

This is an unofficial translation of the text.

The translation is prepared based on Govt. Decree No. 167/2010 (V. 11.) Korm. being effective as of Sept. 05, 2014

**Govt. Decree 167/2010. (V. 11.) Korm.**  
**on national nuclear emergency preparedness and response**

The Government pursuant to the empowerment provided in Item *e*) of Section 67 of the Act CXVI of 1996 on atomic energy, in relation to Subsection (1) of Section 3 in Item *a*) of Section 51 of Act LXXIV of 1999 on direction, organization of defence against disasters and protection against severe accidents with hazardous materials, in relation to Subsections (2)-(4) of Section 3, Sections 4-6, Sections 8-11 and Section 14 in Item *b*) of Section 51 of Act LXXIV of 1999 on direction, organization of defence against disasters and protection against severe accidents with hazardous materials, in relation to Section 7 in Item *k*) of Section 51 of Act LXXIV of 1999 on direction, organization of defence against disasters and protection against severe accidents with hazardous materials and in relation to Sections 12-13 in Item *c*) of Section 51 of Act LXXIV of 1999 on direction, organization of defence against disasters and protection against severe accidents with hazardous materials, proceeding in the scope of tasks provided in Item *b*) of Subsection (1) of Section 35 of the Constitution orders as follows:

**1. General provisions**

**Section 1**

(1) The national nuclear emergency response system (hereinafter referred to as: NERS) takes care of preparation to respond to radiological and nuclear events occurring during the peaceful use of atomic energy, to mitigate and eliminate the consequences of events occurred. The NERS is the totality of central, ministerial, territorial and local level organizations and bodies concerned in the prevention, mitigation of consequences and elimination of event causing unplanned radiation exposure to the public, which are listed in Annex 1.

(2) The NERS shall operate in normal or, in different cases, in higher operation level, which can be readiness, emergency and recovery operation state.

(3) The normal state shall ensure the preparation for the events causing unplanned radiation exposure to the public and their anticipated consequences, and for the introduction of readiness or emergency operation state.

(4) The readiness operation state is the sum of radiation protection activities applied in events not exceeding the emergency threshold and public information tasks, if

*a)* direct radioactive release is imminent due to an abnormal event in a domestic nuclear or other facility applying or storing radioactive material,

*b)* an abnormal event or nuclear accident occurs in a foreign nuclear facility within 300 km of the Hungarian borders that cause radioactive release, or the risk of such a release exists,

*c)* accidental return of a space object carrying a nuclear energy source which may affect the territory of Hungary,

*d)* the environmental radiation at the monitoring stations reach the alert level of the National Radiation Monitoring System (hereinafter referred to as: NRMS) defined in Annex 2,

*e)* any other events occur unfavourably influencing safety, which might entail increase of the environmental radiation exposure.

(5) In emergency operation state protective actions are necessary for the population to decrease the risk of an event causing unplanned radiation exposure to the public.

(6) The recovery operation state is the sum of activities meant to ensure the transition from emergency operation state to normal operation state following the implementation of consequence management actions in response to an event able to cause unplanned radiation exposure.

## **Section 2**

(1) Tasks of the NERS in normal operation state:

*a)* continuous observation of the national radiation situation, collection, verification, analysis and warning of radiological data (hereinafter together referred to as: monitoring),

*b)* operation and maintenance of the NERS alerting system,

- c) maintenance of the nuclear emergency response plan in an up-to-date state,
- d) preparation and exercising of the public and the organizations involved in nuclear emergency response,
- e) ensuring of financial and technical conditions to perform nuclear emergency response tasks.

(2) Tasks of the NERS in readiness operation state:

- a) execution of the tasks in items *b)* and *e)* of Subsection (1),
- b) increased monitoring determined in the rules of operation of NRMS,
- c) prediction of unplanned radiation exposure of the public,
- d) credible and timely information of the public of the event occurred and of the national radiological situation,
- e) preparation for commencement of the emergency operation.

(3) Tasks of the NERS in emergency operation state:

- a) execution of the tasks in items *b)* and *e)* of Subsection (1), and items *b)-d)* of Subsection (2),
- b) assessment, mitigation and elimination of consequences from accident or malevolent action during commissioning, operation or termination of operation of domestic nuclear facilities, facilities applying or storing radioactive materials that cause nuclear emergency,
- c) assessment, mitigation and elimination of consequences from accident or malevolent action during transport, freight of radioactive or nuclear materials that cause nuclear emergency,
- d) forecast of radiological consequences from nuclear accidents or events causing radiation risk occurring outside of the country and in the space that generate a situation in Hungary, and the determination and execution of tasks originating from it.

(4) Tasks of the NERS in recovery operation state:

- a) execution of the tasks in items *b)* and *e)* of Subsection (1), and items *b)-d)* of Subsection (2),
- b) information and scientific and technical support of the organizations participating in the response according to Annex 1 and others concerned in response to disasters.

## ***2. Tasks and obligations of central organizations of the NERS***

### **Section 3**

(1) Tasks corresponding to the direction of NERS shall be performed by the governmental coordination body tasked with the disaster management related decision support of the Government and coordination of ministerial tasks related to protection (hereinafter referred to as: governmental coordination body).

(2) Detailed criteria and conditions of changing the operation state of NERS, in harmony with the conditions determined in Subsection (1), the rules of operation of the NERS shall be determined by the governmental coordination body in the National Nuclear Emergency Response Plant (hereinafter referred to as NERP) as part of the central national emergency plan.

(3) In order to facilitate the effective cooperation of the organizations participating the operation of the NERS the governmental coordination body issues a technical-scientific document.

(4) The atomic energy oversight organization, with the involvement of the concerned state administration bodies, shall operate a working group to regularly review the NERP and the technical-scientific document.

### **Section 4**

The change of operation state of the NERS shall be order by the minister responsible for defence against disasters. The decision shall be initiated by the head of the atomic energy oversight organization through the head of the central organization of the professional disaster management organization.

### **Section 5**

(1) The declaration of the nuclear emergency situation in consequence of an event unfavourable influencing safety and causing unplanned radiation exposure to the public and its termination shall be initiated by the chair of the governmental coordination body at the Government.

(2) On the initiation of the atomic energy oversight organization the governmental coordination body may, besides taking actions off-site of the nuclear facility, order the application of organizations participating in the operation of the NERS within the site of the affected nuclear facility.

## **Section 6**

(1) Professional tasks of nuclear emergency response to support governmental decision-making shall be performed by the government coordination body.

## **Section 7**

(1) National coordination of execution of tasks for radiation protection of the public shall be performed by the central body of the professional disaster management organization.

(2) Alert and warning of the NERS shall be performed by the central body of the professional disaster management organization.

## **Section 8**

(1) The assessment of the nuclear safety and radiological situation is the task of the user of atomic energy and the atomic energy oversight organization.

(2) Data and information shall be provided for the assessment and decision-support by

- a)* the atomic energy oversight organization,
- b)* central body of the professional disaster management organization,
- c)* Information Centre of the National Environmental Radiological Monitoring System,
- d)* Ministerial Information centre of the Hungarian Army,
- e)* Ministerial Information Centre of the Radiological Monitoring Network of the ministry lead by the minister responsible for supervision of food-chain safety,
- f)* user of atomic energy,
- g)* Hungarian Meteorological Service.

## **Section 9**

(1) The government coordination body in normal operation state shall

*a)* follow the level of preparedness of the nuclear facilities to respond to emergencies and eliminate consequences, and biannually prepares in cooperation with the atomic energy oversight organization and the user of the atomic energy an information material,

- b)* evaluate and on continuous basis specify the nuclear danger of the country,
  - c)* prepare its initiative on the three-years technical-development plan, and point out the main development areas for each year in harmony with the plan according to the preparation of annual budget,
  - d)* elaborate the technical-scientific background of decisions for nuclear emergency response and elimination of consequences,
  - e)* based on the self-assessment of the organization listed in Annex 1, participating in the operation of the NERS regularly overview the preparation of the NERS and propose developments to the nuclear emergency preparedness,
  - f)* take proposal on the training and exercise activity of the nuclear emergency response system.
- (2) In readiness and emergency operation state the government coordination body shall analyze the scientific answers to newly emerging issues and problems.
- (3) In recovery operation state, according to the actual decisions of the Government, the governmental coordination body shall take part in the investigation of the causes of nuclear accidents.

## **Section 10**

- (1) The NRMS shall operate to provide information to the decision-support and decision-making activity of the government coordination body.
- (2) The NRMS shall consist of the organizations operating the NERP designated by the governmental coordination body (hereinafter referred to as: OSJER organizations).
- (3) Coordination of the NRMS operation and direction of its professional activity shall be performed by the minister responsible for defence against disasters.
- (4) The structure and rules of operation of the NRMS shall be approved by the governmental coordination body based on the initiative of the head of the central organization of the professional disaster management organization.
- (5) Tasks of the NRMS:
- a)* monitoring of radiological situation in the country,
  - b)* supporting the alert and notification of the NERS operation state,
  - c)* information of the organizations taking part in the operation of the NERS according to Annex 1,

d) supporting the nuclear emergency response actions from radiation protection aspect meant to maintain the life and working conditions of the public, protect the material goods,

e) if other law does not otherwise order, provision of data on radioactive contamination to meet the international notification obligations based on the measurement data available at the NRMS organizations, measurement locations of the users of atomic energy, and at the Nuclear Emergency Information and Evaluation Centre (a hereinafter referred to as: NEIEC) of the central organization of the professional disaster management organization,

f) in normal operation state, via the NEIEC, supporting the tracking of radiation exposure of the public by means of data from operation of the remote monitoring network,

g) if an alert or warning is received from the remote monitoring network verification of credibility, investigation of trigger cause and reporting on the situation to the heads of the NERS organizations listed in Annex 1,

h) characterization of the national radiation conditions based on the NRMS remote monitoring network data considering the levels determined in Annex 2.

(6) The leading organization of the NRMS shall be the NEIEC, it shall

a) perform the task of national emergency response early warning centre,

b) perform the task of national centre for international radiological monitoring data exchange,

c) contribute to the information of the public in nuclear emergency response,

d) contribute to the supporting of nuclear emergency response decision-making activity of the governmental coordination body,

e) perform prediction of anticipated dispersion pathway of radioactive materials released from an event unfavourably influencing safety, operate the real time online nuclear emergency response decision-support system.

### ***3. Tasks and obligations of the ministerial and territorial organizations and bodies of the NERS***

#### **Section 11**

(1) Coordination and direction of the response to an event affecting the territory of more counties, causing unplanned radiation exposure to the public within a

sector shall be the task of the ministerial organizations participating in the operation of the NERS.

(2) The ministerial organizations participating in the operation of the NERS shall perform the following tasks:

- a)* evaluation of the nuclear danger to the sector,
- b)* determination of nuclear emergency response tasks of the sector that ensures its own operation and supports the protection of the public,
- c)* operation of the special nuclear emergency response organization and a contact point applicable to perform alerting tasks,
- d)* development and continuous maintenance of the own nuclear emergency response plan of the sector in harmony with the NERP provisions,
- e)* depending on items *a)* and *b)* preparation of the organizational units, designated forces and equipment concerned in nuclear emergency response to execute the tasks laid down in the ministerial nuclear emergency response plan,
- f)* coordination of the work of the territorial organizations under the direction of the sector,
- g)* in a higher level operation state execution of tasks laid down in the nuclear emergency response plan as adjusted to the actual situation,
- h)* evaluation of the execution of tasks every year and determination of the tasks of the upcoming year, information of the governmental coordination body via the professional disaster management organization of these,
- i)* information of the governmental coordination body of the use of budget available for nuclear emergency response,
- j)* regular evaluation of the own preparedness and of the organizations under its direction for responding to nuclear emergencies.

## **Section 12**

(1) The execution of the nuclear emergency prevention, preparation and consequence management tasks shall be performed by the county (Capital) defence committee (hereinafter referred to as: county defence committee) under the direction of the central organization participating in the operation of the NERS.

(2) The direction, operation rules of the territorial nuclear emergency response system shall be determined by the county defence committee in its organization and operation rules.

(3) Until the commencement of operation of the operative working group of the governmental coordination body, based on the notification and recommendation received from the facility affected by the emergency or, if the nuclear accident happened in abroad from the atomic energy oversight organization,

*a)* the chair of the county defence committee, after coordination with the disaster management deputy chair of the committee, besides informing the chair of the governmental coordination body,

*b)* the local defence committee, the mayor, after coordination with the head of the territorial organization of the professional disaster management organization besides notifying the county, capital defence committee

within its area of competence, shall order for the execution of the protective actions determined in the county, capital, settlement emergency response plan and decide about actions required to urgently response to the nuclear emergency consequences.

(4) The head of the facility affected by the emergency or the atomic energy oversight organization, simultaneously with the notification issued according to Subsection (3) shall notify the head of the central organization of the professional disaster management organization.

(5) The chair of the county defence committee shall out of turn inform the chair of the governmental coordination body of the decision according to Item *b)* of Subsection (3).

### **Section 13**

The organizations of the county defence committee shall perform the following tasks:

*a)* evaluation of the nuclear danger of the capital and the county and the determination of the concluding tasks,

*b)* designation of forces and tools to use for execution of territorial nuclear emergency response tasks,

*c)* development and maintenance of own territorial nuclear emergency response plan in harmony with the provisions of the NERP,

*c)* operation of the special nuclear emergency response organization and a contact point applicable to perform alerting tasks,

*d)* development and continuous maintenance of the own nuclear emergency response plan of the sector in harmony with the NERP provisions,

e) in normal operation state preparation of the territorial organizations operating according to the territorial nuclear emergency response plan,

f) coordination of the subordinated organizations,

g) execution of nuclear emergency response tasks in nuclear emergency,

h) evaluation of the execution of tasks every year and determination of the tasks of the upcoming year, information of the governmental coordination body via the professional disaster management organization of these,

i) information of the governmental coordination body of the use of budget available for nuclear emergency response,

j) contribution to the provision of personal, organizational and technical conditions for capital and county level public information,

k) regular evaluation of the own preparedness and of the organizations under its direction for responding to nuclear emergencies.

#### ***4. Tasks and obligations of the user of atomic energy***

##### **Section 14**

Tasks and obligations of the nuclear facilities, facilities using radioactive sources for technology, teletherapy, laboratory or calibration purposes, isotope producers and of the radioactive waste repositories obliged to develop a nuclear emergency response plan:

a) analysis of potential of a nuclear emergency and its anticipated consequences with scientific instruments,

b) determination of tasks derived from the analysis and establishment of nuclear emergency response organization, and provision of material-financial conditions for its operation and development,

c) provision of personal, material and organizational conditions for credible and timely public information,

d) inclusion of the tasks from items a)-c) and the conditions related to external assistance into the nuclear emergency response plan,

e) equipment and preparation of the nuclear emergency response organization to execute the tasks laid down in the nuclear emergency response plan,

f) in case of nuclear facilities evaluation of the execution of tasks every year and determination of the tasks of the upcoming year, information of the governmental coordination body via the professional disaster management organization of these,

g) in a higher level operation state ordered following an abnormal event occurred during the activity of the user of atomic energy execution of tasks laid down in the nuclear emergency response plan,

h) in an actual or anticipated nuclear emergency, in a way laid down in the nuclear emergency response plan, prompt notification of the contact points of the central organizations of the NERS, the minister responsible for energy, the territorial and local NERS organizations within the endangered areas of the abnormal event,

i) in the case described in Subsection (3) of Section 12, in an urgent situation, provision of recommendation to the chair of the concerned defence committee about the particular actions to be implemented for the protection of the public,

j) hold press conference in coordination with the professional disaster management organization to credibly and timely inform the public,

k) except for nuclear facility, regular evaluation of the own preparedness of the user of atomic energy for responding to nuclear emergencies.

## **Section 15**

The operation of the NERS shall not influence the nuclear emergency response related responsibilities of the user of atomic energy.

### ***5. Cost planning, provision of services***

## **Section 16**

(1) Material-financial resources to perform the tasks in the normal and higher level operation state of the NERS shall be provided from the central budget, at the respective heading.

(2) The central state administration bodies concerned in nuclear emergency response, based on the decision of the governmental coordination body, according to the planning rules of the annual budget, as separate budget, shall plan the budget support of nuclear emergency preparedness and readiness under their own budget heading.

(3) The nuclear emergency response related task of the county defence committee shall be provided from the central budget provided for supporting the defence administration tasks.

## **Section 17**

Data and information required to prepare for an event causing unplanned radiation exposure to the public, to manage the event and to prepare for these tasks shall be provided free of charge between the organizations participating in the operation of the NERS and listed in Annex 1 in relation to events concerning their scope of tasks and competence.

## **6. Closing provisions**

### **Section 18**

This decree shall enter into force on the 30<sup>th</sup> day following its promulgation.

Annex 1 to Govt. Decree 167/2010. (V. 11.) Korm

#### ***Central, ministerial, territorial and local organizations and bodies participating in the operation of the national nuclear emergency response system***

1. Central organizations
  - 1.1. minister responsible for defence against disasters
  - 1.2. governmental coordination body
  - 1.3. scientific and operative working group of the governmental coordination body
2. Ministerial organizations
  - 2.1. all ministries
  - 2.2. National Public Health and Medical Officer Service
  - 2.3. Hungarian Army
  - 2.4. National Traffic Authority
  - 2.5. atomic energy oversight organization
  - 2.6. Hungarian Ambulance Service
  - 2.7. Hungarian Meteorological Service
  - 2.8. national headquarters of law enforcement organizations and the National Tax and Customs Administration of Hungary
  - 2.9. national water damage response middle direction organization
  - 2.10. national environmental middle direction organization
  - 2.11. Paks Nuclear Power Plant
  - 2.12. Public Limited Company for Radioactive Waste Management
  - 2.13. Hungarian Academy of Science

2.14. Budapest University of Technology and Economics Institute of Nuclear Techniques

2.15. Hungarian Academy of Science Central Physical Research Institute Atomic Energy Research Institute

2.16. Central organization of the Agricultural Administration Office

3. Territorial and local organizations

3.1. county, capital defence committees

3.2. local defence committees

3.3. mayors

3.4. territorial organizations under the direction of ministries, concerned governmental and central offices

3.5. territorial and local organizations of the law enforcement organizations, middle and lower level organizations and investigation organizations of the National Tax and Customs Administration of Hungary.

Annex 2 to 167/2010. (V. 11.) Korm.

**Warning levels of the NRMS remote monitoring network**

	A	B	C	D
1	Warning level		Limit	Comment
2	Level I	warning signal	250 nSv/h	at one monitoring station
3	Level II	alert signal	500 nSv/h	at one monitoring station
4	Level III	increased alert signal	500 nSv/h	at three neighbouring monitoring stations