

ANNEX 2: SELECTED PARTS OF THE MARCH DECISION

SUJB - National Nuclear Regulatory Authority CR

Prague, 30.3.2016

GZ: SUJB / OHJB / 4932/2016

Zn: SUJB / POD / 19657/2015/1

Completed by: Dept. of Nuclear Safety

Authorized person: Ing. Jan Štuller

DECISION

The State Atomic Regulatory Authority (hereinafter referred to as SUJB) as the competent administrative authority pursuant to Article 3 (3) C) and e) of Act No. 18/1998 Coll. On the peaceful use of atomic energy and ionizing radiation and on the amendment and amendment of some laws, in the wording of later regulations (further only Atomic Law) has opened an administrative procedure, pursuant to § 44 (1) of Law No 500/2004 Coll. Administrative Law on 24 September 2015 on the basis of the applicant's application pursuant to Article 27 para. 1 lit. (A) Administrative regulation - ČEZ AG, Headquarters Duhová 2/1444, Praha 4, PSČ 14053, IČO 45274649, Evidence number SUJB 108618 (further only "Applicant") of 24.9.2015, GZ of application: B-EDU / 23869/2015 on operating permit For the operation of the first block of the Dukovany NPP, decided as follows:

I. SUJB approved

Pursuant to Section 67 (1) of the Administrative Law and Article 9 (1) D) Atomic law
The applicant the operation of the nuclear facility - 1st block of the nuclear power plant Dukovany.

...

A: General conditions relating to the contents of the Pre-Operation Safety Report of the Dukovany NPP (hereinafter referred to as "EDU"), updated 26.2.2016, as indicated by the applicant by letter GZ B-EDU / 4546/2016 26.2.2016 To SUJB (only "POSAR")

A1: The applicant will present to SUJB once a year a summary update of the POSAR showing the current state of EDU, highlighting the changes that have occurred during the past year, and summary information on the assessment of the survival of selected ones (Further "aA" only) and safety-related systems.

Deadline: once a year, always by the 31st of May...

E: Conditions for the future assessment of a safe operation...

E.2.2: The applicant shall implement the PSR and transmit the final report to SUJB.

Date: by 30.4.2025...

...Justification of conditions G11 / and G12 /:

(last paragraphs before instructions on appeal)

...According to § 15 para. 1 lit. (D) of the Nuclear Law, SUJB decides, by a decree, numbered IV, the validity period for the permit/authorization. Since the applicant meets the requirements of the Atomic Energy Act and its implementing legislation, and the documentation also complies with the requirements, the **operation of EDU is approved for an indefinite period of time**. This ensures the applicant's legal certainty with regard to possible future conditions imposed on them, and at the same time limits potential nuclear safety risks resulting from the necessity of granting an operating license again after expiry of the specified period, and the associated "peak" administrative and technical burden on the applicant. The applicant has demonstrated that the nuclear facility is capable of continued safe operation for at least 10 years. The system of periodic safety checks will provide an adequate survey of its condition and preempt any problems. Condition E12 / this decision imposes on the applicant the obligation to inform SUJB of the further operational strategy beyond this time frame, thereby enabling SUJB to effectively carry out state administration and supervision.

The date for which this authorization was granted is 1.4.2016. Until 31.3.2016, the operator is entitled to operate the first block EDU on the basis of decision GZ 24273/2005 of 16.12.2005, in the text of decision GZ 26350/2015 of 18.12.2015. Because the nuclear facility has been in operation for a long time, it is necessary --for the sake of ensuring permanent nuclear safety, radiation protection, physical protection, technical safety and emergency preparedness-- to start the permitted operation, or rather continue it, on the day after the expiration of the previous operating permit.

At the same time, it is necessary to avoid the situation where both authorizations are granted for the same activity, that is, the operation of the first block EDU for the same period, which would create an obstacle for a legally binding decision.

For similar reasons, respectively for reasons of the public interest in ensuring nuclear safety, or, more specifically, a status which excludes any threat to human life, health, the environment or property by the operation of nuclear facilities, a delaying effect of any objection to the decision in the sense of § 85 para. 2 lit. (A) Administrative regulation is excluded. A temporary non-enforceability of the decision due to the 15-day objection period would lead to an undesirable situation, namely the absence of an operating permit for the nuclear facility and thus the cessation of the license holder's obligations in the sense of § 17 and § 18 Atomgesetz. This legal (and potentially resulting factual) situation could result in reduced nuclear safety. In addition, in order to ensure nuclear safety, radiation protection, physical protection, technical safety and emergency readiness, it is necessary to start and / or prepare for meeting the conditions of this decision, or, respectively, start preparations for meeting them in case they are effective only at a later date. For these reasons, SUJB decided on the aforementioned duration of the operating permit, and the simultaneous exclusion of any delaying effects of appeals.”