

IPA 2013

Support to Radiation Protection and Nuclear Safety: 10 - 2013/02

1 IDENTIFICATION

Project Title	Support to Radiation Protection and Nuclear Safety
Cris Decision number	2013/024-216
Project sequence no	10
MIPD Sector Code	6. Environment and Climate Change
ELARG Statistical code	03.64
DAC Sector code	14050
Total cost (VAT excluded)¹	€0.70 million
EU contribution	€0.70 Million
Management mode	Centralised
Delegation in charge	European Union Office in Kosovo [*]
Implementation management	European Union Office in Kosovo
Implementing modality	Service and Supply
Project implementation type	C01
Zone Benefitting from the action	Kosovo

2 RATIONALE

2.1 Summary

Kosovo has limited radiological issues to deal with. It has no nuclear power plant, no nuclear research reactor, neither any isotope production nor any sizable research activities using radionuclides.

Radioisotopes are used by several medical establishments in Kosovo both in the public and the private sector: the main oncology institute in Pristina provides radiotherapy to patients;

¹ The total project cost should be net of VAT and/or of other taxes. Should this not be the case, clearly indicate the amount of VAT and the reasons why it is considered eligible.

^{*} This designation is without prejudice to positions on status, and is in line with UNSCR 1244 and the ICJ Opinion on the Kosovo declaration of independence.

two nuclear medicine facilities (one private and one public) have diagnostic machines and one has both diagnostic and therapeutic machines. Moreover, one diagnostic and therapy facility is operating and an additional facility is expected to be operational in the near future. It should be noted one of these facilities are properly licensed. In Kosovo there are dozens of dental radiology practices with many devices. There are diagnostic and intervention radiology practices in all municipalities.

In 2010 the Agency for Protection from Radiation of Kosovo (APRK) was established by law. The director of APRK was appointed by the Prime Minister with a four-year mandate in July 2011. Additional two people were appointed, and the progress in feeding the Agency with appropriate staff has stalled. In principle, the APRK should progressively recruit additional personnel in order to eventually reach 12 which is considered as an optimal number for Kosovo.

The law on the 'Agency of Kosovo on radiation protection and nuclear safety' was adopted in June 2012, setting this institution within the Prime Minister's Office. This law defines the duties, status and responsibilities of the Agency, as well the drafting and implementation of the strategy and action plan for radiation protection and nuclear safety.

Operational aspects of Waste Management are not delegated to any institution or organisation. There is no policy or decision by the government of Kosovo on the nature and ownership of the operator.

The Law on protection from non-ionized, ionized radiation and nuclear security adopted in March 2010, regulating the compliance with international norms and conventions in the field of non-ionized, ionized radiation and nuclear security needs to be updated in order to meet the EU relevant standards and requirements. The work in upgrading the law has already started through the support of EU TAIEX instrument.

2.2 Link with MIPD and Sector Strategies

Environmental considerations will be duly reflected in all IPA financed activities, in addition to specific actions dedicated to environment, in particular as concerns environmental impact assessments.

MIPD 2011-2013 – “Improving the horizontal institutional capacity required for the implementation and enforcement of European sectoral strategies and policies (agriculture and rural development, food safety, public health, environment, climate change, energy, transport, employment and social development, media, electronic communications, information society, etc.) including mechanisms for the verification of EU compatibility of government policies and draft legislation”.

2.3 Link with Accession Partnership (AP) / European Partnership (EP) / Stabilisation and Association Agreements (SAA) / Annual Progress Report

The EU progress report is specifically critical to the government of Kosovo for the delays in staffing and in providing appropriate resources to the Agency for Protection from Radiation of Kosovo (APRK).

Problem Analysis

Following are the main challenges that are related to the radioactive materials management in Kosovo:

- 1) lack of institutional capacity to implement the relevant legislation;
- 2) lack of adequate policies within the government of Kosovo to tackle the related problems;
- 3) inadequate and uncontrolled disposal/management of radioactive waste in the past and now;
- 4) lack of adequate radioactive waste storage disposal infrastructures;
- 5) lack of technical and operational capacities in management of radioactive materials.

In the past Kosovo had a significant mining and processing industry, where numerous radioactive sources were used; in some cases sources are still used today. This industrial activity has resulted in a relatively sizable amount of spent sources and other radioactive waste (around 50).

In addition, like in all countries of the former Yugoslavia, radioactive lightning rods were installed during 1960's and 1970's on the roofs of factories, public administration and schools, but there is no accurate record on their locations and quantities. It is estimated that in Kosovo, there are at least 120 radioactive lightning rods which need to be removed, conditioned and stored.

Disused sealed radioactive sources are currently located in several spots. None of these facilities complies with international safety standards. Orphan sources constitute an important radiological problem, since some of them have been found in scrap metal over the last few years.

Complementarity of the project

Kosovo needs fulfil its obligations in the area of Radiation Protection and Nuclear Safety defined by the International Atomic Energy Agency (IAEA), and the requirements of the EU acquis that comprises of the Euratom Treaty, the Euratom Council Directives, Euratom Decisions and regulations and international Conventions to which the European Community is a party.

In addition to the provisions of the Euratom Treaty, the eligible IPA countries are obliged to transpose eventually into their national legislation and regulations the EURATOM Treaty and the related Council Directives, i.e.:

Emergency preparedness

- Council Decision 87/600/Euratom of 14 December 1987 on Community arrangements for the early exchange of information in the event of a radiological emergency.

Public information

- Council Directive 89/618/Euratom of 27 November 1989 on informing the general public about health protection measures to be applied and steps to be taken in the event of a radiological emergency.

Occupational exposure

- Council Directive 90/641/Euratom of 4 December 1990 on the operational protection of outside workers exposed to the risk of ionising radiation during their activities in controlled areas.

Transport of radioactive substances

- Council Regulation 93/1493/Euratom of 8 June 1993 on shipments of radioactive substances between Member States;
- Council Directive 2006/117/Euratom of 20 November 2006 on the supervision and control of shipments of radioactive waste and spent fuel.

Basic Safety standards for the members of the public

- Council Directive 96/29/Euratom of 13 May 1996 laying down basic safety standards for the health protection of the general public and workers against the danger of ionising radiation.

Medical exposure

- Council Directive 97/43/Euratom of 30 June 1997 on health protection of individuals against the dangers of ionising radiation in relation to medical exposure.

Radioactive waste management

- Council Directive 2003/122/Euratom of 22 December 2003 on the control of high-activity sealed radioactive sources and orphan sources;
- Council Directive 2011/70/Euratom of 19 July 2011 establishing a Community framework for the responsible and safe management of spent fuel and radioactive waste.

Nuclear safety of nuclear installations

- Council Directive 2009/71/Euratom of 25 June 2009 establishing a Community framework for the nuclear safety of nuclear installations.

2.4 Lessons learned

There is more need to institute formal checks that cross cutting themes are respected in all dimensions of project activities to enhance relevance and impact. Often project implementation is hampered by either insufficient staff and resources or insufficient funds available in the institution budget to allow for appropriate implementation of the mandate. Close consultation among the many stakeholders involved in the project and a collaborative approach are essential to ensure that all these stakeholders are fully informed, and are supportive of the project to be carried out.

2.5 Stakeholders analysis

The final target group is the population of Kosovo, who will benefit from improved safety against radiation. Institutional responsibilities in the management of the radioactive materials are not yet finalised and clearly defined.

Kosovo authorities, as the main beneficiary of this project, shall be responsible to provide all available data and required information for project implementation, ensure proactive participation of the relevant staff in every phase of the project, and shall ensure excellent coordination among involved agencies/institutions and ministries.

3 DESCRIPTION

This project is the follow up of the 2009 IPA-funded project (regulatory assistance) which is expected to assist the APRK in enhancing its technical and administrative capacities and in the establishment of the Technical Service Operator (TSO).

It is expected that the 2009 IPA funded project will provide an inventory of radioactive lightning rods and all other types of sources that should be eventually removed and transported into a safe storage facility.

As no location has been selected yet for the radioactive waste processing and storage facility in Kosovo, considerable delay should be expected for the start of operation of this facility. As a consequence, in order to cope with the risk engendered by the radioactive lightning rods and the orphan sources, those will be removed and stored in the temporary radioactive source storage facility located at the Thermal Power Plant Kosovo A.

The second part of the project consists of the removal of the radioactive lightning rods and orphan sources which engender the highest risk to the population. The rest of the lightning rods and orphan sources will be removed in the second part of the project, to be planned later on.

3.1 Overall objective of the project

To support a continued and sustainable improvement of the radiological safety to meet EU standards, particularly in relation to institutional responsibilities regarding handling, transport and storage of radioactive materials.

3.2 Specific objective(s) of the project

The specific objectives of this project are:

- Enhancement of capacities of the beneficiary institutions to monitor and control the operations related to radioactive waste management including handling, occupational exposure, transport and storage.
- Identification of urgent cases of radioactive materials, threatening the health of the citizens and removal of those to an approved storage facility.

3.3 Results

Expected results of this programme are:

- (a) The Agency for Radiation Protection and Nuclear Safety has sufficient technical competences and legislative tools to provide accreditations and authorisations for the management of radioactive materials, and monitor the daily activities of the selected operators.
- (b) Available assessment report of the safety of the temporary storage (KEK storage facility) for storing the lightning rods and the radioactive sources, including the preparatory work procedures and safety analysis report for the removal of the lightning rods and the sources. Available technical specifications and work description for the removal of radioactive materials and for the construction works needed at the KEK temporary storage facility;
- (c) Safety analyses report about the removal/transport activities and procedures including licences prepared;
- (d) Available specialised vehicle for the transport of radioactive materials;

- (e) Refurbished temporary storage facility and most urgent cases of radioactive materials such as lightning rods removed including their transport, conditioning/packaging and storage.

3.4 Main Activities

- (a) Provision of the technical assistance and on the job training for the enhancement of the technical capacities of the Agency, including the following:
 - Establishment of the criteria for the authorisation and accreditation of companies and organisations to become TSOs as well as the financing rules;
 - Complete the training programme for the Agency personnel;
 - Define the needs for training (curricula) for specific categories of radiation workers;
 - Establish a training facility for the specialists in the field of radiation protection.
- (b) Provision of the technical assistance in the assessment of the safety of the temporary storage (KEK bunker) for storing the lightning rods and the radioactive sources. Preparation of the work procedures and safety analysis report for the removal of the lightning rods and the sources using the inventory of the IPA 2009 regional project. Preparation of the technical specifications for the removal and draft the description for the refurbishment works required at the KEK storage facility.
- (c) Support the Agency in drafting the report describing the removal/transport activities and procedures as well as in drafting the licensing criteria.
- (d) Drafting the technical specification for the specialised vehicle for the transport of radioactive materials.
- (e) Refurbishment of temporary storage facility and removal and transport of the most urgent cases of radioactive materials such as lightning rods, including their conditioning/packaging and storing in the refurbished facility.

3.5 Assessment of project impact, catalytic effect and cross border impact (where applicable)

The project will support institutional development and operational management of the Radioactive Waste in compliance with the EU Directives and principles, through support of the ARPK to develop the basic concepts and staff training and skills to deal with operational issues.

Kosovo does not have nuclear installations, however the issues such as 'emergency preparedness', 'public information', 'occupational exposure', 'transport of radioactive substances', 'basic safety standards for the members of the public', 'medical exposure' and 'radioactive waste management' needs to be dealt by competent institutions and in accordance with the EU requirements and directives.

Regulation and implementation of 'radiation protection' measures will increase safety and health of the population. Development of the responsible institutions in Kosovo will provide

basis for regional cooperation and control of transport and storage of radioactive materials and waste.

3.6 Sustainability

An initial analysis of the risks will be carried out by the Consultant during the inception period. Nevertheless, the following potential risks have been already identified:

- Delay in the provision of appropriate means and resources, including the required number of people for the establishment of the functioning regulatory body;
- Lack of sufficient technical capacities and experience by the beneficiaries, specifically related to the EU relevant directives;
- Lack of sufficient support from the relevant institutions and the central government;
- Limited administrative capacity on management of radioactive materials according to the *acquis* requirements
- Lack of cooperation and denial of access to the proposed temporary storage facility by the KEK.
- Insufficient political will to resolve objections.

The sustainability of the project should be guaranteed some of the relevant issues already specified in the above mentioned project activities. In particular:

3.7 Assumptions and preconditions²

- Political will to deal with radiation protection issues and provision of sufficient technical and human resources;
- The beneficiary institutions are fully involved in the project implementation;
- Dedicated staff by the beneficiaries is present during the project implementation
- Support and commitment from involved stakeholders, professional bodies including KEK representatives

3.8 Budget

Total amount: 0.7 Million €

EU contribution: 0.7 Million €

4 IMPLEMENTATION ISSUES

The project activities will be contracted through one service contract of €0.6 million and one supply contract of €0.1 million.

² Assumptions are external factors that have the potential to influence (or even determine) the success of a project but lie outside the control of the implementation managers. Such factors are sometimes referred to as risks or assumptions but the Commission requires that all risks shall be expressed as assumptions. Preconditions are requirements that must be met before the sector support can start.

4.1 Indicative Project budget (amounts in EUR) (for centralised management)

PROJECT TITLE			SOURCES OF FUNDING									
			TOTAL EXPENDITURE	IPA CONTRIBUTION		BENEFICIARY CONTRIBUTION						PRIVATE CONTRIBUTION
	IB (1)	INV (1)	EUR (a)=(b)+(c)+(d)	EUR (b)	% (2)	Total EUR (c)=(x)+(y)+(z)	% (2)	Central EUR (x)	Regional/Local EUR (y)	IFIs EUR (z)	EUR (d)	% (2)
Activity 1	X		0.7	0.7	100							
1.1 Service	X		0.6	0.6	100							0
1.2 Supply		X	0.1	0.1	100							
TOTAL IB			0.6	0.6	100							
TOTAL INV			0.1	0.1	100							
TOTAL PROJECT			0.7	0.7	100							

NOTE: DO NOT MIX IB AND INV IN THE SAME ACTIVITY ROW. USE SEPARATE ROW

Amounts net of VAT

(1) In the Activity row, use "X" to identify whether IB or INV

(2) Expressed in % of the **Total** Expenditure (column (a))

2.2 Indicative Implementation Schedule (periods broken down by quarter)

Contracts	Start of Tendering/ Call for proposals	Signature of contract	Project Completion
Contract 1.1	Q3 2013	Q1 2014	Q1 2016
Contract 1.2	Q4 2013	Q2 2014	Q3 2015

2.3 Cross cutting issues

2.3.1 Equal Opportunities and non discrimination

Gender equality and equal opportunities principles will be assured in the decision making structures of the projects. Efforts will be made to ensure trainings and events are accessible to all including to disability NGOs as appropriate and translation/interpretation in minority languages will be provided. The inclusion of women will be specifically promoted in all project 2 activities.

2.3.2 Environment and climate change

The projects to be implemented by civil society are expected to increase the awareness of the Kosovo population on this particular issue. For a higher impact and longer term efficiency of the programme, the Contracting Authority will be particularly sensitive to CSOs' projects building partnerships with central or local authorities.

Disaster resilience and risk prevention and management should be integrated in the planning, preparation and implementation of projects.

2.3.3 Minorities and vulnerable groups

Kosovo's Constitutional Framework provides for protection of linguistic rights and the project will, wherever necessary, make use of different community languages.

Throughout project design and implementation specific attention shall be paid to the specific need of Roma, Ashkali and Egyptian communities. Tailored measures / positive actions shall be considered to counteract the high level of discrimination these communities are exposed to.

2.3.4 Civil Society/Stakeholders involvement

Following the feedback and frequent contact and communication with relevant stakeholders such as MCYS and civil society during the implementation of the first phases of the project, it is ensured that their feedback is incorporated during preparation of the second phase of the project.

The MCYS is the key stakeholder, as both culture and youth are within the key responsibilities of this Ministry including the monitoring and quality assurance of the activities implemented in the framework of the Youth Action Plan.

Civil society organisations are key operators of cultural and extra-curricular youth activities in Kosovo, including the services that are part of this project concept. As such they are equally key stakeholder and main beneficiaries in this project. Citizens of Kosovo are the larger stakeholder as the ultimate beneficiaries of the cultural initiatives and activities that are provided both by government and by civil society cultural operators.

Annex 1. Logical framework matrix in standard format – to be completed to the extent possible at the project identification stage

LOGFRAME PLANNING MATRIX FOR Project Fiche		Project title and number :		Support to Radiation Protection and Nuclear Safety in Kosovo
		Contracting period expires 36 months		
		Total budget	0.7 Million €	
		IPA budget:	0.7 Million €	
Overall objective	Objectively verifiable indicators (OVI)	Sources of Verification		
Continued and sustainable improvement of the radiological safety to meet EU standards, particularly in relation to institutional responsibilities regarding handling, transport and storage of radioactive materials.	The main responsible institutions such as the regulator and operator are set and fully staffed and equipped.	Prime Ministers Office Agency for Radiation Protection in Kosovo		
Specific objective	Objectively verifiable indicators (OVI)	Sources of Verification	Assumptions	
<ul style="list-style-type: none"> ▪ Enhancement of capacities of the beneficiary institutions to monitor and control the operations related to radioactive waste management including handling, occupational exposure, transport and storage. ▪ Identification of urgent cases of radioactive materials, threatening the health of the citizens and removal of those to an approved storage facility. 	<p>The technical service operator is accredited and equipped to perform the management activities.</p> <p>Number of lightning rods removed and transported to the temporary storage facility.</p>	<p>Agency for Radiation Protection in Kosovo (ARPK)</p> <p>Files and reports in the ARPK and the storage facility in the KEK.</p>	<ul style="list-style-type: none"> • Political will to deal with radiation protection issues and provision of sufficient technical and human resources; • Support and commitment from involved stakeholders, professional bodies including KEK representatives 	
Results	Objectively verifiable indicators (OVI)	Sources of Verification	Assumptions	
(a) The Agency for Radiation Protection and Nuclear Safety has sufficient technical competences and legislative tools to provide accreditations and authorisations for the management of radioactive	APRK number of staff, drafted criteria for selection and accreditation of the Operator. Monitoring Plan of the Agency	APRK offices, files and documentation.	<ul style="list-style-type: none"> ▪ Sufficient number of people in the Agency, willing to handle their duties and responsibilities. ▪ The Technical Service Operator licensed and accredited. 	

<p>materials, and monitor the daily activities of the selected operators.</p> <p>(b) Available assessment report of the safety of the temporary storage (KEK storage facility) for storing the lightning rods and the radioactive sources, including the preparatory work procedures and safety analysis report for the removal of the lightning rods and the sources. Available technical specifications and work description for the removal of radioactive materials and for the construction works needed at the KEK temporary storage facility;</p> <p>(c) Safety analyses report about the removal/transport activities and procedures including licences prepared;</p> <p>(d) Available specialised vehicle for the transport of radioactive materials;</p> <p>(e) Refurbished temporary storage facility and most urgent cases of radioactive materials such as lightning rods removed including their transport, conditioning/packaging and storage.</p>	<p>(Regulator) to oversee the activities of the operator.</p> <p>Safety analyses report in the APRK and written instructions on procedures for handling and storing the radioactive materials.</p> <p>Specialised vehicle.</p>		<ul style="list-style-type: none"> ▪ Staff of the TSO trained and equipped.
<p>Activities to achieve results</p>	<p>Means / contracts</p>	<p>Costs</p>	<p>Assumptions</p>
<p>(a) Provision of the technical assistance and on the job training for the enhancement of the technical capacities of the Agency, including the following:</p> <ul style="list-style-type: none"> ▪ Establishment of the criteria for the authorisation and accreditation of companies and organisations to become TSOs as well as the financing rules; ▪ Complete the training programme for the Agency personnel; ▪ Define the needs for training (curricula) for specific categories of radiation workers; ▪ Establish a training facility for the specialists in the field of radiation protection. <p>(b) Provision of the technical assistance in the assessment of the safety of the temporary storage (KEK bunker) for storing the lightning rods and the radioactive sources. Preparation of the work procedures and safety analysis report for the removal of the lightning rods and the sources using the</p>	<p>One service contract and one supplies contract.</p>	<p>0.6 mil EUR service contract</p> <p>0.1 mil EUR supplies contract</p>	<ul style="list-style-type: none"> • The beneficiary institutions are fully involved in the project implementation; • Dedicated staff by the beneficiaries is present during the project implementation • Support and commitment from involved stakeholders, professional bodies including KEK representatives

<p>inventory of the IPA 2009 regional project. Preparation of the technical specifications for the removal and draft the description for the refurbishment works required at the KEK storage facility.</p> <p>(c) Support the Agency in drafting the report describing the removal/transport activities and procedures as well as in drafting the licensing criteria.</p> <p>(d) Drafting the technical specification for the specialised vehicle for the transport of radioactive materials.</p> <p>(e) Refurbishment of temporary storage facility and removal and transport of the most urgent cases of radioactive materials such as lightning rods, including their conditioning/packaging and storing in the refurbished facility.</p>			
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2. Description of Institutional Framework

The Agency for Protection from Radiation of Kosovo (APRK) was established by law in the year 2010. The director of APRK was appointed by the Prime Minister with a four-year mandate in July 2011. Additional two people were appointed, and the progress in feeding the Agency with appropriate staff has stalled. In principle, the APRK should progressively recruit additional personnel in order to eventually reach 12 which is considered as an optimal number for Kosovo.

Operational aspects of Waste Management are not delegated yet to any institution or organisation. There is no policy or decision by the government of Kosovo on the nature and ownership of the operator.

3. Reference list of relevant laws and regulations only where relevant

The law on the 'Agency of Kosovo on radiation protection and nuclear safety' was adopted in June 2012, setting this institution within the Prime Minister's Office. This law defines the duties, status and responsibilities of the Agency, as well the drafting and implementation of the strategy and action plan for radiation protection and nuclear safety.

Law on protection from non-ionized, ionized radiation and nuclear security was adopted in March 2010, regulating the compliance with international norms and conventions in the field of non-ionized, ionized radiation and nuclear security.

The law is to establish the Protection from Radiation and Nuclear security standards that is affordable and consistent with a sustainable economic development, establish the specific authority and obligations of the public authorities responsible for gradually introducing and enforcing such standards, and set out the rights and obligations of persons and establishments affected by such activities or interest in promoting a healthy environment in Kosovo.

The Agency is currently revising the law in order to meet the EU standards and directive requirements.

4. Details per EU funded contract

The project activities will be contracted through one service contract of €0.6 million and one supply contract of €0.1 million.

5. Project visibility activities

The European Union Office in Kosovo has developed clear visibility guidelines and ensures that all projects which are implemented in Kosovo are fully in line with these guidelines. Project visibility is also clearly stipulated in all contractual documents whereby the contractors/implementers are obliged to adhere to all EU visibility requirements.