

Licence No: FANR/NF/2016/001

Licence for the Transportation of Unirradiated Nuclear Fuel

Capitalized terms used but not defined herein shall have the meaning ascribed to them in Article (1) of Federal Law by Decree No. 6 of 2009 Concerning the Peaceful Uses of Nuclear Energy (the Law). Any reference herein to Schedule means a reference to a Schedule of this Licence.

Under the powers provided in Articles (6) and (28) of the Law, and having considered that the proposed activities of Emirates Nuclear Energy Corporation comply with the relevant Safety objectives, principles and requirements of the Law, the Board of Management of the Federal Authority for Nuclear Regulation (the **Authority**) has approved the issuance of a licence (**Licence**) for the transportation of unirradiated nuclear fuel within the State to the Barakah Nuclear Power Plant facility (the **Nuclear Facility**) to:

Emirates Nuclear Energy Corporation (the Licensee)

being a corporation established by Abu Dhabi Law No. 21 of 2009.

This Licence authorizes the Licensee to conduct the following Regulated Activities set forth in Article (25) of the Law:

Transportation of any Regulated Material within the State

The activities authorized by this Licence are further specified in Schedule 1. The Licence conditions are set forth in Schedule 2. A description of the transportation activities and structures, systems, and components used for transportation are set forth in the application documents referenced in Schedule 3 (the **Application Documents**).

This Licence shall remain in force until:

- it is suspended or revoked by the Authority;
- it is amended or renewed by the Authority;
- it is surrendered by the Licensee; or
- the Authority issues a licence for the operation of any reactor unit in the Nuclear Facility covered by this Licence, at which time this Licence shall:
 - terminate with respect to the reactor unit(s) in the Nuclear Facility for which an operating licence has been issued by the Authority; and
 - remain in force with respect to any reactor unit in the Nuclear Facility that is not covered by the licence for operation in (d)(i) above.



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Licence No: FANR/NF/2016/001

Licence for the Transportation of Unirradiated Nuclear Fuel

Page 1 of 7

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This Licence is granted without prejudice to any future decision by the Authority regarding the suitability and specifications of the operation of the Nuclear Facility or its structures, systems and components (SSCs) including the nuclear fuel.


Christer Viktorsson
Director General



Issued in Abu Dhabi
December 15, 2016

The Licence comprises this page, the preceding page and the following Schedules:

1. Schedule 1: (1 page) Activities Authorized;
2. Schedule 2: (3 pages) Licence Conditions;
3. Schedule 3: (1 page) Application Documents References

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Licence for the Transportation of Unirradiated Nuclear Fuel

Page 2 of 7

Schedule 1

Activities Authorised

1. This Licence authorizes transportation of unirradiated nuclear fuel from the point of entry into the State to the Nuclear Facility as described in the Application Documents (Emirate of Abu Dhabi, United Arab Emirates) but not including removal of nuclear fuel from transportation containers.
2. The Licensee is required to obtain additional licences and/or authorizations from the Authority for:
 - a. Import of any Nuclear Material;
 - b. Radioactive Material Package Design approval for the shipping cask;
 - c. Undertaking any other Regulated Activity.
3. The Licensee shall obtain all necessary licences, permits and authorizations from other government agencies for conducting any activities authorized by the Authority under this Licence.



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Licence No: FANR/NF/2016/001

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Licence for the Transportation of Unirradiated Nuclear Fuel

Page 2 of 7

Schedule 2

Licence Conditions

This Licence is subject to, and the Licensee shall comply with, the conditions specified and incorporated below:

1. **Compliance with the Law, regulations, Licence and the Licensee's submissions:** The Licensee shall conduct the activities authorized by this Licence in accordance with:
 - a) The Law;
 - b) Federal Law by Decree No. 4 of 2012 Concerning Civil Liability for Nuclear Damage;
 - c) The applicable regulations issued by the Authority pursuant to the Law;
 - d) The terms and conditions of this Licence;
 - e) The most recent version of the Transport Security Plan submitted by the Licensee and approved by the Authority; and
 - f) The documents referenced in and/or submitted with the Licensee's application for this Licence and the additional information submitted by the Licensee (the Application Documents, Schedule 3).
2. **Transfer of Licence:** This Licence or any right hereunder shall not be transferred, assigned, or in any manner disposed of, either voluntarily or involuntarily, directly or indirectly, through transfer of control of this Licence or the Licensee to any person.
3. **Modifications:** The Licensee shall obtain the written approval of the Authority prior to implementing modifications to any of the following which may result in significant Safety, Security, safeguards, or nuclear damage liability implications:
 - a) any Management System and organizational arrangements;
 - b) the SSCs of the Nuclear Facility; or
 - c) any of the Applications Documents submitted by the Licensee.
4. **Plan of activities:** The Licensee shall provide the Authority, within 30 days of the grant of this Licence, with schedules and timelines of the principal activities to be undertaken under the general authority of the Licence. The Licensee shall update this information as may be deemed necessary by the Authority.
5. **Regular Reporting:**
 - a. The Licensee shall notify the Authority in writing at least three (3) business days before the proposed date and time of transport, and receive confirmation of receipt of the notification from the Authority before such transport.
 - b. The Licensee shall provide to the Authority, within 15 days of an unirradiated nuclear fuel receipt, a report on the Regulated Activities carried out under this Licence.
 - c. The Licensee shall annually provide to the Authority information on availability of financial security in the amount and to the extent determined by the Federal Law by Decree No. 4 of 2012 Concerning Civil Liability for Nuclear Damage.



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Licence for the Transportation of Unirradiated Nuclear Fuel

6. Reporting of unplanned events:

a) The Licensee shall notify the Authority of:

- i. Any Accident or event during the transport having the potential to affect Safety, Nuclear Security or Safeguards;
- ii. Any Nuclear Security Event "in which there is reason to believe that a person has committed or caused, or attempted to commit or cause, or has made a credible threat to commit or cause an unauthorized removal of nuclear material";
- iii. Any nuclear incident, of any claim concerning nuclear third party liability earnestly made, or filed before a law court, against the Licensee, and of any payment effected by the Licensee in fulfilment of a compensation claim under the Federal Law by Decree No. 4 of 2012 Concerning Civil Liability for Nuclear Damage.

b) The Licensee shall:

- i. Notify the Authority within 4 hours of its finding of each Accident or event in Licence Condition 6(a)(i) and (ii) above;
- ii. Notify the Authority within 72 hours of its finding of each reportable incident in Licence Condition 6(a)(iii) above;
- iii. Submit to the Authority a written report within 30 days. The report shall include a description of the reportable Accident, event or incident.

7. Access to facilities and documents, and assistance: The Licensee shall provide the Authority and its authorized representatives or inspectors with unfettered access to any place, to any document, record or report or to any person under the Licensee's control or the control of any of the Licensee's affiliates, contractors, subcontractors, suppliers, agents or other legal entities acting on behalf of the Licensee, and shall provide all assistance necessary to enable the Authority to inspect the licensed Regulated Activities in accordance with the provisions of the Law including, without limitation, Articles (5), (35) and (36).

8. Records: The Licensee shall develop, maintain and implement arrangements for making and retaining adequate and detailed records of compliance with the conditions and requirements of this Licence. The Licensee shall retain all the foregoing records until the Nuclear Facility has been decommissioned.

9. Fulfilment of commitments: The Licensee shall comply with the commitments made in the Application Documents. Amendments to the commitments made in the Application Documents shall be subject to the approval of the Authority.

10. Approval of Unit Specific Transport Security Plan: The Licensee shall provide to the Authority Transport Security Plan for each reactor unit and shall obtain the prior written approval of the Authority before the transport of the shipment.

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Licence No: FANR/NF/2016/001

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Licence for the Transportation of Unirradiated Nuclear Fuel

Page 5 of 7





United Arab Emirates



11. Other Licence Conditions relating to liability for nuclear damage: In case a nuclear incident has occurred and caused nuclear damage, the Licensee shall report to the Authority within 30 day that financial security in the amount and to the extent determined by the Federal Law by Decree No. 4 of 2012 Concerning Civil Liability for Nuclear Damage exists to cover the amounts of compensation to be paid for nuclear damage and to provide for payments to cover interests and cost.



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Licence No: FANR/NF/2016/001

Federal Authority for Nuclear Regulation
Licence for the Transportation of Unirradiated Nuclear Fuel

Page 6 of 7



Schedule 3

Application Documents References

Letter ENA-FANR-15-0726L, 31 December, 2015, including Enclosure 1 entitled, 'New Fuel Description and Concept of Transport Operations' and Enclosure 2, entitled Unit 1 Transport Security Plan: 5 Shipments

Letter ENA-FANR-16-0312L, 29 March 2016, Barakah Nuclear Power Plan Units 1 and 2 – ENEC Response to FANR Requests for Additional Information (RAIs) Regarding the Transport Security Plan and Submittal of Revision 1 to the Transport Security Plan

Letter ENA-FANR-16-0338L, 19 April 2016, "Nuclear Civil Liability and Insurance: Request for Information"

Letter ENA-FANR-16-0458L, 26 May 2016, Barakah Nuclear Power Plan Units 1 and 2 – Response to Request for Additional Information – ENEC submission of the Revision 1 of the Transport Security Plan of Nuclear Fuel for Barakah NPP

Letter ENA-FANR-16-0572L, 14 July 2016, Nuclear Civil Liability and Insurance: Request for Information on the Barakah Unit 1 License Applications Related to Nuclear Liability Insurances

Letter ENA-FANR-16-0763L, 6 October 2016, "Nuclear Civil Liability and Insurance: Request for Information on the Barakah Unit 1 License Applications Related to Nuclear Liability Insurances"

Letter ENA-FANR-16-0779L, 19 October 2016, "Barakah Nuclear Power Plant Units 1 and 2 - ENEC Response to FANR Requests for Additional Information (RAIs) Regarding the Transport Security Plan and Submittal of Revision 1 to the Transport Security Plan"

Letter ENA-FANR-16-0789L, 8 November 2016, "Barakah Nuclear Power Plant Units 1 and 2 - Response to FANR Requests for Additional Information (RAIs) Regarding the Transport Security Plan FANR-TSP Rev. 2-RAI1 and FANR-TSP Rev. 2-RAI2"

Letter LRA-FANR-LTR-16-0042, 23 November 2016, "Nuclear Civil Liability and Insurance: Request for Information on the Barakah Unit 1 License Applications Related to Nuclear Liability Insurances"

Letter LRA-FANR-LTR-16-0051, 29 November 2016, "Response to FANR's Mark-ups of the Draft Insurance Policies for Nuclear Third Party Liability Insurance"

Letter ENA-FANR-16-0388L, 28 April 2016, "Barakah NPP Unit 1 – License Application for Transportation of Unirradiated Nuclear Fuel – Responses to BNPP TRAN RAI 0.0-001 and BNPP TRAN RAI 0.0-002"

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Federal Authority for Nuclear Regulation
Licence for the Transportation of Unirradiated Nuclear Fuel

Page 7 of 7