

DECREE PERTAINING TO ISSUE TO LICENSES FOR NUCLEAR INSTALLATIONS

(unofficial copy)

PART ONE

GENERAL RULES

SECTION ONE

Purpose, Nuclear Installations, Expressions and Terminology

Purpose :

Article 1 - The purpose of this decree is to set the rules to issue the licenses for nuclear installations.

Nuclear Installations:

Article 2 - The expression of “Nuclear Installation” refers to the nuclear reactor and the nuclear fuel cycle facilities.

Nuclear Reactor Facilities are;

1. Training reactors,
2. Research reactors,
3. Material testing reactors,
4. Test reactors,
5. Prototype reactors,
6. Reactors for heat production,
7. Reactors for electrical power production.

Nuclear Fuel Cycle Facilities are;

1. Mining, milling and refining facilities,
2. Conversion facilities,
3. Enrichment facilities,
4. Nuclear fuel element fabrication facilities,
5. Reprocessing facilities for used fuel elements,
6. Radioactive waste management facilities for processing the radioactive wastes (including ultimate storage)

Expressions and Terminology :

Article 3 - In the context of this Decree, The Authority means “The Turkish Atomic Energy Authority” the Commission means “The Atomic Energy Commission”, Committee means “The Advisory Committee on Nuclear Safety” and an applicant means a person or a legal entity constructing a nuclear installation.

Technical terms used in this decree explained in the Regulation for Nuclear Terminology.

SECTION TWO

Licensing Process

Implementation :

Article 4 - The licensing process for nuclear installations are carried out by;

1. The Vice President for Nuclear Power and Safety who is appointed by the Prime Minister among the Vice Presidents of the Authority upon the nomination by The President of the Authority;
2. The Advisory Committee on Nuclear Safety which is established to Advise the Authority in nuclear safety and licensing matters,
3. Department of Nuclear Safety

The matters relevant to the establishment and working procedures of the Committee are set up in a regulation.

Duties of the Advisory Committee on Nuclear Safety:

Article 5 - The Advisory Committee on Nuclear Safety performs the duties mentioned in this decree and gives advice on matters forwarded by The President of the Authority.

SECTION THREE

License, Licensing Phases and Guaranties

Obligation to Apply for a License and License Application :

Article 6 - In order to construct and operate a nuclear installation, it is compulsory that a license is to be obtained from the Authority. Therefore, the applicant has to submit an application to the Authority with enclosing documents describing the nature of the installation to be constructed and describing his technical and financial abilities.

Guaranties :

Article 7 - Applicant shall provide insurance or other financial guaranties according to the provisions of the Paris Convention on Third Party Liability in the Field of the Nuclear Energy, ratified by the Act No. 229 dated 8 may 1961, and its attachments and amendments.

Licensing Phases :

Article 8 - The licensing process for nuclear installations is completed in following three phases :

1. Site license,
2. Construction license,
3. Operating license.

PART TWO

LICENSING OF NUCLEAR REACTOR FACILITIES

SECTION ONE

Site License for Nuclear Reactor Facilities

Application and Site Report :

Article 9 - The applicant has to submit a site report comprising the following information to obtain a site license from the Authority :

1. Information regarding the utilization of the nuclear reactor facility to be build, its approximate power and among which reactor types it will be selected.
2. Information regarding the technical capability, know-how and experience of the applicant and institutions carrying out site studies on behalf of the applicant,
3. Regional map clearly indicating geography of the selected site and other detailed maps giving characteristics of surrounding area of reactor,
4. Information and studies regarding topographic, geologic, geotechnic, hydrologic, seismologic and meteorological characteristics of selected site.
5. Layout alternatives depending on the reactor types considered,
6. Information about the evaluation of the site with respect to natural phenomena such as earthquakes, floods and storms, and also their secondary effects,
7. Information about the evaluation of site with respect to man-made external events such as crashes, fires, explosions and failure of dams, etc.,
8. Information regarding adequacy of water sources to be used for cooling water purposes,
9. Preliminary studies of the radiation exposure of the public due to the liquid and gaseous radioactive effluents during normal, anticipated operational occurrences and accident conditions. (Dispersion patterns of radioactive effluents into the environment, present and prospective population distribution, public water supply from the regional water sources, regional milk and food consumption, and radioecology are to be taken into account for these studies).
10. Information related to the connection possibilities to national electrical grid and reliability of off-site electrical power.
11. Quality Assurance Program for detailed site investigations.
12. Other additional information which may be requested in the light of developments and new practices in nuclear safety.

It is necessary that the site studies presented in the site report are to be carried out adequately and the environment shall not be adversely effected more than the acceptable limits even in case of the maximum credible severe accident. Also, it has to be shown that any site characteristic shall not preclude technologically the construction of a safe nuclear facility at the proposed site, and those site parameters significant to safety must be within acceptable limits from the latest technological applications.

Submission of the site report :

Article 10 - The site report shall be submitted to the Authority in ten copies. One copy of the report is forwarded to the Committee for their advice. The applicant is notified about the deficiencies observed in the site report. The applicant has to complete and correct these deficiencies and submit them to the Authority as soon as possible.

Evaluation of the Site Report :

Article 11 - After having studied the results of the inspections performed by the Authority at the proposed site, the Nuclear Safety Department, prepares site evaluations report which also includes the views of the Committee. The Vice President of Nuclear Power and Safety submits a report to The President of the Authority indicating the results of the site evaluations report and work realized.

Issuance of the site license :

Article 12 - The President of the Authority, takes the site evaluation report together with the report prepared by the Vice President as per Article 11, to the first meeting of the Commission. If the Commission does not find the site evaluation report adequate, The Commission is entitled to send the report back for reevaluation or, if necessary Commission consults with experts and then issues its decision. The decision is released to the applicant by the Authority. An affirmative notification is called site license.

The conditions of the license are given to the applicant as an appendix to the license.

Following the receipts of the site license, the applicant may proceed with the work related to site preparation, potable water and electricity supply, road and harbor construction etc. and buildings other than the nuclear reactor facility itself. Then the applicant may perform the detailed site investigations and submit their results and the final values of the site related design parameters to Authority for approval prior to the application for construction license.

SECTION TWO

Construction License for Nuclear Reactor Facilities

Application and Licensing Steps :

Article 13 - To obtain a construction license, the applicant must have obtained a site license and for this purpose he has to apply to the Authority enclosing the Preliminary Safety Analysis Report to his application.

The construction license is given in two steps :

1. Limited work permit
2. Construction license

Preliminary Safety Analysis Report :

Article 14 - The Preliminary Safety Analysis Report must include the following information :

1. New information related to site and its environment acquired after the issuance of site report.
2. Safety Principles, criteria and standards to be applied for the design construction, quality assurance, commissioning, operating and decommissioning of the facility.
3. General characteristics of the facility and layout and design bases for structures, systems and components.
4. List giving seismic safety and quality classifications of structures, systems and components.
5. Information related to the design of the process and safety systems of the facility.
6. Design and layout provisions for radiation protection and radwaste management in-service inspection maintenance during operation and decommissioning
7. Safety analysis of the facility during normal operation, anticipated operational occurrences and accident conditions.
8. Quality assurance program comprising information on its objectives, description, organization and implementation.
9. Information on technical capability, know-how, experience and organizational structure for the applicant and vendors related to the project.
10. Preliminary information on commissioning.
11. Other additional information which may be requested in the light of developments and new practices in nuclear safety.

Information pertaining to the physical protection of the facility is given with the Preliminary Safety Analysis Report classifying as top secret information.

Submission of the Preliminary Safety Analysis Report :

Article 15- The Preliminary Safety Analysis Report shall be submitted to the Authority in ten copies. One copy of the report is forwarded to the Committee for their advice. The applicant is notified about the deficiency observed in the report.

The applicant is obligated to complete and correct these deficiencies and submit them to the Authority with any other information requested by Authority during its evaluation.

Evaluation of the Preliminary Safety Analysis Report :

Article 16 - Following the assessment of the Preliminary Safety Analysis Report the Nuclear Safety Department prepares a limited work permit evaluation report which also includes the view of the Committee. The Vice President of Nuclear Power and Safety submits a report to The President of the Authority including the conclusions of the limited work permit evaluation report and the summary of the work realized.

Granting of the Limited Work Permit :

Article 17- The president of the Authority takes the limited work permit evaluation report together with the report prepared by the Vice President as per Article 16, to the first meeting of the Commission. If the limited work permit report is not found appropriate by Commission it may be returned to the Authority for further studies. If necessary, the opinions of experts may be sought on this respect. When it is established that the protection measures are adequate and that the facility can operate without harming the safety and the health of the public the Commission may decide to grant a limited work permit.

The decision is released to the applicant by the Authority. An affirmative notification is called limited work permit.

The applicant who has obtained a limited work permit, may proceed with the installation of structural foundations of reactor and environmental safety related buildings and facilities and construction of other structures, systems and components.

Conditions for the Limited Work Permit :

Article 18 - Apart from specific conditions required due to the characteristics of the site and the facility, the limited work permit is granted with the general conditions hereunder :

1. The limited work permit begins with the affirmative notification given in this respect and loses its validity if no construction is started within 12 months. This period may be extended if valid reasons may exist.
2. It is compulsory that the studies and investigations deemed necessary by the Authority are realized either by the applicant himself or by his delegates during the time the safety analysis evaluation is completed.
3. If the practical experience gained in the field of construction and operation or the researches and the new scientific results show that some additional work and changes are required due to safety then the conditions of the limited work permit may be modified accordingly. The applicant is obligated to perform these changes.
4. If during the excavation work for the reactor and environmental safety related buildings and facilities, the applicant or the inspectors of the Authority observe some new geological and geotechnical findings detrimental to the reactor or the safety of the environment and if these findings had not been observed previously during the detailed site studies, then, the applicant has to prepare a report to be given to the Authority, indicating the state and measures to be taken to deal with the problem. The installation of structural foundations cannot be started without having the approval of the Authority which will be based on the studies and evaluation of its staff.

Evaluation of the Preliminary Safety Analysis Report From the Point of View of Construction License:

Article 19- Following the granting of the limited work permit, the evaluation of the Preliminary Safety Analysis Report, in connection with the construction license, proceeds. After having observed the carried out at the reactor site by its inspectors the Nuclear Safety Department prepares a construction license evaluation report which includes the views of the Committee. The Vice President of Nuclear Power and Safety, submits to The President of Authority a report having the conclusions of the construction license evaluation report and the summary of the work carried out in this context.

Granting of the Construction License:

Article 20 - The President of the Authority, presents the construction license evaluation report together with the report prepared by the Vice President as per Article 19, to the first report adequate it is entitled to send it back for further studies. If necessary the opinions of experts may be sought in this respect. The final decision comprising the subjects to be added to the Final Safety Analysis Report, is released to the applicant by the Authority.

An affirmative notification is called construction license:

The construction license authorized the applicants to start with the constructions of all structures and the erection of all the systems of nuclear reactor facility.

Conditions for the construction license:

Article 21 - Apart from the special conditions required due to the characteristics of the site and facility the construction license is granted with the conditions listed hereunder :

1. During the construction and erection period the applicant is obligated to supply to the Authority with all the applicant deemed necessary and to carry out himself or by his delegates, all studies and investigations required by the Authority.
2. If the practical experience gained in the field of construction and operation or the researches and the new scientific results show that some additional work and changes are required due to safety, then the conditions of the construction license may be modified in a later date. The applicants is obligated to perform these changes and the additional work.
3. During the construction and erection phase, if the applicant finds out that there are certain important design and construction defects or deficiencies related to safety and which were not detected previously for some reason and which might affect the facility at any time over its life and could not be corrected or completed later, he must immediately notify the Authority. The Authority assess the situation and if it is deemed necessary to make changes, then the rules under paragraph 2 shall be applicable.
4. Any modification in the facility which might affect safety is subjected to the approval of the Authority.

SECTION THREE

Operating License for Nuclear Reactor Facilities

Steps of the Operating License:

Article 22 - The Operating License is granted in three steps

1. Commissioning Permit
2. Fuel loading and Pre-Operational Test Permit
3. Full Power Operating Permit and Operating License

Application for the Commissioning Permit:

Article 23 - At least six months before the start of commissioning of the selected plant components and systems of particular importance to the nuclear and environmental safety the applicant who was granted a construction license, must apply to the Authority for a commissioning permit. The following documents have to be enclosed with this applications:

1. The final design of the components and systems
2. Documents related to quality assurance and control of said components and systems
3. Commissioning program
4. Pre-service examination
5. Documents related to the adequacy and organization of commissioning personnel
6. Preliminary information on operational limits and conditions
7. Operating instructions and procedures for the components and systems
8. Other additional information which may be requested in the light of developments and new practices in nuclear safety.

These documents shall be submitted in three copies. One copy of each document is forwarded to the Committee to obtain their advice.

Evaluation of the Application for Commissioning Permit:

Article 24 - Following the evaluation of documents listed under Article 23 and reports of inspections, tests carried out during the construction period including the recommendations of the Committee by the Department of Nuclear Safety, the Authority may grant the commissioning permit.

Transportation of nuclear fuel to the nuclear reactor facility:

Article 25 - It is not allowed to transport to the reactor site the nuclear fuel and heavy water together with nuclear fuel for heavy water reactors before the documents pertaining to the physical protection program of the nuclear reactor facility, nuclear material accountancy and control, and procurement, transportation, storage, accountancy and control of heavy water for heavy water type reactors have been presented to the Authority and its approval is obtained.

Application for Fuel Loading and Pre-Operational Tests permit:

Article 26 - In order to obtain Fuel Loading and Pre-Operational Tests permit applicant must be apply to the Authority enclosing the documents listed below and the final safety analysis report containing the information stated under Article 14 for as-built design of the nuclear reactor facility:

1. Information related to results and evaluations of tests carried out during the commissioning of the nuclear and environmental safety related components and systems.
2. Quality assurance documents of the facility and quality assurance program for operation.
3. Document affirming competence and organization of the operating personnel.
4. Program of fuel loading, criticality and pre-operational tests.
5. Preliminary information on operating limits and conditions.
6. Operating instructions and producers for the nuclear reactor facility.
7. Radiation protection program.
8. Emergency plans.
9. Other additional information which may be required in the light of development and new practices in the nuclear safety.

There are to be ten copies of the final safety analysis report and three copies of each aforementioned document are to be submitted. Each copy of these are forwarded to the Committee to obtain their recommendations.

Evaluation of the Application:

Article 27 - After having evaluated the documents required under Article 26 and the inspection reports pertaining to the testing during the commissioning period of the components and systems by the Department of Nuclear Safety including the recommendations of the Committee. The Authority grants the fuel loading and pre-operational test permit.

Heavy Water Loading Permit:

Article 28 - To be able to load heavy water in to the reactor it is necessary to obtain a permit as in the case of fuel loading. For this purpose the applicant has to apply to the authority enclosing the information regarding the measures to be taken during heavy water loading.

After the evaluation of aforementioned information by the Department of Nuclear Safety including the information of the Committee. The Authority may grant a heavy water loading.

Application for the Full Power Operating Permit and Operating License:

Article 29- To obtain a full power operating permit and operating license the applicant has to apply to the Authority here by enclosing the documents listed hereunder :

1. Results and evaluation of fuel loading , criticality, and pre-operational tests.
2. Final information regarding operational limits and conditions.
3. Instructions and procedures pertaining to the final status of matters hereunder:
 - a) Reactor start-up
 - b) Normal operation
 - c) Reactor shutdown
 - d) Refueling, fuel management and transportation
 - e) Maintenance
 - f) Periodic testing
 - g) In-service inspection
 - h) Anticipated operational occurrences and accidents
4. Other additional information which may be requested in the light of developments and new practices in nuclear safety.

Three copies of these Documents shall be submitted to the Authority. One copy of each document shall be forwarded to the Committee to obtain their recommendations.

Evaluation Report for the Operating License:

Article 30- After having studied documents requested under Article 29 and reports pertaining to the inspections Department of Nuclear Safety prepares an evaluation report for full power permit and operating license. The recommendations of the Committee are also taken into the consideration in this report. The Vice President of Nuclear Power and Safety presents a report to The President of the Authority containing the conclusions of above mentioned report and summary of related activities.

Granting of the Full Power Operating Permit and Operating License :

Article 31 - Together with the report of Nuclear Safety Department The President of the Authority forward the report prepared by the Vice President as per Article 30, to the first meeting of the Commission. The Commission is entitled to send the report back to the Authority for a review, if it is not found satisfactory. If it feels necessary expert recommendations may be sought. The decision of the Commission is released to the applicant by the Authority. An affirmative notification is called a full power permit and operating license.

Conditions for a Full Power Permit and Operating License :

Article 32 - Apart from specific conditions required due to special characteristics of the nuclear reactor facility the full power permit and operating license is granted with the general condition hereunder :

1. The operating license cannot be transferred without the permission of the Authority.
2. The reactor is to be operated by licensed operators, under the supervision of licensed shift supervisors in conformity with license conditions.
3. No modifications can be made in nuclear reactor facility, in the operating limits and conditions, and operating instructions and procedures without having obtained the permission of the Authority.
4. If new scientific findings in the field of the nuclear safety, operating experiences and national interests necessitate certain modifications in the nuclear facility then the applicant may be asked to make these changes.

Permit to Operate at Reduced Power :

Article 33 - If the safety analysis or the operating test results dictate the necessity, a reduced power operating permit may be given to the reactor facility. If the reduction cover a specific period, the Commission will grant a full power permit and operating license, when the deficiencies are completed or corrected. Nuclear reactor facility which must operate continuously with a reduced power will be granted with an operating license for this reduced power.

Programs and Reports :

Article 34 - It is compulsory that the applicant should provide e regular and periodical training for his licensed operating staff and submits related reports and operating reports to the Authority.

Also, the applicant has to immediately notify the Authority about accidents and anticipated operational occurrences.

The procedures for the preparation of the operating reports, for the notification of and supplying information about anticipated operational occurrences and accident and starting the operation following the accidents shall be defined by the Authority.

Revoking of the license :

Article 35 - If it is established by the Authority that the nuclear reactor facility does not meet the license conditions that the safety measures and regulations are not being implemented that the radiation leakage from and radiation level in the facility exceed the acceptable limits, that the special nuclear material and the

radioactive wastes are not handled appropriately or that the physical protection of the facility has not been provided effectively, then the license of the operating personnel found responsible may be revoked either temporarily or permanently; the power of nuclear reactor facility may be reduced or the operating license revoked temporarily or permanently. These actions would take place on the basis of the report prepared by the Department of Nuclear Safety including the recommendation of the Committee, the approval of the Vice President of Nuclear Power and Safety and The President and the decision of the Commission. If it is found necessary to prohibit the facility from operation then the Commission with its decision on this line forwards the matter to the Prime Minister.

PART THREE

LICENSING OF NUCLEAR FUEL CYCLE FACILITIES

SECTION ONE

Site License for Nuclear Fuel Cycle Facilities

Application and Site Report :

Article 36 - To obtain a site license for a nuclear fuel cycle facility the applicant has to make an application to the Authority as stated by Article 9. The Authority determines which of the documents required under Article 9 that have to be enclosed with the site report. These are to be attached to the application. The site report is to be provided in ten copies to The President of Authority.

Issuance of the Site License :

Article 37 - Based on the evaluation made according to rules set by Article 10, 11 and 12 of this Decree, which affirms the appropriateness of the site, Commission decides to issue the site license. The decision of the Commission is released to the applicant by the Authority. An affirmative notification is called a site license.

The conditions of the license are presented to the applicant together with the license.

Following receipt of the site license the applicant may proceed with work related to site preparation, potable water and road, electricity supply, harbor construction and buildings other than the nuclear fuel cycle facility itself.

SECTION TWO

Construction License for Nuclear Fuel Cycle Facilities

Application and Licensing Steps :

Article 38 - To obtain a construction license the applicant must have received a site license and must apply to the Authority with an application enclosing a Preliminary Safety Analysis Report.

The construction license is given in two steps:

1. Limited work permit
2. Construction license

Preliminary Safety Analysis Report :

Article 39 - To obtain a nuclear fuel cycle facility limited work permit, the applicant has to apply to the Authority as indicated in Article 14. The Authority determines which of the documents required under Article 14 that will have to be enclosed with the Preliminary Safety Analysis report to be attached to the application. The Preliminary Safety Analysis report is presented to the Authority in ten copies.

Issuance of a limited work permit and applicable rules:

Article 40 - Following the evaluation made as per Article 15, 16 and 17 of this Decree, a limited work permit may be granted by the decision of the Commission. The decision of the Commission is released to the applicant by Authority. An affirmative notification is called a limited work permit. The applicant who has obtained a limited work permit may proceed with the installation of structural foundation of buildings and facilities related to nuclear safety and the environmental safety and construction of all other structures, systems and components.

Conditions for limited work permit :

Article 41 - In addition to special conditions necessitated due to the special characteristics of the site and the facility, the general conditions stated in Article 18 have to be met in order to be granted a limited work permit.

Issuance of a Construction License and Applicable Rules :

Article 42- Based on the evaluation made according to rules stated in Article 19 of the Decree which establishes that the Primary Safety Analysis report is adequate, the commission decides to grant the construction license. The decision of the commission is released to the applicant by the Authority. An affirmative notification is called a construction license.

The construction license authorizes the applicant to proceed with all the construction work of the nuclear fuel cycle facility and the erection of all the systems.

Conditions of the Construction License :

Article 43- The granting of the construction license requires that in addition to conditions stated under paragraphs 3 and 4 of Article 21 of the Decree, and special conditions necessitated due to the special characteristics of the site and the facility, the general conditions hereunder are to be met:

1. Applicant is under the obligation to study the scientific findings related to the facility from point of view of national interests and safety, and to carry out research investigations necessary.
2. If the researches and investigations, national interests require that modifications have to be made from the safety point of view, then the conditions of the license may be changed.

SECTION THREE

Operating License for Nuclear Fuel Cycle Facilities

Steps of the Operating License :

Article 44- The operating license is granted in two steps:

1. Pre-operational tests permit
2. Full capacity operating permit and the operating license.

Application to Start Test Operating :

Article 45 - To obtain the permission to start operations the applicant must apply to the Authority with a petition enclosing the documents listed hereunder and the Final Safety Analysis report comprising the information under Article 39 and a description of the as-built (final construction) facility :

1. Quality assurance program for the nuclear fuel cycle facility,
2. Trial-run program,
3. Documents pertaining the adequacy and organization of operating personnel,
4. Information related to operating limits and conditions,
5. Operating instructions and procedures,
6. Radiation protection program,
7. Emergency plans,
8. Physical protection programs,
9. Provisions for nuclear material accountancy and control,
10. Other additional information deemed necessary in view of development and application of nuclear safety matters.

The Final Safety Analysis report is presented in ten copies. The aforementioned documents will be submitted in three copies. One copy of the reports and documents are sent to the Committee to obtain their views.

Pre-Operational Tests Permit :

Article 46 - Following the evaluation of the documents requested under Article 45 and reports of the tests carried out during the commissioning of the components and systems by the Department of Nuclear Safety, and with consideration to the views of the Committee, the Authority may grant to start test operations.

Evaluation Report for the Operating License :

Article 47 - After having studied the documents requested under Article 45 and the inspection reports pertaining to the period of test operations the Nuclear Safety Department prepares a full capacity work permit and an operating license evaluation report, including the views of the committee. The Vice President of Nuclear Power and Safety forwards a report to The President of the Authority, including the results of the report and of activities, of work performed so far.

Issuance of Full Capacity Work Permit and Operating License :

Article 48 - This report and the report prepared by the Vice President as set forth in Article 47 is brought to the first meeting of the Commission by The President.

The commission is entitled to return the report to the Authority for further studies if not found adequate. The Authority may also request the opinion of advisors on the issue. The decision taken by the Commission is released to the applicant by the Authority.

An affirmative notification is called a full capacity work permit and an operating license.

Conditions for a Full Capacity Work Permit and an Operating License :

Article 49 - In addition to special requirements necessitated by the specific characteristics of the facility, the full capacity work permit and an operating license is granted with the fulfillment of the conditions hereunder:

1. The special nuclear materials at the facility and the radioactive materials that were produced by nuclear reactions and the radioactive wastes are to be transported, stored and dealt with according to regulations pertaining to nuclear safety.
2. The operating license cannot be turned over without the permission of the Authority.
3. No modifications can be undertaken in the nuclear fuel cycle facility, in the operational limits and conditions and in the operating instructions and procedures before obtaining relevant permission from the Authority.
4. If new findings in the area of Nuclear Safety, operating experiences and national interests necessitate certain modifications, the applicant may be asked to make these changes.

Revoking the License :

Article 50 - If it is established by the Authority that the nuclear fuel cycle facility does not meet the license conditions that the safety measures and regulations are not being implemented, that the radiation leakage from and the radiation level within the facility exceed the acceptable limits, that the specific nuclear material and the radioactive wastes are not handled appropriately and the physical protection measures of the facility are inadequate, then, the Authority may either limit the production capacity of the facility or may revoke the operating license permanently or on a temporary basis. These actions would take place on the basis of a report prepared by the Nuclear Safety Department including the recommendation of the Committee, the approval of the Vice President of Nuclear Power and Safety, and The President and a decision of the Commission.

If it is found necessary to prohibit the facility from operation then the Commission with its decision on this line forwards the matter to the Prime Minister.

PART FOUR

INSPECTION and VARIOUS RULES

SECTION ONE

Inspection

Inspection :

Article 51 - As per rules of this Decree, the nuclear installations to be granted a license, are subjected to the inspection of the Authority whether or not safety standards and regulations are applied and the conditions of the license are met during the all licensing phases and steps, and operation.

The inspectors of the Authority are therefore fully entitled, to enter and inspect all work in the relevant nuclear installations to request and examine any document necessary beginning from the first site studies for the nuclear installation, and continuing during the detailed site studies, the preparation of the site for the construction, during all the phases regarding construction, fabrication erection, commissioning and operation of the relevant nuclear installations, for the commencement of the inspections, it is compulsory that the applicant notifies the Authority, at least one month prior to the beginning of the first site study.

Inspection Procedure :

Article 52 - The inspections mentioned under Article 51 may be carried out announced or unannounced. The details of the inspection procedure are established with a regulation.

Special Inspection :

Article 53 - To be able to carry out the necessary inspections following the accidents and anticipated operational occurrences, the applicant must notify the Authority about the incident. After completion of the inspection the applicant is obligated to comply with the instructions issued by the Authority.

SECTION TWO

VARIOUS RULES

Permission to Re-start Operation :

Article 54 - It is necessary to obtain a Re-start operation permit for a nuclear installation of which the operating license was temporarily revoked. Therefore, the applicant must submit to the Authority a report covering the necessary measures which were taken. The Department of Nuclear Safety prepares an evaluation report for re-start operation permit including the recommendations of the Committee. The Vice President of Nuclear Power and Safety then submits a report to The President of the Authority thereby stating the conclusions of the evaluation report for re-start operation permit and the summary of the work achieved in this context. This report is discussed at the first meeting of the commission is released to the applicant by the Authority.

Modifications at the Installation :

Article 55 - The required modifications at a nuclear installation which was granted an operating license are subject to permission by the Authority. It is necessary that the applicant applies to the Authority with a report stating the nature of intended changes, the reasons, and confirming that the safe operation of the installation shall in no way be impaired. Following the evaluation of the results of the inspections at the installation, the Nuclear Safety Department prepares an evaluation report including the recommendations of the Committee. The Vice President of Nuclear Power and Safety submits the results of the evaluation report and information regarding work performed in this context, to The President of the Authority. This report is discussed at the first meeting of the Commission and a decision is taken. The decision is released to the applicant by the Authority.

Exceptions :

Article 56 - The scope of the site report, the Preliminary Safety Analysis report, and Final Safety Analysis report dealing with considerations related to the site characteristics and the specifics of the installation are determined by the Authority.

Regulations:

Article 57- The regulations referred to in this Decree shall be issued within one year after the Decree shall come into force.

Enforcement:

Article 58- The rules of this Decree prepared as per paragraph (e) of 4th Article of the Law of the Turkish Atomic Energy Authority Law no.2690 and dated 13.7.1982 and reviewed by the Supreme Court of Administration are enforced on the date of their publication in the Official Gazette.

Execution:

Article 59- The rules of this Decree are executed by the Council of Ministers.