

Rules of Procedure of the Nuclear Regulatory Agency

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Chapter I General Provisions

Art. 1. This Rules of Procedure delineates the structure, activity, organization of work, functions and number of personnel of the Nuclear Regulatory Agency, hereinafter referred to as "the Agency" and its administrative units.

Art. 2. (1) The Agency is an administration that assists the Chairman in the implementation of his/her authorities and technically ensures his/her activities.

(2) The Agency is a state budget legal entity with headquarters in Sofia.

Chapter II Authorities of the Chairman of the Agency

Art. 3. (1) The Chairman of the Agency is an independent specialized body of the executive power who implements the state regulation of the safe use of nuclear energy and ionising radiation and the safe management of radioactive waste and spent nuclear fuel, within the framework of the authorities granted to him/her by law.

(2) The Chairman manages the Agency and represents it before third parties.

(3) The Chairman of the Agency shall be designated by a decision of the Council of Ministers and shall be appointed by the Prime Minister for a period of five years and may be selected for one more term of office.

(4) (In force as of 01.01.2003) The Chairman of the Agency is a primary distributor of budgetary credits.

(5) The Chairman of the Agency manages the property allotted to the Agency - state property.

Art. 4. The Chairman of the Agency shall:

(1) In the field of the state regulation of the safe use of nuclear energy and ionising radiation and the safe management of radioactive waste and spent nuclear fuel:

a) organize the preparation and implementation of the necessary activities on issuing of licences and permits envisaged in the Act on Safe Use of Nuclear Energy;

b) Grant, amend, supplement, renew, suspend and revoke licences and permits for safe implementation of the activities under the Act on Safe Use of Nuclear Energy;

c) Control the fulfilment of safety requirements and standards related to the safe use of nuclear energy and ionising radiation, the management of radioactive waste and spent nuclear fuel, as well as the conditions of the licences and permits granted;

d) Issue and withdraw individual licenses to work at nuclear facilities;

e) Undertake enforcement measures and impose administrative penalties in the cases provided for under the Act on Safe Use of Nuclear Energy;

f) Assign (contract) nuclear safety and radiation protection related expertise, researches and

studies in the use of nuclear energy and ionising radiation and in the management of radioactive waste and spent nuclear fuel;

g) Implement the interactions with other competent authorities of the executive power vested with some regulatory and control functions related to nuclear energy and ionising radiation use, and propose to the Council of Ministers measures for coordination of the activities;

h) Establishes by order surveillance areas around nuclear facilities and other sites with Sources of Ionising Radiation.

2. In the field of application of Safeguards ensuing from the Treaty on the Non- proliferation of Nuclear Weapons, the Agreement Between the People's Republic of Bulgaria and the International Atomic Energy Agency (IAEA) for the Application of the Safeguards in Connection with the Treaty on the Non-proliferation of Nuclear Weapons, hereinafter referred to as "the Agreement", as well as from the Additional Protocol to the Agreement:

a) control the compliance of the obligations undertaken in accordance with the Treaty on the Non-proliferation of Nuclear Weapons to eliminate the diversion of nuclear material for the manufacturing of nuclear weapons;

b) collect and submit to the IAEA the information subject to the Agreement and the Additional Protocol to it, including through inspections at the sites;

c) ensure the carrying out of inspections on the territory of the Republic of Bulgaria by IAEA inspectors, including granting of access to the inspected sites for the fulfillment of the objectives of the inspections;

d) related to the exchange of information, implement the interactions with the competent authority under the Act on Control of Foreign Trade Activity With Weapons and Goods and Technologies With Possible Dual Use pertaining to the Agreement and the Additional Protocol to it;

e) Keep a central register of all nuclear material;

3. Implement the international co-operation of the Republic of Bulgaria in the field of safe use of nuclear energy and ionising radiation, and safety of management of radioactive waste and spent nuclear fuel;

4. Ensure the Agency representation to the Permanent Mission of the Republic of Bulgaria to the UN, OSCE and other international organizations in Vienna;

5. (Am. OJ No. 63/2007) Ensures the Agency participation in the framework of its competencies pursuant to the ASUNE in the relevant working groups, committees, and institutions of the European Union and in the working groups on European issues at national level;

6. Be a member of the Board of the Decommissioning of Nuclear Facilities Fund and through a designated by him/her representative participate in the management of the Radioactive Waste Fund;

7. Provide individuals, legal persons and state bodies with objective information referring to nuclear safety and radiation protection;

8. Submit annually to the Council of Ministers a report on the status of nuclear safety and radiation protection upon use of nuclear energy and ionising radiation and upon management of radioactive waste and spent nuclear fuel, as well as on the operation of the Agency;

9. Organise and co-ordinate the drafting process and submit to the Council of Ministers the reports for implementation of country obligations under the Convention on Nuclear Safety and the Joint Convention on the Safety of Spent Fuel Management and on the Safety of Radioactive Waste Management;

10. Perform the functions of a competent authority and a contact point for notification of an accident and for provision of assistance according to the Convention on Early Notification of a Nuclear Accident and the Convention on Assistance in the Case of a Nuclear Accident or Radiological Emergency;
11. Perform the functions of a competent authority and a contact point responsible for the physical protection of nuclear material according to the Convention for Physical Protection of Nuclear Material;
12. Develop and submit for adoption to the Council of Ministers regulations for the application of the Act on the Safe Use of Nuclear Energy;
13. (Suppl. OJ No.46/2005) Designate by an order the members of the Advisory Council on Nuclear Safety and of the Advisory Council on Radiation Protection and presides over their meetings; the Chairman may designate another person which shall preside over the meetings of the Advisory Councils;
14. (new – OJ No.46/2005) manages the activities in case of crisis management and determines by order the membership of the Council on security and crisis management;
15. (former item 14 – OJ No. 46/2005) Awards the personnel of the Agency following the legal procedures;
16. (new-OJ No. 63/2007) Co-ordinates the implementation of the obligations ensuing from the implementation of the Safeguards, pursuant to the Treaty on the establishment of a European community on atomic energy (Treaty on the establishment of EURATOM) in relation to the carrying out of inspections on the territory of the Republic of Bulgaria and checks on the compliance with the obligations undertaken in accordance with the NPT, in order not to allow deviation of nuclear material for the purpose of production of nuclear weapons;
17. (former item 15 – OJ No.46/2005, former item 16 OJ No.63/2007) Exercise other powers as may be entrusted thereto by the national legislation.

Art. 5. (1) In the exercise of the powers thereof, two Deputy-Chairmen shall assist the Chairman. The two deputies shall be designated by a decision of the Council of Ministers on a motion by the NRA Chairman and shall be appointed by the Prime Minister.

(2) The authorities of the Chairman of the Agency when being abroad or on a leave are carried out by a Deputy-Chairman, designated by an order of the Chairman of the Agency for each specific occasion.

(3) Apart from the cases pursuant to Par. 2 the Chairman of the Agency may delegate by order part of his/her authorities pursuant to Art. 4 to the Deputy-Chairmen.

(4) The Chairman of the Agency grants annual leaves to the Agency Deputy-Chairmen and sends them on business trips in the country, and if he/she is authorized by the Prime Minister - abroad.

Art. 6. (1) The Chairman of the Agency is the authority responsible for appointment of civil servants in the Agency. He/she may to the Executive Secretary some of his/her authorities related to the civil-service relationship with the Agency personnel, with the exception of appointment and release of personnel, as well as the imposition of disciplinary penalties.

(2) (Repealed OJ No. 46/2005)

Art. 7. The Chairman of the Agency establishes by order internal rules, methodologies and directions related to the activities of the Agency including the management of the remuneration. By an order of the Chairman other issues, related to the organization of the work in the administration of the Agency, may be settled.

Art. 7a (New – OJ No. 46/2005) (1) The Advisory councils pursuant to art.9 of the ASUNE,

assist the activities of the Chairman, and upon his request submit statements on matters of nuclear safety and radiation protection.

(2) The activities of the Advisory councils and the Qualification Examination Commission pursuant to Art. 66, par.2 of the ASUNE are financed by the agency budget.

Chapter III Structure and functions of the Agency administration

Section I General Provisions

Art. 8. The Agency administration assists the Chairman of the Agency in implementation of his/her authorities, ensures technically his/her activities and carries out activities on the administrative servicing of legal entities and the general public.

Art. 9. (1) The Agency administration is organized in one General Department and four Departments separated in General and Specialized Administration.

(2) Divisions and sections within the departments pursuant to Par. 1 are created, transformed and closed down by an order of the Chairman, with which their function is determined.

Art. 10. (1) (amm. – OJ No. 46/2005, No. 48/2006, No. 63/2007) The total number of personnel in the organizational and administrative units of the Agency is 114, including a Chairman and two Deputy-Chairmen.

(2) The distribution of the personnel in the different organizational and administrative units is determined by an annex.

Section II Executive Secretary

Art. 11. (1) The Executive Secretary implements the administrative management of the Agency administration, thus carrying out the legal orders of the Chairman and is accountable for his/her activities before the Chairman.

(2) The Executive Secretary:

1. directs, coordinates and controls the functioning of the administration on the exact compliance with the legislation;
2. ensures the necessary conditions for normal and effective work of the administrative units of the Agency concerning organizational and technical matters;
3. ensures the general management of the process on attestation of the personnel in the Agency and the training of the personnel related to the implementation of the Regulation on the Conditions and Order for Attestation of the Personnel in the State Administration, adopted by CM Decree 105 of 2002 (Official Journal No. 54 of 2002);
4. organizes and controls the work with documentation and other information carriers and their storage, as well as the protection of the company and state secrets (classified information);
5. organizes the use of real estate and other movables - state property, rendered for use to the Agency;
6. prepares a draft of the Agency budget related to the means necessary for the administrative ensuring of the Agency activity;
7. prepares annual report on the condition of the administration and submits it to the Chairman;
8. controls for the lawfulness and objectiveness of the spending of financial and material resources rendered for use to the Agency;
9. organizes the distribution of tasks for execution between the administrative units of the

Agency;

10. carries out the general coordination of the Agency administration with the administration of other bodies of the executive power;

11. (amm. – OJ No. 63/2007) organizes the processing of proposals and reports in accordance with the provisions of chapter 8 of the Code of administrative procedures;

12. (amm. – OJ No. 46/2005) implements other functions, ensuing from a legislative act or tasks entrusted to him/her by the Agency Chairman.

(3) In the absence of the Executive Secretary his/her functions for every specific case are implemented by a specially designated, by the Agency Chairman, director of a department.

Section II a

(New – OJ, No. 46/2005)

Officer on security of information and financial inspector

Art. 11a (1) the officer on security of information and the financial inspector are appointed by the agency chairman and are under his direct jurisdiction.

(2) The officer on security of information is appointed pursuant to the order ensuing from the Act on protection of classified information and implements tasks ensuing from this act and from the legislative acts related to its implementation.

(3) The financial inspector is appointed in accordance with the requirements of the Act on Internal State Financial Control (AISFC) and implements preliminary control on compliance with the legislation in force of all documents and actions related to the financial activities of the agency according to AISFC, the rule on its implementation and the directions of the Agency on internal state financial control.

Section II b

(New – OJ No. 48/2006)

Internal Auditor

Art. 11b (New – OJ No. 48/2006) (1) The internal auditor is directly responsible to the Chairman of the Agency and implements the internal audit pursuant to the Act on internal audit in the public sector.

(2) The internal auditor pursuant to par. 1 implements the activities related to the internal audit over all structural units, programmes, activities and processes in the Agency in accordance with art. 13 of the Act on internal audit in the public sector.

(3) The internal auditor pursuant to par. 1 reports directly to the chairman.

(4) The internal auditor pursuant to par. 1 has the following functions, namely:

1. plans, implements and reports on the activities of the internal audit in accordance with the Act on internal audit in the public sector, the standards for internal audit, the Code of Ethics of Internal Auditors, the statute of the internal audit and the established by the Minister of Finance methodology for internal audit in the public sector;

2. Prepares on the basis of the assessment of the risk a three-year strategic plan and an annual plan on its activities, which are approved by the Chairman;

3. Prepares an audit plan for each audit activity which contains scope, objectives, duration and distribution of resources for implementation of this activity, the audit approach and techniques, type and volume of inspections;

4. Submits to the Agency Chairman an independent and objective evaluation on the state of the audited systems for financial management and control;
5. evaluates the processes of identification, assessment and management of risk introduced by the Agency Chairman;
6. Checks and makes assessment of the following: the compliance of the activities with the legislation, internal acts and contracts, reliability and complete coverage of the financial and operative information; the established organization on preservation of the resources and information; the effectiveness, efficacy and economizing of the activities; implementation of the tasks, contracts, undertaken obligations and attaining of objectives;
7. Renders advice to the Agency chairman upon his request by providing special advice, opinions, training and others with view of improving the processes of management of risk and the control without undertaking managerial responsibility for it;
8. Reports and discusses with the Agency Chairman and with managers of structural units whose activities are being audited, the results from each audit carried out and submits an audit report;
9. submits recommendations in the audit reports on improvement of the adequacy and effectiveness of the systems for financial management and control, assists the Agency Chairman in the process of preparation of an action plan and carries out inspections on the completion of the implementation of the recommendations;
10. Prepares and submits to the Agency Chairman an annual report on the internal audit activities in accordance with art.40 of the Act on internal audit in the public sector.

Section III General Administration

Art. 12. The General Administration of the Agency is organized in the Department of Administrative, Legal & Financial Services.

Art. 13. The Department of Administrative, Legal & Financial Services has the following functions:

1. participates in the preparation or individually prepares statements on drafts for legislative acts sent for coordination, including on drafts for international agreements;
2. submits statements on the lawfulness of contracts for public procurement by the Chairman of the Agency and on the lawfulness of drafts for individual administrative acts and makes proposals for resolving matters of legal character;
3. carries the legal representation of the Agency in the courts of law;
4. organizes and carries out the registry and archive activity in the way of receiving, processing, registering and submitting all correspondence to its destination, processes and sends the outgoing correspondence, maintains bookkeeping and maintains the document archives related to the activities of the Agency and the entry to the registers of the issued permissions, licences and individual licences;
5. organizes the financial and accounting servicing, registering and accounting for material assets, supplies the Agency personnel with stationary and consumables, organizes the repairs and maintenance of the premises;
6. prepares the draft budget of the Agency, controls the appropriate spending of the financial means and reports on the implementation of the Agency budget.
7. ensures the transport servicing of the Agency personnel;
8. ensures the housekeeping of real estate and movables rendered for use to the Agency and

keeps the documentation related to them;

9. carries out the activities related to the management of the human resources of the Agency;
10. establishes the organization on the working environment safety and carries out the control on the compliance of the rules for ensuring the working environment safety;
11. establishes the organization on the defense and mobilization preparedness;
12. (repealed – OJ No.46/2005);
13. (repealed – OJ No.63/2007);
14. assists technically the activity of the Advisory councils within the Chairman of the Agency;
15. (repealed – OJ No.63/2007).

Section IV Specialized administration

Art. 14. (1) the specialized administration of the Agency is organized into the following departments:

1. General Department of Safety Regulation of Nuclear Facilities;
2. Department of Safety Analyses, Assessment and Research and Development;
3. Department of Radiation Protection and Emergency Preparedness;
4. (amm. OJ No. 63/2007) Department of International Co-operation.

(2) The departments pursuant to Par. 1 assist and ensure the implementation of the authorities of the Chairman of the Agency according to the Act on the Safe Use of Nuclear Energy.

(3) The on-site unit at the Kozloduy NPP is included in the General Department of Safety Regulation of Nuclear Facilities. It has the status of a division and carries out control over the nuclear safety and radiation protection of the Kozloduy NPP in the framework of the authorities given to it by the Chairman of the Agency pursuant to these Rules of Procedure. The on-site unit benefits the category, positions and ranks in the Agency.

Art. 15. (1) (amm. OJ No. 46/2005) The General Department of Safety Regulation of nuclear facilities assists the Chairman of the Agency in the implementation of his/her regulatory and control functions with regard to the activities connected with nuclear facilities, nuclear material, and management of radioactive waste in nuclear facilities, as well as with regard to the qualification and certification of the personnel in nuclear facilities and sites with sources of ionizing radiation.

(2) The department pursuant to par. 1 carries out the following activities:

1. (suppl. OJ No. 46/2005) plans and carries out inspections, assesses and undertakes actions for optimization of the effectiveness of control over the nuclear safety, radiation protection, physical protection of nuclear facilities and management of spent nuclear fuel and radioactive waste in nuclear facilities;
2. participates in the analyzing of incidents, emergencies, failures of structures, systems and equipment related to nuclear safety and radiation protection, operational data and indicators;
3. (A & S OJ No. 46/2005) controls the compliance of the nuclear facilities with the legislative acts on nuclear safety, radiation protection and physical protection;
4. (amm. OJ No. 46/2005) takes part in the carrying out of assessment of the submitted by the applicant documentation and prepares the issuing, motivation for refusal, amendment, supplementation, renewal, termination and revoking of licences and permits, as well as the issuing

of motivation for refusal and revoking of individual licences and licenses for specialized training for carrying out activities in nuclear facilities or with sources of ionizing radiation;

5. (suppl. OJ No. 46/2005) proposes assignments for research, analysis and expertise related to the assessment of nuclear safety, radiation protection and physical protection;

6. participates in the preparation of data for the IAEA information systems with regard to the operation of nuclear facilities and the emergency events related to them;

7. participates in the emergency team of the Chairman of the Agency for action in case of accidents;

8. develops drafts for internal rules and other internal acts related to insuring the quality of the activities carried out by the department;

9. keeps registers of the issued permits and licences for operation of nuclear facilities and individual licences for work in nuclear facilities;

10. keeps the central register for nuclear material;

11. (amm. OJ No. 46/2005) participates in the preparation of the national reports on the implementation of the obligations ensuing from the Convention on Nuclear Safety and the Joint Convention on Safety in Management of Spent Fuel and Safety in Management of Radioactive Waste, as well as in the preparation of the reports on the bilateral agreements in the field of safe use of nuclear energy;

12. verifies the compliance of the obligations undertaken in accordance with the Treaty on the Non-Proliferation of Nuclear Weapons;

13. prepares the necessary information in connection with the application of Safeguards, pursuant to the Treaty on the Non-proliferation of Nuclear Weapons and assists the IAEA inspectors in the implementation of their control activities;

14. (amm. OJ No. 46/2005) individually or jointly with other competent authorities implements the control over the physical protection of nuclear material and nuclear facilities;

15. prepares the documentation related to issuing of licences for activities involving arms and goods and technologies with a possible dual use and inputs information into the automated interinstitutional system for control over the foreign trade activities involving arms and goods and technologies with a possible dual use;

16. (amm. OJ No. 46/2005) controls and analyzes the system for selection, training and maintaining the qualification of the personnel of the licensees and the holders of permissions who carry out activities with nuclear facilities or sources of ionizing radiation;

17. (suppl. OJ No. 46/2005) controls the compliance with the limits and conditions for safe operation at nuclear facilities and with the conditions of the issued licenses and permissions;

18. inspects the fulfillment of the timetables for periodic tests and technical servicing of structures, systems and equipment related to nuclear safety and radiation protection;

19. inspects the technical condition of structures, systems and equipment related to nuclear safety and radiation protection and the housekeeping;

20. inspects the radiation conditions in the premises and on-site, at the radiation protection area and monitored area of nuclear facilities;

21. controls the implementation of the nondestructive testing of metal of pipelines and equipment related to nuclear safety and radiation protection;

22. controls the implementation of the maintenance activities related to nuclear safety and

radiation protection;

23. implements control over the technical safety of equipment with increased risk on the territory of the nuclear power plants;

24. carries out the obligations of a contact point, responsible for the physical protection of nuclear material;

25. participates in the current work related to the preparation and implementation of programmes and projects for assistance to the Agency financed through international co-operation;

26. prepares documents, summarizes information, carries out analyses and prepares expert assessments related to the management of the Decommissioning of Nuclear Facilities Fund and the Radioactive Waste Fund.

27. (new. OJ No. 46/2005) assists the work of the qualification examination commission of the Agency in the issuing of certificates of competence as well as in the preparation and carrying out of the sessions;

28. (new. OJ No. 46/2005) keeps register of the cases of ascertained illegal traffic of nuclear material and sources of ionizing radiation and prepares data for the IAEA information database regarding them;

29. (new. OJ No. 63/2007) takes part in the preparation of analysis, statements, reports, information and reviews as well as in the development of the official position of the Agency on matters pertaining to the competencies of the department, ensuing from the membership of the Republic of Bulgaria in the European Union;

30. (new. OJ No. 63/2007) prepares the documents related to the implementation of the obligations ensuing from the application of the safeguards pursuant to the Treaty on the establishment of EURATOM with regard to carrying out of inspections on the territory of the Republic of Bulgaria.

Art. 16. (1) The Department Safety Analyses, Assessment and Research and Development assists the Chairman in the implementation of his/her regulatory and control functions with regard to the assessment of the submitted by the applicant, respectively the holder of a licence or a permit documentation for issuing of permits and licences for carrying out activities in nuclear facilities.

(2) The department pursuant to par. 1 carries out the following activities:

1. assesses the design basis and functioning of structures, systems and equipment related to nuclear safety and their compliance with the established requirements;

2. proposes the performance of the following activities: independent expertise of structures, systems and equipment related to nuclear safety; analyses and assessment of transients and emergency modes in nuclear power plants; reliability, thermohydraulic and probabilistic analysis of safety; strength calculations of pipelines and equipment; designs and projects for construction of nuclear facilities and their decommissioning; computer codes and models related to nuclear safety;

3. (amm. OJ No. 46/2005) participates in the preparation of the national reports on the implementation of the obligations ensuing from the Convention on Nuclear Safety and the Joint Convention on Safety in Management of Spent Fuel and in Safety in Management of Radioactive Waste, as well as in the preparation of the reports on the bilateral agreements in the field of safe use of nuclear energy;

4. participates in the analyzing of incidents, events, failures of structures, systems and equipment related to nuclear safety and radiation protection, as well as of operational data and indicators;

5. participates in the preparation of data for the IAEA information systems with regard to the operation of nuclear facilities and the emergency events related to them;

6. participates in the emergency team of the Chairman of the Agency for action in case of emergencies;
7. develops drafts for internal rules and other acts in the field of the activities carried out by the department;
8. organizes the activity on assigning and acceptance of expertise, research and development related to nuclear safety and radiation protection on the use of nuclear energy and ionising radiation and in the management of radioactive waste and spent nuclear fuel, financed by the Agency budget;
9. participates in the current work related to the preparation and implementation of programmes and projects for assistance to the Agency financed through international co-operation;
10. prepares documents, summarizes information, carries out analyses and prepares expert assessments related to the management of the Decommissioning of Nuclear Facilities Fund.
11. (amm. OJ No. 46/2005) takes part in the carrying out of inspections in nuclear facilities for control over the compliance with the requirements for safe use of nuclear energy and over the conditions of the issued licenses and permissions;
12. (new. OJ No. 63/2007) takes part in the preparation of analysis, statements, reports, information and reviews as well as in the development of the official position of the Agency on matters pertaining to the competencies of the department, ensuing from the membership of the Republic of Bulgaria in the European Union.

Art. 17. (1) (amm. OJ No. 46/2005) The Department of Radiation Protection and Emergency Preparedness assists the Chairman of the Agency in performing his/her managerial functions related to management during crisis and his/her regulatory and control functions with regard to activities with sources of ionising radiation and the management of radioactive waste in sites with sources of ionizing radiation, including the transportation of radioactive waste to the facilities of the State Enterprise "Radioactive Waste".

(2) The department pursuant to par. 1 carries out the following activities:

1. (suppl. OJ No. 46/2005) implements the control over activities with sources of ionizing radiation, plans and carries out inspections in facilities with sources of ionising radiation, maintains dosimetric equipment and performs the necessary radiation measurements;
2. evaluates the design basis and the functioning of structures, systems and equipment related to radiation protection;
3. analyzes the operational events and assesses the operational data and the radiation indicators of sources of ionising radiation;
4. (suppl. OJ No. 46/2005) analyzes and evaluates the information on securing the radiation protection and physical protection in the issuing of licences and permits for activities with sources of ionising radiation;
5. (amm. OJ No. 46/2005) prepares the issuing, motivation for refusal, amendment, supplementation, renewal, termination and revoking of licences and permits;
6. proposes assignments for research, analysis and expertise related to the assessment of radiation protection;
7. (amm. OJ No. 46/2005) independently and in coordination with other specialized and control bodies undertakes the necessary measures for ensuring the safety in case of detection of sources of ionising radiation or nuclear material of unknown origin, as well as in the cases of expropriation of sources of ionizing radiation or nuclear material by the specialized bodies of the Ministry of Interior or the specialized bodies of the National Inquest Service;

8. participates in the emergency team of the Chairman of the Agency for action in case of radiological emergencies;
9. (amm. OJ No. 46/2005) controls the qualification and licence of competence of the persons working with sources of ionizing radiation;
10. keeps a specialized database for emergency events related to nuclear safety and radiation protection;
11. keeps registers of the issued permits and licences for operation of sources of ionising radiation and individual licences for work with sources of ionising radiation;
12. (amm. OJ No. 46/2005) participates in the preparation of the national reports on the implementation of the obligations ensuing from the Joint Convention on Safety in Management of Spent Fuel and on Safety in Management of Radioactive Waste, and the Convention of Nuclear Safety, as well as in the preparation of the reports on the bilateral agreements in the field of safe use of nuclear energy;
13. develops drafts for internal rules and other internal acts related to insuring the quality of the activities carried out by the department;
14. (amm. OJ No. 46/2005) analyses and assesses the information related to emergency planning and preparedness and controls the activities on emergency planning and emergency preparedness in sites with sources of ionising radiation and nuclear facilities independently or jointly with the specialized and control bodies who are entrusted with these functions by a legislative act;
15. (amm. OJ No. 46/2005) implements the duties of an crisis management centre and a contact point in the following ways:
 - a) collects and processes the incoming data which characterizes the radiation status;
 - b) maintains an emergency station within the national automated system for monitoring of the gamma background on the territory of the Republic of Bulgaria and keeps dosimeters for radiation measurement;
 - c) collects and processes incoming data which characterizes the development of an accident and prepares prognoses;
 - d) (amm. OJ No. 46/2005) ensures the work of the emergency team for action in case of a crisis;
 - e) (amm. OJ No. 46/2005) develops a plan for crisis management and maintains the emergency preparedness of the Agency;
 - f) organizes the assessment of the internal emergency plans of the entities operating nuclear facilities, as well as in manufacturing, transport and storage of nuclear material or with activities with sources of ionising radiation, related to the coordination with the Chairman of the Agency of these plans.
 - g) notifies in case of accidents and undertakes actions for rendering assistance according to the Convention for Notification in Case of a Nuclear Accident, The Convention for Assistance in case of Nuclear Accident or Radiation Emergency Situation and according to bilateral agreements;
 - h) (new. OJ No. 46/2005) organizes the training of the employees of the Agency for action in case of crisis.
16. organizes and maintains the automated information system of the Agency - local networks, communication equipment and computer equipment;
17. researches and implements information and communication technologies, ensures the protection of information from unauthorized access;

18. implements and operates the specialized automated systems for assistance of the actions of the emergency team of the Chairman of the Agency;

19. participates in the current work related to the preparation and implementation of programmes and projects for assistance to the Agency financed through international co-operation;

20. prepares documents, summarizes information, carries out analyses and drafts expert assessments related to the management of the Radioactive Waste Fund.

21. (new. OJ No. 63/2007) takes part in the preparation of analysis, statements, reports, information and reviews as well as in the development of the official position of the Agency on matters pertaining to the competencies of the department, ensuing from the membership of the Republic of Bulgaria in the European Union.

Art. 18. (amm. OJ No. 63/2007) The Department of International Co-operation assists the Chairman of the Agency with regard to the matters pertaining to the international relations.

(2) The department pursuant to par. 1 carries out the following activities:

1. organizes and co-ordinates the co-operation in the field of safe use of nuclear energy and ionising radiation and the safe management or radioactive waste and spent nuclear fuel with the international organizations and the countries with which Bulgaria has signed bilateral agreements; maintains business contacts with those countries and organizations through their contact points;

2. participates in the drafting of intergovernmental and interinstitutional agreements for co-operation with other countries in the field of the safe use of nuclear energy and ionising radiation and the safe management or radioactive waste and spent nuclear fuel;

3. organizes the preparation and the participation of the Bulgarian delegation in the sessions and meetings of the governing bodies of the international organizations and participates in the preparation and submission of technical assistance projects and financing from these organizations.

4. assists Bulgarian institutions and organisations in the concluding of research contract agreements with international organisations;

5. organizes and submits to the international organisations, as well as on a bilateral basis proposals for fellowships and scientific visits, interregional and regional training courses and seminars, international conferences, symposia, technical committee meetings, advisory group meetings and expert groups on the issues of safe use of nuclear energy and ionising radiation and the safe management or radioactive waste and spent nuclear fuel;

6. organizes and participates in the preparation of the national reports on the implementation of the obligations ensuing from the Convention on Nuclear Safety and the Joint Convention on Safety in Management of Spent Nuclear Fuel and Safety in Management of Radioactive Waste, as well as in the obligations ensuing from the bilateral agreements;

7. (amm. OJ No. 63/2007) prepares, summarizes and takes part in the presentation before the President of the Republic of Bulgaria, the National Assembly, the Commission on Foreign Policy to the National Assembly, the Council of Ministers and the Ministry of Foreign Affairs statements and information related to the activities lying within the competencies of the Chairman of the Agency pursuant to the ASUNE in fulfillment of the international treaties in the nuclear field on which the Republic of Bulgaria is a party, as well as related to the co-operation with the IAEA, the Group of Nuclear Suppliers, the Zannger Committee and other international forums;

8. (amm. OJ No. 63/2007) takes part in the preparation and presentation of the national reports with regard to the competencies of the Chairman of the Agency before international forums, related to the fulfillment of international treaties in the nuclear field to which the Republic of

Bulgaria is a party, as well as in the fulfillment of the obligations of the Republic of Bulgaria in the field of international export control regimes for non-proliferation of nuclear weapons;

9. renders assistance for holding of international activities in the Republic of Bulgaria in the field of the safe use of nuclear energy and ionising radiation and the safe management of radioactive waste and spent nuclear fuel;

10. (suppl. OJ No. 46/2005) co-ordinates the co-operation between the Republic of Bulgaria and the IAEA on the issues of technical co-operation in the field of the safe use of nuclear energy and ionising radiation and in the safety in the management of radioactive waste and spent nuclear fuel, through an Agency expert attached to the Permanent Mission of the Republic of Bulgaria to the UN, OSCE and to other international organizations in Vienna;

11. organizes and carries out the protocol activity related to visits of foreign delegations and officials to the Agency and prepares the relevant documents for business trips of the Agency personnel;

12. (amm. OJ No. 46/2005; No. 63/2007) maintains the IAEA International Nuclear Information System and co-ordinates the activities related to this system at a national level; participates in the process on nuclear knowledge management through collection, storage and international exchange of information in the field of nuclear science and technology and ensures access to this information; takes part through its representatives in events held under these topics;

13. organizes and takes part in the activity on management of programs and projects for assistance of the Agency, financed through the technical co-operation;

14. (amm. OJ No. 63/2007) organizes and coordinates the work of related to the implementation of the obligations of the Nuclear Regulatory Agency ensuing from the accession of the Republic of Bulgaria to the European Union in the field of the safe use of nuclear energy and ionizing radiation and in the management of RAW and spent fuel and proposes to the Chairman the candidatures of members of the Agency for participation in the activities of the relevant working groups, committees and institutions of the European communities;

15. (amm. OJ No. 63/2007) co-ordinates and prepares independently or jointly with other departments analysis, statements, reports, information and reviews on all matters, ensuing from the membership of the Republic of Bulgaria in the European Union in the fields pertaining to the competencies of the Chairman of the NRA pursuant to the ASUNE; submits proposals for approximation of the legislative basis; takes part through its representatives in the working groups on European issues at national level and maintains operative links at expert level with representatives of the institutions leading the relevant working groups and with the Permanent mission of the Republic of Bulgaria in Brussels;

16. (amm. OJ No. 63/2007) co-ordinates and develops independently or jointly with other departments the official position of the Agency related to the issues of the European Union;

17. keeps the international correspondence, prepares and co-ordinates the plans for international activity of the Agency.

18. (new. OJ No. 63/2007) maintains and refreshes the internet web page of the Agency;

19. (amm. OJ No. 63/2007) organizes the implementation of the public appearances of the Agency Chairman or of delegated by him executive officials of the Agency, maintains connections with the administrative units for information and public relations of the National Assembly, Council of Ministers and other centralized bodies of the executive power and with non governmental organizations as well as with the divisions of public relations of the international organizations.

Section V Inspector on the control of nuclear safety and radiation protection

Art. 19. (1) The Inspector on the control of nuclear safety and radiation protection is an official of the Agency administration, who works under a contract of employment and/or a civil-service relationship and is authorized by an order of the Chairman of the Agency to carry out control in accordance with the Act on the Safe Use of Nuclear Energy and according to the determined in this Rules of Procedure functions of the unit in which he/she is appointed.

(2) Eligibility for appointment to the office of an inspector on the control of nuclear safety and radiation protection shall be granted to an official of the specialized administration of the Agency who:

1. shall be a Bulgarian citizen
2. shall be of full legal age
3. shall not be under legal disqualification
4. shall not have been sentenced to a term of imprisonment for an offence of general character;
5. shall not be deprived under relevant procedure from the right to occupy a specific position;
6. shall not be a sole trader, shareholder, member, managing director, managerial agent, consultant or member of a management body or supervisory body of a company or an organisation performing activities under the Act on the safe use of nuclear energy;
7. (repealed. OJ No. 63/2007);

(3) The Chairman of the Agency may delegate authorities for an inspector on the control to other official of the Agency who:

1. (amm. OJ No. 63/2007) cover the requirements pursuant to par.2 items 1-6;
2. has working experience for not less than five years in the field of state regulation of the safe use of nuclear energy, ionising radiation, and the safe management of radioactive waste and spent nuclear fuel.

(4) The inspector on the control establishes his/her identity by an official identity card or presents credentials on the basis of which he/she is authorised to carry out the inspection.

Chapter IV Organization of the work in the Agency

Section I General provisions

Art. 20. The employees holding managerial positions in accordance with the delineated by this Rules of Procedure functions of the directed by them administrative unit shall:

1. assign specific tasks to the employees in the administrative unit, control the timely and the qualitative implementation of the tasks and account for the activity of the unit;
2. ensure the coordination with the other administrative units on matters of mutual competencies according to the distribution of the activities between them, for each specific case;
3. propose for appointment, promotion in rank, distribution of bonuses, award, enhancement of the qualification, imposition of penalties and releasing of employees from the administrative unit directed by them.

Art. 21. (1) In the course of implementation of their tasks the administrative units of the Agency prepare statements, reports, analyses, programmes, information, proposals for decisions on specific problems and methodology matters, drafts for acts and procedural development for their implementation.

(2) Apart from the state by this Rules of Procedure functions the administrative units in case of necessity implement also other tasks related to their activities.

Art. 22. (1) The civil servants and the persons working under a contract of employment in the administrative units of the Agency carry out their activity according to their job descriptions.

(2) The assignment of tasks to the civil servants and the persons working a contract of employment in the administrative units and the control over their work are carried out by their immediate superiors.

Section II Internal Service Activities

Art. 23. The following bookkeeping is carried out in the General Administration of the Agency:

1. incoming and outgoing registry;
2. register of the created procedural folders;
3. book of the issued penalty acts and the imposed penal acts;
4. book of the prescriptions prepared by the control inspectors and the explanations and objections related to them;
5. book of the imposed enforcement administrative measures;
6. book of the complaints received through administrative or legal order and the procedural folders related to them;
7. archive book for collection of the concluded procedural folders.

Art. 24. (1) The documentation received in the Agency registry including these related to the administrative servicing of the legal entities and the general public, as well as the applications for issuing of permits, licences and individual licences are entered into the incoming register, marking as well their receipt date.

(2) The organization and order of implementation of the internal service activity are established by internal rules for the circulation of documents approved by an order of the Chairman.

Art. 25. (1) The Agency keeps public registers in which the following documents issued by the Chairman of the Agency are entered:

1. licences and permits, as well as their amendment, renewal, suspension and revoking;
2. individual licences for work in nuclear facilities and with sources of ionising radiation, as well as their revoking.

(2) The circumstances which are subject to entry in the registers pursuant to Par. 1 and the order for their entry are determined by the regulation pursuant to Art. 26, Par. 1 of the Act on the Safe Use of Nuclear Energy.

(3) To each register pursuant to Par. 1 is kept an archive that contains the documents for all issued permits, licences or individual licences. The documents are kept in the archive at least five years after the expiration of the term of validity of the permit, respectively the licence and the individual licence, as far as nothing else is envisaged in the Law.

(4) The Agency keeps a central register of nuclear material. The method for keeping this register and regime for work with it are determined by the Chairman of the Agency.

(5) The registers are kept in electronic form and on a hard copy.

Section III Working time

Art. 26. (1) (former text of art 26 – OJ No. 46/2005) The working time for the personnel of the Agency in a 5-day working week is from 9:00 am until 5:30 pm with a 30 minutes lunch break

between 12am and 1 pm.

(2) (new. OJ No. 46/2005) The distribution of the working hours of the employees carrying out specific tasks related to the management in case of crises and with the emergency planning and preparedness is determined by the Agency Chairman.

Art. 27. (1) (former text of art 27 – OJ No. 63/2007) The visiting hours of the Chairman, the Deputy-Chairmen, the Executive Secretary, as well as the units which carry out administrative services to legal entities and the general public are announced on specially designated for this purpose places in the premises of the Agency.

(2) (new. OJ No. 63/2007) The visiting hours for hearing out citizens and representatives of organizations with regard to proposals and reports are announced on a easily accessible place in the premises of the Agency.

Section IV Employees

Art. 28. (1) (former text of art 28 – OJ No. 46/2005) In the organizational structure and the administrative units of the Agency work persons on civil service contracts and under contracts of employment.

(2) (new. OJ No. 46/2005) The employees working in the Agency are obliged not to divulgate circumstances and facts which have become their knowledge during or in the course of implementation of their official duties, with the exception of the cases when it has been stipulated by the law.

Art. 29. (1) For the implementation of certain tasks related to the Agency activity the Chairman of the Agency may hire external assistants as experts.

(2) The rights and obligations of the persons pursuant to Par. 1 are determined by the concluded with them contract by the Chairman of the Agency.

Art. 30. (In force as of 01.07.2002) (1) (amm. OJ No. 63/2007, in force as of 1.01.2008) 15 per cent of the means collected pursuant to Art. 11 Par. 1 item 1 of the Act on the Safe Use of Nuclear Energy are used for financial bonuses for the employees of the Agency in accordance with Art. 11 Par. 2 item 4 of the same Act.

(2) The additional financial bonus of the employees is carried out quarterly.

(3) The specific amount of the sum for additional financial bonus for each employee is determined by the Chairman of the Agency with relation to the personal input of this employee towards the implementation of essential to the Agency activities, related to the application of the Act on the Safe Use of Nuclear Energy and by order established by the internal rules for distribution of salaries in the Agency.

(4) (amm. OJ No. 46/2005) The individual amount of the additional financial bonus of the Deputy-Chairmen of the Agency is determined as twice the average additional financial bonus for one managerial position in the specialized administration of the Agency for the relevant period. The individual amount of the additional financial bonus of the Chairman of the Agency is determined to the amount of 5 per cent of the funds accumulated pursuant to Par. 1 for the relevant period, but not less than 120 per cent of the determined amount of the Deputy-Chairmen.

Art. 31. (1) (amm. OJ No. 46/2005) For exemplary execution of their official duties the employees in the Agency can be awarded by monetary or material bonuses.

(2) (amm. OJ No. 46/2005) The awarding of the employees is done by a decision of the Chairman of the Agency, the amount of the monetary or material bonuses cannot surpass the amount of the basic salary of the civil servant.

(3) The financial means for the awards are derived from the Agency budget.

Final Provisions

§1. (1) The provision pursuant to Art. 30 enters into force as of 01.07.2002 and the provision pursuant to Art. 3 Par. 4 enters into force as of 01.01.2003.

(2) Until the entering into force of the provision pursuant to Art. 3 par. 4 the Chairman of the Agency is a secondary distributor of budgetary credits under the Council of Ministers budget.

§2. This Rules of Procedure is adopted on the basis of §3 of the Transitional and Final Provisions of the Act on the Safe Use of Nuclear Energy and in relation to Art. 8 Par. 3 of Act on the Safe Use of Nuclear Energy and Art. 11 of the Law on Administration.

Final Provisions

to CM Decree No.206 of 27 September 2005 for adoption of the Rules of Procedure of the Ministry of Economy and Energy

(OJ No. 78/2005 in force as of 1.10.2005)

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§3 Wherever the expressions “minister of energy and energy resources”, “Ministry of Energy and Energy Resources”, should be replaced with respectively “Minister of Economy and Energy” and “Ministry of Economy and Energy” in the following legislative acts:

.....

9. Rules of Procedure of the Nuclear Regulatory Agency, adopted by a CM decree No. 199/2002 (promulgated OJ No. 86/2002; amm. And suppl. No. 46/2005)

.....

§24 The Minister of Finance should carry out the necessary corrections in the budgets of the relevant administrations with relation to the establishment of the Ministry of Economy and Energy.

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Final provision

to CM Decree No. 176 of 25 July 2007 for amendment and supplementation of the Rules of Procedure of the Nuclear Regulatory Agency.

(OJ No. 63/2007 in force as of 3.08.2007)

§14 The decree enters into force as of the day of its promulgation in Official Journal with the exception of §12 which shall enter into force as of 1 January 2008.

Appendix to Art. 10 Par. 2

Amended and supplemented – OJ No. 46/2005

OJ – No. 48/2006, In force as of 1.05 2006

Amm. OJ-No. 63/2007, In force as of 3.08.2007

**Number of Personnel in the organizational structures and administrative units of the
Nuclear Regulatory Agency - 114 positions**

Chairman	1
Deputy Chairmen	2
Executive Secretary	1
Financial inspector	1
Internal Auditor	1
Officer on security of information	1
General Administration	18
Inclusive:	
Department of Administrative, Legal, Financial and Economical Services	18
Specialized Administration	89
Inclusive:	
General Department of Regulation of safety at Nuclear Facilities	32
Inclusive:	
Territorial Unit for Control on Nuclear Safety and Radiation Protection of Kozloduy NPP in Kozloduy	6
Department of Safety Analyses, Assessment and Research and Development	22
Department of Radiation Protection and Emergency Preparedness	24
Department of International Co-operation	11