the material is uranium with a uranium-235 enrichment factor of 0.01 (1%) or above;

(c) by 0.0001, if the material is uranium with a uranium-235 enrichment factor below 0.01 (1%) but above 0.005 (0.5%);

(d) by 0.00005, if the material is depleted uranium with a uranium-235 enrichment factor of 0.005 (0.5%) or below;

(e) by 0.00005, if the material is thorium. (430/2004);

5) *particular safeguards obligation* means such an obligation arising from a bilateral agreement in the nuclear field concluded by Finland or by the European Union with some other State or a group of States which concerns possession, manufacture, production, transfer, handling, use, storage, transport, export or import of nuclear material, nuclear waste, ore or of some other material, device, equipment or nuclear information as referred to in section 8(1).

(6) *nuclear fuel* means nuclear material that has been made into units which as such or together with supporting structures can be used to produce a chain reaction, based on nuclear fission at a nuclear facility, and insofar as is determined by the Ministry of Trade and Industry, other nuclear material applicable to the production of nuclear energy;

(7) *spent nuclear fuel* means nuclear material that has been used as nuclear fuel for the production of nuclear energy and that contains significant amounts of nuclear waste; (473/1996)

8) *nuclear commodity* means nuclear materials and materials, devices, equipment, nuclear information and agreements referred to in paragraph 5 of section 2(1) and in paragraph 1 of section 2(2) of the Nuclear Energy Act (990/1987);

(9) *exports* means exports to another State from or through Finnish territory. (1069/1999)

10) *a manufacturer of nuclear pressure equipment* means a company that manufactures nuclear pressure equipment or carries out the installation, repair or modification of such pressure equipment;

11) *probabilistic risk assessment* means quantitative analysis of threats affecting the safety of a nuclear power plant, accident sequences and adverse consequences. (1069/1999)
The Ministry of Trade and Industry keeps a record if necessary of the particular safeguards obligations referred to in paragraph 5 of subsection 1. (473/1996)

Section 2

As referred to in paragraph 6 of section 2(1) of the Nuclear Energy Act, ores containing uranium or thorium shall mean minerals in which:

- 1) the average content of uranium is higher than 1 kilogram per metric tonne; or
- 2) the average content of thorium is higher than 30 kilograms per metric tonne, except for monazite, or higher than 100 kilograms per metric tonne for monazite.

Section 3

As referred to in paragraph 2 of section 3(1) of the Nuclear Energy Act:

- 1) special fissile material means plutonium 239, uranium 233, uranium enriched in isotopes 235 or 233, and materials which contain one or more of the above-mentioned materials; and
- 2) source material means uranium which contains the mixture of isotopes occurring in nature or uranium, in which the relative quantity of isotope 235 has been reduced, and thorium and any of the above materials in the form of metal, alloy, chemical compound or concentrate.

Nuclear material, as referred to in paragraph 2 of section 3(1) of the Nuclear Energy Act, shall not include:

- (1) special fissile material in which the combined content of uranium and plutonium is less than 0.01 kilogram per one metric tonne;
- (2) source material in which the combined content of uranium and thorium is less than 0.5 kilogram per one metric tonne; or
- 3) ore referred to above in section 2.

Section 4

The provisions given in the Nuclear Energy Act and in this decree on both nuclear material and nuclear waste are applied to spent nuclear fuel. In addition, the provisions on materials and equipment referred to in section 8 can also be applied.

Otherwise, if, by virtue of the provisions given in the Nuclear Energy Act or in this decree, a material or an object is simultaneously more than one of the following: nuclear material, nuclear waste, ore containing uranium or thorium, or material, device or equipment referred to in section 8, the respective provisions in the Nuclear Energy Act and in this decree are applied to that material or object separately. (732/2008)

Section 5 (732/2008)

Nuclear waste, as referred to in paragraph 3 of section 3(1) of the Nuclear Energy Act, shall not include:

- 1) radioactive materials that have spread into the environment along with emissions that result from the use of nuclear energy and that do not exceed the limits set for emissions;
- 2) a radioactive material or product which has been manufactured or used for commercial, industrial, agricultural, medical, scientific or educational operations or for other comparable operations, which are not part of nuclear waste management;
- 3) radioactive waste generated when processing raw material containing uranium or thorium, should the quantity of uranium or thorium produced in the operations during the period of one year be 10,000 kilograms at a maximum; or
- 4) a sample taken at a nuclear facility in Finland or from nuclear waste generated in Finland, for research purposes in Finland.

Section 6

Extensive final disposal of nuclear waste, as referred to in paragraph 5, section 3(1) of the Nuclear Energy Act, means final disposal if it is intended that the disposal facility contain an amount of nuclear waste in which the total activity of radioactive materials, excluding natural uranium, thorium and depleted uranium, is higher than 1 TBq or the alpha activity, excluding natural uranium, thorium and depleted uranium, is higher than 10 GBq. (732/2008)

The extensive manufacture, production, use, handling or storage of nuclear materials or nuclear waste, as referred to paragraph 5 of section 3 of the Nuclear Energy Act, means these activities if it is intended that the facility used for these purposes should at a given moment contain:

- (1) more than 1 effective kilogram of nuclear materials; or
- (2) an amount of nuclear waste in which the total activity or alpha activity of radioactive materials exceeds the limits set forth in subsection 1.

Section 7

A nuclear facility of considerable general significance, as referred to in paragraph 3 of section 11(2) of the Nuclear Energy Act, means a nuclear facility in which nuclear materials or waste are fabricated, produced, used, handled or stored to the extent that the amount of nuclear materials at a given moment is more than 50 effective kilograms or the amount of nuclear waste is such that its total activity is higher than 100,000 TBq or the alpha activity higher than 1000 TBq.

A vehicle or a temporary storage directly associated with transport is, however, not considered a nuclear facility.

Section 7 a (473/1996)

In cases referred to in paragraph 1 of section 6 b(2) of the Nuclear Energy Act, the returning to their sender of some minor amounts of nuclear waste into which research has been carried out is not justified on grounds of safety or due to a significant economic or other weighty reason.

Nuclear waste of unknown origin, as referred to in paragraph 2 of section 6 b(2) of the Nuclear Energy Act, is nuclear waste belonging to the State and for which no owner or holder is found.

Section 7 b (1224/96)

In cases referred to in paragraph 1 of section 6 a(2) of the Nuclear Energy Act, to meet a safety obligation as per section 6 of the Act or to meet a waste management obligation as per section 9(3), nuclear waste is or has been delivered abroad for research purposes, or nuclear waste is or has been delivered abroad for research purposes to implement measures to prevent nuclear proliferation.

In cases referred to in subsection 1 above, the amount of nuclear waste shall be equal to the amount of nuclear waste required in the research method used. The amount of waste delivered for research purposes shall be so small that it does not significantly affect the waste management obligation of the licensee with a waste management obligation.

Cases referred to in paragraph 1 a of section 6 a (2) of the Nuclear Energy Act include those in which the activity concentration of the nuclear waste is low and the waste is delivered abroad for treatment because no suitable treatment method is available in Finland. (732/2008)

Cases referred to in paragraph 2 of section 6 a (2) of the Nuclear Energy Act include those in which the treatment, storage and emplacement of spent nuclear fuel generated from operating a research reactor in Finland in a manner intended as permanent outside Finland is justified for safety reasons, or for a significant financial or another cogent reason.

Chapter 2 – On the scope of application of section 2(1) and 2(2) of the Nuclear Energy Act (732/2008)

Section 8 (732/2008)

Materials, devices and equipment and nuclear information, as referred to in paragraph 5, section 2(1) of the Nuclear Energy Act, to the possession, manufacture, assembly, transfer and import of which the Nuclear Energy Act is applied, include materials mentioned in point 2.2 of Appendix A of this decree, devices and equipment mentioned in points 1.2 and 2.3, and components thereof, as well as nuclear information mentioned in points 1.3 and 2.4.

The Nuclear Energy Act shall, however, apply to the possession, transfer and import of nuclear information referred to in subsection 1 only if particular safeguards obligations are binding on such nuclear information.

The Radiation Act (592/1991) is applied to the prevention and limitation of health hazards and other detrimental effects arising from radiation emitted by the materials, devices and equipment referred to above in subsection 1.

Sections 8 a – 8 b (881/95)

Sections 8 a and 8 b have been repealed.

Section 9

Agreements as referred to in paragraph 1 of section 2(2) of the Nuclear Energy Act, to whose conclusion and implementation the Nuclear Energy Act shall apply, are private law agreements whose purpose is:

- 1) to participate outside the territory of the Community or in a State mentioned in Appendix B to this Decree, in the manufacture, installation, construction or operation of a device or equipment referred to in point 2.3 of Appendix A; or
- 2) to participate outside the territory of the Community in the manufacture, installation, construction or operation of a device or equipment mentioned in point 1.2 of Appendix A.

The provisions of subsections 1 shall not apply to contracts of employment.

Section 9 a (732/2008)

Nuclear fuel cycle related research and development activities, as referred to in paragraph 2 of section 2(2) of the Nuclear Energy Act, include the development of processes and systems for the following stages of the fuel cycle:

- 1) conversion of nuclear material;
- 2) enrichment of nuclear material;
- 3) fabrication of nuclear fuel;
- 4) reactors;
- 5) critical facilities;
- 6) reprocessing of nuclear fuel; and
- 7) processing (not including repackaging or conditioning not involving the separation of elements for storage or disposal) of intermediate or high-level nuclear waste containing plutonium, uranium enriched in isotope 235 to more than 0.20 (20%) or in isotope 233, not including repackaging or conditioning which does not involve the separation of elements, for storage and final disposal purposes.

Research and development activities referred to in paragraph 2 of section 2(2) of the Nuclear Energy Act do not, however, include activities related to theoretical or basic scientific research or to research and development on industrial radioisotope applications, medical, hydrological or agricultural applications, health and environmental effects or servicing and maintenance activities.

Chapter 2 a – Restrictions on the scope of application of the Nuclear Energy Act (732/2008)

Section 9 b (732/2008)

Mining and enrichment operations as referred to in paragraph 2 of section 2(1) of the Nuclear Energy Act shall not include activities in which the quantity of uranium or thorium produced during a period of one year is 10,000 kilograms at a maximum.

Section 10 (732/2008)

The provisions of the Nuclear Energy Act are not applied to the possession, retransfers, handling, use, storage or transport of nuclear waste which has been transferred by virtue of a licence permitting transfer, if:

- (1) the average specific activity of the nuclear waste is lower than 10 kBq/kg;
- (2) the total activity of the nuclear waste in the possession of the transferee is lower than 1 GBq and the alpha activity lower than 10 MBq;
- (3) it is estimated that the annual effective dose caused by the transferred nuclear waste to any individual cannot exceed 0.01 mSv; and (278/1993)
- (4) the radiation exposure caused by the transferred nuclear waste is also otherwise as low as reasonably achievable.

Section 10 a (732/2008)

The provisions of the Nuclear Energy Act shall not apply to the possession, transfer, handling, use, storage, transport and import of special fissile material, if the material forms part of an instrument for medical purposes and has been placed inside the human body.

Section 10 b (473/96)

The provisions of the Nuclear Energy Act shall not apply to the possession, transfer, handling, use, storage, transport and import of a source material, if: (732/2008)

- (1) the material is part of an industrially fabricated device, component or utility article or is part of a device, component or utility article otherwise considered ready for use;
- (2) the amount of source material contained in the product is smaller than 4 grams; and
- (3) the material is not subject to any particular safeguards obligation.

The Nuclear Energy Act is not applied to the manufacture or production of a product containing source material referred to in subsection 1, provided that no other material subject to the scope of application of the Nuclear Energy Act is used in the manufacture or production of the product.

Chapter 3 - Use of nuclear energy exempted from a licence

Section 10 c (732/2008)

When no particular safeguards obligations are imposed on the nuclear material mentioned in point 2.1 of Appendix A, a licence subject to the Nuclear Energy Act is not needed for importing such material from another Member State of the European Union.

A notification shall be sent to the Radiation and Nuclear Safety Authority (STUK) of each import referred to in subsection 1 above in compliance with the control system for nuclear material referred to in section 118 below.

Sections 11-11b (732/2008)

11-11b have been repealed.

Section 12

A licence defined in the Nuclear Energy Act is not needed for the transfer or import of less than 10 kg of natural uranium, depleted uranium or thorium if the material is used for industrial, commercial, agricultural, medical, scientific or educational purposes and if:

- (1) the uranium or thorium is not subject to any particular safeguards obligation; and
- (2) the combined amount of uranium and thorium imported by anybody during one calendar year does not exceed 50 kg.

In addition, a licence is not needed for the possession, handling, use or storage of natural uranium, depleted uranium or thorium if the material is used for industrial, commercial, agricultural, medical, scientific or educational purposes if:

- (1) the uranium or thorium is not subject to any particular safeguards obligation;
- (2) the operations do not involve manufacture or production of special fissile materials; and
- (3) the combined amount of uranium and thorium in the possession of one owner is less than 10 kg.

Instead of submitting an application for licence, a notification referred to in chapter 17 shall be given to the Radiation and Nuclear Safety Authority (STUK).

Section 13 (732/2008)

In the case of a product made of depleted uranium or thorium and considered an industrial product or otherwise ready for use and for which the uranium or thorium has been used because of its high atomic or specific weight or durability, and the uranium or thorium is not subject to any particular safeguards obligations, a licence defined in the Nuclear Energy Act is only needed for the manufacture and production of the product. As concerns the possession, transfer, handling, use, storage and import of the product, a notification as referred to in chapter 17 shall be submitted to the Radiation and Nuclear Safety Authority (STUK).

However, when the product mentioned in subsection 1 forms a fixed part of a vehicle or is used as ballast, transport packaging or a radiation shield, and the uranium or thorium included in the product is not subject to any particular safeguards obligation, a notification defined in subsection 1 is only needed when a vehicle intended for permanent use in Finland, or ballast, transport packaging or a radiation shield which is used during transportation, arrives here for the first time.

If necessary, the Ministry of Employment and the Economy will compile a list of the products referred to in subsection 1.

Section 14

A licence defined in the Nuclear Energy Act is not required for the import of ore containing less than 10 kg of uranium or thorium if: (732/2008)

- 1) the ore is not subject to any particular safeguards obligations; and (732/2008)
- 2) the combined amount of uranium and thorium imported by anybody in this way during one calendar year does not exceed 50 kg.

In addition, a licence is not needed for the export of ore containing less than 1 kg of uranium or thorium to a State that is party to the Treaty on the Non-proliferation of Nuclear Weapons, if: (732/2008)

- 1) the ore is not subject to any particular safeguards obligations; and (732/2008)
- 2) the combined amount of uranium and thorium exported by anybody in this way to any State during one calendar year does not exceed 10 kg.

Instead of submitting an application for a licence, a notification referred to in chapter 17 shall be given to the Radiation and Nuclear Safety Authority (STUK).

Section 15

A separate licence defined in the Nuclear Energy Act is not needed for the transfer of special fissile material to somebody who has a licence for the possession of such material, as referred to in the Nuclear Energy Act, if:

- 1) the amount that is transferred at a time is less than 0.01 effective kilogram; and
- 2) the amounts thus transferred during one calendar year to the same licensee does not exceed 0.05 effective kilogram

Instead of submitting an application for a licence a notification referred to in chapter 17 shall be given to the Radiation and Nuclear Safety Authority (STUK).

Section 16 (473/96)

Section 16 has been repealed.

Section 17 (473/1996)

A licence defined in the Nuclear Energy Act is not needed for the export of nuclear material or nuclear waste in Finland or through Finnish territory if the amount of nuclear material or nuclear waste to be transported at one time is smaller than the limit determined in the Council of State Decision (511/1978) on the application of certain provisions of the Nuclear Liability Act. Nuclear materials and nuclear waste (radioactive products) which fall below this limit are outside the scope of application of the Nuclear Liability Act (484/1972). The corresponding limits for special fissile materials are: 32 g for plutonium-239, 375 g for uranium-233 and 600 g for uranium-235.

Nor is a licence needed for the storage and handling of nuclear material or nuclear waste relating to the transport.

The Act on the transportation of dangerous goods (719/1994) is applied to ensure the safety of the transportation of nuclear materials and nuclear waste which are exempted from a licence.

In cases referred to in the Council Regulation (Euratom) No. 1493/93 on shipments of radioactive substances between Member States, advance notifications and confirmations shall, irrespective of subsection 1, be issued as decreed in the Regulation concerning nuclear material transported to another Member State of the European Union if the purpose of use of the material is based on its specific radiation properties.

Section 18

A licence defined in the Nuclear Energy Act is not needed for the transfer and import of material referred to in points 2.2.1 and 2.2.2 of Appendix A to this Decree, if:

- 1) the material is not subject to any particular safeguards obligations;
- 2) the amount of material does not exceed the amount M1 given for the respective material in the Appendix; and
- 3) nobody transfers to the same consignee in this way, and during the same calendar year, or imports to Finland, an amount larger than the amount M2 given for the respective material in the Appendix.

A licence defined in the Nuclear Energy Act is not needed for the possession and manufacture of the material referred to in points 2.2.1 and 2.2.2 of Appendix A, if:

- 1) the material is not subject to any particular safeguards obligations;
- 2) nobody holds in this way, and concurrently, an amount higher than the amount M2 given for the respective material in the Appendix.

Instead of submitting an application for a licence, a notification referred to in chapter 17 shall be submitted to the Radiation and Nuclear Safety Authority (STUK) in the cases referred to in subsections 1 and 2.

Section 18 a (430/2004)

A licence subject to the Nuclear Energy Act is not needed for manufacture and assembly of a device referred to point 1.2 or 2.3 of Appendix A.

Neither is a licence subject to the Nuclear Energy Act needed for the possession, transfer or import of a device referred to in point 2.3.4 or 2.3.5 of Appendix A. (732/2008)

Instead of submitting an application for a licence, a notification referred to in chapter 17 shall be given to the Radiation and Nuclear Safety Authority (STUK) of exports referred to under subsection 1.

Section 18 b (430/2004)

Section 18 b has been repealed.

Section 19 (473/1996)

A licence defined in the Nuclear Energy Act is not needed for the transfer of nuclear material mentioned in point 2.1, devices or equipment mentioned in point 2.3 and information mentioned in point 2.4 of Appendix A, to a party that has a licence referred to in section 31 for the construction of a nuclear facility, or a licence referred to in section 33 for the operation of a nuclear facility, or a licence for operations defined in section 41, if the nuclear material, other material, device, equipment or information will be used for the licensed operation.

Section 20

A licensee who has a licence referred to in section 31 for the construction of a nuclear facility or a licence referred to in section 33 for the operation of a nuclear facility, is, if there are no provisions in the licence to the contrary, by virtue of the licence also entitled at the site of the facility to possess, fabricate, produce, handle, use and store nuclear materials, nuclear waste as well as the materials, devices and equipment referred to in section 8 which are needed in the operation of the nuclear facility or result from this operation.

Section 21 (732/2008)

A separate licence defined in section 41 is not needed for the transfer of nuclear material, nuclear waste, other material, a device, equipment or nuclear information which relates to exports. Instead of submitting an application for a licence, a notification referred to in chapter 17 shall be submitted to the Radiation and Nuclear Safety Authority (STUK).

A separate licence defined in section 41 is not needed for the possession of nuclear waste transported through Finnish territory.

Section 22 (473/1996)

The Radiation and Nuclear Safety Authority (STUK) needs no licence referred to in the Nuclear Energy Act for operations performed in its capacity as an authority. The same applies to the International Atomic Energy Agency and the Commission of the European Communities when they carry out the control referred to in section 63 of the Nuclear Energy Act.

Chapter 4 - The Government decision-in-principle

Section 23

A nuclear facility project for which the Government's decision-in-principle referred to in section 11 of the Nuclear Energy Act is applied for, can comprise one or more nuclear facilities which for operational or other reasons make up an integrated whole. The application can also concern two or more alternative nuclear facility projects.

The application for a decision in principle shall include at least the following:

- (1) the applicant's name or the firm name used in business operations, and domicile; and
- (2) for each nuclear facility:
 - (a) its planned location;
 - (b) its intended use; and
 - (c) the extent of the operations carried out therein or, if the nuclear facility is intended for the generation of nuclear energy, its power range and the planned service life.

Section 24

The application shall be supplemented with the following documents:

- (1) an extract from the population register or an extract from the trade register or some other document showing that the applicant is a Finnish citizen or a Finnish corporation, foundation or a government authority;
- (2) if the applicant is a company, a copy of its articles of association, partnership agreement and shareholders' register or, if the applicant is some other corporation or foundation, a copy of its rules;
- (3) a description of the expertise available to the applicant;
- (4) a description of the general significance of the nuclear facility project and its necessity, particularly as concerns Finland's energy supply, and of its significance from the standpoint of the operation and nuclear waste management of other nuclear facilities in Finland;
- (5) a description of the applicant's financial resources and the economic viability of the nuclear facility project;
- 6) an overall financing plan for the nuclear facility project; and
for each nuclear facility project:
 - (a) an outline of the technical principles of the planned nuclear facility;
 - (b) a description of the safety principles that will be observed;
 - (c) an outline of the ownership and occupation of the site planned for the nuclear facility;

- (d) a description of settlement and other activities and town planning arrangements at the planned nuclear facility site and in its immediate vicinity;
- (e) a description of the suitability of the planned location for its purpose, taking account of the impact of local conditions on safety, security and emergency response arrangements, and the impacts of the nuclear facility on its immediate surroundings; (732/2008)
- (f) an assessment report drawn up according to the Act on the environmental impact assessment procedure (468/94) as well as a description on the design criteria that will be observed by the licence-applicant to avoid environmental damage and to restrict the burden on the environment; (794/94)
- (g) an outline plan on nuclear fuel management;
- (h) an outline of the applicant's plans and the available methods for nuclear waste management; and
- (i) any other information considered necessary by the authorities.

If the applicant is a citizen or corporation of the European Union, the application must be supplemented with an explanation of the applicant's nationality and a document equivalent to the descriptions referred to in paragraph 2 of subsection 1. (473/1996)

Section 25

In addition to the specific provisions of the Nuclear Energy Act, the Ministry of Employment and the Economy shall request opinions on the application for the decision-in-principle, at least from the Ministry of the Interior, the Ministry of Defence, from the State Provincial Office, Regional Council and Regional Environment Centre that have jurisdiction over the location's municipality and the neighbouring municipalities of the planned nuclear facility. (732/2008)

In its preliminary safety assessment of the application for a decision-in-principle, the Radiation and Nuclear Safety Authority (STUK) must also include a statement from the advisory committee referred to in section 56(2) of the Nuclear Energy Act.

Section 26

For the decision-in-principle, the Ministry of Trade and Industry shall submit to the Government a special review of the methods of nuclear waste management that are currently applied and planned, their safety, environmental effects, costs and applicability to Finnish conditions.

When the application concerns a nuclear facility intended for the generation of nuclear energy, the Ministry of Trade and Industry must also submit to the Government a special review of the importance of the nuclear facility for Finland's energy supply.

Section 27

The Ministry of Trade and Industry must check that the overall description referred to in section 13(1) of the Nuclear Energy Act and submitted by the applicant to the Ministry has been compiled according to the Ministry's instructions, that the description tallies with the application and that it has been properly compiled in other respects, too.

The Ministry of Trade and Industry must reserve the applicant an opportunity to revise the description following the comments made by the Ministry on the basis of the check mentioned in subsection 1.

Before it is made public, the overall description must be supplemented with a notification in accordance with the instructions of the Ministry of Trade and Industry, showing:

- (1) where and when the public can see the application; and
- (2) the facts listed below in section 29 or information on how they will be made public.

Section 28

After the Ministry of Trade and Industry has checked the overall description, and at least one month before the public gathering referred to in section 13(2) of the Nuclear Energy Act, the applicant must make the description publicly available in the municipal offices of the municipality of location and the neighbouring municipalities of the planned nuclear facility and to keep the description publicly available in the company head office. In addition, the applicant must distribute the overall description to every household in the municipality of the location of the planned nuclear facility and to other households in the immediate vicinity.

Section 29

The Ministry of Trade and Industry shall make it publicly known that a nuclear facility project is pending, and state

- (1) where and within which time the overall description published by the applicant is publicly available;
- (2) that the residents, municipalities and local authorities in the immediate vicinity of the planned nuclear facility have a chance to present their opinions in writing on the nuclear facility project, and by which time the opinions must be delivered to the Ministry; and
- (3) where and when the public gathering referred to in section 13(2) of the Nuclear Energy Act will be arranged.

The notification of the matters mentioned in subsection 1:

- (1) shall be posted up on the notice boards for public notices of at least the municipality of location and the neighbouring municipalities of the planned nuclear facility for a minimum of one month; and
- (2) shall be published in the commonly circulated newspapers of the same municipalities not later than one month before the public gathering is arranged.

Section 30

The measures referred to in section 15(2) of the Nuclear Energy Act include:

- (1) conclusion of an agreement that is financially binding for the applicant and concerns the delivery or manufacture of the nuclear facility or an essential part, component or structure thereof;
- (2) manufacture of the said parts, components or structures by the applicant himself; and
- (3) excavation of considerable underground facilities for the nuclear facility.

The measures referred to above in subsection 1 do not, however, include measures which together result only in minor financial losses if the nuclear facility project is not carried out.

Chapter 5 – Licensing

Section 31

A licence to construct a nuclear facility (*construction licence*) is applied for with a written application addressed to the Government. It shall include at least the following information:

- (1) the applicant's name or the firm name used in business operations, and domicile;
- (2) the location site of the nuclear facility;
- (3) the intended use and operating principle of the nuclear facility;
- (4) the quality and extent of the operations carried out at the nuclear facility or, if the nuclear facility is intended for the generation of nuclear energy, its power range and the planned service life;
- (5) the timetable of construction, especially the starting time planned for the construction; and
- (6) a decision-in-principle concerning the nuclear facility, referred to in chapter 4, when this has been necessary.

Section 32

The application for a construction licence shall be supplemented with the information about the applicant mentioned in paragraphs 1 and 2 of section 24(1) or in section 24(2), and with: (473/1996)

- (1) proof of the applicant's right to use the site planned for the nuclear facility;
- (2) a description of settlement and other activities and planning arrangements at the planned nuclear facility site and in its immediate vicinity;
- (3) a description of the type of the nuclear facility to be constructed, and the planned suppliers of the essential parts;
- (4) a description of the quality and maximum amounts of the nuclear materials or nuclear waste that will be fabricated, produced, handled, used or stored at the nuclear facility;
- (5) an outline of the technical operating principles and features and other arrangements which are used to ensure the safety of the nuclear facility;
- (6) a description of the safety principles that the applicant intends to observe, and an evaluation of the fulfilment of the principles;
- (7) a description of the effects of the nuclear facility on the environment and a description of the design criteria that will be observed by the applicant to avoid environmental damage and to restrict the burden on the environment;
- (8) an outline of the operating organisation planned for the nuclear facility;

- (9) a description of the applicant's plans for arranging nuclear fuel management;
- (10) a description of the applicant's plans and available methods for arranging nuclear waste management, including the decommissioning of the nuclear facility and the disposal of nuclear waste, and a description of the timetable of nuclear waste management and its estimated costs;
- (11) a description of the economic viability of the nuclear facility project and its other financial prerequisites;
- (12) the cost estimate and financing plan of the nuclear facility project;
- (13) the applicant's financial statements for the last five years;
- (14) a description of the expertise available to the applicant and the organisation implementing the construction project; and
- (15) any other description considered necessary by the authorities.

Section 33

A licence to operate a nuclear facility (*operating licence*) is applied for with a written application addressed to the Government. It shall include at least the following information:

- (1) the applicant's name or the firm name used in business operations, and domicile;
- (2) the location site of the nuclear facility;
- (3) the intended use of the nuclear facility;
- (4) the quality and extent of the operations carried out at the nuclear facility or, if the nuclear facility is intended for the generation of nuclear energy, its rated power and the planned service life; and
- (5) the construction licence or previous operating licence of the nuclear facility.

Section 34

The application for an operating licence shall be supplemented with the information about the applicant mentioned in paragraphs 1 and 2 of section 24 or in subsection 2, and with: (473/1996)

- (1) a description of settlement and other activities and town planning arrangements at the planned nuclear facility site and in its immediate vicinity;
- (2) a description of the quality and maximum amounts of the nuclear materials or nuclear waste that will be fabricated, produced, handled, used or stored at the nuclear facility;
- (3) an outline of the technical operating principles and features and other arrangements whereby safety has been ensured
- (4) a description of the safety principles that have been observed, and an evaluation of the fulfilment of the principle;
- (5) a description of the measures to restrict the burden caused by the nuclear facility on the environment;
- (6) a description of the expertise available to the applicant and the operating organisation of the nuclear facility;
- (7) a description of the applicant's plans and available methods for arranging nuclear waste management, including the decommissioning of the nuclear facility and the disposal of nuclear waste, and a description of the timetable of nuclear waste management and its estimated costs;
- (8) a description of the applicant's financial status, the plan for the administration of the finances of the nuclear facility and the production plan of the nuclear facility;
- (9) the applicant's financial statements for all the years following the years mentioned in paragraph 13 of section 32 or, if the nuclear facility has previously been granted an operating licence, the financial statements for the year when the previous operating licence was applied for and any subsequent years;
- (10) a description of how the provisions in the construction licence have been complied with or, if the nuclear facility has previously been granted an operating licence, how the provisions in the previous operating licence have been complied with; and
- (11) any other information considered necessary by the authorities.

Section 35 (732/2008)

When applying for a construction licence, the applicant shall submit the following to the Radiation and Nuclear Safety Authority (STUK):

- 1) the preliminary safety analysis report, which shall include the general design and safety principles of the nuclear facility, a detailed description of the site and the nuclear facility, a description of the operation of the facility, a description of the behaviour of the facility during accidents, a detailed description of the effects that the operation of the facility has on the environment, and any other information considered necessary by the authorities;
- 2) a probabilistic risk assessment of the design stage;

- 3) a proposal for a classification document, which shows the classification of structures, systems and components important to the safety of the nuclear facility on the basis of their significance with respect to safety;
- 4) a description of quality management during the construction of the nuclear facility, showing the systematic measures applied by the organisations that take part in the design and construction of the nuclear facility in their operations affecting quality;
- 5) preliminary plans for the arrangements for security and emergencies;
- 6) a plan for arranging the safeguards control that is necessary to prevent the proliferation of nuclear weapons; and
- 7) a description of the arrangements referred to in section 19, paragraph 7 of the Nuclear Energy Act.

An applicant for a licence shall also provide the Radiation and Nuclear Safety Authority with any other reports that the STUK considers necessary.

Section 36

When applying for an operating licence, the applicant shall provide the Radiation and Nuclear Safety Authority (STUK) with the following:

- 1) the final safety analysis report;
- 2) a probabilistic risk assessment;
- 3) a classification document, which shows the classification of structures, systems and components important to the safety of the nuclear facility, on the basis of their significance with respect to safety;
- 4) a quality management programme for the operation of the nuclear facility;
- 5) the Technical Specifications, which shall at least define limits for the process quantities that affect the safety of the facility in various operating states, provide regulations on operating restrictions that result from component failures, and set forth requirements for the testing of components important to safety;
- 6) a summary programme for periodic inspections;
- 7) plans for the arrangements for security and emergencies;
- 8) a description on how to arrange the safeguards that are necessary to prevent the proliferation of nuclear weapons;
- 9) administrative rules for the nuclear facility;
- 10) a programme for radiation monitoring in the environment of the nuclear facility;
- 11) a description of how safety requirements are met; and
- 12) a programme for the management of ageing.

When the application for an operating licence is made for a nuclear facility that has already been in operation, the documents mentioned in subsection 1 need be submitted to STUK only to the extent that they have not been submitted before.

In addition, the applicant must provide STUK with any other information considered necessary by the Radiation and Nuclear Safety Authority.

The opinions on nuclear facility licences given by STUK to the licensing authority must include a review of the documents mentioned in section 35 and in subsection 1 of this section.

Section 37

In addition to the specific provisions of the Nuclear Energy Act, the Ministry of Employment and the Economy shall request opinions on applications for construction and operating licences, at least from the Ministry of the Interior, and from the State Provincial Office and Regional Environment Centre that have jurisdiction over the municipality of location and the neighbouring municipalities of the nuclear facility. An opinion on the application for a construction licence shall also be requested from the Ministry of Social Affairs and Health. (732/2008)

If the application concerns the construction of a nuclear facility other than those referred to in section 11 of the Nuclear Energy Act, the Ministry of Trade and Industry shall obtain an opinion from the municipality of location of the nuclear facility.

The Radiation and Nuclear Safety Authority (STUK) shall request an opinion on the descriptions mentioned in paragraph 4 of section 35 and in paragraph 6 of section 36(1), from the Ministry of the Interior.

The Radiation and Nuclear Safety Authority (STUK) shall supplement its opinions on applications for nuclear facilities with a statement from the advisory committee referred to in section 56(2) of the Nuclear Energy Act.

Section 37 a (473/1996)

Before making a decision about the construction licence, the Ministry of Trade and Industry shall ensure that a statement defined in chapter IV of the Euratom Treaty has been obtained about the nuclear facility project and that the applicant has complied with the regulations of chapter IV of the Euratom Treaty and the regulations issued by virtue of it.

Section 38

The decisions on construction and operating licences shall contain at least the following information:

- (1) the licensee;
- (2) the site where operations can be carried out;
- (3) the nature and extent of the operations carried out at the nuclear facility;
- (4) the period of validity of the license; and

(5) the licence conditions considered necessary, such as the conditions concerning physical protection and emergency planning, indemnification regarding liability in case of nuclear damage, obligations of Finland's international treaties, protection of the environment, and nuclear waste management.

In particular, the construction licence shall show the structural features and the operating licence additionally the features of facility operation and other operations carried out at the facility that the structure and operation of the facility, or the operations carried out therein, must conform with.

The operating licence shall specify the types and amounts of the nuclear materials, nuclear waste and the materials, devices and equipment referred to in paragraph 4 of section 2(1) of the Nuclear Energy Act that are needed in the operation of the nuclear facility and that can be possessed, fabricated, produced, handled, used or stored at the nuclear facility by virtue of the licence for the nuclear facility, without a separate licence defined in chapter 6 of this decree.

Section 39

A notification of the granting of construction and operating licences for nuclear facilities shall be sent to the Radiation and Nuclear Safety Authority (STUK), the Ministry of the Interior, the Ministry of the Environment, the State Provincial Offices and Regional Environment Centres of the relevant counties and to the municipality of location of the nuclear facility. (1069/1999)

After receiving the notification, the State Provincial Office shall further give a notification of the granting of a licence to other municipalities concerned and to the relevant water, environment, health, building, labour protection, fire and rescue, and police authorities.

Section 40

In applying for an amendment to the construction licence or operating licence of a nuclear facility, the same provisions shall be observed as in the case of a new licence, to the extent applicable.

Chapter 6 - Licences for nuclear materials, nuclear waste and for materials, devices and equipment referred to in paragraph 4 of section 2(1) of the Nuclear Energy Act

Section 41 (473/1996)

Excluding the cases referred to in section 20, the Radiation and Nuclear Safety Authority (STUK) grants a licence for the possession, manufacture, production, handling, use and storage of nuclear materials and nuclear waste (licence for operations), for the transfer of nuclear materials or nuclear waste, and for the possession and transfer of materials, devices or equipment referred to in section 8(1).

Section 42

The application for a licence for operations shall contain at least the following information:

- (1) the applicant's name or the firm name used in business operations, and domicile;
- (2) the operations for which the licence is applied for;
- (3) the site where the operations are intended to be carried out;

- (4) the extent of the intended operations;
- (5) the timetable of operations, especially the starting time planned for the operations and their duration;
- (6) the quantity and quality of any other nuclear materials possibly possessed by the applicant; and
- (7) the licences granted to the applicant in accordance with the Nuclear Energy Act, and the supervisors in charge approved for the various operations.

Section 43 (473/1996)

The application for a licence for operations shall be supplemented with an extract from the population register or an extract from the trade register or some other equivalent document about the applicant or about his nationality and also, unless when obviously unnecessary because of the nature of the planned operations, with:

- (1) documents equivalent to the documents referred to in section 36;
- (2) a description of the organisations planning and implementing the operations;
- (3) proof of the applicant's right to use the site or areas required by the operations;
- (4) a description of the settlement and other activities and town planning arrangements at the site of the operations and in its immediate vicinity;
- (5) a description of the environmental impact of the operations and a description of the design criteria that will be observed by the applicant to avoid environmental damage and to restrict the burden on the environment;
- (6) a description of the applicant's plans and available methods for arranging the management of nuclear waste resulting from the operations, including the disposal of nuclear waste, and a description of the timetable of nuclear waste management and its estimated costs;
- (7) a description of the types and amounts of nuclear materials and nuclear waste that the operations have been planned to involve; and
- (8) any other information considered necessary by the authorities.

Section 44

The Radiation and Nuclear Safety Authority (STUK) must request opinions on the application for a licence for operations from the Ministry of the Environment and from the advisory committee referred to in section 56(2) of the Nuclear Energy Act, unless obviously unnecessary.

Section 45

The provisions of section 38 shall apply to the contents of a decision on a licence for operations, to the extent applicable.

A notification of the granting of a licence must be sent at least to the administrative board of the relevant county and to the municipality where the operations referred to in the licence take place.

Section 46

An application concerning the possession of the materials, devices or equipment referred to in paragraph 4 of section 2(1), of the Nuclear Energy Act shall include at least the following information:

- (1) the applicant's name or the firm name used in business operations, and domicile;
- (2) the operations that involve the possession of the materials, devices or equipment;
- (3) is the licence application made for the possession of materials, devices or equipment fabricated by the applicant himself or are they received from some other person;
- (4) the quality, quantity and origin of the materials, device or equipment referred to in the application;
- (5) from whom and when will the materials, devices or equipment be received, or the timetable for their manufacture;
- (6) the place where the materials, devices or equipment will as a rule be kept and used or fabricated; and
- (7) the licences granted to the applicant in accordance with the Nuclear Energy Act.

The application must be supplemented with an extract from the population register or an extract from the trade register or an equivalent description of the applicant or his nationality. (473/1996)

Section 47

The decision on a licence concerning the possession of the materials, devices or equipment referred to in paragraph 4 of section 2(1) of the Nuclear Energy Act shall at least specify:

- (1) the licensee;
- (2) the types and amounts of materials, devices or equipment covered by the licence;
- (3) the validity of the licence; and
- (4) the licence conditions considered necessary.

Section 48

An application concerning the transfer of nuclear materials, nuclear waste or the materials, devices or equipment referred to in paragraph 4 of section 2(1) of the Nuclear Energy Act shall include at least the following information:

- (1) the applicant's name or the firm name used in business operations, and domicile;
- (2) the licence for operations or the construction or operating licence for a nuclear facility or the licence referred to in section 46 by virtue of which the applicant possesses the material, waste, device or equipment that is to be transferred;
- (3) the transferee's name or the firm name used in business operations, and domicile;
- (4) the types and amounts of materials, waste, devices or equipment covered by the application, and particular safeguards obligation that the material or waste is subject to;
- (5) from where and to where it is intended that the materials, waste, devices or equipment be transferred; and
- (6) the date planned for the transfer.

The application must be supplemented with the descriptions of the applicant mentioned in paragraphs 1 and 2 of section 24 and with:

- (1) an account of the transferee's willingness to accept the transfer and if so required by the Nuclear Energy Act, a description of the licence referred to in paragraph 2 of subsection 1 that has been granted to the transferee, or a description of the application for such licence;
- (2) if the application concerns the transfer of nuclear waste, a description of how the transfer is related to the nuclear waste management plan, referred to in section 74, that the applicant has most recently submitted to the authorities; and
- (3) any other information considered necessary by the authorities.

Section 49

The decision on a licence concerning the transfer of nuclear materials, nuclear waste or the materials, devices or equipment referred to in paragraph 4 of section 2(1) of the Nuclear Energy Act shall include at least the following information:

- (1) the licensee;
- (2) the transfer allowed by the licence;
- (3) the period of validity of the licence; and
- (4) the licence conditions considered necessary.

Chapter 7 (732/2008)

Chapter 7 has been repealed.

Chapter 7 a - Import licences (473/1996)

Section 53 (732/2008)

Section 53 has been repealed.

Section 53 a (732/2008)

A licence to import nuclear materials, other materials, devices and equipment, nuclear information subject to particular safeguards obligations, as well as ore containing uranium or thorium, as mentioned in Appendix A hereto, is granted by the Radiation and Nuclear Safety Authority (STUK) by application.

Section 53 b (732/2008)

The application for a licence referred to above in section 53 a shall be supplemented with an extract from the population register or an extract from the trade register or some other equivalent description of the applicant and his or her nationality, as well as the following information:

- 1) the quantity and quality of nuclear materials, other materials, devices, equipment, nuclear information or ore imported to Finland, alongside any related particular safeguards obligations;
- 2) the purpose of use of nuclear materials, other materials, devices, equipment, nuclear information or ore;
- 3) the country of importation;
- 4) the date of import and information to identify the packaging;
- 5) method of delivery; and
- 6) any other description considered necessary by the Radiation and Nuclear Safety Authority (STUK).

Section 53 c (732/2997)

Section 53 c has been repealed.

Section 53 d (473/96)

The decision on a licence shall contain at least the following information:

- 1) the licensee and the quality and quantity of nuclear materials, other materials, devices, equipment, nuclear information or ore imported to Finland; (732/2008)
- (2) the mode and date of delivery;
- (3) the period of validity of the licence; and
- (4) other necessary licence conditions.

If the licence referred to in subsection 1 concerns the import of ores, source materials or special fissile materials required in the generation of nuclear energy, the purchase of the materials in question shall comply with the regulations of chapter VI of the Euratom Treaty and the regulations issued by virtue of it. (732/2008)

Chapter 7 b - **Export licences and licences for transfers through Finnish territory** (473/1996)

Section 54 (732/2008)

Section 54 has been repealed.

Section 54 a (732/2008)

A licence for the export of ore containing uranium or thorium is granted by the Radiation and Nuclear Safety Authority (STUK) by application.

Section 54 b (732/2008)

The application for a licence referred to above in section 54 a shall be supplemented with an extract from the population register or an extract from the trade register or some other equivalent description of the applicant and his or her nationality, as well as the following information:

- 1) the quantity, quality and country of origin of ore exported from Finland;
- 2) the destination country and recipient;
- 3) purpose of use of the ore;
- 4) the date of export and information identifying the packaging; and
- 5) any other description considered necessary by the Radiation and Nuclear Safety Authority (STUK).

Section 54 c (732/2008)

Section 54 c has been repealed.

Section 54 d (732/2008)

The decision on a licence shall contain at least the following information:

- 1) the licensee and the quality and quantity of ore imported from Finland;
- 2) the recipient and destination country;
- 3) period of validity of the licence; and
- 4) other necessary licence conditions.

Section 54 e (732/2008)

Section 54 e has been repealed.

Section 54 f (732/2008)

If the ore containing uranium or thorium, imported to Finland, is intended for export through Finnish territory to a third country, the licence for import is granted at the same time as the licence for export.

The provisions of section 53 b, section 53 d(1), sections 54 a, 54 b and 54 d shall be applied as appropriate to the contents of the application for the licence referred to above in subsection 1, the application procedure and the contents of the licence.

Chapter 7 c - Import and export of nuclear waste (473/1996)

Section 55 (732/2008)

A licence for the import and export of nuclear waste is granted by the Radiation and Nuclear Safety Authority (STUK) by application.

Section 55 a (732/2008)

Section 55 a has been repealed.

Section 55 b (732/2008)

Before a decision is made on a licence for import, the Radiation and Nuclear Safety Authority (STUK) shall ensure that the import of nuclear waste meets the requirements mentioned in section 7 a and the requirements of the Council Directive on the supervision and control of shipments of radioactive waste and spent nuclear fuel (2006/117/Euratom), referred to in section 21 of the Nuclear Energy Act.

Before a decision is made on a licence to export nuclear waste, STUK shall ensure that the export of nuclear waste meets the requirements of the Directive mentioned in subsection 1.

Section 55 c (473/1996)

A licence to import and export nuclear waste may be granted for a period of three years at most at a time.

Section 55 d (732/2008)

The application for an import and export licence shall contain the information and additional documents required in the transfer licence application form defined in articles 6, 13, 14 or 15 of the Council Directive mentioned in section 55 b(1). If the transfer of nuclear waste falls within the scope of application of the aforementioned Directive, the application shall utilise the standard document defined in Article 17 of the Directive.

Moreover, the application for an import licence shall contain a description of how the waste management obligation pertaining to nuclear waste as per section 9(3) of the Nuclear Energy Act will be fulfilled.

The application for an export licence shall also indicate that the case in question is referred to in section 7 b(1), (3) or (4).

Section 55 e (732/2008)

The decision on an import and export licence shall contain at least the information and conditions required in the transfer licence defined in articles 10, 13, 14 and 15 of the Council Directive mentioned in section 55 b(1). If the transfer of nuclear waste falls within the scope of application of the aforementioned Directive, the licence decision shall utilise the standard document defined in Article 17 of the Directive.

Moreover, the decision on an import licence shall contain a description of how the waste management obligation pertaining to nuclear waste as per section 9(3) of the Nuclear Energy Act will be fulfilled.

Chapter 8 - Transport licences

Section 56

A licence for the transportation of nuclear materials and nuclear waste in Finland or through Finnish territory is granted by the Radiation and Nuclear Safety Authority (STUK). (473/1996)

Subsection 2 has been repealed (473/96).

Section 57

The application for a transport licence shall contain at least the following information:

- (1) the applicant's name or the firm name used in business operations, and domicile;
- (2) the quality and quantity of the materials to be transported; and
- (3) where and when the transport is planned to take place.

Section 58

The application shall be supplemented with an extract from the population register or an extract from the trade register or an equivalent description of the applicant or his nationality and with the following information:

- (1) a description of the applicant's expertise in the transport of the materials referred to in the application;
- (2) a description of the method of transport;
- (3) an overall description of the arrangements for physical protection and emergency preparedness;
- (4) a description of the arrangement of liability for nuclear damage;
- (5) any other information considered necessary by the authorities. (473/1996)

Subsection 2 has been repealed (473/96).

Section 59 (473/1996)

Anyone who transports to another Member State of the European Union nuclear material the purpose of use of which is based on the specific radiation properties of the nuclear material shall provide prior written declarations and confirmations as laid down in the Council Regulation (Euratom) No. 1493/93 on shipments of radioactive substances between Member States.

Section 60

The decision on a licence shall contain at least the following information:

- (1) the licensee;
- (2) the quality and quantity of the materials that will be transported;
- (3) where the transport can take place;
- (4) end period of the validity of the licence; and
- (5) the licence conditions considered necessary.

Chapter 9 - Licences for mining and enrichment

Section 61

The application for a licence to carry out mining or enrichment operations with the purpose of producing uranium or thorium is submitted to the Government and shall include at least the following information:

- (1) the applicant's name and firm name used in business operations, and domicile;
- (2) the site of the mine or enrichment plant;
- (3) the quality and extent of the operations;
- (4) the starting time planned for the operations; and
- (5) the estimated duration of the operations.

Section 62

The application shall be supplemented with the descriptions of the applicant mentioned in paragraphs 1 and 2 of section 24(1) or in section 24(2), and with the following information: (473/96)

- (1) a description of the land use rights and a copy of the Licence to work a mine that has been granted to the applicant in accordance with section 10 of the Mining Act (503/1965);

- (2) a description of the geology of the site and the amount and content of uranium or thorium ore therein;
- (3) a description of settlement and other activities and town planning arrangements at the site planned for the mine or the enrichment plant and in its immediate vicinity;
- (4) a description of the planned quarrying or enrichment methods;
- (5) an outline of the radiation protection arrangements and the technical features and other arrangements which are used to ensure the safety of the mine and the enrichment plant
- (6) a description of the effects of the mine or the enrichment plant on the environment and a description of the design criteria that will be observed by the applicant to avoid environmental damage and to restrict the burden on the environment;
- (7) a description of the applicant's financial prerequisites and the economic viability of the project;
- (8) an outline of the ownership and occupation of the mine or the enrichment plant;
- 9) a description of the quality and quantity of the ores, nuclear materials and nuclear waste that will be produced, handled and stored; (732/2008)
- 10) a description of the arrangements required for the transportation of ore, nuclear materials and nuclear waste needed for the operations; (732/2008)
- (11) a description of the applicant's plans and available methods for arranging nuclear waste management, including the decommissioning or demolition of the mine or the enrichment plant and the disposal of nuclear waste, and a description of the timetable and costs of nuclear waste management, and the arrangement of the provision referred to in chapter 7 of the Nuclear Energy Act;
- (12) a description of the applicant's expertise in radiation protection and in other matters, and a description of the operating organisation of the mine or the enrichment plant; and
- (13) any other information considered necessary by the authorities.

Section 63

In addition to the provisions of the Act, the Ministry of Employment and the Economy shall request an opinion on the application, from at least the State Provincial Office, Regional Council and Regional Environment Centre with jurisdiction over the municipality of location and the neighbouring municipalities of the planned mine or enrichment plant, the Ministry of Social Affairs and Health, the Safety Technology Authority (Tukes), and the municipality of location and the neighbouring municipalities of the mine or enrichment plant. (732/2008)

The Radiation and Nuclear Safety Authority (STUK) shall supplement its opinion with a statement from the advisory committee referred to in section 56(2) of the Nuclear Energy Act.

Section 63 a (473/1996)

Prior to making a decision on a licence for mining and enrichment operations, the Ministry of Trade and Industry shall ensure that a statement on the investment project by the Commission of the European Communities, as defined in chapter IV of the Euratom Treaty, has been obtained and that the applicant has observed the regulations of chapter IV of the Euratom Treaty and the regulations issued by virtue of it.

Section 64

The provisions of sections 28 and 29 on the general hearing referred to in section 13 of the Nuclear Energy Act shall be applied as appropriate.

Section 65

The provisions of sections 38 and 39 above apply to a licence that is granted for mining or enrichment.

Chapter 10 - Licences for a nuclear facility in a vehicle

Section 66

When an application is submitted to the Government for a licence for the construction of a nuclear facility to be used in a vehicle, or for the operation of a nuclear facility to be used in a vehicle or as its power source, the provisions of chapter 5 on the construction and operating licences of a nuclear facility shall be applied as appropriate.

If a nuclear facility referred to in section 22(1) of the Nuclear Energy Act is exported from or imported to Finland, the provisions of chapter 7 a and 7 b shall be applied as appropriate. (473/1996)

Section 67

When an application is made to the Ministry of Trade and Industry for a licence for the temporary use of a nuclear facility in a vehicle within Finnish territory, the application must be supplemented with the descriptions of the applicant mentioned in paragraphs 1 and 2 of section 24 and with:

- (1) a description of the intended use of the vehicle, the time it will remain in the country, its planned route, and the purpose of the stay;
- (2) a description of the arrangements for physical protection and emergencies during the time that the vehicle is in the country;
- (3) a description of how the owner of the nuclear facility has arranged the indemnification regarding liability in case of nuclear damage;
- (4) a description of how the access of the regulatory authority to the vehicle has been arranged;
- (5) a description of the expertise available to the applicant, and the operating organisation of the vehicle;
- (6) an outline of the technical operating principles of the nuclear facility, and the technical features and other arrangements whereby the safety of the nuclear facility is ensured; and

(7) any other information considered necessary by the authorities.

If the applicant is a foreign corporation or government authority, the application must be supplemented with a description of the applicant's nationality and with a description corresponding to the descriptions referred to in paragraph 2 of section 24.

If the applicant is a foreign government authority, the applicant shall, instead of the descriptions in paragraphs 4 to 6 of subsection 1, provide such information that the supervisory authority can ascertain that the use of the vehicle within Finnish territory is safe.

Section 68

The Ministry of Employment and the Economy shall request opinions on the application for the temporary use of a nuclear facility in a vehicle within Finnish territory at least from the Ministry of the Interior, the Ministry for Foreign Affairs, the Ministry of Defence, the National Board of Navigation, and the Radiation and Nuclear Safety Authority (STUK). (732/2008)

STUK must supplement its statement with a statement from the advisory committee referred to in section 56(2) of the Nuclear Energy Act.

Section 69

The decision on a licence for the temporary use of a nuclear facility in a vehicle within Finnish territory shall contain at least the following information:

- (1) the licensee;
- (2) the route plan and timetables of the vehicle;
- (3) the intended use of the vehicle;
- (4) the period of the validity of the licence;
- (5) the licence conditions considered necessary, such as the conditions concerning physical protection and emergency planning, indemnification regarding liability, and fulfilment of the obligations of Finland's international treaties; and
- (6) the conditions concerning the supervision and supervisory rights of the Radiation and Nuclear Safety Authority (STUK).

Section 70

The Ministry of Trade and Industry must give a notification of the granting of a licence for the temporary use of a nuclear facility in a vehicle within Finnish territory to the Ministry of the Interior, the Ministry for Foreign Affairs, the Ministry of Defence, the Ministry of the Environment, the National Board of Navigation, the Radiation and Nuclear Safety Authority (STUK), and to the administrative boards of the Finnish counties through which the route of the vehicle will pass.

Section 71

When an application is made to the Radiation and Nuclear Safety Authority (STUK) for a licence for the possession or transfer of the information referred to in this decree or to the Ministry of Trade and Industry for a licence for the conclusion and execution of a private law agreement, the application shall contain at least the following information:

- (1) the applicant's name or the firm name used in business operations, and domicile; and
- (2) what are the operations that the licence application is made for. (430/2004)

The agreement referred to above in subsection 1 can be concluded before the licence application if the agreement includes a provision stating that the agreement will not become effective until the Ministry of Trade and Industry has granted a licence for it.

Section 72

The application shall be supplemented with an extract from the population register and an extract from the trade register, or an equivalent description of the applicant and his or her nationality. (473/1996)

An application concerning the possession or transfer of information shall be supplemented with:

- (1) a description of the transferor or transferee of information; and
- (2) any other information considered necessary by the authorities.

In addition to what is said in subsection 1, the application concerning an agreement must be supplemented with:

- (1) a description of the other party to the agreement;
- (2) the name of the country where the agreement will be executed;
- (3) a description of the project as a whole, how the applicant intends to participate in the implementation of the project, and any other participants in the implementation; and
- (4) any other information considered necessary by the authorities.

If the application concerns an agreement referred to in section 71(2), the application must be supplemented with a certified copy of the agreement. The descriptions mentioned above in paragraphs 1 to 3 of subsection 3 need be attached to the application only to the extent that they are not included in the agreement. If the licence has been granted before the conclusion of the agreement, a copy of the agreement must be sent to the Ministry of Trade and Industry immediately after its conclusion.

Section 73

A licence for the possession or transfer of information is granted by a decision which shall contain at least the following information:

- (1) regulations that restrict the copying of the information that is subject to licence;

- (2) regulations concerning secrecy; and
- (3) any other licence conditions considered necessary.

A licence for the conclusion and execution of an agreement is granted by a decision which shall contain at least the following information:

- (1) the countries within which the private law agreement can be executed;
- (2) the conditions which must be observed in concluding the agreement;
- (3) and other licence conditions considered necessary.

Chapter 12 - **Nuclear waste management**

Section 74

To fulfil the intent laid down in section 28 of the Nuclear Energy Act, a licensee with a waste management obligation shall, at three-year intervals, by the end of September, submit the following reports on his or her nuclear waste management measures to the authority referred to in the said section: (732/2008)

- 1) a description of how the licensee with a waste management obligation has planned to carry out nuclear waste management measures and their preparation; the plan shall include at least the following parts:
 - a) an overall plan for carrying out nuclear waste management, with the relevant timetables and specifications, including the necessary preparations and research measures and the administrative arrangements and other duties required by the waste management obligation;
 - b) an estimate of the current status of research, development and planning activities alongside a detailed plan of measures intended for implementation within the next three years; and
 - c) an outline plan for the measures planned for implementation in the course of the next six years; (732/2008)
- (2) a description of the agreements and other arrangements that the licensee has made to arrange nuclear waste management; and
- 3) any other information considered necessary by the authorities.

The authority mentioned in section 28 of the Nuclear Energy Act can require that the licensee draw up a plan on the matters referred to above in paragraph 1 of subsection 1 at other times, too, when this is deemed necessary. If some significant changes take place in nuclear waste management, the licensee must notify the said authority thereof without delay.

Section 75

When the nuclear waste management obligation includes the decommissioning of a nuclear facility or the cessation of mining or enrichment operations, the nuclear waste management plan submitted by the licensee in accordance with section 74 shall contain the following information:

- (1) the method and timetable of the decommissioning or cessation of operations;
- (2) storage of the nuclear waste resulting from the decommissioning or cessation of operations before disposal, and a description of the disposal; and

(3) any other information considered necessary by the authorities.

Section 76 (732/2008)

When a decision is made on the principles that form the basis for the waste management obligation, the decision shall be based on the premise that nuclear waste generated in connection with or as a result of the use of nuclear energy in Finland shall be handled, stored and disposed of, in a manner intended as permanent, in Finland, with the exceptions provided in section 6a (2) of the Nuclear Energy Act. In these exceptional cases, the prerequisite for accepting the transfer of nuclear waste beyond Finland's jurisdiction is that a binding agreement has been concluded on the transfer, and that the agreement can be considered viable for the purpose of nuclear waste management, taking account of the timetable of the execution of the agreement, and other conditions. The decision shall set a final deadline for the nuclear waste management measures to be taken.

Section 77

In addition, the licensee with a waste management obligation shall each calendar year, by the end of March, submit a report to the authority referred to in section 28 of the Nuclear Energy Act on the measures he or she has completed.

Section 78

The Ministry of Trade and Industry must request an opinion from the Radiation and Nuclear Safety Authority (STUK) on the plans and reports described in sections 74 and 75.

Section 79 (732/2008)

The authority mentioned in section 28 of the Nuclear Energy Act can exempt a licensee with a waste management obligation from submitting the reports referred to above in section 74(1), and section 77, if they are not required for the control of nuclear waste management.

Section 80

Before giving the order referred to in section 29 of the Nuclear Energy Act, the Ministry of Trade and Industry must request an opinion from the Radiation and Nuclear Safety Authority (STUK) on the effect of mandatory waste management co-operation on the safety of nuclear waste management.

Before giving the order referred to in subsection 1 above, the Ministry of Trade and Industry must hear the parties of the waste management co-operation, unless the giving of the order is based on their application.

The decision of the Ministry of Trade and Industry in which various licensees with waste management obligations are ordered to undertake waste management measures jointly must contain at least the following information:

(1) what nuclear waste and waste management measures are included in the co-operation and how is it to be arranged;

- (2) distribution of the costs incurred by the nuclear waste management between the licensees; and
- (3) when will the joint nuclear waste management expire.

Section 81

An application for the transfer of waste management obligation, as referred to in section 30 of the Nuclear Energy Act, must be submitted to the Ministry of Trade and Industry for decision together with the application for the transfer of a nuclear facility, a mine or enrichment plant intended for the production of uranium or thorium, or nuclear waste to another party.

The application must be made jointly by the transferor and the transferee.

Section 82

In applying for the licences referred to in section 81, the licensee with a waste management obligation must show how the financial provision as per chapter 7 of the Nuclear Energy Act will be arranged with respect to the management obligation that is transferred to the transferee, and present plans on how the management of the nuclear waste that is transferred to the transferee will be carried out in accordance with the provisions of the Nuclear Energy Act and this decree.

The decisions on the applications referred to above in section 81(1) shall be given at the same time.

Section 83

The decision referred to in section 30 of the Nuclear Energy Act must contain a condition stating that the decision will not become effective unless financial provision for the cost of nuclear waste management has been arranged in the way described in chapter 7 of the Nuclear Energy Act.

Section 84

A licensee with a waste management obligation shall apply for an order, referred to in section 32 of the Nuclear Energy Act, on the expiry of his waste management obligation after the measures mentioned in the said section have been completed.

When the Ministry of Employment and the Economy issues an order on the expiry of waste management obligation, the Radiation and Nuclear Safety Authority (STUK) shall, on request, give a certificate of the completion of final disposal or decommissioning of a nuclear facility for the application referred to in subsection 1. (732/2008)

The application can be submitted at the same time as the application for the transfer of waste management obligation.

Section 85

The Radiation and Nuclear Safety Authority (STUK) shall report the disposal site of nuclear waste and the prohibition on measures, referred to in paragraph 6 of section 63(1) of the Nuclear Energy Act, so that they can be entered in the real estate register, land register or list of titles.

Chapter 13 - Financial provision for the cost of nuclear waste management

Section 86

The provision by the licensee with a waste management obligation shall be founded on a waste management scheme and on the calculations of waste management costs which are based on that scheme. The licensee with a waste management obligation shall draw up a proposal for the waste management scheme and for the calculation based on it.

Section 87

The waste management scheme shall present all the measures that are called for by waste management and describe them in sufficient detail for the calculation of the assessed liability. The plans described in the scheme must be modified and revised in line with technological and other developments.

Section 88

The licensee with a waste management obligation shall submit the waste management scheme to the Ministry of Trade and Industry for approval for the first time early enough before beginning the operations that produce nuclear waste, and at the latest in connection with the licence application for these operations.

A licensee with a waste management obligation shall later supplement the approved waste management scheme and the associated calculations every third year in order to confirm the assessed liability and Fund targets as referred to in section 43(2) of the Nuclear Energy Act. A licensee with a waste management obligation shall, by the end of June, provide the Ministry of Employment and the Economy with the revised and supplemented waste management scheme and information on the costs and prices of nuclear waste management measures, information on the amounts of nuclear waste included in the waste management obligation and on the necessary waste management measures, alongside the resultant calculation of the total costs of nuclear waste management at the above-mentioned times. (732/2008)

In addition to the reports laid down in subsection 2, a licensee with a waste management obligation shall provide the Ministry of Employment and the Economy with the final data for the current calendar year and information supplementing the reports referred to above at three-year intervals by the end of November. (732/2008)

Section 89 (732/2008)

Information on the costs and prices of nuclear waste management measures, as referred to above in section 88(2), alongside the calculation of the costs incurred from nuclear waste management in the future, shall be assessed in order to verify their correctness and reliability. The implementation of the assessment will be attended to by the Ministry of Employment and the Economy, which shall contract the assessment out to a research institute specialising in the assessment of techno-economic calculations, or another corresponding body.

Section 90

Before approving the waste management scheme referred to in section 86, the Ministry of Trade and Industry must request an opinion from the Radiation and Nuclear Safety Authority (STUK) on factors relating to the safety of the measures presented in the waste management scheme.

Before confirming the assessed liability referred to in section 43(2) of the Nuclear Energy Act, the Ministry of Trade and Industry must obtain a confirmation from STUK on the amounts of nuclear waste included in the waste management obligation and on the necessary waste management measures, as referred to above in section 88.

Section 91

The licensee with a waste management obligation must submit his proposal for the securities to be supplied by virtue of section 45 of the Nuclear Energy Act to the Ministry of Trade and Industry and make an application to the Government for the approval of the security defined in paragraph 3 of section 45(1) of the Nuclear Energy Act by the end of March.

Section 92

If the proposed security, referred to in paragraph 3 of section 45(1) of the Nuclear Energy Act, is a real estate mortgage, the application for its approval must be supplemented with the following information:

- (1) a description of the title to the real estate;
- (2) a description of the debts and fees that the real estate is responsible for, including a right of lien on the unpaid purchase price;
- (3) an extract from the real estate or land register or from the list of titles;
- (4) a map showing the location and buildings of the real estate;
- (5) a description of the intended use of the real estate and the town plan of the area;
- (6) a reliable estimate of the probable transfer price of the real estate;
- (7) a written pledge given by the owner of the real estate; and
- (8) any other information required separately.

Section 93

If the proposed security, referred to in paragraph 3 of section 45(1) of the Nuclear Energy Act, is a direct liability guarantee by a Finnish association, the application for its approval must be supplemented with the following information on the guarantor:

- (1) an extract from the trade register or a corresponding register extract;
- (2) a copy of the articles of association or rules;
- (3) a list of shareholders or some other description of the owners of the corporation;
- (4) the financial statements of the association for the last five years;
- (5) a written consent to guarantee given by the association; and
- (6) any other information required separately.

Section 94

A real estate mortgage that has been confirmed on a nuclear facility property cannot be accepted as a security referred to in paragraph 3 of section 45(1) of the Nuclear Energy Act.

A real estate mortgage that is used as a security cannot exceed three fourths of the probable transfer price of the real estate.

Section 95

By the end of June, the licensee with a waste management obligation shall supply the securities referred to in section 45 of the Nuclear Energy Act to the Finnish State Treasury.

Section 96

The Ministry of Trade and Industry must annually examine the securities referred to in section 45 of the Nuclear Energy Act and estimate whether their security value can still be considered sufficient. If necessary, the Ministry must take the matter to the Government for decision.

If the security can no longer be considered sufficient, the Ministry of Trade and Industry has the right to demand a supplementary security or a new security and to set a deadline by which such security is to be supplied.

Section 97

The Ministry of Trade and Industry has the right to determine the order in which the securities referred to in section 45 of the Nuclear Energy Act are converted into money

If securities are returned to the licensee with a waste management obligation, the Ministry of Trade and Industry has the right, after hearing the licensee, to determine which securities are returned in each case and in which order they are returned.

Section 98 (1069/1999)

The provisions in chapter 7 of the Nuclear Energy Act are not applied to a licensee with a waste management obligation if the Ministry of Trade and Industry estimates that the future costs induced by the management of the nuclear waste that is or will be produced as a result of his operations will be no more than 40,000 euros.

Chapter 14 - **Capital of the National Nuclear Waste-Management Fund**

Section 99 (1224/96)

Section 99 has been repealed.

Section 100 (1069/99)

Section 100 has been repealed.

Section 101

The decision on the granting of the loan referred to in section 52(1) of the Nuclear Energy Act is made by the National Nuclear Waste Management Fund.

If the licensee with a waste management obligation or his shareholder has failed to pay an overdue loan or loan interest to the National Nuclear Waste Management Fund, this licensee or shareholder cannot be granted a loan from the National Nuclear Waste Management Fund until he has paid the overdue loan or interest.

Section 102

Before the National Nuclear Waste Management Fund transfers capital to the State finances pursuant to section 52(2) of the Nuclear Energy Act or lends money to the State pursuant to subsection 3 of the mentioned section, an allocation must be made for the management of the Fund administration. (1224/1996)

In case the National Nuclear Waste Management Fund receives contributions that can be lent to a licensee with a waste management obligation or to a shareholder of the licensee pursuant to subsection 1, the Fund must lend them as soon as possible.

Section 103

In case the National Nuclear Waste Management Fund transfers capital to the State finances, the agreement that is made on the transfer of the capital shall include a provision stating that the State budget can contain an appropriation for the return of the transferred capital back to the Fund before the end of the fixed period if it is necessary for the fulfilment of the obligations set for the Fund in chapter 7 of the Nuclear Energy Act.

Section 104

Each year the Ministry of Trade and Industry must prepare an estimate to the National Nuclear Waste Management Fund of the assessed liabilities and Fund targets of all licensees with waste management obligations for the next six years.

Section 105

The National Nuclear Waste Management Fund must see to it that the security value of the securities referred to in section 52(1) of the Nuclear Energy Act can still be considered sufficient.

If the security can no longer be considered sufficient, the National Nuclear Waste Management Fund has the right to demand a supplementary security or a new security and to set a deadline by which such security is to be supplied.

Section 106

The National Nuclear Waste Management Fund has the right to determine the order in which the securities referred to in section 52(1) of the Nuclear Energy Act are converted into money.

If securities are returned to the licensee with a waste management obligation or to a shareholder of the licence holder, the Fund has the right, after hearing the debtor, to determine which securities are returned in each case and in which order they are returned.

Section 107

The securities referred to in section 45 and section 52(1) of the Nuclear Energy Act are kept at the Finnish State Treasury. The Treasury must see to it that the securities in its possession are still valid.

Chapter 15 - Regulatory control

Section 108

The various phases in the construction of a nuclear facility cannot be commenced until the Radiation and Nuclear Safety Authority (STUK) has, on the basis of the documents mentioned in section 35 and other detailed plans and documents, ascertained for each phase that all safety-related factors and safety regulations have been given sufficient consideration.

Section 109 (1069/1999)

After the construction licence has been granted, the Radiation and Nuclear Safety Authority (STUK) controls the implementation of the facility project in detail. The purpose of the control is to ensure that the conditions of the construction licence and the approved plans referred to in section 35 are complied with and that the nuclear facility is also in other respects constructed in accordance with regulations issued on the basis of the Nuclear Energy Act.

Section 110 (732/2008)

The various phases in the commissioning of a nuclear facility cannot be commenced until the Radiation and Nuclear Safety Authority (STUK) has determined, on the basis of the documents mentioned in section 36, and other detailed plans and documents required by STUK, for each stage, that sufficient attention has been paid to factors influencing safety, and regulations concerning safety. Similar requirements also apply to the restarting of a nuclear facility after a particularly substantial plant modification.

Section 111

The Radiation and Nuclear Safety Authority (STUK) controls the operation of a nuclear facility to ensure that the operation of the facility is safe and complies with the licence conditions and the

approved plans and that the operation also in other respects adheres to the Nuclear Energy Act and to the regulations issued by virtue of the Act. The control of the operation of a nuclear facility also involves the maintenance, repairs, inspections and tests of the nuclear facility systems, structures and components.

Section 112 (732/2008)

If the licensee intends to carry out modifications to the nuclear facility systems, structures, nuclear fuel or the way the facility is operated that influence safety and involve changes in the plans or documents approved by the Radiation and Nuclear Safety Authority (STUK), the licensee shall obtain approval from STUK for such modifications before they are carried out. Correspondingly, STUK shall approve measures related to the decommissioning of a nuclear facility. The licensee shall ensure that the documents mentioned in sections 35 and 36 are revised accordingly.

Section 113 (473/1996)

Non-destructive testing of a nuclear facility's structures and components relevant to nuclear safety may only be carried out by a testing company or a tester approved by the Radiation and Nuclear Safety Authority (STUK). (732/2008)

The licensee shall submit an application in writing for the approval of the testing company or tester mentioned in subsection 1 for their duties.

Section 114

The Radiation and Nuclear Safety Authority (STUK) shall see to it that nuclear fuel is designed, fabricated, stored, handled and used pursuant to the relevant instructions and regulations. Nuclear fuel cannot be placed in the reactor until STUK has accepted the fuel for use.

Section 115

The Radiation and Nuclear Safety Authority (STUK) shall see to it that the transports of nuclear materials and nuclear waste comply with the regulations issued by virtue of the Nuclear Energy Act and with other regulations concerning the transport of radioactive materials.

The transport cannot be commenced until STUK has ascertained that the transport equipment and transport arrangements and the arrangements for physical protection and emergency planning meet the requirements set for them and provision has been made for indemnification regarding liability in case of nuclear damage.

When necessary, STUK shall give a notification of the transport of nuclear materials or nuclear waste to the State Provincial Office in which the transport takes place.

Section 115 a (732/2008)

When nuclear materials, nuclear waste, the materials, devices, equipment or nuclear information mentioned in section 8 or ores containing uranium or thorium are shipped into the European Community, or nuclear waste or ores containing uranium or thorium shipped out of the European Community, their quality and quantity and whether they are or are not subject to a licence shall be clearly indicated in the customs declaration or a document attached to it. The number of the

licence for the export or import in question, as per the Nuclear Energy Act, shall be indicated in the customs declaration. If no licence is needed for the import or export, the customs declaration shall, in the cases referred to in sections 132 and 133, be supplemented with a copy of the notification made to the Radiation and Nuclear Safety Authority (STUK) mentioned in section 136(3). The copy shall have STUK's marking on it.

Section 115 b (473/1996)

When a consignment from outside the Community is transferred at the customs office, the customs official shall check that the consignee or the representative authorised by him is in possession of the import licence mentioned in chapters 7 a, 7 b or 7 c, unless the import has been exempted from licence by virtue of chapter 3.

Subsection 2 has been repealed (732/2008).

Section 116

The Radiation and Nuclear Safety Authority (STUK) sees to it that the measures belonging to nuclear waste management and their preparation are carried out in accordance with the pertinent rules and regulations and the decisions issued by virtue of section 28 of the Nuclear Energy Act.

In addition, STUK must confirm how the licensee with a waste management obligation should keep accounts of the nuclear waste generated as a result of nuclear energy use.

Section 117 (1069/1999)

As regards pressure equipment, the Radiation and Nuclear Safety Authority (STUK) shall in particular:

- (1) set detailed requirements for the safety of nuclear pressure equipment;
- (2) carry out control and inspection to ensure that the design, manufacture, placement, installation, operation, maintenance and repair of nuclear pressure equipment comply with safety requirements and regulations;
- (3) set more detailed requirements for the manufacture of pressure equipment and for related quality assurance;
- (4) carry out control and inspection to ensure that the placement, installation, operation, maintenance and repair of conventional pressure equipment comply with safety requirements and regulations; as well as
- (5) set requirements pertaining to the licensee's actions and procedures for assuring the safety of pressure equipment in nuclear facilities, as well as monitor the implementation of the requirements.

Section 117 a (1069/1999)

The bases for the safety level required of the installation, operation and placement of pressure equipment at nuclear facilities are in accordance with the provisions of section 6 of the Nuclear Energy Act.

On demand, the manufacturer of nuclear pressure equipment must be able to demonstrate that a piece of pressure equipment and its planned design and manufacture meet the requirements set for the safe use of nuclear energy.

Section 117 b (1069/1999)

When the Radiation and Nuclear Safety Authority (STUK) approves an inspection organisation for the pressure equipment of nuclear facilities it must define the inspection organisation's inspection rights and establish the requirements and conditions pertaining to its operations. In the decision of approval, the validity period of the decision and the inspection organisation's obligation to report to the Radiation and Nuclear Safety Authority (STUK) must be mentioned, as well as the inspection agency's obligation to observe secrecy, as separately decreed.

The provisions of subsection 1 above shall also apply to a testing organisation that tests pressure equipment.

Section 118

The Radiation and Nuclear Safety Authority (STUK) maintains a control system of nuclear materials with the purpose of carrying out the safeguards control of the use of nuclear energy that is necessary for the non-proliferation of nuclear weapons as well as the safeguards control that is related to the international agreements on nuclear energy to which Finland is a party. STUK sees to it that the licensee has the necessary expertise and preparedness to arrange the supervision and that the licensee for his own part implements the above-mentioned supervision in accordance with the pertinent regulations.

When maintaining the safeguards system mentioned above in subsection 1, STUK shall take account of the obligations of Commission Regulation (Euratom) No. 302/2005 on the application of the provisions on Euratom safeguards. The Radiation and Nuclear Safety Authority (STUK) shall act as the site representative, as referred to in the Regulation, for all sites.

Section 118 a (473/1996)

The Radiation and Nuclear Safety Authority (STUK) approves the inspectors referred to in article 81 of the Euratom Treaty and in article 9 of the Agreement (treaties of Finland 55/95) concluded between the non-nuclear Member States of the European Union, the European Atomic Energy Community and the International Atomic Energy Agency on the enforcement of paragraphs 1 and 4 of article III of the Nuclear Non-Proliferation Treaty. STUK shall approve an inspector if his or her activities are not considered to endanger the safe use of nuclear energy or the prevention of the proliferation of nuclear weapons. Prior to the approval of the inspectors, STUK shall request statements on the suggested inspectors at least from those holding construction and operating licences for nuclear facilities.

If it cannot approve an inspector referred to in subsection 1, STUK shall assign the matter concerning the approval of inspectors to the Ministry of Trade and Industry.

Section 118 b (732/2008)

The planning, construction and operation of a nuclear facility shall be implemented so that the obligations concerning the control of nuclear material, as provided and defined in the Nuclear Energy Act and provisions issued thereunder, and in the Euratom Treaty and provisions issued

thereunder, are met. The facility shall not contain premises, materials or functions, relevant to the control of nuclear materials, which are not included in the design information. The licensee shall have an accounting and reporting system for nuclear material and other nuclear commodity which ensures the correctness, scope and consistency of information in order to implement the supervision necessary for the non-proliferation of nuclear weapons.

Section 119

The Radiation and Nuclear Safety Authority (STUK) sees to it that the organisation available to the licensee is adequate and serves its purpose, that the persons participating in the use of nuclear energy meet the qualification requirements set, and that proper training has been arranged for them.

Section 120

A party that engages in the use of nuclear energy shall notify the Radiation and Nuclear Safety Authority (STUK) of the cessation of these operations.

Section 121

Once a year the Radiation and Nuclear Safety Authority (STUK) shall provide the Ministry of Trade and Industry with a report on supervision in the field of nuclear energy, and also at other times give the Ministry enough information on the supervisory measures carried out.

STUK shall keep a list of the licence matters that it has decided. The annual report that is given to the Ministry of Trade and Industry shall be supplemented with a list of all licence matters decided during that year.

Chapter 16 - Supervisor in charge and other personnel needed in the use of nuclear energy

Section 122

The duties, powers and responsibilities of the responsible manager of a nuclear facility, his deputy and the rest of the personnel needed for the operation of the nuclear facility shall be determined in the administrative rules accepted by the Radiation and Nuclear Safety Authority (STUK).

If STUK so requires, the provisions of subsection 1 shall also be applied to other use of nuclear energy.

Sections 123-124 (732/2008)

Sections 123-124 have been repealed.

Section 125 (473/1996)

If a person is to be accepted as a responsible manager he or she shall have the following qualifications, unless obviously unnecessary due to the nature of the operations planned:

(1) he or she is a citizen of a Member State of the European Union, if the licence can be granted only to a natural person, corporation or authority subject to the jurisdiction of a Member State of the European Union;

(2) he or she has a university degree suitable for the job if he or she will work as the responsible manager of the operation of a nuclear facility; in other cases it is required that he or she should have a training suitable for his or her duties;

(3) he or she has the technical expertise in the field of nuclear energy required by the job and, in particular, expertise concerning the safe use of nuclear energy;

(4) he or she has enough practical expertise of the field;

(5) he or she is sufficiently familiar with nuclear energy legislation and with the regulations issued on the basis of the legislation; and

(6) he or she is well suited for the job also in other respects.

Sections 126-130 (732/2008)

Sections 126-130 have been repealed.

Chapter 17 - Notification obligation

Section 130 a (430/2004)

The notification to be made by virtue of section 8(2) of the Nuclear Energy Act shall include the notifier's name or the firm name used in business operations, domicile and the following information:

(1) place of business;

(2) general description of operations;

(3) information on which stage of the fuel cycle referred to in section 9a(1) is related; and

(4) other information deemed necessary by the Radiation and Nuclear Safety Authority (STUK).

Section 131 (430/2004)

Any operator exempted from licence shall, in the cases mentioned in this chapter, provide the Radiation and Nuclear Safety Authority (STUK) with a notification which shall include the notifier's name or the firm name used in business operations, domicile, and the information mentioned below in sections 132 to 135 c.

Section 132 (732/2008)

In the case of export referred to in section 14(2), the notification mentioned above in section 131 shall additionally contain the following information:

- 1) the quantity, quality and origin of the ore that will be exported;
- 2) the country that the ore will be exported to; and
- 3) a summary of the quantities of ores that have been exported by the same exporter to that particular country during the same calendar year.

Section 133

In the case of import referred to in section 12(1), section 13(1), section 14(1) or section 18(1), the notification mentioned in section 131 shall contain the following information: (430/2004)

- (1) the quantity, quality and origin of the materials or products;
- (2) the planned date of import;
- (3) the intended use of the materials or products;
- (4) a summary of the quantities of the other materials and products referred to in section 2 of the Nuclear Energy Act in the possession of the importer; and
- (5) the place where the imported materials or products are stored, handled or used.

Section 134

In the case of a transfer referred to in section 12(1), section 13(1), section 15, section 18(1), or section 21, the notification mentioned in section 131 shall additionally contain the following information: (732/2008)

- (1) the quantity, quality and origin of the materials or products;
- (2) the transferee's name or the firm name used in business operations and domicile;
- (3) the date of transfer; and
- (4) a summary of the quantities of materials and products transferred to the same transferee during the same calendar year.

Section 135

In the case of possession, storage, handling, use or manufacture referred to in section 12(2), in section 13(1) or in section 18(2), the notification mentioned in section 131 shall additionally contain the following information: (430/2004)

- (1) the quantity, quality and origin of the materials or products;

- (2) the date of reception;
- (3) the intended use of the materials or products; and
- (4) the place where the operations are carried out.

Sections 135 a-135b (732/2008)

Sections 135a-135b have been repealed.

Section 135 c (430/2004)

In the case of manufacture and assembly of materials, devices or equipment referred to in section 18 a(1), the notification referred to in section 131 shall also include a description of the scope of operation and other information deemed necessary by the Radiation and Nuclear Safety Authority (STUK).

Section 136

The notifications referred to above in sections 132 and 133 shall be submitted to the Radiation and Nuclear Safety Authority (STUK) two weeks before the date of export or import. In addition, within two weeks after the export or import, STUK shall be provided with a confirmation of the export or import date and of the quantity of the nuclear commodity exported or imported or the quantity of ore containing uranium or thorium, if these differ from the notification.

Subsection 2 has been repealed (732/2008).

STUK shall give the notifier a copy of the notification to give to the customs officials and which bears a marking by STUK that no licence referred to in the Nuclear Energy Act is required for the export or import in question. (473/1996)

The notifications referred to above in sections 134 and 135 shall be submitted to STUK within two weeks after the reception or transfer. (473/1996)

The notifications referred to above in sections 130 a and 135 c shall be annually submitted to STUK by the end of February. (430/2004)

Chapter 18 - Transitional provisions

Section 137

When the Fund target of a licensee with a waste management obligation is being confirmed for the first time for a calendar year after this decree has entered into force, in the cases referred to in section 40(2) of the Nuclear Energy Act, the Fund target shall equal the reserve for nuclear waste management made by the licensee in the accounts of the most recent financial year before this decree entered into force. When the same licensee's Fund target is confirmed on the basis of the assessed liability on the last day of the next December, the supplement to the Fund target must be at least 75 per cent of the sum that it would otherwise be pursuant to the Nuclear Energy Act and the provisions given above in this decree.

Section 138

The Fund contribution that is confirmed for the first time after this decree has entered into force on the basis of the provisions in section 137 must be paid to the National Nuclear Waste Management Fund by the end of the next June following the confirmation of the Fund contribution.

Section 139

The following provisions concern a party that is a licensee with a waste management obligation when this decree enters into force. In that calendar year he can:

- (1) give the notification referred to in section 99(1) to the National Nuclear Waste Management Fund by the end of March;
- (2) submit the information that is referred to in section 88(2) and that is necessary for the estimation of the assessed liability at the end of the current calendar year, to the Ministry of Trade and Industry by the end of April;
- (3) apply for the approval referred to in section 91 by the end of September; and
- (4) supply the securities referred to in section 95 to the State Treasury by the end of November.

Section 140

The decision referred to in section 89 of this decree on the confirmation of the Fund target for the current calendar year shall be given for the calendar year when this decree enters into force by the end of the following April after the entry into force.

The decision referred to in section 89 of this decree on the licensee's assessed liability at the end of the current calendar year shall be given for the calendar year when this decree enters into force by the end of the following June after the entry into force.

Section 141

The approvals of the supervisor and his deputy referred to in section 16 of the Atomic Energy Decree (75/1958) that have been given before the entry into force of this decree will remain in force for the same period of time as the licences granted as per the Atomic Energy Act (356/1957) and referred to in the approvals.

Applications for the approvals referred to above in sections 128 and 129 shall be made within three months after this decree has entered into force.

Chapter 19 - Miscellaneous provisions

Section 142 (732/2008)

The advance ruling referred to in section 8(3) of the Nuclear Energy Act is applied for by submitting a written application to the Ministry of Employment and the Economy, which shall be supplemented with an extract from the population register and an extract from the trade register or with a

corresponding description of the applicant and his/her nationality, and which shall contain a sufficient description of the operations to which the advance ruling applies.

Section 142 a (473/1996)

The Ministry of Trade and Industry can confirm the design of forms used in applications pertaining to export, import and transport licences which replace entirely or in part the clarifications and information mentioned in sections 7 a, 7 b, 7 c and 8.

Section 143

The Radiation and Nuclear Safety Authority (STUK) is responsible for the retention of the nuclear facilities, substances, objects or information referred to in section 80(2) of the Nuclear Energy Act.

Section 144 (732/2008)

The Radiation and Nuclear Safety Authority (STUK) shall request an opinion from the advisory committee referred to in section 56(2) of the Nuclear Energy Act on its proposal for the regulations referred to in paragraph 1 of section 7 q(1) of the Nuclear Energy Act, an opinion from the advisory committee referred to in section 56(3) of the Nuclear Energy Act and from the Ministry of the Interior on its proposal for the regulations referred to in paragraph 2 of section 7 q(1) of the Nuclear Energy Act, an opinion from the advisory committee referred to in section 56(2) of the Nuclear Energy Act and from the Ministry of the Interior on its proposal for the regulations referred to in paragraph 3 of section 7 q(1) of the Nuclear Energy Act, and an opinion from the advisory committee referred to in section 56(2) of the Nuclear Energy Act on its proposal for the regulations referred to in paragraph 4 of section 7 q(1) of the Nuclear Energy Act. The opinions shall be submitted to the Ministry of Employment and the Economy together with the proposal.

Section 145

If the provisions, regulations or licence conditions that are included in the Nuclear Energy Act or have been issued on the basis of the Act and that concern the safeguards referred to in section 118(1) have not been complied with in the use of nuclear energy, the competent authority referred to in section 65(2) is the Radiation and Nuclear Safety Authority (STUK). (473/1996)

In cases other than those referred to in section 65(1) of the Nuclear Energy Act or above in subsection 1, the competent authority is the Ministry of Trade and Industry.

Appendix A (430/2004)

The indents presented in this Appendix are mainly abbreviated titles of respective entries in Category 0 (referred to below as the 'list') of the Appendix I to Council Regulation (EC) No 1334/2000 of 22 June 2000 setting up a Community regime for the control of exports of dual-use items and technology

1. SENSITIVE PRODUCTS

1.1 Nuclear Materials

1.1.1 Uranium enriched in the isotopes 235 and 233 to more than 0.20 (20%) and also separated plutonium.

1.2 Devices and equipment and their components

1.2.1 Plants for the separation of isotopes of natural uranium, depleted uranium and special fissile materials and equipment and components specifically designed or fabricated for them, as defined in the list under product number 0B001.

1.2.2 Auxiliary systems, equipment and components specifically designed or fabricated of materials resistant to UF₆ corrosion or protected by them for use in the isotope separation plants specified in point 1.2.1 above, as defined in the list under product number 0B002.

1.2.3 A production or concentration plant for heavy water, deuterium or a deuterium compound and equipment and components specifically designed or fabricated for the plant, as defined in the list under product number 0B004.

1.2.4 A plant specifically designed for the production of nuclear reactor fuel elements containing plutonium, and equipment and components specially designed or fabricated for the plant, as defined in the list under product number 0B005.

1.2.5 A plant for reprocessing of irradiated nuclear reactor fuel elements and equipment and components specifically designed or fabricated for the plant, as defined in the list under product number 0B006.

1.2.6 A conversion plant for plutonium and equipment specifically designed or fabricated for it, as defined in the list under product number 0B007.

1.3 Information pertaining to points 1.1 and 1.2

1.3.1 Software specifically designed or modified for the development, production or use of products specified in points 1.1 and 1.2 above, as defined in the list under product number 0D001.

1.3.2 Technology for the development, production or use of products specified in points 1.1 and 1.2 above, as defined in the list under product number 0E001.

2. OTHER PRODUCTS

2.1 Nuclear material

2.1.1 Source material

2.1.2 Special fissile material other than that referred to in point 1.1 above.

2.2 Other materials

2.2.1. Deuterium, heavy water (deuterium oxide) and other compounds of deuterium, and mixtures and solutions containing deuterium in which the isotopic ratio of deuterium to hydrogen exceeds 1:5000 (product number 0C003), and which are intended for use in the use of nuclear energy.

M1 20 kg

M2 200 kg

(732/2008)

2.2.2 Graphite, nuclear-grade, having a purity level of less than five parts per million boron equivalent and with a density greater than 1.5 g/cm, as defined in more detail in the list under product number 0C004.

M1 3,000 kg

M2 30,000 kg

2.2.3 Compounds or powders resistant to corrosion by UF₆ specifically fabricated for the manufacture of gaseous diffusion barriers, as defined in more detail in the list under product number 0C005.

2.3 Devices, equipment and their components

2.3.1 Nuclear reactors and components specifically designed and fabricated for use in a nuclear reactor, as defined in more detail in the list under product number (0A001).

2.3.2 Conversion plant for uranium and equipment specifically designed or fabricated for the plant, as defined in more detail in the list under product number 0B003.

2.3.3 Plant specifically designed for the manufacture of nuclear reactor fuel elements (other than elements containing plutonium) and equipment specifically designed or fabricated therefor, as defined in more detail in the list under product number 0B005.

2.3.4 Tanks for irradiated nuclear fuel, which mean such vessels intended for the transportation and/or storage of irradiated fuel that protect from chemical, thermal and radiation hazards and evaporate the fission heat during handling, transportation and storage.

2.3.5 Hot chambers, which mean chambers equipped with remote handling equipment or interconnected chambers whose total volume is at least 6 m³ and whose protection corresponds to concrete with a minimum thickness of 0.5 metres and a minimum density of 3.2 g/cm³.

2.4 Information pertaining to points 2.1, 2.2 and 2.3

2.4.1 Software specifically designed or modified for the development, production or use of products specified above in points 2.1, 2.2 and 2.3, as defined in more detail in the list under product number 0D001.

2.4.2 Technology for the development, production or use of products specified above in points 2.1,

2.2 and 2.3, as technology is defined in the list under product number 0E001.

Appendix B (430/2004)

Argentina
Australia
Brazil
Bulgaria
Republic of South Africa
Japan
Canada
Kazakhstan
Republic of Korea
Norway
Romania
Switzerland
Turkey
Ukraine
New Zealand
Belorussia
Russian Federation
United States

Appendix C (473/1996)

Australia
Japan
Canada
Norway
Switzerland
New Zealand
United States