

# **Order for the Execution of the Act on Compensation for Nuclear Damage**

## **(Cabinet Order No. 44 of 6 March 1962)**

As Amended by Cabinet Order No. 201 of 7 August 2009

The Cabinet has enacted this Cabinet Order pursuant to the provisions of Section 2, paragraph 1 and Section 7, paragraph 1 of the Act on Compensation for Nuclear Damage (Act No. 147 of 1961).

### ***Section 1 Reactor operation etc.***

The activities provided for in the Cabinet Order referred to in Section 2, paragraph 1 of the Act on Compensation for Nuclear Damage (hereinafter referred to as “the Compensation Act”) shall be the following [each of the activities mentioned in paragraphs (i) to (v) includes the incidental operations of transport, storage and disposal of waste referred to in sub paragraphs a), b) and c) performed in the installations or on the sites of the said activities or, in the case of reactors installed in nuclear vessels, such incidental operations performed on board the vessel. This provision also applies subsequently]:

- (i) reactor operation;
- (ii) the production of the following nuclear fuels:
  - a) uranium or its compounds in which the ratio of uranium 235 to uranium 235 and uranium 238 is higher than that of natural uranium but lower than five-hundredths, and any material which contains one or more of these nuclear materials, whenever these contain 2 000 grams or more by weight of uranium 235;
  - b) uranium or its compounds in which the ratio of uranium 235 to uranium 235 and uranium 238 is higher than five-hundredths, and any material which contains one or more of these nuclear materials, whenever these contain 800 grams or more by weight of uranium 235;
  - c) plutonium or its compounds, and any material which contains one or more of these nuclear materials, whenever these contain 500 grams or more by weight of plutonium;
- (iii) reprocessing;
- (iv) the use of the nuclear fuels mentioned in sub paragraphs (ii) (a), (b) and (c);
- (iv-2) the storage of spent fuel;
- (v) underground disposal and management of waste as provided in Section 51-2, paragraph 1, sub paragraph (iii) of the Act for the Regulation of Nuclear Source Material, Nuclear Fuel

and Reactors (Act No. 166 of 1957, hereinafter referred to as “the Regulation Act”) (hereinafter referred to as “the underground disposal of waste” and “waste management”);

- (vi) the transport, storage and disposal of waste consisting of the following materials, undertaken outside installations or sites and in the context of each of the activities mentioned in the sub paragraphs above:
  - a) the nuclear fuels mentioned in sub paragraphs (ii) (a), (b) and (c),
  - b) spent fuel, as provided in Section 2, paragraph 8 of the Regulation Act (hereinafter referred to as “spent fuel”),
  - c) materials contaminated by nuclear fuel (including nuclear fission products; the same applies to the following provisions).

## ***Section 2 Amount of financial security***

The cases of reactor operation etc. and their corresponding amount as provided in the Cabinet Order referred to in Section 7, paragraph 1 of the Compensation Act are set out in the following table. However, when reactor operation etc. being performed at one and the same installation or site (or vessel in the case of reactors installed in a vessel, a provision which also applies to heading (i) of the table) involves activities coming under two or more of headings (i) to (xvii) of the table, the amount of financial security for the overall reactor operation etc. shall be the highest individual amount required under the relevant headings of the table.

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| (i)   | Operation of a reactor with a maximum thermal rating of less than 10 000 kWth [including any transport, storage or disposal of materials referred to in Section 1, paragraph 6, sub paragraphs a), b) or c) (hereinafter referred to as “nuclear fuel etc.”) performed within the installation or on the site and incidental to operation of the reactor in question, to the exclusion of the operations referred to under any of the headings of the table (ii) or (iii) below].                     | Yen 120 billion |
| (ii)  | Transport, storage and disposal of nuclear fuel etc., performed within the installation or on the site and incidental to operation of the reactor in question, as defined in heading (i) of the table [concerns solely the shutdown of the said reactor as well as operations subsequent to removal of the nuclear fuel etc. from the reactor core. This provision applies also to headings (iii) and (v) of the table, to the exclusion of operations referred to under heading (iii) of the table]. | Yen 24 billion  |
| (iii) | Transport, storage and disposal of nuclear fuel etc., as referred to in Section 1, sub paragraph 2(a) or of elements such as those referred to in paragraph 6(c) of the same section, performed within the installation or on the site and incidental to operation of the reactor in question, as defined under heading (i) of the table.   | Yen 4 billion   |

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| (iv)   | Operation of a reactor with a maximum thermal rating of more than 100 kWth, without however exceeding 10 000 kWth [including any transport, storage or disposal of nuclear wastes etc., performed within the installation or on the site and incidental to operation of the reactor in question, to the exclusion of the operations referred to under heading (v) of the table].   | Yen 24 billion  |
| (v)    | Transport, storage and disposal of nuclear fuel etc., as referred to in Section 1, sub paragraph 2(a) or of elements as referred to in sub paragraph 6(c) of the same Section, performed within the installation or on the site and incidental to operation of the reactor in question, as defined under heading (iv) of the table.  | Yen 4 billion   |
| (vi)   | Operation of a reactor with a maximum thermal rating of 100 kWth (including any transport, storage or disposal of nuclear fuel etc., performed within the installation or on the site and incidental to operation of the reactor in question).   | Yen 4 billion   |
| (vii)  | Production of nuclear fuel as referred to in Section 1, sub paragraph 2(a) (including any transport, storage or disposal of nuclear fuel etc., performed within the installation or on the site and incidental to the production of the reactor in question).  | Yen 4 billion   |
| (viii) | Production of nuclear fuel as referred to in Section 1, sub paragraphs 2(b) and 2(c) (including any transport, storage or disposal of nuclear waste etc., performed within the installation or on the site and incidental to the production in question).  | Yen 24 billion  |
| (ix)   | Reprocessing (including any transport, storage and waste disposal of nuclear fuel etc., performed within the installation or on the site and incidental to the reprocessing in question).  | Yen 120 billion |
| (x)    | Use of nuclear fuel etc., as referred to in Section 1, sub paragraph 2(a) [including any transport, storage or disposal of nuclear fuel, etc., performed within the installation or on the site and incidental to the use of the nuclear fuel in question, to the exclusion of the operations referred to under headings (i), (iv), (vi), (vii) and (ix) of the table].  | Yen 4 billion   |
| (xi)   | Use of the nuclear fuel etc., as referred to in Section 1, sub paragraphs 2 b) or c) [including any transport, storage and disposal of nuclear fuel etc., performed within the installation or on the site and incidental to the use of the nuclear fuel in question. This provision applies also to heading (xii) below, and excludes the operations referred to under headings (i), (iv), (vi), (viii) and (ix) of the table]. | Yen 24 billion  |

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| (xii)   | Transport, storage and disposal of nuclear fuel etc., as defined in Section 1, sub paragraph 2(a) or of elements as defined in sub paragraph 6(c) of the same section, performed within the installation or on the site and incidental to the use of nuclear fuel as defined under heading (xi), above.   | Yen 4 billion  |
| (xiii)  | Storage of spent fuel [including any transport, storage or disposal of spent fuel, performed on the site and incidental to the storage of the spent fuel in question, to the exclusion of the operations referred to under headings (i), (ii), (iv), (vi) and (ix) to (xi) of the table].   | Yen 24 billion |
| (xiv)   | Underground disposal of waste [including any transport or disposal of the waste, performed on the site and incidental to the underground disposal of the waste in question consisting of nuclear fuel, etc., to the exclusion of the operations referred to under each of the preceding headings and under heading (xv) of the table].  | Yen 4 billion  |
| (xv)    | Underground disposal of the waste consisting of the vitrified materials obtained from the liquid effluents remaining after separating the nuclear fuel and other useful materials from spent fuel solutions, as defined in Section 1, sub paragraph 6(b) [including any transport or disposal of the waste, performed on the site and incidental to the underground disposal of the waste in question consisting of nuclear fuel etc., to the exclusion of the operations referred to under heading (ix) of the table].   | Yen 24 billion |
| (xvi)   | Waste management [including any transport or waste disposal of waste consisting of nuclear fuel etc., on the site and incidental to the waste management in question, to the exclusion of the operations referred to under each of the preceding headings and heading (xvii) of the table].   | Yen 4 billion  |
| (xvii)  | Management of the waste consisting of the vitrified materials obtained from the liquid effluents remaining after separating the nuclear fuel and other useful materials from spent fuel solutions, as defined in Section 1, sub paragraph 6(b) [including any transport or disposal of the waste, performed on the site and incidental to the underground disposal of the waste in question, consisting of nuclear fuel, etc., to the exclusion of the operations referred to under headings (ix) and (xv) of the table]. | Yen 24 billion |
| (xviii) | Transport of nuclear fuel etc., incidental to the reactor operation, production, reprocessing, or use of the nuclear fuel, the storage and underground disposal of spent fuel, or waste management [to the exclusion of the operations referred to under any one of the preceding headings, under heading (xix), following, and heading (xxii) of the table].   | Yen 4 billion  |

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| (xix)  | Transport of nuclear fuel material, etc., as referred to in Section 1, sub paragraphs 2(b) and (c) incidental to the reactor operation, production, reprocessing or use of nuclear fuel, the storage and underground disposal of spent fuel, or the management of waste or spent fuel, as defined in the same Section, sub paragraph 6(b), and of vitrified materials obtained from the liquid effluents remaining after separating nuclear fuel and other useful materials from spent fuel solutions, as defined in the same Section 1, sub paragraph 6(b) [excluding the operations referred to under any of headings (i), (ii), (iv), (vi), (viii) to (xi), (xiii), (xv) or (xvii) of the table]. | Yen 24 billion |
| (xx)   | Storage of nuclear fuel etc., incidental to the reactor operation, production, reprocessing or use of nuclear fuel and the storage of spent fuel [to the exclusion of the operations referred to under any of headings (i) to (xiii) or the following heading (xxii) of the table].  | Yen 4 billion  |
| (xxi)  | Storage of nuclear fuel etc., as referred to in Section 1, sub paragraphs 2(b) or (c), incidental to the reactor operation, production, reprocessing or use of nuclear fuel or the storage of spent fuel, as defined in the same Section, sub paragraph 6(b) as well as the vitrified materials obtained from the liquid effluents remaining after separating nuclear fuel and other useful materials from spent fuel solutions, as defined in the same Section 1, sub paragraph 6(b) [to the exclusion of the operations referred to under any of headings (i), (ii), (iv), (vi), (viii) to (xi), (xiii) of the table].   | Yen 24 billion |
| (xxii) | Disposal of waste consisting of nuclear fuel etc., incidental to the reactor operation, production, reprocessing or use of nuclear fuel, the storage and underground disposal of spent fuel or waste management [including any transport of nuclear fuel, etc., incidental to the disposal of the waste in question, and to the exclusion of the operations referred to under any of headings (i) to (xvii) of the table].   | Yen 4 billion  |

### ***Section 3 Compensation for work accidents***

Compensation for work accidents, provided for by Cabinet Order pursuant to Section 4, paragraph 1 of the supplementary provisions of the act, shall be as follows:

1. Indemnities as defined by the Act on Compensation for Work Accidents of Government Civil Servants (Act No. 191 of 1951);
2. Indemnities as defined by the Act on the Insurance of Seamen (Act No. 73 of 1939) and subject to professional conditions.

Supplementary Provisions (omitted)

1. This Cabinet Order shall enter into force as from the date of the entry into force of the act (15 March 1962).

**Supplementary Provisions (Order No. 201 of 7 August 2009)**

This act shall enter into force on 1 January 2010.