



Národná kriminálna agentúra (NAKA)
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February 24th 2022

GLOBAL 2000 Report to Národná kriminálna agentúra regarding Úrad jadrového dozoru Slovenskej republiky (ÚJD) failure to act at supervising and Slovenské elektrárne (SE) as permit holder failure to comply with Act č. 541/2004 Z. z. at the Mochovce Nuclear Project Unit 3 and 4

Dear mjr. JUDr. Martin Juhás,

we would like to bring to your attention the failure to act by the Slovak nuclear regulator Úrad jadrového dozoru Slovenskej republiky (ÚJD) on several safety-relevant issues that it was informed about during the ongoing Mochovce Nuclear Project Units 3 and 4.

As documented in the sources and statements cited below, ÚJD failed to act on several safety-relevant issues and, despite this, issued a Draft Commissioning Decision No “ /2022 P” for Mochovce Unit 3, published 25th January 2022, that upholds the decision No. 156/2021 of 13th May 2021 in the administrative procedure¹.

At the same time, the permit holder Slovenské elektrárne (SE) failed to comply with Zákon o mierovom využívaní jadrovej energie (atómový zákon) a o zmene a doplnení niektorých zákonov (Act č. 541/2004 Z. z.).²

Section III Article 73 Aircraft crash protection

The Draft Commissioning Decision in Article 73 lists under “3.4.” on page 83 the condition:

“Implement, in cooperation with the supervisory authorities, the recommendations set out in the Opinion of the Commission of the European Communities pursuant to Art. 43 of the Euratom Treaty [K(2008)3560 of 15 July 2008]. To this end, the Commission recommends that the investor, in close cooperation with the national authorities:

- in line with international best practice, develop a reference scenario involving a deterministic effect from an external source (eg a small aircraft crash),

¹ www.ujd.gov.sk/mo34-podklady-pre-vydanie-druhostupnového-rozhodnutia-3-blok-zverejnenie/

In the following, we refer to the unofficial English working translation.

² www.epi.sk/zz/2004-541#cl-l

- on this basis, within the design basis of the proposed investment, evaluate and apply appropriate additional elements, functional potential and management strategies to withstand possible deterministic effects from an external source (eg collision of a small aircraft with malicious intent), so as to bring the project into in line with existing best practice.“

And following, under Section “a) Small aircraft impact” on page 83 that

“Slovenské elektrárne, a.s., **implemented technical measures** against an external event (small aircraft impact) in accordance with the requirements of the Final Opinion (Final Opinion, document No: 395/2010 - 3.4 / hp of 28 April 2010). These technical measures are supplemented by a precisely defined activity of the emergency response organization in Mochovce in the area of protection. This fact is stated in the ÚJD SR Decision no. 156/2021 on p. 24 and 25 as follows: “Slovenské elektrárne, 83/133a.s., submitted the relevant documents to ÚJD SR, the contents of which are classified. UJD SR issued Decision no. 290/2010 of 16 August 2010, **which permitted the construction of protective barriers.**” [emphasis added]

According to information obtained by GLOBAL 2000 and photographic documents³, several parts of the technical measures (protective barriers) were not implemented at the time of issuing the decision No. 156/2021 of 13th May 2021 and were still not in place in September 2021.

ÚJD issued decision No. 156/2021, permitting the commissioning of a nuclear installation pursuant to Section 5 par. 3 (b) of the Atomic Act despite the fact that the technical measures (protective barriers) were not in place and thus the recommendations set out in the Opinion of the Commission of the European Communities pursuant to Art. 43 of the Euratom Treaty [K(2008)3560 of 15 July 2008] were not implemented. This is a serious failure to supervise and should be investigated by Národná kriminálna agentúra.

Slovenské elektrárne failed to implement several technical measures against an external event (small aircraft impact) in accordance with the requirements of the Final Opinion (Final Opinion, document No: 395/2010 - 3.4 / hp of 28 April 2010). This is a breach of Act č. 541/2004 Z. z. as the permit holder failed to ensure physical protection (§10 1 a)) and to comply with the documentation assessed or approved by the Authority (§10 1 b)). This should be investigated by Národná kriminálna agentúra.

³ www.global2000.at/sites/global/files/AKW_Mochvce-3-Infosheet_Flugzeugnetze_und_Korridore.pdf

Section III Article 75 pp on Piping materials/metallurgical components and conformity verification methodology

In the “Opinion of ÚJD SR on the identified exchange of material in components used in the construction of Units 3&4 of the Mochovce NPP on May 4, 2020”, ÚJD states that

“Pri internej pomontážnej kontrole jedným z dodávateľov, zabezpečujúcim montáž komponentov pri výstavbe JE Mochovce 3, 4, bola identifikovaná nezhoda materiálu pri dvoch T-kusoch potrubia DN15 inštalovaných na 4. bloku. Na základe výsledkov následne vykonaného auditu v spoločnosti, ktorá tieto komponenty dodala, sa SE MO34 rozhodli overiť aj zvyšnú časť dodávky tejto spoločnosti.”⁴

This means that a Slovenské elektrárne contractor identified during an internal post-assembly inspection in early 2020 non-compliance of components and that a subsequent audit by the supplier led Slovenské elektrárne to verify the remaining part of the supply by this company.

ÚJD draft decision No “ /2022 P” Article 75 states on page 87 that “ÚJD SR supervised and directed the course of used materials quality verification” in Mochovce 3, 4.

The Nuclear Regulatory Authority of the Czech Republic, Státní Úřad Pro Jadernou Bezpečnost CZ (SÚJB) states in its reply of 3.8.2021 to a GLOBAL 2000 Freedom of Information Request (reference number SÚJB/OS/17794/2021) that SÚJB were aware of non-compliance of pipeline components already in 2018. These non-compliant pipeline components were identify in contractor chain Škoda JS, FEBECRAFT, POWERTEAM.

Furthermore, SÚJB states in its reply of 7.10.2021 to a GLOBAL 2000 Freedom of Information Request (reference number SÚJB/OS/23230/2021) that SÚJB informed the international partner organisations such as the Hungarian Atomic Energy Authority (HAEA) and other regulators at the 26th Annual Meeting of WWER Regulators Forum in June 2019 in Bulgaria about the non-compliance of pipeline components in the contractor chain Škoda JS, FEBECRAFT, POWERTEAM.

This is confirmed by HAEA in its reply of 15.9.2021 to a GLOBAL 2000 Freedom of Information Request (reference number OAH-2021-07194-0002/2021).

SÚJB states in its reply of 3.8.2021 to a GLOBAL 2000 Freedom of Information Request (reference number SÚJB/OS/17794/2021) that SÚJB also informed the Slovak nuclear regulator ÚJD about the non-compliance. Furthermore, SÚJB states in its reply of 8.11.2021 to a GLOBAL 2000 Freedom of Information Request (reference number SÚJB/OS/26182/2021) that SÚJB informed ÚJD about the non-compliance of pipeline components in the contractor chain Škoda JS, FEBECRAFT, POWERTEAM at the bilateral meeting of the nuclear reactor safety experts of the

⁴ www.ujd.gov.sk/wp-content/uploads/2021/09/Stanovisko-UJD-SR-k-identifikovanej-zamene-materialu-u-komponentov-pouzitych-pri-vystavbe-3.-a-4.-bloku-JE-Mochovce.pdf

Czech Republic and the Slovak Republic in Prague on 4.–5.3.2019.

According to SÚJB, ÚJD was informed about the non-compliance of pipeline components in the contractor chain already on 4–5th March 2019.

ÚJD failed to take action on this at the Mochovce 3, 4 building site and only started supervising the inspection of piping components installed in Mochovce 3, 4 in 2020 after a contractor of Slovenské elektrárne discovered non-compliant components during an internal post-assembly inspection.

This is a serious failure to supervise and should be investigated by Národná kriminálna agentúra.

Slovenské elektrárne failed to take thorough and all-encompassing action on the non-compliant metallurgical components already installed in the Mochovce units 3 and 4, as only a small fraction of components was chemically analyzed.

This is a breach of Act č. 541/2004 Z. z. as the permit holder failed to establish and implement management systems in which nuclear safety is given due priority (§10 1 g)).

This should be investigated by Národná kriminálna agentúra.

Yours sincerely

Mag. Agnes Zauner
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