

A BILL
ATOMIC ENERGY ACT 201_

An Act to provide for the regulation, control and peaceful use of atomic energy activities, including for safety, security, safeguards and civil liability for nuclear damage and for matters connected therewith or related thereto consistent with Malaysia's international obligations.

PART IX
DECOMMISSIONING

Note:

1. This Part was constructed from the Convention of Nuclear Safety.

Requirements

44. (1) The licensee shall comply with all the prescribed requirements pertaining to the decommissioning of licensed facilities.

(2) The facility shall not be released from regulatory control until the licensee had demonstrated that the end state of the decommissioning plan had been reached and all other regulatory requirements had been met.

Decommissioning plan

45. (1) The licensee shall submit a decommissioning plan for approval by the Director General at construction stage of the facility.

Responsibilities of the licensee in decommissioning

46. (1) In implementing decommissioning activity at a facility the licensee shall be responsible for –

- (a) ensuring the safety of environmental protection;
- (b) conducting a baseline survey of the site;
- (c) informing the Director General two months in advance in shutting down the facility;
- (d) submitting an application to decommission facility with a proposed final decommissioning plan within two years of ceasing operation.

Financing of decommissioning of nuclear installations

47. Any person applying for a license to construct and operate a nuclear installation shall ensure that adequate financial resources is available as determined by the Director General, to cover the costs associated with safe decommissioning.

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ATOMIC ENERGY (NUCLEAR INSTALLATION LICENSING) REGULATION 200_

PART VII

DECOMMISSIONING LICENSE

Decision to Decommission

13. The decommissioning shall be performed upon the decision by the licensee or as directed by the Board.

Technical requirement for Decommissioning

14. An application for a Decommissioning License shall contain the following information:
- (1) The final decommissioning plan that describe of and the proposed schedule, measures, methods and procedures for the decommissioning of the nuclear installation and shall contains sufficient information on proposed practices and procedures for the decontamination of the site and facilities and for disposal of residual radioactive materials after all spent fuel, high-level radioactive waste, and reactor-related waste have been removed. This plan must identify and discuss those design features of the nuclear installation and its related facilities that facilitate its decontamination and decommissioning at the end of the nuclear installation useful life.
 - (2) Estimation cost for decommissioning including assessment report of the major factors that could affect the cost to decommission. Factors to be considered in submitting this preliminary plan information include--
 - (a) The decommissioning alternative anticipated to be used.
 - (b) Major technical actions necessary to carry out decommissioning safely;
 - (c) The current situation with regard to disposal of high-level and low-level radioactive waste;
 - (d) Residual radioactivity criteria;
 - (e) Other site specific factors which could affect decommissioning planning and cost.
 - (3) The Quality Assurance Program for decommissioning;
 - (4) The description of the nuclear and radioactive material, prescribed substances, land, buildings, structures, systems and equipment that will be affected by the decommissioning;

- (5) Records of spills or other unusual occurrences involving the spread of contamination in and around the facility, equipment, or site. These records must include any known information on identification of involved nuclides, quantities, forms, and concentrations.
- (6) As-built drawings and modifications of structures and equipment in restricted areas where radioactive materials are used and/or stored and of locations of possible inaccessible contamination such as buried pipes which may be subject to contamination. If drawings are not available, the licensee shall substitute appropriate records of available information concerning these areas and locations.
- (7) The information on disposal of radioactive waste which include the proposed plan for release and final disposition of the radioactive waste and the historical site assessment performed for the release; and
- (8) Any other information required by the Board.

Release from regulatory control

15. The followings shall be submitted to the Board before release for unrestricted use of the site:
 - (1) the report of decommissioning;
 - (2) the report of the Environmental Monitoring for the site and surrounding area;
 - (3) the evidence that all responsibilities and liabilities have been discharged;
 - (4) the final radiological status of the nuclear; and
 - (5) any other information required by the Board.