

REGULATION No 2

determining the procedure for completing the declarations laid down in Article 78 of the Treaty

THE COMMISSION OF THE EUROPEAN ATOMIC ENERGY COMMUNITY,

Having regard to the provisions of the Treaty, and in particular those of Articles 77, 78, 124 and 161 thereof;

Whereas it is the responsibility of the Commission to determine the procedure for discharging the obligations imposed on persons and undertakings by the first paragraph of Article 78;

Whereas the declarations laid down in the first paragraph of Article 78 must communicate to the Commission the basic technical characteristics of the installations covered by that Article to the extent necessary for the application of the safeguards which devolve upon the Commission pursuant to Article 77;

HAS ADOPTED THIS REGULATION:

Article 1

The declarations laid down in Article 78 of the Treaty in respect of the basic technical characteristics of installations for the production, separation or other use of source materials or special fissile materials or for the processing of irradiated nuclear fuels (hereinafter called 'installations') shall be communicated to the Commission using a form, the model for which is annexed to this Regulation.

Where a communication to the Commission has already given details of the characteristics concerned, the declarations referred to in the preceding paragraph may be made by citing that communication, provided that any supervening changes are stated precisely.

This Regulation shall be binding in its entirety and directly applicable in all Member States.

Done at Brussels, 18 February 1959.

Article 2

The declarations referred to in Article 1 shall be made in respect of existing installations within three months from the date on which this Regulation enters into force.

Article 3

The declarations referred to in Article 1 shall be made in respect of new installations, including replacements or conversions of existing installations, in the month preceding and at least fifteen days before the installation is put into service, or in the month preceding and at least fifteen days before the first consignment of materials subject to safeguards is received, if that consignment is received before the installation is put into service.

Article 4

The obligation to make a declaration in accordance with this Regulation devolves on any person or persons setting up a new installation or operating an existing installation; this obligation shall devolve upon the local managements of establishments under the authority of persons or undertakings established outside the Community.

Article 5

The Annex to this Regulation shall form an integral part thereof.

Article 6

This Regulation shall enter into force on the twentieth day following its publication in the *Official Journal of the European Communities*.

For the Commission

The President

E. HIRSCH

ANNEX

to Commission Regulation No 7 of 18 February 1959

- Name and address of the person making the declaration and, where appropriate, name of a responsible person to whom supplementary questions may be addressed if necessary.
- Name and site of the installation.
- State whether it is an existing installation, a new installation, a replacement or a conversion. Where a new installation, a replacement or a conversion is concerned, state the planned commissioning date.

Questions concerning basic technical characteristics of installations for the production, separation or other use of source materials or special fissile materials, or for the processing of irradiated nuclear fuels, with the exception of nuclear reactors.

- A. 1. Brief description and general plans of the installation, in particular:
 - (a) Description and position in the plan of related installations for storing materials which are subject to safeguards;
 - (b) Form in which those materials are stored.
- A. 2. Description of the technical processes employed for the operation of the installation, with reference, where appropriate, to publications relating to the installation in question.
- A. 3. Description of the methods used in the installations (type, frequency and points at which used) for measuring and checking the quantity and quality of materials which are subject to safeguards.
- A. 4. Composition and nature of production; annual capacity.

Questions concerning basic technical characteristics of nuclear reactors of all types and for all purposes.

- B. 1. Name of type of reactor.
- B. 2. Principal use(s).
- B. 3. Thermal power rating in kW; mechanical and electrical power rating, if applicable (gross power in kW, net power of the whole installation in kW).
- B. 4. Annual utilisation (hours/year).
- B. 5. Fuels (composition, enrichment of fissile material and weight of the first charge for the power stated in B 3, mean and maximum burn-up in kWd/kg, cooling time for irradiated fuels).
- B. 6. Annual fuel consumption and irradiated-fuel content of all fissile and fertile material; recoverable isotopes (for the power rating and utilisation shown in B 3 and B 4 for the initial period and in steady-state operation).
- B. 7. Maximum and mean neutron flux, according to the type of reactor:
 - (a) Thermal neutrons;
 - (b) Fast neutrons.
- B. 8. General plans of reactor (in particular, lattice definition and heat-cycle diagram).

N.B. Under Article 79 of the Treaty, those subject to such requirements shall notify the authorities of the Member State concerned of any communications they make to the Commission pursuant to Article 78.