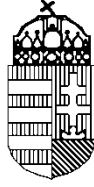


Hungarian Atomic Energy Authority



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Regulatory inspection of nuclear facilities

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PREAMBLE

Act CXVI of 1996 on Atomic Energy (the Atomic Act) establishes the highest level of regulation related to the safety and security of the peaceful use of atomic energy.

Govt. Decree 118/2011. (VII.11.) Korm. together with its Annexes, also known as the Nuclear Safety Code, determines the nuclear safety requirements for nuclear facilities and the related provisions for regulatory proceedings.

All those are obliged to meet the nuclear safety requirements and provisions who shall be under continuous regulatory oversight according to Subsection (2) of Section 9 of the Atomic Act, who pursue activities bound to regulatory license according to the Decree, who contributes to such an activity or who has submitted an application for such a license.

Besides the nuclear safety requirements and provisions, those individual authority requirements, conditions and obligations shall be met, which are determined by the nuclear safety authority in its resolutions regarding nuclear safety.

The Hungarian Atomic Energy Authority (HAEA) is authorized to develop guidance in the form of regulatory guidelines in order to facilitate the compliance with the requirements of the Nuclear Safety Code. These HAEA publishes the guidelines on its website.

Pursuant to Subsection (3) of Section 3 of Govt. Decree 118/2011. (VII.11.) Korm., if the requirements are met in line with regulatory guidelines, then the HAEA considers the applied method of meeting the nuclear safety requirements applicable to demonstrate the compliance and does not examine the adequacy of the applied method.

If methods different from those laid down in the regulatory guidelines are applied, then the authority shall conduct an in-depth examination to determine if the applied method is correct, adequate and full scope, which may entail a longer regulatory procedure, involvement of external experts and extra costs.

The guidelines are revised regularly as specified by the HAEA or out of turn if initiated by a licensee.

The regulations listed are supplemented by the internal regulations of the licensees and other organizations contributing to the use of atomic energy (designers, manufacturers etc.), which shall be developed and maintained according to their quality management systems.

Always make sure if the latest, valid version is considered before using a guideline. All valid guidelines can be downloaded from the website of the HAEA (www.haea.gov.hu).

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1. INTRODUCTION

1.1. Scope and objective of the guideline

This guideline addresses the process, conditions and documentation order of regulatory inspections to be carried out at nuclear facilities in construction, commissioning, decommissioning or operating phase taking into account Section 39 and Sections 87-94 of the Ket (Act on public administration procedures) and Section 22 of Govt. Decree 118/2011. (VII.11.) Korm., furthermore Chapter 1.6. of Nuclear Safety Code Volume 1.

The objective of the guideline is to provide recommendations for the licensee to support the efficient and effective regulatory inspection, and so to ensure the improvement and maintenance of the safety level of the nuclear facility, by clearly stating the regulatory requirements and expectations related to inspection.

The guideline does not contain the specific conditions and detailed criteria of regulatory inspections to be conducted for the particular areas. These recommendations are included in the guidelines issued for the given professional areas and the respective parts of the laws. The guideline does not discuss the procedural rules of inspections related to the regulatory body determined by the laws, but to the extent necessary reveals some elements of it to facilitate the compliant behaviour of the licensee. It does not either discuss the rules for the operation of the internal inspections system of the licensee (see Section 23 of Govt. Decree 118/2011. Korm.) or the respective regulations (NSC Volume 2 Section 2.6.), but the guideline can also aid the establishment of such a system.

1.2. Corresponding laws and regulations

Section 1.6 of the Nuclear Safety Code issued according to Subsection 3 (1) and 22 of the Govt. Decree 118/2011. (VII.11.) Korm. on the nuclear safety requirements for nuclear facilities and the corresponding regulatory activities regulate the nuclear safety regulatory inspection activity.

1.3. Use of the guideline

The guideline discusses the recommendations related to the licensee's activities for the conduct of the inspections according to inspection types included in Section 1.6 of NSC 1.

The general recommendations included in Chapter 3 of this guideline relate to the inspections described in the guideline.

If a recommendation does not relate to all of the Hungarian nuclear facilities then the guideline clearly indicates its effect.

2. DEFINITIONS AND ABBREVIATIONS

2.1. Definitions

This section does not contain the definitions described in Annex 10 of Govt. Decree 118/2011. (VII. 11.) Korm.

Authentic data:

Information compiled and documented in a clear and traceable manner, which makes possible to independently review the deduction and conclusions supported by them.

Such information can be the manufacturer's technical descriptions, inspections' inspection records, analyses etc.

2.2. Abbreviations

HAEA	Hungarian Atomic Energy Authority (hereinafter referred to as Authority)
NSC	Nuclear Safety Code (Annexes to Govt. Decree 118/2011. (VII.11.) Korm.)
Atv	Act CXVI of 1996 on Atomic Energy
Ket	Act CXL of 2004 on general rules of public administration authority procedures and services

3. GENERAL CONCEPTS AND ASPECTS

3.1. The scope of regulatory inspection

Article 22 of Govt. Decree 118/2011. (VII.11.) Korm.

(1) In order to maintain nuclear safety, in each phase of the life cycles of nuclear facilities, at least the following shall be inspected by the nuclear safety authority on a regular, scheduled basis in a manner specified in Annex 1:

a) the nuclear facilities and their systems, structures and components are in compliance with requirements specified in the licences and laws;

b) the design, site survey and assessment, construction, commissioning, operation, modification and termination of the nuclear facility comply with the nuclear safety requirements and the conditions and circumstances supporting the authority licenses and the provisions of the license; furthermore

c) the licensee's management system is in compliance with the requirements specified in the present decree at least in terms of the following:

ca) the relevant documents and instructions are in conformance with the design requirements for the actual condition of the systems, structures and components and they are valid and complied with;

cb) the employees and suppliers employed by the licensee comply with the requirements specified by laws;

cc) the licensee develops and operates a qualification system in compliance with the provisions for the selection of suppliers and the verification of their suitability;

cd) the licensee fulfils its reporting obligation, composes reports having a content compliant with the provisions, and implements corrective measures determined subsequent to the investigation of events relevant to safety;

ce) the licensee identifies the discrepancies and deviations without unjustified delay, then remedies or justifies the permissibility thereof;

cf) the licensee utilises the gathered experience, and forwards the results to the suppliers and the nuclear safety authority;

cg) the internal system of regulations of the licensee is suitable for the regulation of the processes, including the activity of the employed suppliers related to the nuclear power plant unit; and

ch) the licensee manages nuclear safety in accordance with both the legal requirements and internal regulations.

(2) The technical radiation protection inspection and supervision shall extend to

a) those systems, structures and components pertaining to the operation of the nuclear facility, by which the radiation field is generated or from which radioactive materials are released and as a source term represent potential or actual radiation danger to individuals who come into contact with the radiation field; furthermore those systems, structures and components which restrict or mitigate harmful effects

of the source term, as well as those systems and instruments which provide information regarding the radiation condition of the source term or its surrounding area; also

b) activities related to the processing of radioactive wastes.

(3) From the aspects important to nuclear safety, the nuclear safety authority is authorised to inspect the operation of the organisation of the licensee and the suitability of persons (including the employees of suppliers) performing activities affecting nuclear safety.”

„The nuclear safety authority performs inspections, which take account of also special inspection aspects arising from the given lifecycle phase of the nuclear facility. The areas of inspection are determined by the current lifecycle phase of the nuclear facility and the provisions of the effective legislation, whilst the frequency and the extent to which the inspection is detailed, are determined by the safety importance of the given area, and the experience of nuclear safety authority licensing, assessment and inspection.” (NSC 1.6.2.0100.)

Inspection is one of the regulatory instruments for performing supervision. The authority in relation to use of atomic energy may conduct inspections without limitations in time and space, may make statements, but it may determine obligations for the licensee only in the competence specified by law.

3.2. The objective of regulatory inspection

„Ket Section 88. The authority, within its scope of competence, inspects the compliance with the stipulations in the law and fulfilment of executable resolutions”

„Atv Section 12/A. (3) The atomic energy oversight organization performs integrated, exploring and occasional inspections in the frame of regulatory oversight of the nuclear facility, so for the assessment, analysis of the licensee’s activities, for confirming the compliance with the requirements laid down in authority resolutions and laws, and for conducting enforcement procedures. The atomic energy oversight organization shall ensure the continuity of such activities through resident inspectors on-site of the nuclear facility and operation of a duty service.”

The objective of regulatory inspection is to ensure the safe use of atomic energy also via this instrument. During its inspections the HAEA confirms if the organization involved in the inspection performs the given activity according to respective laws, in compliance with the requirements of the NSC, stipulations of regulatory resolutions, regulatory guidelines, respective standards, international or domestic good practices and organizes, executes the activities according to its internal regulations and if the execution of the given activity satisfies the predefined, appropriate criteria. During inspections the regulatory inspector determines the deviations and good practices.

3.3. Process of inspection

“(1) Ket Section 91. (1)The authority shall draw up an inspection plan containing inter alia the subject matter of scheduled inspections, the period inspected, the timetable and means of the inspections, the criteria for inspections and other particulars defined by

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the head of the authority. The inspection plan is not required to indicate permanent inspection functions.

(2) The authority shall prepare an inspection inspection record concerning the implementation of the functions set out in the inspection plan, covering also the regulatory inspections conducted during the inspected period, which are not specified in the inspection plan, and the findings of the inspection before the closure of the next inspection period, containing also the amount of inspections conducted and their results, the types of infringements revealed, and other statistical data specified by the head of the authority.

(3) The authority shall publish the inspection plan and the inspection inspection record on its website and shall post them in the customer area of its offices. The inspection plan shall be made public in a manner and to the extent so as not to jeopardize the outcome of the inspections.”

„Govt. Decree 118/2011. (VII.11.) Korm. Article 22. (9) The nuclear safety authority shall prepare an annual inspection plan. Those concerned shall be informed by the nuclear safety authority of the schedule and content of the planned inspections.”

The HAEA prepares an annual inspection plan to summarize the preliminary scheduled inspections, which is sent to the licensees and published in its website in order that the licensees can prepare for the inspections. The annual inspection plan contains all the data that can be specified at the time of planning of all the inspections that are planned for the given planning period. The data in the plan, however, are only of information purpose, since the work organization of the authority may influence the conduct of the planned inspections. In addition to sending the annual plan, the authority may individually inform the licensee of the particular inspections.

The inspection can be preliminary announced or unannounced (see Sections 4, 5, 6 and 7). The authority inspector at the scene of inspection informs the inspected organization on the scope, purpose and method of inspection as well as the specific criteria, if appropriate. If separately so requested, he/she informs the inspected of those requirements, the compliance with which is to be inspected by the authority inspector during the inspection.

During inspections, the authority inspector, if he/she determines the existence of significant safety risk, endangering of human life or significant risk of equipment damage, in order to avoid that, is authorized to call the inspected to suspend the activity causing these hazards (Atv Subsection 15 (1)). During the inspection the inspector should find and determine facts, collect information and determine good practices and deviations. The determinations should not necessarily focus only on the scope of the inspection. The authority inspector is authorized to determine observations in any topic during the inspection.

Following the inspection, the authority inspector should inform the inspected, via its representative, on the inspection results. The representative of the inspected organization, if he/she so considers, may reveal evidences to the authority inspector in relation to the deviations and good practices found.

Afterwards, the authority inspector informs the representative of the inspected organization about what to include into the records and prepares it.

The records should be signed by all concerned parties (one-one signature both from the authority(ies) and the inspected organization unit(s) might be enough), by which they confirms the authenticity of the record.

According to the agreement(s) of the authorities the HAEA may perform inspections together with co-authorities (at the same scene and time). The guideline on conduction of inspections can be used also in these cases. The conditions of recording (number of copies, person who should prepare), however, may change according to the demands of the authorities taking part in the inspection. The other authorities can be: organizations supervising personal dosimetry, environmental protection, pressure retaining components, building activity, disaster management and fire protection.

„Govt. Decree 118/2011. (VII.11.) Korm. Article 23 The nuclear safety authority inspections shall not exempt the licensee from the obligation to perform its own inspections.”

”The nuclear safety authority inspection activities shall be built on the comprehensive supervision system operated by the licensee, graded according to nuclear safety aspects.” (NSC 1.6.1.0100.)

The licensee shall develop an internal supervision system according to the requirements of NSC Volume 2. By means of the internal supervision system it should ensure that all the activities regarding nuclear safety are implemented at an appropriate quality level, and the implementation of the activity and results of the activity are in compliance with the nuclear safety requirements to the extent possible. The internal supervision system should be multi-level and except for execution of self-checks there should not be such an activity affecting nuclear safety, for which at least one internal independent control is not executed. An important part of the internal supervision system is the operation of the independent supervisory function which, in addition to self-checks and own supervision of the representative of the given area, represents at least the third, in some case the fourth or even fifth supervision level.

Activity can be e.g. operation, maintenance, experimental activity, development of documents (irrespective of being an internal document or e.g. a license application). Internal supervision should be documented. Independence means in this case that the inspection should be conducted by such an employee(s) who is not involved in the inspected activity.

3.4. General characteristics and conditions of inspection

“Ket Section 89 The means of regulatory inspections are:

- a) data disclosure, submission of documents and other forms of information provided for the purposes of inspection;*
- b) site inspections; or*
- c) if permitted by the relevant legislation, inspections conducted by way of remote data transmission from the monitoring system installed at the site or at the authority’s official inspection record and registers, or built into the process.*

„Ket Section 92 In connection with site inspections the provisions of this Act pertaining to assessment visits shall apply.”

The inspection process is described in Sections 4, 5, 6 and 7 of this Guideline. Guidance on assessment visits is included in Section 7.3 of this Guideline.

„Atv Section 12/A (2) The inspection of the nuclear safety authority is not limited in time.”

The nuclear safety authority may conduct inspection on nuclear safety related areas within the nuclear facilities, at licensees of nuclear facilities and their suppliers (hereinafter: subject of regulatory supervision) without time limit.” (NSC 1.6.1.0200.)

By using the rights ensured by law the authority inspector is authorized to inspect the licensees and their suppliers (inspected organizations) by evaluating the information obtained at the scene or in his/her office from documents submitted on request or obtained via other way, e.g. remote data supply (Atv Section 12/A. (1)). The authority inspector is authorized to conduct on-scene inspection within the nuclear facility, in other facilities of the licensee, on the site and in the facilities of suppliers, without limitation of time and duration. The inspected organization should hand over all such information (e.g. document, data) to the authority inspector, which may serve as evidence on the inspected area. The authority inspector is authorized to conduct inspection at any area, but he/she may issue statements only within his/her scope of competence.

The authority inspector should conduct the inspection according to legal requirements, to his/her own inspection plan, procedure and internal regulations.

The inspected organization is authorized to request the authority inspector to certify his/her authorization and to give oral information in relation to the purpose, area, scene, schedule and applied methods of the inspection. Furthermore, if considered as necessary, the inspected organization may request putting this detailed information into the record. If the preparation of inspection conditions is time-consuming, the authority may preliminary inform the inspected organization considering the time demands.

An expert involved in the inspection is a fully authorized person of the authority during the inspection; his/her statements should be recorded in the inspection record.

The inspected organization therefore should provide all those conditions for the expert as for the authority inspector. However, the expert should not perform an inspection alone; he/she should always be accompanied by an authority inspector, who should ensure the compliance of the inspection procedure with the effective regulations.

Conditions to be provided by the inspected organization:

- a) entrance and free movement of the authority inspector within the area concerned by the inspection,
- b) (work and radiation) protection equipment for the authority inspectors as required for the workers at the scene,
- c) appropriate scene for the briefing and debriefing,
- d) effective internal regulations of the inspected organization on paper or on electronic data carrier,
- e) if it is so requested by the authority inspector, a scene and technique (computer, internet, voice recorder) for producing the inspection record,

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- f) parking permit and parking space, as necessary for the authority inspector's car,
- g) copying and printing possibility as necessary for the authority inspector.

„Ket Section 6 (1) In administrative proceedings the clients are required to act in good faith.

(2) Clients may not engage in conduct aimed to mislead the authorities, nor to delay the decision-making process or the enforcement procedure. The good faith of clients in the proceedings shall be presumed, and the burden of proof for bad faith lies with the authorities.”

„Ket Section 51 (1) The client has the right in a procedure to make a statement, or to refuse to make a statement.

(5) The client or his representative may be subject to an administrative penalty if providing any false evidence of substantial weight for the case on hand, in spite of his knowledge otherwise, or if fails to comply with the disclosure requirement prescribed in Subsection (3) for reasons other than those illustrated under Subsection (4), or conceals any information which may be of import concerning the outcome of the case, or provides any false information.”

The authority inspector should not query the statements of the inspected organization, should so evaluate that it reflects the opinion, standpoint and professional preparedness of the represented organization. He/she might collect evidence in order to support the information obtained orally. If the evidence does not support appropriately the obtained information the authority inspector should record this fact and then the authority can consider the necessity and scale of intervention.

„Govt. Decree 118/2011. (VII.11.) Korm. Section 22 (5) In the case of a foreign supplier, the licensee is obliged to provide conditions for the nuclear safety authority inspection.”

„The licensee is obliged to ensure that the nuclear safety authority inspector has unimpeded access to the nuclear facility and the sites of suppliers at all times, furthermore to ensure the free movement of the nuclear safety authority inspector around the buildings and rooms of the nuclear facility or supplier site.” (NSC 1.6.1.0300.)

The inspected organization should not obstruct the entrance of the authority inspector into the area concerned by the inspection. The inspected should provide the conditions (including entrance administration and tools for the inspections like scene for producing the records, computer, measuring instruments) for the inspection. The representative of the inspected organization should assist as appropriate the authority inspector to navigate within the area, provides the tools for the inspection and the inspection conditions. However, the authority inspector should not directly hinder the activities of the inspected organization (except if a law authorizes him/her to do so, e.g. terminate an activity, see Atv. Section 15. (1)). The authority inspector should comply with the internal regulations of the inspected related to work protection, radiation protection and industrial safety. Should this be omitted, the inspected organization can complain at the HAEA.

„The representative of the party subject to regulatory inspection having sufficient professional competency and authorisation – including the representative of the

licensee in case of a nuclear safety authority inspection of the suppliers – is obliged to do its best – to cooperate and provide the available information – in order to facilitate a successful inspection.” (NSC 1.6.1.0500.)

The inspected organization should delegate a representative to accompany the authority inspector, who has appropriate knowledge within the area and authorized to make a statement on its behalf. The representative of the inspected organization should be competent from professional and decision making points of view, that is he/she should be able to answer the questions, assist the inspections as appropriate to better use the time available for the inspection.

The representative of the inspected organization should use every effort to assist the work of the authority inspector to ensure that the authority receive a true picture during the inspection about the area inspected, and based on the, as necessary, be able to take the actions, which facilitate the reaching and maintenance of a high level nuclear safety.

„ The representative of the nuclear facility licensee is obliged to be present at inspections carried out at the facilities of its suppliers” (NSC 1.6.1.0400.)

The representative of the licensee should always participate in those authority inspections, which are conducted at one of its suppliers or potential contractors. The licensee should assume all responsibility for the nuclear facility, since the authority is in regular and direct relation only with the licensees and the licensee knows the details of the contents of the contracts and the activities of the contracted suppliers, and the licensee has personal contact with the supplier. Based on all that the presence of the licensee during the inspection at the supplier is also an interest of the licensee, furthermore by means of its assistance the time needed for the inspection can be reduced and it also facilitates the flawless execution of the inspection.

„Ket Section 90. (1) *Data disclosure obligations prescribed by the relevant legislation may be periodic or regular, and routine inspections may be prescribed as well.*

(2) *As regards the obligation of notification relating to the opening of control procedures and pertaining to site inspections, the rules laid down by the relevant legislation may differ if the authority conducts control procedures at a client on a regular basis.”*

„Atv Section 12/A (1) *Inspection of nuclear safety related data shall take place through systems installed at the location of the facility or at the atomic energy oversight organization, or also through remote data supply from a monitoring system installed in the process.”*

„Govt. Decree 118/2011. (VII.11.) Korm. Article 22 (6) *The nuclear safety authority employs direct and continuous remote data to supervise the nuclear power plant through instruments installed at the nuclear safety authority from:*

a) databases; and

b) monitoring systems installed within technology processes.

(7) *The data obtained through remote data supply may be used for analysis and assessment of the safety conditions within the framework of the supervisory activity. Based on the data obtained through remote data supply the nuclear safety authority may initiate announced or unannounced inspection.*

The authority also performs inspections through remote data supply based on the authorization of the above law. The licensee, as far as it can, should ensure the remote data connection and data amount for the authority as required by the authority (access to its internal network), in agreed format and conditions.

The authority by means of inspections carried out through remote data supply need not notify separately the licensee. If the inspection reveals a deviation then the authority might request further information from the licensee to support its decision on the necessity of an authority procedure, or to perform additional inspection(s) according to Sections 6 and 7 or to call the inspected organization to take action.

3.5. Witness

„Ket Section 53 (1) Any fact that pertains to the case may be verified by witness testimony.

(2) The person summoned to testify must appear for the interview and shall provide a testimony subject to the exceptions set out in Paragraph b) of Subsection (3) and in Subsections (4) and (6).

(3) A person may not be required to testify:

- a) who is unlikely to produce any admissible evidence;*
- b) who was not released from the obligation of confidentiality concerning any privileged information.*

(4) Testimony may be refused if:

- a) the witness is a relative of any of the clients;*
- b) it would implicate the witness himself or his relative in some criminal activity.*

(7) An administrative penalty may be imposed if the person summoned to testify fails to comply with the obligation described in Subsection (2) in spite of being advised concerning the legal implications.

Section 5. (1) Before the interview the witness's identity shall have to be established. The witness shall declare his relationship with the clients, and whether or not he is biased. If there is any proof indicating that the witness is biased, it shall be recorded in a report. The witness shall be advised of his rights and obligations, and of the legal consequences of perjury.

(2) A witness not yet interviewed may not be present at the interview of the client, another witness or an expert.”

The authority, in its practice, usually does not apply a witness in its inspection procedure to clarify the circumstances. However, during an exploring inspection in relation to and authority investigation, assessment of events, the authority can request any such person to be a witness who were not in direct connection with the event during its occurrence and evolution (at most he/she was involved in the management of its consequences), but he/she owes appropriate information to support the authority in clarifying the circumstances and make a substantiated decision.

3.6. Qualification of an inspection

The success of inspection can be interpreted in different manners. In general: the inspection is successful if it is completed and documented. Regarding the licensee, the greatest success is if the authority inspector has not revealed any deviation. Besides these the following can be taken into account. An inspection is successful if:

- a) the authority inspector and the inspected organization fully reviewed all details of the designated topic,
- b) the deviations revealed are clearly identified, the reasons of deviations are known or can be clearly determined after the post-inspection evaluation,
- c) the inspection record is accepted by all parties and this is certified by their signature, thus the record reflects the opinion of all concerned parties,
- d) the corrective actions proposed by the inspected organization regarding the deviations can be determined.

The inspector qualifies the activity, document checked during the inspection in the inspection record. The qualification means that he/she clearly states in the record whether or not a deviation (non-compliance) has been found. If a deviation (non-compliance) has been found, then the actions which the inspected organization wants to perform in consequence of the inspection should also be specified clearly and should be included in the record.

Some of the inspections might have clear “*success criteria*”, the meeting of which can be checked by the inspector and the result of that should be recorded. Examples for this latter case:

- An operational activity implemented according to a test programme (e.g. manuals, testing, operating instructions) developed by the licensee, which is successful if the conditions, success criteria specified in the testing programme, relevant regulations or authority requirements are fully met.
- Regarding an acceptance at the manufacturer, if the product and its operation are in compliance with the parameters, quality requirements laid down in the design under the conditions specified also by the design. The former deviations have been fully eliminated or it has been confirmed that the product performs the designed function and fully satisfies the properties necessary for that determined in the design.

3.7. Documentation of inspection

„Ket Section 93 (1) The authority shall hand over a copy of the record made on the regulatory inspection to the client at the site, or shall send it within ten days of the date of conclusion of the inspection.

(2) In the application of Paragraph b) of Subsection (1) of Section 94, the authority may inform the client present concerning the opening of ex officio proceedings, and disclose the information specified in Subsection (5) of Section 29 at its disposal, and may deliver its decision at the site.

(3) Where the authority finds no infringement during the regulatory inspection, a simplified record shall suffice in place of a record, a copy of which shall be provided to

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the client - upon request - on site, or shall be sent to the client within ten days of the time of conclusion of the inspection.

(5) If the decision is based solely on the findings contained in the record, the authority may forego sending to the client a copy of the record made on the regulatory inspection.

Section 94 *(1) If the authority reaches the conclusion upon the regulatory inspection that the client has violated any provisions of the relevant legislation or its decision:*

- a) and the infringement of the provisions of the relevant legislation or the authority's decision can be remedied by abolishing the unlawful conduct or by restoring operations within the framework of the law, the authority shall apprise the client of the infringement and shall adopt a ruling to order the client to cease such actions within the prescribed time limit of not less than twenty days, or suffer the legal implications indicated;*
- b) if the required result was not achieved inside the new time limit referred to in Paragraph a), or if Paragraph a) cannot be applied, the authority shall ex officio open the proceedings conferred under its competence, and shall take the procedural steps falling within its competence and establish the ensuing legal consequences;*
- c) if Paragraph a) and Paragraph b) cannot be applied due to the authority lacking competence or jurisdiction concerning the infringement in question, the authority shall contact the authority vested with powers to take the measures necessary - with the part of the inspection record containing the infringement enclosed -, or shall bring disciplinary, misdemeanor, criminal or civil charges or request other proceedings.*

(2) Paragraph a) of Subsection (1) shall not apply if:

- a) any infringement of the provisions of the relevant legislation or the authority's decision can be remedied only by opening another regulatory proceedings;*
- b) precluded by the relevant legislation - showing the infringement and the statutory provision underlying the sanction applicable - for the infringement of the law or the authority's decision, or the time limit provided under Paragraph a) of Subsection (1) represents a direct threat to or is likely to jeopardize human life, bodily integrity, national security or national defence, property, the safety of transportation systems, the environment or the sustainable balance of nature, compliance with the obligation of contribution to public revenues, the financial interest of the European Union or the fundamental right of any third person;*
- c) the authority has already imposed any sanction upon the same client inside a period of two years if the required result was not achieved within the new time limit referred to in Paragraph a) of Subsection (1);*
- d) the authority has taken the course referred to in Paragraph a) of Subsection (1) inside a period of two years vis-à-vis the same client concerning the infringement of the same statutory provision or resolution;*
- e) the case is handled by an autonomous government body or an autonomous regulatory agency;*

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- f) *the infringement concerns a statutory provision under Paragraph b) of Subsection (2) of Section 13;*
- g) *the infringement of the statutory provision laying down the obligation of data disclosure or notification is established by the proceedings under Paragraph d) or e) of Subsection (2) of Section 13; or*
- h) *the client failed to satisfy the obligation of notification for registration in the official public register, as prescribed by law.”*

„Atv Section 12/A (4) Commencement, conduct and termination of inspection of a nuclear facility and the request of documents shall be recorded. The requested documents shall be stored by the atomic energy oversight organization after the completion of assessment and analysis activities corresponding to the case”

„Govt. Decree 118/2011. (VII.11.) Korm. Article 22 (8) During nuclear safety authority inspections, the party subject to inspection is obliged to cooperate with the nuclear safety authority and facilitate the effectiveness of the inspection, to make available its own inspection results and documents to the nuclear safety authority.”

„The nuclear safety authority inspector and the representative of the party subject to regulatory inspection shall cooperate throughout the entire duration of the inspection, including the preparation of inspection record.” (NSC 1.6.1.0600.)

The representative of the inspected organization can refuse to make a statement, but he/she shall provide all information during the inspection for the authority inspector (see NSC 1.6.1.0500). The authority inspector records this behaviour of the client refusing to make a statement, and is authorized to make own conclusions based on the information available instead of the lacking statement. The representative of the inspected organization should have due authorization to sign the inspection record and to comment its statements. The inspected organization, via its representative, should provide all such information for the authority inspector, based on which an appropriately detailed picture can be obtained of the inspected topic, of its nuclear safety (including the deviations, non-compliances) and, as necessary, adequate corrective actions can be determined. If the representative of the inspected organization would not serve sufficient and appropriate information for the authority inspector, this should be recorded by the authority inspector, and the authority may launch further authority procedure in order to completely perform the inspection (see NSC 1.6.1.0900.).

„The completed inspection record shall be signed by the authority inspector and the representative of the party subject to inspection, and in case of inspections performed at the suppliers, the representative of the licensee.” (NSC 1.6.1.0700.)

Records should be prepared after all inspections. The record should be prepared by the authority inspector in two copies. One of them will be the copy of the inspected organization while the other remains at the authority. Regarding inspections performed at contractors three copies should be prepared. The number of copies can be increased according to the demands of the parties. The record should be signed by the representative of the inspected organization and the authority inspector, furthermore, as necessary, by the witness(es), interpreter and the record writer.

„ If as a result of the inspection, the nuclear safety authority inspector declares that

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the party subject to regulatory inspection is in a breach of the provisions specified in its own regulation, or in case of suppliers in the internal regulation of the licensee, the nuclear safety authority inspector shall draw the attention of the representative of the party subject to regulatory inspection to this fact in the inspection record, and by the establishment of a deadline call upon the representative – or the representative of the licensee in case of inspections at the suppliers site – to restore the conditions specified for the safe application of atomic energy.” (NSC 1.6.1.0800.)

The authority inspector should record the facts experienced in the inspection topic in the inspection record. The record may contain the facts confirmed, statements made based on the facts, deviations, their evaluation and actions required to manage the deviations. Clear reference should be provided to the pieces of evidence of facts in the record, but it is not necessary to explain them, however they should be attached thereto. If a deviation, non-compliance is determined the problem should be clearly explained. The record should be prepared in such detail allowing an expert skilled in the topic, but not participated in the inspection understands the content.

If the inspected organization does not agree with the statements in the inspection record, this counter-opinion should be included with its due justification. The authority should not specify any actions concerning the deviation with a counter-opinion in the inspection record, but it should evaluate (possibly after further inspections) the information available and relevant in the topic and, if necessary, should order for its management in a resolution. Each record should contain a statement of the inspected that it has become acquainted with the rights and obligations (Ket. Section 5 (1)).

The inspection record prepared on the authority inspection should contain at least:

- a) identifier,
- b) location and time of inspection,
- c) participants of the inspections, marking the represented organization,
- d) scope of the inspection,
- e) purpose of the inspection,
- f) technical data of the inspection (documentation, validity, authorization, input parameters, general conclusions, etc.),
- g) identifier and date of resolution or administrative letter notifying the inspected organization of the inspection,
- h) main steps of the inspection,
- i) list of former statements, possible deficiencies, failures, description of actions taken by the inspected organization,
- j) if an inspection of similar scope has been performed by the authority, and found such deviations which could not be eliminated, the unsuccessful actions and their detailed reasons should be described,
- k) results, determinations and qualification of the inspection:
 - good practice,
 - deviations,

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- recommendations, findings,
- corrective actions proposed by the inspected organization (including deadlines),
- l) declaration of the inspected organization in relation to the conclusions of the authority inspector, or general statements concerning regarding the inspection,
- m) signatures,
- n) list of attachments, documents handed over or reviewed.

Negotiation record (inspection performed in the form of a negotiation):

- a) identifier,
- b) location and time of inspection,
- c) participants of the inspection, marking the represented organization,
- d) scope of the inspection,
- e) purpose of the inspection,
- f) data of the inspection (documentation, validity, authorization, input parameters, general conclusions, etc.),
- g) identifier and date of resolution or administrative letter notifying the inspected organization of the inspection,
- h) summary, essential description of conclusion, opinions, findings, agreements, etc. by marking the party making the statement,
- i) all further information, which has been touched during the negotiation regarding the scope, and might essentially belong to that,
- j) all further information, which is not in connection with the scope, but has been discussed during the negotiation and can be essential for the authority,
- k) signatures.

The representative of the inspected should sign the inspection record, and can make a declaration at the same time about the deviations and the corrective actions determined for them, including the deadlines, but it is also possible to inform the authority about these in a separate submission based on the record regarding the management of the problems revealed.

The inspected organization should report to the authority the implementation of the actions listed in the record or in the submission. This report can be one of the regular reports (see guidelines 1.24, 5.124. and 6.124).

„The representative of the party subject to regulatory inspection – if exceptionally unauthorised or incompetent – is obliged to inform its authorised superior to make decisions and take measures regarding the admonition of the nuclear safety authority. The party subject to regulatory inspection is obliged to fulfil the admonition. In the event of the caution going unheeded, the nuclear safety authority investigates the case, obliges the licensee in an ex officio procedure to restore the conditions specified for the safe application of atomic energy, and may at the same time conduct a verification procedure.” (NSC 1.6.1.0900.)

The inspected organization should develop a procedure to manage the deviations determined in the record, including the internal verification system of coping with the deadlines, the evaluation of results and feedback of the evaluation of results.

4. COMPREHENSIVE INSPECTION

The comprehensive inspection is one of the types of inspections of the nuclear safety authority. It has a preliminary determined programme, based on which inspections take place for several days with predefined topics. The inspections are carried out by several inspectors in several working groups.

4.1. Purpose of the inspection

„A comprehensive inspection is performed on pre-specified areas of the licensee’s activity by the nuclear safety authority. The purpose of the inspection is to examine the operation and interaction of the entire processes.” (NSC 1.6.2.0200.)

„During the comprehensive inspection, the nuclear safety authority shall examine the operation of the nuclear facility, the operability of processes, fulfilment of controlling, supervisory and assessment tasks of the management from one or several complimentary aspects.” (NSC 1.6.2.0300.)

The essential purpose of the inspection is that the authority inspects in the given lifecycle the operability of the processes and operation of the nuclear facility, the harmony of processes of safe operation and the performance of the management tasks in process controlling, review and evaluation areas, the operation of the management system.

(Operation in this case means all processes and activities of the nuclear facility that is relevant for nuclear safety). The inspection aims at not only the determination of particular deficiencies and significant deviations, but also the revelation of less important deficiencies and deviations, the recurrence of which might lead to the degradation of the topic or process in the scope of the inspection.

During the inspection the authority should evaluate the level of safety at all levels of the organization, and the activities meant to maintain and develop the safety level, particularly the activity and commitment of the management in this respect.

During the inspection the authority inspector(s) review the designated areas for the sake of determining if the development and implementation of corrective actions in the fields of Periodic Safety Review (PSR) between two PSRs are taking place with due organization and schedule.

The authority also should review if information appeared in the various licensing basis documents (e.g. PSR, FSAR, other analyses) has changed and if the analyses results and the data available for the authority are in harmony with the situation experienced during the inspection.

4.2. General conditions of the inspection

„The date and areas of inspection are specified in advance by the nuclear safety authority and the licensee is informed in adequate time in order that they have sufficient time to prepare for the comprehensive inspection.” (NSC 1.6.2.0400.)

“During the comprehensive inspection the licensee shall ensure that its authorised representative provides statements concerning the inspection of each area and for the duration of the entire inspection are prepared to undertake the interviews as required, demonstrate documents, and perform site walk-downs.” (NSC 1.6.2.0500.)

The inspected organization in order to provide the successful execution of the inspection should ensure:

- a) A representative to sign the inspection record of the briefing and debriefing of the comprehensive inspection, who as a responsible manager should ensure from the side of the inspected organization that the inspection takes place in a flawless manner.
- b) Delegation of a person tasked with general organization and liaison, who should cooperate with the coordinator of the authority to successfully execute the inspection.
- c) A representative with a right to make statement and involve further experts to assist the working groups of the authority, who is (professionally) competent in the field inspected by the working group and who is authorized to sign the inspection record of the given working group.
- d) Location for briefing and debriefing of the inspection.
- e) Possibility for preparing records by the working groups.

4.3. Determination of target areas of the inspection

During the comprehensive inspections the authority evaluates the management of the nuclear facility, the main processes of operation and respective activities.

It is not possible to inspect a given target area in due depth by a single inspection, thus the topics of the inspection are formed by that parts of the areas, which are designated by the authority based on its own experiences:

- a) experience of evaluation of performance during the preceding years,
- b) inspection experiences of preceding years,
- c) experiences gained during the event investigation of preceding years,
- d) experiences from licensing activities of preceding years,
- e) last inspection time of the target area planned to be inspected (the time since no comprehensive inspection has taken place in the given area).

Consequently, the authority considers with emphasis the major problems occurring in the annual reports, cases occurred or to be revealed during performance evaluation or annual assessment of the events and the problematic areas detected during the authority work (inspection, licensing, R&D, etc.) that could not be fully and actually managed.

In the course of development of its review programme the authority strives for the systematic inspection of data include in the PSR, FSAR or other analyses and for revelation of background information in an appropriate depth.

The authority should take account of such information, processes, which influence the safety performance of the operator, e.g. organizational change, changes in the

management, significant change in the management system, etc.

4.4. Execution of a comprehensive inspection

The main stages of a comprehensive inspection are: preparation, on-scene stage, evaluation, decision, verification. The authority should include the planned time and topic of the on-scene stage of the comprehensive inspection in the annual inspection plan, which should be sent to the licensee in order to prepare them for the inspection. The authority should preliminary inform the licensee of the exact time of the on-scene execution of the inspection and designate at least the coordinator of the inspection, number of working groups and the topics of the inspection.

The licensee should also designate its own coordinator and these two coordinators should coordinate the technical details of the inspection. The coordinators should mutually inform each other about the leaders, contact details and members of the working groups. They should agree on the detailed (hourly) inspection schedule of the working groups (this can also be done during the briefing). The coordinator of the authority inspection should specify the inspection conditions and the tools demanded for the successful execution of the inspection. The licensee should provide the necessary conditions and tools.

The on-scene stage of the inspection starts with the briefing meeting, in which not only the inspection plan, but the inspection methods should also be reviewed by the parties. During the briefing, the members of the inspection group and the representative of the inspected organization participate in the briefing and the leader of the inspection should chair the briefing. He/she should take care of the preparation of the record of the briefing inspection, which should be signed together with the representative of the licensee after coordination. The partners of the sub-topics, the inspection schedule of the working groups and the time of the debriefing should be finalized during this briefing.

During the on-scene stage of the inspection, when a certain working phase ends (this can be a working day as well), the working groups should prepare a record. This means that the inspection records should be prepared per working groups. The authority should prepare the final record according to Section.7.

After the on-scene stage of the comprehensive inspection a debriefing should be organized, where the authority inspectors leading the groups describe their experiences based on the records prepared and signed: good practices, deficiencies and deviations. They preliminary evaluate the inspected topic and the state of the given process. Following this the inspection record of the debriefing meeting should be prepared and signed.

„An assessment shall be made with regard to the experience of the inspection and forwarded to the licensee by the nuclear safety authority. Based on the observations of the nuclear safety authority assessment the licensee shall develop and execute an action plan. The nuclear safety authority shall be informed regarding the performance of tasks within the framework of regular reports.” (NSC 1.6.2.0600.)

It is an organic part of the inspection that the authority should summarize its opinion based on the background documentation, findings and evaluation on the inspected area or process. This is the evaluation stage of the inspection. As the result of the inspection the authority should prepare an evaluation report, in which it describes the standpoint of

the HAEA developed about the inspected area. The authority in the report should evaluate the given area or process from the aspect of compliance with the relevant regulations, requirements laid down in the NSC, authority resolutions, regulatory guidelines, respective standards, the international and domestic good practice and with the internal regulation of the licensee.

The authority should examine how the activities aimed to maintain and develop the safety level are performed at various levels of the organization.

The authority should identify the signs or lack of signs of commitment to safety, with special attention to the work and safety commitment of the facility management.

The authority should evaluate how effectively the licensee recognizes the deviations from the designed state (PSR, FSAR etc.) and how effectively it can determine and implement corrective actions.

The evaluation should contain the general regulatory consideration of the inspected area, the good practices, positive issues, which meant to maintain, increase the level of safety and the licensee can apply them to successfully eliminate the existing deficiencies. It should describe also the problems and deviations revealed during the inspections.

The authority should send the inspection report to the licensee with the stipulation that the licensee should develop an action plan for the elimination of the deficiencies determined or should comment the evaluation and send these to the authority.

The authority should process the licensee's comments and action plan and should order in a resolution for the implementation of the actions relevant for the area with respective deadlines. The authority should pay attention to the fulfilment of the resolution and, if necessary, should conduct post-inspections according to Section 6.

5. REVEALING INSPECTION

5.1. Purpose and general conditions of the inspection

„Should the nuclear safety authority experience find deviation from the provisions in connection with a part process, activity and event or from a good practice, the nuclear safety authority performs revealing inspections. Such inspections may be performed regarding event investigation.” (NSC 1.6.2.0700.)

The purpose of a revealing inspection is to reveal problems experienced during the authority activity, to obtain the information necessary to eliminate the deviations and to conclude an informed decision. The purpose of the inspection is then to reveal the problems of safe operation of the nuclear facility, those areas, part processes, activities, where problem might emerge. The authority during the selection of the particular areas therefore should consider the regular reports of the inspected organization, the authority licensing, and inspection and evaluation experiences.

The authority inspector should evaluate at each level of the organization the activities meant to maintain and develop the safety level, especially the management's commitment to safety.

During the inspection the authority inspector(s) may review the designated part processes, activities or the circumstances, consequences of occurrence of events to

reveal the deviations, by the management of which the quality of the part process and activity can be improved and the recurrence and occurrence of similar events can be avoided.

During the authority investigation of events the authority can perform revealing inspection. In this case those concerned in the occurrence and response to the consequences of the event and their responsible managers should be heard. The inspection should be followed by an evaluation which should be terminated by a resolution. The authority resolution should be based on the investigation of the event and the results of the authority inspection and evaluation.

5.2. Conduct of revealing inspection

„The nuclear safety authority shall determine the date and areas of inspection in advance and inform the party subject to regulatory control regarding these details in adequate time in order that sufficient time is available for the preparation of the revealing inspection.“ (NSC 1.6.2.0800.)

„ In order to successfully execute the inspection, the party subject to regulatory control shall appoint and authorise a representative with the right to provide statements regarding the given topics.“ (NSC 1.6.2.0900.)

The planned time and area of revealing inspections that can be planned should be included in the annual inspection plan (a revealing inspection in an event investigation cannot be planned in advance). Accurate time of the inspection should be preliminary communicated to the licensee together with the inspection area, possibly determining the necessary conditions and tools demanded.

At the commencement of the on-scene stage the authority inspector should specify the schedule, scenes and inspection methods. He/she should also inform the inspected of the purpose and the possible consequences depending on the results of the inspection. The representative of the inspected organization should inform the authority inspector of the experts intended to be involved in the procedure. If this is necessary for the flawless conduct of the inspection, the authority inspector might request the involvement of further experts or other colleagues who are able to give accurate and comprehensive answer to the questions.

During the inspection the authority develops an opinion based on the background materials, findings and evaluation on the inspected area. The inspection should not be restricted to particular deficiencies and significant deviations, but should cover less important deficiencies and deviations too.

Besides the conditions described in Section 3.4, in order to successfully conduct the inspection the inspected organization should provide as follows:

- Delegation and continuous presence of a representative authorized to make statements and sign the record, who should ensure the flawless conduct of the inspection from the side of the inspected, and who should be authorized to involve further, professionally competent experts who should be also authorized to make statements.
- If necessary, possibility for the authority inspector to prepare the inspection record.

„ The party subject to regulatory control shall develop and execute an action plan based on the inspection inspection record. The licensee shall inform the nuclear safety authority regarding the performance of tasks in the form of regular reports.” (NSC 1.6.2.1000.)

After the revealing inspection the authority inspector(s) should prepare the record according to Section 3.7. and coordinate it with the representatives of the inspected organization.

The authority inspector should describe the facts and revealed deviations in the record.

The inspected organization should evaluate the deviations included in the inspection record and should develop an action plan based on the evaluation, which it should send to the authority within one month of the completion of the inspection record. The authority should evaluate the action plan and decide on any further authority actions related to the determinations of the revealing inspection. The licensee should report on the progress of the implementation of the action plan in regular reports. If the authority, based on the evaluation of the report or a post-inspection reveals further deviations and requires the inspected organization to implement further action, it should do it in a separate inspection or procedure.

6. AD-HOC INSPECTION

6.1. Purpose of inspection

„ The nuclear safety authority shall perform ad hoc inspections in order to examine specific decrees conditions, actions, deviations, information, states or locations. Ad hoc inspections may be announced in advance or may take place unannounced.” (NSC 1.6.2.1100.)

The purpose of an ad-hoc inspection is to inspect one element of the processes, activities of the given lifecycle phase of the facility that the authority can obtain such information which may serve as an initiator of an authority procedure or to conduct such a random inspection by the means of which it can confirm that even the routine operations are in compliance with the requirements laid down in the laws, authority resolutions, standards and the licensee’s internal regulations. The authority therefore should build on daily information in the selection of the specific topic of the inspection such as operational tests, in-service inspection implementation plans, reactor start-up schedules and execution schedules of modifications.

6.2. Conduct of an ad-hoc inspection

The planned time and topic of the inspection, if it is possible, should be included in the annual inspection plan of the authority. Regarding the nuclear power plant, in the scheduling of planned tests and inservice inspections the representative of the licensee should inform the authority according to the separately determined manner (see Section 6.4) of the time of execution.

At the start of the inspection the authority inspector finalize the schedule, scenes and methods of the inspection. It informs the inspected organization on the purpose of inspection and the potential consequences depending on the inspection results. The representative of the inspected organization informs the authority inspector on the

experts wanted to be involved in the inspection. At the request of the authority inspector further experts can be involved to ensure the flawless conduct of the inspection.

„ The party subject to regulatory inspection shall take actions according to the inspection record, and the licensee shall report to the nuclear safety authority regarding the performance of tasks within the frame of regular reports.” (NSC 1.6.2.1400.)

After the inspection completed the authority inspector should prepare an inspection record according to Section 3.7. and coordinates it with the representative of the inspected organization.

The authority inspector should include all deviations, deficiencies in the inspection record prepared about the inspection as well as the significant facts, information related to the inspected activity.

The authority inspector should document all important element of the inspection. Accordingly, if the inspected activities can be considered based on unambiguous criteria the authority inspector should include the partially or totally unsuccessful activities even if at the time of finishing the inspection (inspected activity) the success criteria are met (e.g. an operational test).

The authority should evaluate the facts determined in the inspection record and consider the further management of the revealed deviations.

6.3. Inspection areas

“During the operation of nuclear facilities, the nuclear safety authority shall examine at least the following in addition to the specifications in paragraph (1) of article 22:

- a) *operation*
- b) *operation management,*
- c) *activities intended to maintain the technical condition of systems and system components, such as maintenance and ensuring the efficiency thereof, ageing management, environmental qualification of equipment and the maintenance of the qualified condition,*
- d) *management and usage of nuclear fuel,*
- e) *selection and supervision of suppliers,*
- f) *design,*
- g) *procurement and manufacturing,*
- h) *alterations,*
- i) *provision of spare parts, communication, general order,*
- j) *operation of training system,*
- k) *nuclear safety regulatory licensing examination of employees,*
- l) *management and independent reviews,*
- m) *fulfilment of conditions and provisions specified in nuclear safety decrees,*

- n) *operational activities performed within the framework of periodic safety reviews, and*
- o) *periodic inspection of pressurised equipment and pipelines subject to nuclear safety authority supervision performed by the inspectorate as specified in clause 1.9.1.0700 with the contribution of the operator as required and the documentation thereof.*” (NSC 1.6.2.1900.)

The authority inspector during the organization of an ad-hoc inspection should first of all inspect the compliance with the requirements of the NSC.

6.4. Announcement of the inspection

„In case of inspections announced in advance, the nuclear safety authority, based on a program or plan indicates the activity, action or location which it intends to inspect. Following this, the party subject to regulatory control is obliged to notify the nuclear safety authority in advance – a minimum of 24 hours prior – of the expected commencement time of the activity.” (NSC 1.6.2.1200.)

The inspection is announced if the authority informs the inspected organization in advance about the time of the inspection, so the inspection is adjusted to a predetermined programme, plan or activity. If the authority carries out an announced inspection, it should inform the inspected organization. It should at least specify the time of the inspection and the area(s) of inspection. The authority does not preliminary informs the inspected organization about the inspection if it conducts an unannounced inspection (see Section 7).

For lack of other prescription the representative of the NPP should record in the inspection log at the Paks Site Inspectorate of the HAEA those activities (e.g. ÜKTEP, BLTEP) that are carried out by the NPP in a planned manner and designated by the authority for inspection and preliminary specified in an inspection record or other resolution, letter. The recording should take place at least 24 hours before the commencement of the activity and it should be reported electronically in parallel. The record should contain the identifier of the inspection record, resolution or letter notifying of the inspection and the accurate, but concise description of the activity, the time of commencement and a certifying signature.

7. UNANNOUNCED INSPECTION

According to **Govt. Decree 118/2011. (VII.11) Korm. Article 22** (4) *„The nuclear safety authority is entitled to perform inspections announced in advance or, if necessary in order to achieve their goal, unannounced inspections at the licensee and its suppliers. An unannounced inspection shall be declared to the authorised representative of the licensee on the scene by the representative of the nuclear safety authority, who shall immediately start the inspection following the development of the execution conditions of the inspection.”*

The unannounced inspection is a type of ad-hoc inspections by the authority, about which the licensee is not preliminary informed, and which aims at a given, particular activity of the inspected or its examination. The authority occasionally uses this type of inspection method in such cases when it can be assumed that the announcement of the

inspection would significantly influence the quality and quantity of data, information, experience that can be collected.

7.1. Purpose of inspection

The purpose of the inspection is that the authority can review, evaluate particular activities or implementation of daily tasks under real circumstances at the nuclear facility or at the site of the contractors. Its additional purpose is to obtain such authority experience when the inspected does not pay extraordinary attention to the implementation of the activities to reduce the number of comments during the authority inspection.

7.2. Process and documentation of the inspection

„In case of previously unannounced inspections, at the beginning of the inspection, the nuclear safety authority inspector shall notify an employee of the party subject to authority inspection, appointed according to its internal regulation, of the fact of the inspection. The appointed employee is obliged to arrange a representative who has authorisation to provide statements and take inspection record in the areas of concern.” (NSC 1.6.2.1300.)

At the start of the inspection the authority inspector should inform the competent, operative manager of the inspected organization staying at the site at the time of inspection (in case of NPP the shift engineer) about the fact and area of the inspection, and then he/she promptly commences the inspection. During the inspection the representative(s) of the inspected organization may join the authority inspector or may request a briefing on the experiences after the completion of the inspection.

Other processes and documentation arrangements relevant for this type of inspection are discussed in Section 6.

7.3. Inspection (walkdown)

The authority inspector should conduct a walkdown of the (target) areas of the nuclear facility designated for inspection in order to confirm the appropriate level of nuclear safety and safety culture.

„Ket Section 56 (1) Where ascertaining the relevant facts of a case requires the inspection or surveillance of any movable property, real estate property (hereinafter referred to collectively as “subject-matter of the inspection”), or a person, the authority may order an inspection.

(2) Inspections may be conducted by the authority’s officers, an expert appointed by the authority, or another person duly authorized by the relevant legislation, where they are required to verify their authorization, with the exception set out in Subsection (3) of Section 57. The person conducting the inspection may be required by law to produce a letter of authorization before commencing the inspection.

(3) An act or government decree may provide for the special authority competent in the case to provide its assessment within the framework of an on-site inspection. The authority shall inform the special authority concerning the time of the on-site inspection

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at least fifteen days in advance, by forwarding the request for a special authority assessment.

(4) In the case referred to in Subsection (3) above, the provisions of Paragraph d) of Subsection (3) of Section 33 and Subsection (8) of Section 33 shall not apply.

Section 57 (1) *Subject to the exceptions set out in Subsections (2) and (3), the holder of the subject-matter of the inspection and the person mentioned in Subsection (1) of Section 56 (hereinafter referred to collectively as “holder of the subject-matter of the inspection”) shall be notified in advance of the assessment visit. Where deemed necessary for the purposes of the assessment visit, the notice shall contain instructions ordering the holder of the subject-matter of the inspection to attend in person, and to have the necessary documents prepared. The notice - unless the circumstances suggest otherwise - shall be delivered to the holder of the subject-matter of the inspection at least five days in advance.*

(2) Where the advance notice is likely to jeopardize the success of the inspection, the holder of the subject-matter of the inspection shall be informed concerning the inspection at the beginning of the inspection.

(3) Where the provision of information prior to the inspection is likely to jeopardize the outcome of the procedure, the authority shall hand over or send a copy of the inspection report to the holder of the subject-matter of the inspection at the time when it is completed, or immediately thereafter. The information is not required if the inspection can be carried out in the absence of the holder of the subject-matter of the inspection, by way of external survey.

The authority with or without advance announcement is authorized to conduct an inspection (hereinafter referred to as walkdown) inside the nuclear facility or on sites attached to that, furthermore on the sites of the contractors to inspect the organization of operation, compliance with the nuclear safety requirements and level of general safety culture, with special attention to the maintenance and modification activities.

Section 57/A (2) *(2) In the case of a life-threatening or potentially devastating situation, furthermore, for reasons of public security and public order, or for any other important reasons specified by law the inspection may be carried out without delay.*

(3) In the process of carrying out the inspection, the holder of the subject-matter of the inspection can be ordered to produce the subject-matter of the inspection and to admit the client into the premises, of which the owner shall be notified at the same time.

(4) In the course of the inspection the person delegated to conduct the inspection may - without exceeding his jurisdiction - enter any area, building or premises as is required to carry out the inspection, may inspect any document, object and work processes as pertaining to the subject-matter of the inspection, request information from the holder of the subject-matter of the inspection or any other person in the premises inspected, and make video and sound recordings of the site and of the inspected objects and processes, take samples and may collect other evidence.

(5) Where the inspection is carried out through any means of information technology, upon verification of authorization to carry out the inspection, the holder of the subject-matter of the inspection shall provide access for the authority to the information

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specified by the relevant legislation, also to personal data where authorized by an act, by making available the required technical means and access information.

(6) The holder of the subject-matter of the inspection containing any classified information may not be ordered to present it, if he was not released from the obligation of confidentiality relating to the article in question.

Section 57/B *(1) In justified cases, if deemed necessary for the successful and safe conduct of the inspection, the authority may ask for police assistance.*

(3) Any person who obstructs the inspection in any way shall be subject to an administrative penalty.

The following items are the focal points of authority walkdowns:

- ensuring order, cleanliness, foreign material exclusion (in the case of facilities with reactor primarily at open reactor in the vicinity of the reactor),
- condition inspection of insulations and coatings after shutdown and before startup, damages caused by thermal bridges, hot spots, high temperature of coatings,
- inspection of floors, pipelines, ceilings after shutdown to search dripping, leakage,
- inspection of drives, rotating machines, electric engines to search for leakage of lubricants and coolants,
- inspection of operation and adequacy of systems installed for maintenance (venting, lighting, etc..),
- inspection of existence and acquaintance of ongoing maintenance requirements (technologies, maintenance instructions, etc.),
- search for conspicuous failures and condition degradations (corrosion, damage, break, stamp down of small diameter pipe, etc.),
- inspection of circulation and management of instructions prescribing maintenance execution (e.g. in Work Instructions in NPP) including contractor's activity.

The authority inspector should perform walkdowns in predefined areas. The authority inspector records the experiences of walkdowns in an inspection record. The inspection record can be used as a basis for launching an authority procedure. The preparation process of the inspection record is the same as described in Section 6.2.