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Radiation law ¹

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12.05.2020	RT I, 22.05.2020, 1	01.06.2020
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20.06.2023	RT I, 30.06.2023, 1	01.07.2023

Chapter 1 General settings

Section 1 Scope and scope of application

§ 1. Scope of the Act

(1) This Act stipulates:

- 1) basic safety requirements for protecting people and the environment from the harmful effects of ionizing radiation;
- 2) rights and obligations of persons when using ionizing radiation;
- 3) radiation activity requirements;
- 4) organization of state supervision over the fulfillment of the requirements set forth in this Act;
- 5) responsibility for non-fulfillment of the requirements set forth in this Act.

(2) This Act regulates radiation activity and actions in which natural radiation sources can cause a significant increase in the exposure of workers and residents and intervention in emergency and permanent exposure situations.

(3) This Act does not regulate radiation caused by radon in living spaces, radiation caused by cosmic radiation on the ground, and radiation caused by radionuclides contained in the earth's crust untouched by human activity above the ground.

§ 2. Application of the Administrative Procedure Act and the Act on the General Part of the Environmental Code

(1) The Administrative Procedure Act applies to the administrative procedure provided for in this Act, taking into account the differences provided for in this Act.

(2) Chapter 5 of the Act on the General Part of the Environmental Code shall apply to the procedure for the radiation activity permit provided for in this Act, taking into account the differences provided in this Act.

[RT I, 21.12.2019, 1 - enters into force. 01.01.2020]

Section 2 Concepts

§ 3. Radiation safety

Radiation safety is the protection of people and the environment from the harmful effects of ionizing radiation.

§ 4. Radiation activity

(1) Radiation activity is any activity that increases or may increase human exposure from artificial or natural radiation sources.

(2) Radiation activity includes, among others:

- 1) production, processing, use, possession, storage, storage, transportation, including import and export, and intermediate and final storage of radioactive material;
- 2) use of an electrical device that emits ionizing radiation and operates at a potential difference greater than 5 kilovolts;
- 3) operating a nuclear facility.

(3) Processing within the meaning of this Act is chemical and physical operations with radioactive material, including mining, conversion, enrichment of fissile or fertile nuclear material and reprocessing of spent nuclear fuel.

[RT I, 26.06.2018, 6 - enters into force. 06.07.2018]

(4) Radioactive material is material containing radioactive substances.
[RT I, 26.06.2018, 6 - enters into force. 06.07.2018]

§ 5. Ionizing radiation

Ionizing radiation is the transfer of energy directly or indirectly as ionizing particles or electromagnetic waves with a wavelength of 100 nanometers or less.

§ 6. Radioactive substance, radionuclide and activity and activity concentration

(1) A radioactive substance is a substance containing one or more radionuclides, the activity or activity concentration of which is important from the point of view of radiation safety.

(2) Natural radioactive material (NORM - Naturally Occurring Radioactive Material) is a radioactive substance containing mainly the natural radionuclides potassium-40, thorium-232, uranium-235 or uranium-238 and radionuclides belonging to their decay series, the activity or activity concentration of which is important from the point of view of radiation safety .

(3) A radionuclide is an atom with a radioactively decaying nucleus characterized by a specific atomic mass and atomic number.

(4) Activity (A) is the activity of the amount of radionuclide in a certain energy state at a given time: $A = dN / dt$, where dN is the expected value of the number of spontaneous nuclear transitions occurring from this energy state during the time period dt .

(5) Activity concentration is the activity of a radionuclide uniformly distributed in a substance per unit mass, unit area or unit volume of the substance.

§ 7. Radiation source

(1) A radiation source is a device, radioactive substance or facility capable of emitting ionizing radiation or radioactive substances.

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(1) An electric radiation device is a device that produces ionizing radiation, such as X-rays, neutrons, electrons or other charged particles.

[RT I, 26.06.2018, 6 - enters into force. 06.07.2018]

(2) A closed radiation source is a radiation source, the construction of which prevents the release of radioactive substances into the environment when used properly.

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(2) A radiation source container is a set of parts designed to close a closed radiation source and which is not an integral part of the radiation source, but is intended to shield the radiation source during transportation and handling.

[RT I, 26.06.2018, 6 - enters into force. 06.07.2018]

(3) A highly active radiation source is a sealed radiation source that contains a radionuclide whose known activity at the time of manufacture or at the time of first placing on the market is equal to or greater than the established activity level.

(4) The activity levels of radionuclides, with a value equal to or greater than which the radiation source is classified as a highly active radiation source, shall be established by a regulation of the minister responsible for the field .

(5) A decommissioned radiation source is a radiation source that is no longer used or is not intended to be used for the purpose of the radiation activity permit.

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(5) An ownerless radiation source is a radiation source, with the exception of an electric radiation device, which is not exempted from regulatory control on the basis of § 8 of this Act or under regulatory control, because it has never been under such control or it has been left behind, lost, misplaced moved, stolen or transferred without proper authorization.

[RT I, 26.06.2018, 6 - enters into force. 06.07.2018]

(6) The category of a radioactive radiation source is the degree of danger, which is determined on the basis of the evaluation of the potential radiation of the radiation source, taking into account, if possible, the physical and chemical properties of the radioactive substance and the activity of the radionuclides contained in it.

(7) Safeguarding a radiation source is all the activities necessary to make a dangerous radiation source safe upon termination of radiation activities related to the radiation source.

§ 8. Exclusion level and exemption level

(1) The exclusion level is the value of the activity or activity concentration of a radioactive substance, at which a radiation activity permit is not required if the value is equal to or less than.

[RT I, 22.05.2020, 1 - enters into force. 01.06.2020]

(2) Exemption level is the value of the activity or activity concentration of a radioactive substance, with a value equal to or less than which the radioactive substances or materials containing radioactive substances generated in the course of any radiation activity requiring a radiation activity license may be exempted from the application of the requirements of this Act in accordance with the conditions established on the basis of § 62 (3) of this Act.

(3) The requirements for the application for exclusion and exemption shall be established by a regulation of the minister responsible for the field .

[RT I, 22.05.2020, 1 - enters into force. 01.06.2020]

§ 9. Resident

A resident is a natural person within the meaning of this Act, with the exception of a person receiving professional or medical radiation.

§ 10. Radiation worker

A radiation worker is a person in an employment or service relationship with the holder of a radiation activity permit, including a foreign worker, who receives radiation at work in the course of radiation activities regulated by this Act and whose radiation dose exceeds or may exceed the dose limits established for residents on the basis of § 50 (6) of this Act.

§ 11. Irradiation

Radiation is the effect of ionizing radiation on humans.

§ 12. Emergency and permanent radiation situation and radiation emergency

(1) An emergency radiation situation is a radiation situation that has developed as a result of a nuclear or radiation accident, a crime or other unexpected event, the control of which requires the implementation of urgent protective measures to protect human life and health, property or the environment.

(2) A permanent radiation situation is natural radiation higher than the normal radiation level or radiation that occurred as a result of past radiation activity or an emergency radiation situation, or another unusual radiation situation that does not require or no longer requires the implementation of urgent protective measures.

(3) A radiation emergency is a situation of emergency radiation which involves or may involve exceeding the intervention levels established on the basis of § 105 (3) of this Act.

§ 13. Emergency radiation and emergency worker

[RT I, 26.06.2018, 6 - entry into force. 06.07.2018]

(1) Emergency exposure is the exposure of people as a result of an emergency exposure situation, which does not include emergency exposure exposure.

[RT I, 26.06.2018, 6 - enters into force. 06.07.2018]

(2) For the purposes of this Act, an emergency worker is any person who performs a specified task in an emergency exposure situation and may receive radiation during the performance of said task.

[RT I, 22.05.2020, 1 - enters into force. 01.06.2020]

§ 14. Resident exposure, occupational exposure and emergency occupational exposure

[RT I, 26.06.2018, 6 - entered into force. 06.07.2018]

(1) Resident radiation is radiation received by a resident, with the exception of professional or medical radiation.

[RT I, 22.05.2020, 1 - enters into force. 01.06.2020]

(2) Occupational exposure is exposure that a radiation worker receives or may receive from radiation activities performed on the basis of a radiation activity permit.

(3) Emergency exposure is exposure that an emergency worker receives in an emergency exposure situation.

[RT I, 26.06.2018, 6 - enters into force. 06.07.2018]

§ 15. Proposed radiation situation, normal radiation and potential radiation

[RT I, 26.06.2018, 6 - entered into force. 06.07.2018]

(1) A planned radiation situation is a radiation situation arising due to the planned operation of a radiation source or human activity that changes the radiation paths, which causes or may cause the irradiation of a person or the environment. The proposed exposure situation includes both normal and potential exposure.

(2) Normal exposure is the expected exposure during the operation or operation of the facility, including maintenance, inspection and decommissioning, applying normal working conditions, which also includes minor incidents that can be kept under control.

(3) Potential radiation is radiation, the receipt of which is not certain, but whose probability of occurrence can be estimated in advance.

[RT I, 26.06.2018, 6 - enters into force. 06.07.2018]

§ 16. Medical radiation

Medical radiation is radiation received by:

- 1) a person during the diagnosis, treatment or early detection of a disease;
- 2) the assistant of the irradiated person who helps the patient receiving medical radiation in the course of an operation related to medical radiation, if such assistance is not his professional work and he is aware of the dangers associated with irradiation;
- 3) a person who has voluntarily consented to participate in a research or clinical trial.

[RT I, 26.06.2018, 6 - enters into force. 06.07.2018]

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§ 16 . Non-medical radiation

Non-medical radiation is radiation that a person receives from the intended use of ionizing radiation to image the person and is not intended for the diagnosis, treatment, or early detection of disease.

[RT I, 26.06.2018, 6 - enters into force. 06.07.2018]

§ 17. Natural radiation

Natural radiation is radiation caused by natural sources of ionizing radiation of terrestrial or cosmic origin.

§ 18. Nuclear material

Nuclear material is plutonium, except for mixtures of plutonium isotopes containing more than 80 percent Pu-238, uranium-233, uranium-235, and uranium enriched in uranium-233 or uranium-235, uranium containing a natural mixture of isotopes that does not occur in ore or as ore residue, thorium and any material containing one or more of the aforementioned nuclear materials.

§ 19. Nuclear safety

Nuclear safety is a situation achieved by radiation safety activities, the goal of which is to achieve the correct operating conditions by fulfilling the operating requirements and to avoid emergency radiation and to mitigate the consequences of emergency radiation, as a result of which the protection of workers and other population against the dangers arising from ionizing radiation of nuclear installations increases.

§ 20. Nuclear installation, nuclear fuel cycle and spent nuclear fuel

(1) A nuclear facility is an enrichment facility, a nuclear fuel production plant, a nuclear power plant, a processing facility and a research reactor, and a facility for storing spent nuclear fuel directly related to them and located in the same location, as well as a facility for storing radioactive waste, which is directly related to the nuclear facilities listed above and is located in the same location.

(2) The nuclear fuel cycle is all operations related to the production of nuclear energy, including mining and processing of ore containing nuclear materials, isotopic enrichment, production, use and storage of nuclear fuel, reprocessing of spent nuclear fuel and handling and intermediate or final storage of generated waste.

(3) Spent nuclear fuel is nuclear fuel irradiated in the reactor core and permanently removed from it, which can be treated as a usable resource if it is planned to be reprocessed, or as radioactive waste if it is sent to final storage.

Section 3 Principles of radiation safety

§ 21. Justification of radiation activity

(1) The planned radiation activity must be justified by proving that it is the best in terms of economic, social or other benefits in relation to possible health damage caused by the radiation activity.

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(1) Health damage within the meaning of this Act is a decrease in life span and quality of life as a result of human irradiation, including damage resulting from tissue reactions, cancer and major genetic abnormalities.

[RT I, 26.06.2018, 6 - enters into force. 06.07.2018]

(2) If new and important evidence is obtained about the effectiveness or consequences of an existing type of radiation activity, the justification for the radiation activity must be revised.

§ 22. Optimization of irradiation

Any exposure must be kept as low as possible with reasonable consideration of economic and social factors.

§ 23. Limitation of doses received during irradiation

(1) The amount of doses received during irradiation may not exceed the limits established on the basis of § 50 (6) of this Act. This requirement does not apply to medical radiation and emergency radiation.

[RT I, 26.06.2018, 6 - enters into force. 06.07.2018]

(2) The effective dose is the sum of the equivalent doses multiplied by the tissue factors characterizing the different radiation sensitivities of the tissues and organs of the human body.

(3) The equivalent dose is the product of the absorbed dose of the tissue or organ of the human body and the radiation factor of the effective radiation.

(4) Absorption dose within the meaning of this Act is the average dose of a tissue or organ of the human body per mass unit of absorbed ionizing radiation energy.

(5) The radiation factor is a dimensionless factor that takes into account the different health damage potential of radiation types.

[RT I, 26.06.2018, 6 - enters into force. 06.07.2018]

(6) The tissue factor is a dimensionless factor that takes into account the different radiation sensitivities of tissues and organs of the human body.

[RT I, 26.06.2018, 6 - enters into force. 06.07.2018]

(7) Dose rate is the dose increase per unit of time.

(8) Dose limits are the maximum values of radiation doses caused to radiation workers and residents, which are applied to the sum of doses received from external radiation and radionuclide intake during a limited period of time. The dose caused by the intake of radionuclides over the course of a year is summed over the course of 50 years (for children up to 70 years).

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(8) A dose limit is a limit set on the upper limit of a person's expected dose, which is based on identifying the possibilities considered for optimizing the use of a certain radiation source in the planned radiation activity.

[RT I, 26.06.2018, 6 - enters into force. 06.07.2018]

(9) Ingestion is the entry of radionuclides into the body through the respiratory tract, digestive tract or skin.

§ 24. Addition of radioactive substances and import and export of foodstuffs and consumer goods and animal feed with such additives

[RT I, 26.06.2018, 6 - entered into force. 06.07.2018]

(1) Intentional addition of radioactive substances to food, animal feed, toys, jewelry and cosmetic products during their manufacture and import and export of goods containing such radioactive substances is prohibited.

(2) The activation of materials used in toys and jewelry during their manufacture and the import and export of products and materials containing such radioactive substances are prohibited.

(3) Activation is the process of converting a stable nuclide into a radionuclide by irradiating the material containing it with particles or high-energy photons.

(4) A consumer product within the meaning of this Act is a product in which one or more radionuclides have been intentionally introduced or in which they have been created by activation or which produces ionizing radiation and which can be sold or made available to residents without post-sale supervision or regulatory control.

(5) The Environmental Board notifies the competent authorities of the member states of the European Union about the authorization or prohibition of the production and import of consumer goods specified in subsection 4 of this section.

[RT I, 26.06.2018, 6 - enters into force. 06.07.2018]

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§ 24 . Responsibility of the radiation activity permit holder

The holder of a radiation activity permit is responsible for fulfilling the obligations stipulated in the Radiation Act and the conditions of the permit in order to ensure radiation safety and the protection of employees in a radiation situation related to any radiation source or activity in the possession of the permit holder.

[RT I, 26.06.2018, 6 - enters into force. 06.07.2018]

Chapter 2 Radiation safety planning

§ 25. Organization of radiation safety activities

[RT I, 26.06.2018, 6 - entered into force. 06.07.2018]

Radiation safety activities are organized by the Ministry of Climate through the Environment Agency within its competence, involving other relevant institutions and taking into account, among other things, industry-specific operating experiences, the results of the decision-making process, the development of the relevant technology and scientific research.

[RT I, 30.06.2023, 1 - enters into force. 01.07.2023]

§ 26. National development plan for radiation safety

(1) The national planning for the implementation of the goal set forth in § 1 of the Act on the General Part of the Environmental Code and the principles set forth in §§ 8–13 and the principles of radiation safety set forth in this Act shall be carried out through the National Development Plan for Radiation Safety prepared by the Ministry of Climate (hereinafter *the development plan*).

[RT I, 30.06.2023, 1 - enters into force. 01.07.2023]

(2) The development plan analyzes the state of radiation safety in the country, determines measures to enhance radiation safety, and provides an assessment of how the development plan helps to implement the goal and principles referred to in subsection 1 of this section.

(3) The development plan is approved by the minister responsible for the field with a directive.

§ 27. Content of the development plan

The areas discussed in the development plan are primarily ensuring radiation protection and nuclear safety, handling radioactive waste, solving emergency and permanent radiation situations, increasing radiation awareness, and problems related to natural and medical radiation.

[RT I, 03.07.2017, 6 - enters into force. 15.08.2017]

§ 28. Action plans for implementing the development plan

(1) In order to implement the development plan or to achieve the goals of organizing and enhancing radiation safety, the Ministry of Climate may prepare action plans for the areas specified in § 27 of this Act.

[RT I, 30.06.2023, 1 - enters into force. 01.07.2023]

(2) Action plans are approved by the minister responsible for the field with a directive.

§ 29. National audit and thematic peer review of radiation safety

[RT I, 03.07.2017, 6 - entered into force. 15.08.2017]

(1) The national audit of radiation safety is an audit organized for the purpose of increasing radiation safety, during which the legal and organizational organization of the state's radiation safety and the institutions ensuring radiation and nuclear safety are evaluated. Internationally recognized radiation experts are involved in the audit.

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(1) Thematic mutual evaluation is a national evaluation prepared for the purpose of ensuring nuclear safety, the report of which is prepared to be submitted to other European Union member states and the European Commission for evaluation. The results of the thematic mutual evaluation are taken into account when preparing the development plan and action plans specified in §§ 26 and 28 of this law.

(2) The Ministry of Climate shall organize a national audit of radiation safety at least every ten years or immediately if an emergency radiation situation has arisen in a nuclear installation.

[RT I, 30.06.2023, 1 - enters into force. 01.07.2023]

(3) The Ministry of Climate organizes thematic mutual evaluations at least every six years.

[RT I, 30.06.2023, 1 - enters into force. 01.07.2023]

§ 30. Guidance and information material on radiation safety and transmission of information

[RT I, 26.06.2018, 6 - entered into force. 06.07.2018]

(1) The Environment Agency and the Health Board, within their competence, promote radiation awareness, the use of good practices and compliance with radiation safety principles, and issue guidance and information materials on radiation and nuclear safety, which are published on the website of the Environment Agency and the Health Board.

[RT I, 26.06.2018, 6 - enters into force. 06.07.2018]

(2) The Environmental Board and the Board of Health shall distribute radiation safety information to relevant persons, including manufacturers and suppliers of radiation sources, and, if necessary, also to international organizations, which is based, among other things, on the experience gained from the detection of new types of radiation activity, inspections, and reported incidents and accidents and the conclusions drawn about them.

[RT I, 10.07.2020, 2 - enters into force. 01.01.2021]

§ 31. Radiation safety is guaranteed by paid services

(1) The Environmental Board may provide paid services ensuring radiation safety related to its core activities, if this does not prevent the performance of its tasks arising from the statute.

(2) The minimum and maximum fees for paid services by type of service are as follows:

- 1) radiation level measurement at one measurement point – 25–75 euros;
- 2) preparation of a radiation safety assessment of radiation activities with low and moderate risk and calculation of radiation shielding - 10-30 euros for one hour;
- 3) measurement of thermoluminescence dosimeter reading – 13–39 euros;
- 4) laboratory analysis of the radioactivity of the substance – 50–320 euros;
- 5) measurement of radon content in the air of the room – 45–135 euros.

(3) Taking into account the provisions of subsection 2 of this section, the minister responsible for the field establishes by regulation a specified list of paid services and fee rates, based on the labor, material, equipment and general costs necessary for the provision of the service.

Chapter 3 Radiation activity requirements

Section 1 General settings

§ 32. General obligations of the holder of a radiation activity permit

(1) The holder of a radiation activity permit is obliged to:

- 1) follow the principles of radiation safety;
- 2) ensure radiation safety and physical protection of the radiation source in their possession, including checking at least once a year whether the radiation source or the device containing it is located in the place of use or storage and is in good external condition;
- 3) ensure the safety of the radiation source by correctly installing and placing the radiation source in the room, marking the radiation source and the room and using protective equipment;
- 4) keep records of each radiation source and radioactive waste under his responsibility, its location and transfer, and make an inventory of radiation sources and radioactive waste once a year;
- 5) draw up regulations necessary for performing radiation work and guiding radiation workers, and ensure that these regulations are updated when new technology or equipment is introduced;
- 6) organize health checks of radiation workers;
- 7) ensure regular checking and calibration of the measuring instruments used and be responsible for their usability and competent use;
- 8) prove the legality of possessing a radioactive substance or a radiation device containing a radioactive substance at the request of a competent authority;
- 9) determine before handing over the radiation source whether the recipient has an appropriate radiation activity permit;
- 10) make the radiation source safe after the end of use in accordance with the safety plan submitted in the application for the radiation activity permit;
- 11) to ensure that radioactive waste is handled in such a way that the predicted harmful effect on future generations would not be greater than permitted by this Act or legislation established on its basis;
- 12) cover all costs related to the handling of radioactive waste;
- 13) ensure that the activity and quantities of generated radioactive waste and emissions are as small as possible;
- 14) mitigate the consequences of the emergency radiation situation;
- 15) immediately inform the Environmental Board and the Emergency Center on the emergency number 112 about the loss, theft or unauthorized use of a radiation source and about an incident or accident that occurred during radiation activity, as a result of which an employee or resident has received an equivalent or effective dose higher than the limits established on the basis of § 50 (6) of this Act, and after the event submit To the Environmental Board, an analysis of its causes and the implementation of corrective measures;

[RT I, 22.05.2020, 1 - enters into force. 01.06.2020]

16) check the integrity of the radiation source after each event, if the radiation source may have been damaged, and, if necessary, inform the Environmental Board about this event and the measures taken;

17) prefer a manufacturer in the procurement of a radiation source who is willing to include a condition in the sales contract regarding the return of the radiation source to the manufacturer;

18) not to offer financial or other benefits to employees for not fulfilling radiation safety requirements.

[RT I, 22.05.2020, 1 - enters into force. 01.06.2020]

(2) In case of high-risk radiation activity, the holder of the radiation activity permit is obliged to:

- 1) prepare a plan for solving the emergency radiation situation;
- 2) to ensure that the project of radiation activity facilities and the commissioning of new radiation sources have been recognized by a radiation expert.

(3) The holder of a radiation activity permit must ensure that he/she has sufficient financial means to cover the costs of safeguarding the radioactive substance, the radiation source containing it, and radioactive waste.

(4) The requirements for the premises where the radiation source is located, the marking of the premises and the radiation source, and the activity levels of radionuclides shall be established by a regulation of the minister responsible for the field .

§ 33. Obligations of a person possessing nuclear material

(1) A person who owns nuclear material is required to keep records of the nuclear material in use from its acquisition until it is stored as waste, until it is destroyed or the owner changes, and to appoint a person responsible for keeping records of the nuclear material.

(2) The person who owns nuclear material shall notify the Environmental Board immediately of any change in the amount of nuclear material.

(3) Lists of data characterizing radiation sources are used to keep records of nuclear material.

[RT I, 22.05.2020, 1 - enters into force. 01.06.2020]

(4) Lists of data characterizing radiation sources used for keeping records of nuclear material shall be established by regulation of the minister responsible for the field .

[RT I, 22.05.2020, 1 - enters into force. 01.06.2020]

§ 34. Degrees of danger of radiation activity

(1) Depending on the category of the radioactive radiation source or the magnitude of the risk associated with the radiation activity, the following are distinguished:

1) low-risk radiation activity, during which the radiation worker receives or may receive an effective dose of up to one millisievert per year;

2) radiation activities with a moderate risk, during which the radiation worker receives or may receive an effective dose of one to six millisieverts per year;

3) high-risk radiation activity during which the radiation worker receives or may receive an effective dose greater than six millisieverts per year.

(2) In addition to the provisions of Clause 1, Clause 3 of this section, radiation activity is high risk if a radiation activity permit is applied for:

1) for radiation activity related to a highly active radiation source;

2) for operating a nuclear facility;

3) for operation, closure and decommissioning of any nuclear fuel cycle facility;

4) for intermediate and final storage of radioactive waste.

(3) The categories of radioactive radiation sources and the requirements for the physical protection of the radiation source, depending on the category of the radiation source, shall be established by a regulation of the minister responsible for the field .

§ 35. Radiation safety quality management system

(1) The holder of a radiation activity permit is required to develop and implement a quality management system for radiation safety and other activities related to it, which ensures compliance with the requirements set forth in this Act and the legislation established on the basis of it, and the conditions specified in the radiation activity permit.

(2) The radiation safety quality management system deals with:

1) planned systematic activities aimed at ensuring radiation safety;

2) the skills and requirements necessary for the analysis of the work tasks and the use of the radiation source, which primarily include the description of the radiation activity, the instructional materials for the radiation activity and the procedure for the training of employees;

3) conditions for procurement, use and decommissioning of materials and equipment;

4) descriptions of radiation safety procedures applied during radiation activities;

5) procedures for checking and updating the operation of the radiation safety quality management system.

(3) In addition to the provisions of subsection 2 of this section, the radiation safety quality management system of a nuclear installation deals with:

1) description of systematic activities to ensure nuclear safety;

2) analysis of work tasks and competence requirements for operating a nuclear installation;

3) description of the control system for compliance with nuclear safety requirements;

4) employee training and guidance plans.

§ 36. Installation, repair and maintenance of radiation source

(1) The radiation source may be installed, repaired and maintained only by a person who has been granted a radiation activity permit for the said activity.

(2) The provisions of subsection 1 of this section do not apply to the repair and maintenance work of the radiation source, which are not related to the radiation-generating parts of the radiation source.

§ 37. Radiation source and radioactive waste inventory report

(1) The holder of a radiation activity permit is obliged to submit a report to the Environmental Board on the inventory specified in § 32 (1) point 4 of this Act by March 1 of the year following the reporting year.

(2) Unless stated otherwise in the conditions of the radiation activity permit, accounting documents must contain data on the radiation source that are required when applying for a radiation activity permit.

(3) The report specified in subsection 1 of this section is submitted through the environmental decision information system.

[RT I, 26.06.2018, 6 - enters into force. 01.07.2018]

§ 38. Obligations of the holder of a radiation activity permit in case of a highly active radiation source

In addition to the general obligations set forth in § 32 of this Act, the holder of a radiation activity permit is obliged, in the event of radiation activity related to a highly active radiation source:

- 1) to ensure that the radiation source is accompanied by written information that proves that the radiation source is identified by a unique number and contains images of the radiation source, the container of the radiation source, the transport packaging and the necessary tools and equipment, if applicable;
- 2) ensure that proper tests have been performed with the frequency specified by the licenser to check and maintain the integrity of the radiation source;
- 3) return each decommissioned radiation source to the manufacturer without delay after the end of its use, hand it over to another person holding a radiation activity license or to a radioactive waste disposal facility;
- 4) upon acquiring a radiation source, enter into an agreement with the manufacturer, according to which the manufacturer undertakes to take back the radiation source no later than 15 years after the import of the radiation source, if the activity of the radiation source ten years after its import into the country is greater than 10 MBq.

§ 39. Obligations of the holder of a radiation activity permit related to radioactive waste

In addition to the general obligations set forth in § 32 of this Act, the holder of a radiation activity permit is obliged, in the case of radiation activities related to the handling of radioactive waste:

- 1) to ensure the safety of the radioactive waste storage space throughout its use;
- 2) organize the processing of radioactive waste, if it is necessary to change the properties of radioactive waste before it is released into the environment, or conditioning and intermediate or final storage;
- 3) take into account other hazards and the different stages of radioactive waste generation and the mutual influence of radioactive waste when planning the activity and during the activity;
- 4) transfer radioactive waste to a radioactive waste storage facility within five years of its generation.

§ 40. Responsibilities of the holder of a radiation license when operating a nuclear facility

In addition to the general obligations set forth in § 32 of this Act, the holder of a radiation activity license is obliged to:

- 1) ensure the implementation of nuclear safety measures and compliance with relevant requirements when operating a nuclear installation;
- 2) ensure that the nuclear facility's employees and subcontractors follow the nuclear safety culture and radiation safety quality management system implemented in the nuclear facility based on their duties;
- 3) assess nuclear safety in the nuclear installation at least as often as it is stipulated in the conditions of the radiation activity permit.

§ 41. Transport of radioactive substance and equipment containing radioactive substance

(1) A radioactive substance and a device containing a radioactive substance, the activity or activity concentration of which is higher than the exclusion level, are transported by road, railway, air and water according to the procedure provided by legislation on dangerous goods.

(2) The transport of radioactive material and equipment containing radioactive material across the state border is carried out in accordance with international treaties that have entered into force with respect to the Republic of Estonia and on the basis of legislation.

(3) Transport of radioactive material and equipment containing radioactive material are operations related to the transportation of radioactive material from the point of origin to the destination, including loading and unloading.

Section 2 Medical radiation

§ 42. Medical radiation procedure

[RT I, 26.06.2018, 6 - entered into force. 06.07.2018]

(1) When performing a medical radiation procedure, the use of medical radiation must be justified and the expected benefit to the individual or society resulting from the procedure must outweigh the potential personal injury resulting from the radiation.

[RT I, 26.06.2018, 6 - enters into force. 06.07.2018]

1

(1) The medical radiation procedure must be performed in an optimized manner, keeping the radiation dose as low as possible and reasonable to achieve the goal of the procedure.

[RT I, 26.06.2018, 6 - enters into force. 06.07.2018]

2

(1) Before the medical radiation procedure, the patient must be informed about the dangers of ionizing radiation, and based on the available information, the data about the medical radiation procedures previously performed on the patient must be found out.

[RT I, 26.06.2018, 6 - enters into force. 06.07.2018]

(2) Medical radiation procedure is any operation related to medical radiation.

[RT I, 26.06.2018, 6 - enters into force. 06.07.2018]

1

(2) Possible personal injury due to medical radiation is a clinically manifest adverse effect on an individual or his offspring, which appears immediately or with a delay.

[RT I, 26.06.2018, 6 - enters into force. 06.07.2018]

(3) [Repealed - RT I, 26.06.2018, 6 - entered into force. 06.07.2018]

(4) Radiation safety requirements for medical radiation procedures shall be established by regulation of the minister responsible for the field .

[RT I, 26.06.2018, 6 - enters into force. 06.07.2018]

1

§ 42 . Using medical radiation equipment to perform a non-medical radiation procedure

(1) The holder of a radiation license shall ensure that, when using medical radiation equipment to perform non-medical radiation procedures, the same requirements as medical radiation procedures are met.

(2) A medical radiation device is a device that emits or records ionizing radiation used in medical radiation procedures.

[RT I, 26.06.2018, 6 - enters into force. 06.07.2018]

§ 43. Clinical audit of medical radiation procedures

[RT I, 26.06.2018, 6 - entered into force. 06.07.2018]

(1) The holder of a radiation activity license ensures that the clinical audit of medical radiation procedures is carried out properly.

[RT I, 26.06.2018, 6 - enters into force. 06.07.2018]

(2) Clinical audit of medical radiation procedures is a planned review and comparison of medical radiation practice with good practice standards for the purpose of improving clinical performance, safety and quality, if necessary, appropriately changing medical radiation practice, adjusting standards and organizing training and guidance of radiation workers or other workers involved in medical radiation procedures.

[RT I, 26.06.2018, 6 - enters into force. 06.07.2018]

1

(2) The practice of medical radiation is the performance of medical radiation procedures and the performance of previous and subsequent actions related to the procedure.

[RT I, 26.06.2018, 6 - enters into force. 06.07.2018]

(3) [Repealed - RT I, 26.06.2018, 6 - entered into force. 06.07.2018]

(4) [Repealed - RT I, 26.06.2018, 6 - entry into force. 06.07.2018]

(5) The requirements for the clinical audit of medical radiation procedures shall be established by a regulation of the minister responsible for the field .

[RT I, 26.06.2018, 6 - enters into force. 06.07.2018]

§ 44. Diagnostic reference value

(1) Diagnostic reference values are used in the optimization of medical radiation procedures. When these are exceeded, appropriate measures to reduce patient risk should be considered.

[RT I, 26.06.2018, 6 - enters into force. 06.07.2018]

(2) A diagnostic reference value is a reference level of radiation dose or activity of a radiopharmaceutical drug accompanying a medical radiation procedure for a standard-sized patient.

[RT I, 26.06.2018, 6 - enters into force. 06.07.2018]

1

(2) The determination of diagnostic reference values is ensured by the Board of Health.

[RT I, 26.06.2018, 6 - enters into force. 06.07.2018]

(3) Diagnostic reference values and requirements for determining diagnostic reference values shall be established by a regulation of the minister responsible for the field .

[RT I, 26.06.2018, 6 - enters into force. 06.07.2018]

Section 3 Radiation safety in the workplace

§ 45. Categories of radiation workers

The categories of radiation workers are:

1) Category A radiation worker who may receive an effective dose greater than six millisieverts or greater than three tenths of the equivalent dose limit for the eye lens, skin and limbs established on the basis of § 50 (6) of this Act;

2) Category B radiation worker, who is a radiation worker who is not classified in category A.

§ 46. Radiation safety specialist

(1) A radiation safety specialist is a person technically competent in matters of radiation protection related to the relevant radiation activity, whom the holder of a radiation activity license may appoint as the organizer of compliance with radiation safety requirements in the company.

1

(1) Depending on the nature of the radiation activity, the radiation safety specialist may perform, among other things, the following duties:

1) ensure that the radiation work is performed in accordance with the requirements prescribed in the radiation work regulations;

2) check the implementation of the workplace monitoring plan;

3) maintain all relevant data on radiation sources;

4) regularly assess the operation of safety and warning systems;

5) check the implementation of the radiation worker's personal dose monitoring plan;

6) check the implementation of the radiation worker's health check-up plan;

7) introduce new employees to radiation work rules and instructions;

8) prepare work plans related to radiation activities or participate in their preparation;

- 9) submit reports to the management;
- 10) participate in the prevention of an emergency radiation situation and the organization of readiness to respond to it;
- 11) supervise radiation workers and organize their training;
- 12) cooperate with a radiation expert.

[RT I, 26.06.2018, 6 - enters into force. 06.07.2018]

(2) If it is a high-risk radiation activity or the radiation activity permit holder has more than ten radiation workers, the appointment of a radiation safety specialist is mandatory.

(3) The appointment of a radiation safety specialist does not release the holder of a radiation activity permit from responsibility for ensuring radiation safety.

(4) The requirements for radiation safety training for a radiation safety specialist shall be established by a regulation of the minister responsible for the field .

§ 47. Age limit for admission to radiation work

Persons under the age of 18 may not be assigned to any radiation work.

§ 48. Radiation safety training and supervision of radiation workers

(1) The holder of a radiation activity permit is obliged to provide the radiation worker with radiation safety training and guidance that takes into account the nature of the work and the conditions of the workplace.

(2) The requirements for radiation safety training for radiation workers shall be established by regulation of the minister responsible for the field .

§ 49. Medical examination of a radiation worker

(1) The holder of a radiation activity license is obliged to ensure the employee's health check-up before starting work and at least once a year when hiring a radiation worker of category A or classifying as a radiation worker of category A. If the result of the medical examination performed before starting work shows that the employee is not suitable for a specific position, he may not be classified as a category A radiation worker or employed for this position.

[RT I, 26.06.2018, 6 - enters into force. 06.07.2018]

(2) If a radiation worker is found to have been exposed to more than the established limits, the holder of the radiation license shall immediately refer him to an emergency medical examination.

(3) The radiation worker's health check-up is carried out in accordance with the procedure provided for in the Occupational Health and Safety Act.

(4) When sending the health examination of a category A radiation worker, the employer submits the occupational radiation dose data of the radiation worker to the occupational health doctor, entering them on the form provided in Appendix 2 of the regulation established¹⁾

on the basis of § 13 (point 8 of the Occupational Health and Safety Act. The occupational health doctor records the radiation worker's dose data on his health check card.

[RT I, 26.06.2018, 6 - enters into force. 01.01.2019]

(5) The occupational health service provider fills in the health check-up card of an employee of category A with dose data as long as the employee belongs to this category. After that, the occupational health service provider will keep the card until the person in question is or would have reached the age of 75, but at least 30 years after the end of work related to ionizing radiation.

[RT I, 26.06.2018, 6 - enters into force. 06.07.2018]

§ 50. Monitoring of personal doses

(1) The holder of a radiation activity permit shall organize the monitoring of personal doses of radiation workers and the submission of monitoring data to the dose register.

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(1) The holder of a radiation activity permit shall, upon his request, give the employee or foreign worker access to the results of his individual monitoring, including measurement results that may have been used in the evaluation of the results, or the results of dose evaluation, if the evaluation was based on monitoring at the workplace.

[RT I, 26.06.2018, 6 - enters into force. 06.07.2018]

(2) Monitoring of personal doses of category A radiation workers at the workplace is continuous, and personal dose monitoring data are checked at least once a month.

(3) Monitoring of personal doses of category B radiation workers must be sufficient to show that the worker is correctly classified in category B.

(4) If a radiation worker may receive significant radiation due to the ingestion of radionuclides, the monitoring of personal doses organized by the holder of a radiation license must enable the assessment or measurement of personal doses resulting from the ingestion of radionuclides by the radiation worker.

(5) Measurements performed during personal dose monitoring must be accredited.

(6) The limits of the effective dose of the radiation worker and resident and the equivalent dose of the eye lens, skin and limbs shall be established by the Government of the Republic by regulation.

§ 51. Foreign worker

An external worker is a radiation worker, including an intern and a student, who is not employed by the person responsible for the monitoring area or control area, but who performs duties in these areas.

[RT I, 26.06.2018, 6 - enters into force. 06.07.2018]

§ 52. Ensuring radiation safety of foreign workers

(1) The holder of a radiation activity permit guarantees the foreign worker equal radiation safety with the radiation worker, as well as training and radiation safety guidance that takes into account the nature of his work and the conditions of the workplace.

1

(1) Before allowing a foreign worker to work, the holder of a radiation activity permit checks, based on the data entered on the dose card, that the foreign worker:

- 1) is suitable for radiation work on the basis of medical examination data;
- 2) the size of the expected occupational radiation doses of the previous and planned radiation activity does not exceed the valid dose limits;
- 3) has completed radiation safety training.

[RT I, 26.06.2018, 6 - enters into force. 06.07.2018]

(2) The information to be entered on the foreign worker's dose card and the procedure for issuing the dose card and the form of the dose card shall be established by a regulation of the minister responsible for the field .

§ 53. Control and monitoring area

(1) According to the room where the radiation source is located, the building, the type of radiation source and the magnitude of the radiation hazard, workplaces are divided into:

- 1) control area;
- 2) as a monitoring area.

(2) In the control area, protection against ionizing radiation or the prevention of the spread of radioactive contamination is ensured through the establishment of relevant rules. Access to the control area is controlled.

(3) In the monitoring area, protection against ionizing radiation is ensured through appropriate monitoring.

(4) .

§ 54. Monitoring in the control and monitoring area

(1) The holder of a radiation activity permit ensures monitoring in the control and monitoring area.

(2) Depending on the need, monitoring in the control and monitoring area includes:

- 1) dose rate monitoring;
- 2) monitoring the content of radioactive pollutants in the air or on surfaces, together with determining the properties and physical and chemical state of the radioactive pollution.

(3) The holder of a radiation activity permit shall record the monitoring results and keep them throughout the radiation activity.

§ 55. Additional measures to ensure radiation safety

If the exposure to the resident caused by radiation activity may exceed one-tenth of the resident dose limit per year established on the basis of § 50 (6) of this Act, the radiation activity permit holder shall consult with a radiation expert regarding the necessity of implementing possible additional measures to ensure radiation safety.

Section 4

Radioactive residues, wastes and emissions

§ 56. Radioactive waste, NORM waste and NORM waste

(1) Radioactive waste is substances or objects containing or contaminated with radioactive substances, the activity or activity concentration of which is higher than the release levels established on the basis of subsection 62 (3) of this Act and which are not intended to be used in the future.

(2) The specified requirements for the classification of radioactive waste and the registration, handling and transfer of radioactive waste shall be established by a regulation of the minister responsible for the field .

(3) NORM residues are substances containing or contaminated with a natural radioactive substance created as a result of some activity, the activity or activity concentration of which is higher than the established release levels and which are still planned to be used in the future.

(4) NORM waste is mainly radioactive waste containing natural radioactive material, including NORM waste that is not intended to be used in the future.

(5) The procedure for handling NORM waste, including its storage, dispersion and release, as well as interim or final storage of NORM waste, is determined by the radiation activity permit.

§ 57. Radioactive emissions

(1) Radioactive emissions are radioactive substances that are released during radiation activity and that are released into the environment for the purpose of dispersion.

(2) More precise conditions for the handling of emissions generated during radiation activities are determined by the radiation activity permit.

§ 58. Handling of radioactive waste

(1) Radioactive waste handling is radioactive waste pretreatment, processing, conditioning, transportation to the disposal site, storage, decommissioning, interim or final storage and other activities related to radioactive waste.

(2) Conditioning of radioactive waste is all operations related to the production of radioactive waste packaging, the purpose of which is to make the packaging easy to handle.

(3) The packaging of radioactive waste must comply with the requirements for handling, including conditioning, and its composition includes the waste form and any containers and internal barriers.

(4) Decommissioning is all operations and measures that are applied to partially or completely terminate the operation of a facility that poses a radiation hazard to an individual, which also includes the deactivation and partial or complete dismantling of the facility.

§ 59. Storage room for radioactive waste

A storage room for radioactive waste is a room that complies with the requirements established by the radiation activity permit for the collection, storage, pretreatment or packaging of radioactive waste at the source of radioactive waste.

§ 60. Radioactive waste disposal site

A radioactive waste management facility is a facility intended for the reception, collection, processing and conditioning of radioactive waste from its originator, as well as for interim or final storage.

§ 61. Radioactive waste storage place

(1) A radioactive waste storage facility is a facility specially designed for the interim or final storage of radioactive waste.

(2) Interim storage is the placement of radioactive waste in a technically equipped facility to ensure its isolation, with the intention of removing the radioactive waste from the facility in the future either for release, processing and conditioning or for final storage.

(3) Final storage is the placement of radioactive waste in a storage place that meets certain conditions or a place prepared for that without the intention of removing it.

1

(3) Radioactive waste generated in Estonia is final stored in Estonia, unless there is an agreement between Estonia and another member state of the European Union or a third country for the use of a facility intended for final storage in that country at the time of export for the purpose of final storage of the waste.

[RT I, 26.06.2018, 6 - enters into force. 06.07.2018]

(4) The interim and final storage of radioactive waste is organized by the Ministry of Climate.

[RT I, 30.06.2023, 1 - enters into force. 01.07.2023]

1

§ 61 . Dilution of radioactive material

(1) Targeted dilution of radioactive materials for the purpose of exempting the materials from the requirements of the Radiation Act is not permitted.

(2) The Environmental Board may issue a radiation activity permit for diluting radioactive material with non-radioactive substance for the purpose of reuse or recycling, if, based on a radiation safety assessment, release is the best solution taking into account economic, social and environmental factors.

[RT I, 26.06.2018, 6 - enters into force. 06.07.2018]

§ 62. Exemption from compliance with radiation safety requirements

(1) The Environmental Board may decide that this Act does not apply to a radioactive substance created during radiation activity and its owner if the substance has such a low activity or activity concentration that its processing and storage as radioactive waste is not necessary from the point of view of radiation safety.

(2) The decision provided for in subsection 1 of this section may be made by the Environmental Board on the basis of a reasoned request from the owner of the radioactive substance.

(3) The release levels of radioactive substances or objects contaminated with radioactive substances and the conditions for their release, recycling and reuse shall be established by a regulation of the minister responsible for the field .

§ 63. Handling of released waste

The Waste Act is applied to the management of waste released under the conditions established on the basis of § 62 (3) of this Act.

§ 64. Transfer of radioactive waste to a radioactive waste storage facility

(1) If radioactive waste cannot be discharged into the environment for the purpose of dispersion or exempted from the application of the requirements of this Act or legislation established on the basis of it within five years after its generation, the generator of radioactive waste shall transfer it to a radioactive waste storage facility.

(2) Radioactive waste transferred to the storage site must be packaged in accordance with the packaging compliance indicators.

(3) Packaging compliance indicators are indicators or characteristics that characterize the suitability of radioactive waste packaging for handling.

(4) Packaging compliance indicators are established by regulation of the minister responsible for the field .

§ 65. State possession of radioactive substance, equipment containing it and radioactive waste

(1) If the possession of a radioactive substance, equipment containing it and radioactive waste is illegal, or in connection with them there is a reasonable suspicion of the occurrence of an emergency radiation situation, or if it is an ownerless radiation source or ownerless radioactive waste, the state takes possession of them.

[RT I, 26.06.2018, 6 - enters into force. 06.07.2018]

1

(1) The Environmental Board decides to take possession of the radioactive substance, equipment containing it and radioactive waste specified in subsection 1 of this section.

[RT I, 22.05.2020, 1 - enters into force. 01.06.2020]

(2) The radiation sources and waste specified in subsection 1 of this section, which are taken into the possession of the state, are handed over to the radioactive waste handler specified on the basis of § 107 subsection 5 of this Act.

[RT I, 26.06.2018, 6 - enters into force. 06.07.2018]

(3) If the possession of a radioactive substance, equipment containing it, and radioactive waste is illegal or an emergency radiation situation may arise in connection with them, the owner shall pay the costs related to their possession and handling by the state.

[RT I, 26.06.2018, 6 - enters into force. 06.07.2018]

(4) The costs related to taking possession and handling of an ownerless radiation source and ownerless radioactive waste shall be covered by the state.

[RT I, 26.06.2018, 6 - enters into force. 06.07.2018]

(5) [Repealed - RT I, 22.05.2020, 1 - entry into force. 01.06.2020]

§ 66. Closure of radioactive waste storage site

(1) The holder of a radiation activity permit collects and analyzes data on the use of the radioactive waste storage site and forwards them to the Environmental Board for storage.

(2) The Environmental Board may, on the basis of the data specified in subsection 1 of this section, oblige the holder of a radiation activity permit to submit a new application for a radiation activity permit to close the storage site.

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(2) The closure of a storage site is the termination of any activity after the placement of spent nuclear fuel or radioactive waste in a facility intended for final storage, including final engineering or other works so that the facility achieves a long-term safety condition.

[RT I, 26.06.2018, 6 - enters into force. 06.07.2018]

(3) The conditions for closing the storage site are determined by the radiation activity permit.

§ 67. Safety of the radioactive waste storage site after its closure

After the closure of the radioactive waste storage site, the Environmental Board:

- 1) keeps documents on the location of the radioactive waste storage site, its design and radioactive waste inventory indefinitely;
- 2) arranges, if necessary, radiation monitoring and control of access restrictions;
- 3) organizes an intervention if, based on monitoring data or inspection, it is detected that radioactive substances have entered the environment.

Chapter 4 Permissions related to radiation activities

Section 1 Radiation license

§ 68. Radiation activity permit

(1) A radiation activity permit is required:

- 1) for operation, closure and decommissioning of any nuclear fuel cycle facility;
- 2) for the production, use, storage and transport of radioactive material and products containing it, including import and export;
- 3) for use and storage of electrical radiation equipment;
- 4) for the handling and transport of radioactive waste;
- 5) for activities related to increased natural radiation, in which radiation caused by natural radionuclides is important from the point of view of radiation safety.

(2) A radiation activity permit is not required for activities in which:

- 1) the activity or activity concentration of the radionuclides used is lower than the exclusion level;
- 2) an electric radiation device is used, the dose rate of which during operation does not exceed one microsievert per hour at a distance of 0.1 meters from the surface of the device and which has a valid type approval;
- 3) a device containing a closed radiation source is used, the dose rate during operation does not exceed one microsievert per hour at a distance of 0.1 meters from the surface of the device, and which has a valid type approval and whose safety plan has been approved by the Environment Agency.

(3) The type approval specified in point 2 of clause 2 of this section is not required for the use of a visual display cathode ray tube or other electric radiation device operating at a potential difference of up to 30 kilovolts.

(4) It is prohibited to start radiation activities or operate radiation work requiring a radiation activity permit without a radiation activity permit.

(5) The basis for deriving the exclusion levels of radionuclides and the exclusion levels for which a radiation activity license is not required if the value is equal to or less than, shall be established by a regulation of the minister responsible for the field .

[RT I, 22.05.2020, 1 - enters into force. 01.06.2020]

§ 69. Issuer of a radiation activity permit

The radiation activity permit is issued by the Environmental Board (hereinafter *the permit issuer*).

§ 70. Application for a radiation activity permit

(1) In addition to the provisions of § 42 subsection 1 of the Act on the General Part of the Environmental Code, the following shall be submitted in the application for a radiation activity permit:

- 1) data characterizing the radiation source and the technology and equipment used;
- 2) data on radioactive waste or emissions generated during radiation activities, their handling and compliance indicators of waste packaging, and radioactive waste storage space;
- 3) plan for the safety of the radiation source after the termination of the use of the radiation source;
- 4) when applying for a permit for the handling, interim and final storage of radioactive waste, information on the methods of handling or final closure of the storage site;
- 5) radiation safety assessment, which provides an overview of the aspects of radiation activity related to human protection and the safety of the radiation source, including the protective and safety measures used and the potential evaluable doses caused to radiation workers and residents both under normal working conditions and in emergency and permanent exposure situations, and to which is attached data on the measures taken to ensure radiation safety about;

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5) in the case of moderate and high-risk radiation activities, limitations of the annual equivalent or effective dose of a radiation worker and the effective dose of a resident in the case of planned radiation activities under normal working conditions;

[RT I, 26.06.2018, 6 - enters into force. 01.07.2018]

6) in the event of high-risk radiation activity, a plan for operating in the event of an emergency exposure, based on an assessment of potential exposure;

7) data on the financial guarantee necessary for the safety of the radioactive substance, the equipment containing it, and the radioactive waste;

8) description of the radiation safety quality management system;

9) data on radiation workers and their professional training;

10) radiation work regulations, which, depending on the specifics of the radiation work, must include the use of the radiation source, termination of use, and related actions;

11) radiation monitoring plan and data on devices used for radiation monitoring.

(2) The documents and data specified in § 42 subsection 3 of the Act on the General Part of the Environmental Code shall be attached to the application for a radiation activity permit.

(3) If a radiation activity permit is applied for importing a radioactive substance into the Republic of Estonia from a country that is not a member of the European Union, or for export from Estonia to a country that is not a member of the European Union, the applicant for the permit submits the General Part of the Environmental Code Act § 42 (1) points 1, 2, 5 and 6 the mentioned data and the data characterizing the radioactive substance.

1

(3) The application for a radiation activity permit with annexes is submitted to the grantor of the permit through the environmental decision information system and the application is confirmed with a digital signature.

[RT I, 26.06.2018, 6 - enters into force. 06.07.2018]

(4) The specified requirements for the application for a radiation activity permit and the data composition of the application shall be established by a regulation of the minister responsible for the field .

[RT I, 21.12.2019, 1 - enters into force. 01.01.2020]

1

§ 70 . Recognition of the radiation activity license of the contracting state

If the entrepreneur is registered in another European Economic Area contracting country and has been issued a radiation activity license there, the entrepreneur submits an application to the Environmental Board for recognition of this activity license in order to provide services in Estonia, in which the following data and documents are submitted, depending on the specific nature of the radiation activity:

- 1) the applicant's name, registry code and contact details;
- 2) description of the planned radiation activity;
- 3) a copy of the radiation activity permit issued by the competent authority in the host country, which is legalized or confirmed with a certificate (apostille), unless the foreign agreement stipulates otherwise;
- 4) representation of the radiation activity permit, made by a sworn translator or notarized;
- 5) extract from the registration card of the business register of the country of residence;
- 6) location and time period of radiation activity in Estonia;
- 7) contact details of the representative of the customer on the Estonian side;
- 8) data on radiation workers, their professional training and personal dose monitoring;
- 9) other data necessary for radiation safety assessment.

[RT I, 22.05.2020, 1 - enters into force. 01.06.2020]

2

§ 70 . Term and validity of the recognition decision

(1) The Environmental Board makes a decision on recognition or non-recognition within 30 days of receiving a proper application.

(2) Recognition is granted for up to three years.

[RT I, 22.05.2020, 1 - enters into force. 01.06.2020]

3

§ 70 . Refusal of recognition and revocation of recognition

(1) The Environmental Board refuses to recognize a radiation activity permit if:

- 1) recognition is requested for an activity for which a radiation activity permit was not issued in the applicant's country of residence;
- 2) recognition is applied for when the radiation activity license issued in the applicant's country of residence is not valid;

3) the applicant for recognition does not have radiation workers with the required professional training or monitoring of their personal doses is not guaranteed;

4) the location requested for radiation activity or other conditions do not allow to meet the radiation safety requirements.

(2) The Environmental Board shall recognize the recognition as invalid if:

1) it appears that the entrepreneur who received the recognition has knowingly submitted false information or a forged document in the recognition application;

2) the circumstances listed in points 2 and 3 of § 77 (3) of this Act appear.

[RT I, 22.05.2020, 1 - enters into force. 01.06.2020]

4

§ 70 . Data to be entered in the recognition decision

The following shall be noted on the recognition decision:

1) the name and registry code of the recognized entrepreneur;

2) address and contact details of the recognized entrepreneur and contact person;

3) name of radiation activity;

4) location of radiation activity;

5) validity period of recognition;

6) data of radiation workers;

7) requirements for radiation safety and radiation monitoring arising from radiation activity and its specificities, and other data characterizing radiation activity.

[RT I, 22.05.2020, 1 - enters into force. 01.06.2020]

§ 71. Application of the open procedure to the review of the application for a radiation activity permit

In the case of the radiation activity specified in clauses 1, 4 and 5 of § 68 (1) of this Act, the open procedure for granting and amending a radiation activity permit shall be applied.

§ 72. Opinion of the local self-government unit on the application for a radiation activity permit

If a radiation activity permit is requested for the activities specified in clauses 1, 4 or 5 of § 68 (1) of this Act, the grantor of the permit must submit an application to the local government unit for its opinion.

§ 73. Deadline for deciding on granting a radiation activity permit

(1) The granting of a radiation activity permit shall be decided within 90 days from the receipt of a proper application.

(2) If a radiation activity permit is requested for high-risk radiation activities, the permit grantor may extend the deadline specified in subsection 1 of this section by up to 90 days.

§ 74. Refusal to issue a radiation activity permit

In addition to the cases provided for in § 52 of the General Part of the Environmental Code Act, the permit grantor refuses to issue a radiation activity permit if:

1) the planned activity is not the best in terms of economic, social or other benefits in terms of possible health damage caused by radiation activity;

2) the activity for which a radiation activity license is requested entails or may entail a threat to domestic or international security;

3) the applicant for a radiation activity license does not have radiation workers with the required professional training;

4) the location requested for radiation activity and other conditions do not allow compliance with radiation safety requirements;

5) the applicant for a radiation activity permit does not prove the existence of the guarantee provided for in Chapter 6 of this Act in the amount and under the conditions specified by the radiation activity permit issuer.

§ 75. Data to be entered on the radiation activity permit

(1) In addition to the provisions of § 53 of the Act on the General Part of the Environmental Code, the following shall be noted in the radiation activity permit:

1) the number and date of issue of the radiation activity permit;

2) name of radiation activity;

3) data and description of radiation sources;

4) radioactive waste handling methods, limit quantities and handling and storage locations;

5) limit quantities of radioactive emissions and methods of environmental management;

6) requirements for radiation safety and radiation monitoring resulting from radiation activity and its particularity;

7) degree of danger of radiation activity;

8) existence of a financial guarantee.

(2) The radiation activity permit issued for radiation activity related to a highly active radiation source contains the following information in addition to what is stipulated in subsection 1 of this section:

1) radiation protection competence of employees, including their notification and training;

2) requirements regarding the radiation source, radiation source container and accessories and their maintenance;

3) proper radiation safety management of the decommissioned radiation source until it is handed over to the manufacturer, another person holding a radiation activity license, or the radioactive waste storage facility.

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(2) The radiation activity permit and the decision to grant it are formalized digitally signed through the environmental decision information system.

[RT I, 26.06.2018, 6 - enters into force. 01.07.2018]

(3) The data composition of the radiation activity permit shall be established by a regulation of the minister responsible for the field .
[RT I, 21.12.2019, 1 - enters into force. 01.01.2020]

§ 76. Validity of a radiation activity permit

(1) In the case of low-risk radiation activity, the term of validity of the radiation activity permit is determined in accordance with § 53 (2) of the Act on the General Part of the Environmental Code.

(2) In the case of moderate and high-risk radiation activity, a radiation activity permit is granted for a term of up to five years.

§ 77. Changing and revoking a radiation activity permit

(1) The radiation activity permit is amended and declared invalid in accordance with the procedure provided for in §§ 59, 60 and 62 of the Act on the General Part of the Environmental Code.

(2) In the cases specified in clauses 1, 3, 4, 5 and 7 of § 78 (1) of this Act, the Environmental Board decides to change the radiation activity permit within 30 days of receiving the request.

(3) In addition to the provisions of § 62 of the Act on the General Part of the Environmental Code, a radiation activity permit is declared invalid if:

- 1) the permit holder does not ensure the existence of a financial guarantee;
- 2) the permit holder has repeatedly failed to ensure compliance with the radiation safety principles, obligations and conditions stipulated in the permit, which has resulted in the emergence of a significant radiation hazard;
- 3) the permit holder, its representatives or employees have purposefully and maliciously prevented the Environmental Board and its representatives from inspecting the activities of the permit holder.

[RT I, 10.07.2020, 2 - enters into force. 01.01.2021]

§ 78. Changing radiation activity

[RT I, 22.05.2020, 1 - entered into force. 01.06.2020]

(1) The holder of a radiation activity permit submits a request to the permit grantor via the environmental decision information system if he intends to:

[RT I, 22.05.2020, 1 - entry into force. 01.06.2020]

- 1) introduce a new or additional radiation source;
- 2) change the data of the radiation source specified in the radiation activity permit or stop its use;

[RT I, 22.05.2020, 1 - enters into force. 01.06.2020]

- 3) transfer the radiation source to another person or store it as radioactive waste;
- 4) change the radiation activity specified in the radiation activity permit, the methods of handling the generated radioactive waste, the limit quantities or the storage location;
- 5) change the place, facilities or premises where the radiation activity takes place;
- 6) employ a new radiation safety specialist;
- 7) to significantly change the radiation activity described in the permit in another way.

(2) In the cases specified in clauses 1, 4, 5 and 7 of subsection 1 of this section, if it is a significant change from the point of view of radiation safety, the said notifications are considered as an application for a new radiation activity permit.

§ 79. Radiation activity permit for operating a new nuclear installation

A radiation activity permit for the operation of a new nuclear facility can be applied for after the Riigikogu has adopted a decision on the commissioning of the nuclear facility.

§ 80. Register of radiation sources and nuclear material

[Repealed - RT I, 26.06.2018, 6 - entered into force. 01.07.2018]

Section 2

Radiation activity permit for the import, export and transit of radioactive waste

§ 81. Transport of radioactive waste

[Repealed - RT I, 26.06.2018, 6 - entered into force. 01.07.2018]

§ 82. Application for a driving permit

(1) The transport permit application is submitted separately for each transport.

(2) An application for a transport permit may be submitted for more than one transport, provided that:

- 1) all radioactive waste, for which the application is submitted, has similar physico-chemical and radioactive properties;
- 2) the transport takes place from one and the same owner of radioactive waste to the same recipient, and the transport documents have been coordinated and issued by the same competent authorities;
- 3) transportation takes place through the same border points and the same transit countries.

(3) The application for a radiation activity permit (hereinafter *referred to as a transport permit*) for the transport of radioactive waste shall be submitted to the Environmental Board electronically and digitally signed.

[RT I, 26.06.2018, 6 - enters into force. 01.07.2018]

§ 83. Documents for the import, export and transit of radioactive waste

(1) Documents for the import, export and transit of radioactive waste are:

- 1) transport permit application;
- 2) approvals of competent authorities;
- 3) transport permit;

- 4) list of packages;
- 5) notice of receipt of radioactive waste.

(2) The procedure for processing documents for the import, export and transit of radioactive waste and differences in deadlines depending on the country of origin and destination shall be established by the minister responsible for the field by regulation.

(3) The form of documents for the import, export and transit of radioactive waste is included in the decision 2008/312/Euratom of the European Commission of March 5, 2008, which establishes the standard form for the supervision and control of the transport of radioactive waste and spent nuclear fuel specified in Council Directive 2006/117/Euratom (OJ L 107, 17.04.2008, pp. 32–59).

§ 84. Coordination of transport permit and transit

(1) The Environmental Board sends the transport permit and transit application to the competent authorities of the destination country and all transit countries for coordination.

(2) The Environmental Board issues a transport permit after coordination with all necessary authorities.

§ 85. Validity of transport permit and transit approval

(1) A one-time transport permit and transit approval are granted for one transport for a fixed period of time.

(2) Multiple transport permits and transit approvals are valid for up to three years.

§ 86. Refusal to approve transport permit and transit

In addition to what is stipulated in § 74 of this Act, the Environmental Board refuses to issue a transport permit and does not approve the transit of radioactive waste if:

- 1) the destination country of the radioactive waste is located south of 60° south latitude;
- 2) the destination country is not a member state of the European Union, but it has concluded an agreement with the European Union prohibiting the import or transit of radioactive waste;
- 3) there is reason to believe that there is no possibility to safely handle radioactive waste in the destination country;
- 4) radioactive waste is intended to be imported into Estonia for interim or final storage.

§ 87. Return of radioactive waste

If it is not possible to complete the transportation of radioactive waste, or if the conditions of transportation do not meet the conditions set in the permit application or transport permit, the Environmental Board shall apply replacement disposal in the form of returning the radioactive waste to the original owner of the radioactive waste in accordance with the procedure provided in the Replacement Disposal and Extortion Law.

§ 88. Import, export and transit of used nuclear fuel

The provisions of this section also apply to the import, export and transit of spent nuclear fuel.

Section 3 Radiation expert and medical physics expert [RT I, 26.06.2018, 6 - enters into force. 06.07.2018]

§ 89. Radiation expert

(1) A radiation expert is a person who advises radiation license holders and other persons to the extent of their knowledge and skills. The radiation expert advises in the following areas, among others:

- 1) consideration of radiation safety requirements when designing facilities intended for radiation activity;
 - 2) classification of workplaces at the site of radiation activity into control and monitoring areas;
 - 3) monitoring programs of the radiation site;
 - 4) protective equipment and measuring devices, including their selection and checking;
- [RT I, 26.06.2018, 6 - enters into force. 06.07.2018]
- 5) creation of a radiation safety quality management system;
 - 6) safe handling of radioactive waste;
 - 7) risk analysis and radiation emergency resolution planning;
 - 8) training of radiation workers and radiation safety specialists;
- [RT I, 26.06.2018, 6 - enters into force. 06.07.2018]
- 9) introduction of a new or adapted radiation source.
- [RT I, 26.06.2018, 6 - enters into force. 06.07.2018]

(2) A natural person who has received or is recognized as a radiation expert may act as a radiation expert.

§ 90. Certificate of radiation expert

(1) The certificate of a radiation expert is issued on the basis of an application to a person who:

- 1) has a higher education;
- 2) has completed radiation safety training, the curriculum of which includes the principles of radiation safety and the radiation-related legislation of the Republic of Estonia and the European Union and relevant international recommendations and substances related to ionizing radiation to such an extent that it allows to operate in the area specified by the certificate;
- 3) has at least five years of work experience in radiation safety;
- 4) has passed the radiation expert exam;

(2) The certificate of a radiation expert is issued by the Environmental Board.

(3) The applicant shall pay a state fee for the review of the application for a radiation expert certificate at the rate specified in the State Fees Act.

(4) The curriculum of radiation expert training, professional skill requirements, the procedure for applying for a certificate, and the form of a certificate application and certificate shall be established by a regulation of the minister responsible for the field .

§ 91. Validity of certificate

The certificate is valid for five years.

§ 92. Refusal to give a certificate

The Environmental Board refuses to issue a certificate if:

- 1) the person does not meet the requirements set forth in § 90 subsection 1 of this Act;
- 2) within the three years prior to applying for the certificate, the person has significantly violated the requirements established by the Radiation Act and legislation issued on the basis of his previous activities;
- 3) the certificate has been declared invalid within three years before applying for a new certificate.

§ 93. Revocation of certificate

The Environmental Board declares the certificate invalid by notifying the holder of the certificate in writing in advance, if:

- 1) the holder of the certificate has provided untrue information about his education, completion of radiation safety training or work experience;
- 2) the holder of the certificate does not follow the principles of radiation safety.

§ 94. Recognition of foreign professional qualifications

(1) A person who has acquired a foreign professional qualification may also work as a radiation expert, if his professional qualification has been recognized in accordance with the Act on the Recognition of Foreign Professional Qualifications.

(2) Pursuant to § 7 (2) of the Act on the Recognition of Foreign Professional Qualifications, the competent authority is the Environmental Board.

§ 95. Medical physics expert

[RT I, 26.06.2018, 6 - entered into force. 06.07.2018]

(1) An expert in medical physics acts, advises and participates to the extent of his knowledge and skills in the field of medicine:

- 1) in matters related to radiation physics in the use of medical radiation equipment;
- 2) in matters of patient dosimetry;
- 3) optimizing medical radiation;
- 4) in ensuring the quality of the medical radiation procedure;
- 5) when performing approval tests of the medical irradiation device;
- 6) in the process of procuring and evaluating medical radiation equipment, protective equipment and measuring equipment;
- 7) in the preparation of the technical description of the medical irradiation device and facility;
- 8) in the analysis of events that involve or may involve emergency radiation or unplanned medical radiation;
- 9) in training employees.

(2) Approval tests are tests immediately prior to the first use of the medical radiation device or after conversion, to check the safety and performance parameters prescribed for the device and to determine the base value of the performance parameters.

(3) A natural person who has an authorized biomedical engineering engineer or an equivalent professional certificate in the specialty of diagnostic radiology, nuclear medicine or radiation therapy may act as an expert in medical physics.

[RT I, 26.06.2018, 6 - enters into force. 06.07.2018]

Chapter 5 Natural radiation

§ 96. Increased natural radiation

(1) The Environmental Board ensures that all such operations are identified by means of studies or other appropriate methods, in which natural radiation sources or natural radioactive substances may cause workers or residents to be exposed to more radiation than the effective dose limit for a resident established on the basis of this Act.

[RT I, 22.05.2020, 1 - enters into force. 01.06.2020]

1

(1) A natural radiation source is a natural source of ionizing radiation contained in the ground or of cosmic origin.

[RT I, 26.06.2018, 6 - enters into force. 06.07.2018]

(2) Operations in which natural sources of radiation or natural radioactive substances may cause workers or residents to be exposed to more radiation than the effective dose limit for a resident established on the basis of this Act are, among others:

[RT I, 22.05.2020, 1 - entered into force. 01.06.2020]

- 1) separation of rare earth metals from monazite;
- 2) production of thorium compounds and manufacture of products containing thorium;
- 3) niobium-tantalum ore processing;
- 4) oil and gas production;
- 5) production of geothermal energy;
- 6) production of TiO₂ pigment;
- 7) thermal production of phosphorus;
- 8) processing of zirconium and zirconium;
- 9) production of phosphorus fertilizers;
- 10) cement production and maintenance of clinker kilns;

- 11) operation of coal-fired power plants and maintenance of central heating boilers;
- 12) production of phosphoric acid;
- 13) primary production of iron;
- 14) melting of tin, lead and copper;
- 15) operation of groundwater treatment plants;
- 16) mining of ores other than uranium.

[RT I, 26.06.2018, 6 - enters into force. 06.07.2018]

§ 97. Measures for the protection of employees and residents

(1) In the case of operations in which natural sources of radiation may cause workers or residents to be exposed to more radiation than the effective dose limit for residents established on the basis of this Act, the Environmental Board has the right to require the employer to:

- 1) submit a radiation safety assessment;
- 2) organizing monitoring of doses caused by radiation;
- 3) taking into account the amount of doses when preparing the work schedule;
- 4) informing employees about the health risk related to their work and providing appropriate guidance;
- 5) implementation of special measures to protect the health of female employees during pregnancy and, if necessary, during breastfeeding;
- 6) taking appropriate measures to prevent or minimize the possibility of employees and residents receiving a dose that exceeds the effective dose limit for a resident established on the basis of this Act.

(2) If, in the opinion of the Environmental Board, the implementation of the measures provided for in subsection 1 of this section is not sufficient and the employees may receive an annual effective dose higher than the effective dose limit of the resident, the employer must apply for a radiation activity permit.

(3) The reference level of the radon content of the air in workplaces, the procedure for measuring the radon content of the air, and the employer's obligations at workplaces with a high radon risk shall be established by a regulation of the minister responsible for the field .
[RT I, 26.06.2018, 6 - enters into force. 06.07.2018]

1

§ 97 . Measures for the protection of the flight crew and spacecraft crew

(1) In order to protect the flight crew in the event that they may receive a higher annual radiation due to cosmic radiation than the effective dose limit for an inhabitant established by this Act, the employer must:

- 1) organize monitoring of doses caused by radiation;
- 2) consider the amount of doses when preparing the work schedule;
- 3) inform employees about the health risk related to their work;
- 4) implement special measures to protect the health of female employees during pregnancy.

(2) If the employee's radiation dose exceeds 6 millisieverts per year, the employer must, in addition to the provisions of subsection 1 of this section:

- 1) coordinate the measures implemented for the protection of employees with the Environmental Agency;
- 2) ensure the employee's health check-up at least once a year.

(3) In order to protect the crew of the spaceship, in the event that it may receive a higher annual radiation due to cosmic radiation than the effective dose limit for a radiation worker established on the basis of this Act, the measures to be implemented shall be coordinated with the Environmental Board.

(4) A spaceship within the meaning of this Act is a manned vehicle designed to operate above 100 kilometers above sea level.

[RT I, 26.06.2018, 6 - enters into force. 06.07.2018]

Chapter 6 Financial guarantee

§ 98. Financial guarantee

(1) The grantor of a radiation activity permit may require the applicant for a radiation activity permit to provide a financial guarantee for the safety of the radioactive substance, equipment containing it, and radioactive waste (hereinafter *the guarantee*).

(2) The issuer of the radiation activity permit decides on the need for a guarantee within 20 days from the registration of the radiation activity permit or the application for its amendment. When making a decision, the importance of ensuring the safety of the radioactive substance, equipment containing it, or radioactive waste from the point of view of radiation safety and the expected cost of safety are taken into account.

(3) The guarantee must be intended only for the safety of the radioactive substance, the equipment containing it and radioactive waste, and if necessary, it can be realized without delay.

(4) The amount of the security is the estimated cost of the safekeeping of the radioactive substance, equipment containing it or radioactive waste based on the data provided in the application for the radiation activity permit, and it is determined by the issuer of the radiation activity permit.

(5) The existence of a guarantee is proven by a guarantee from an Estonian or international credit or financial institution accepted by the issuer of the radiation activity permit. The grantor of the radiation activity permit has the right not to accept the guarantor if, based on the guarantor's previous activities, economic status or reputation, there is a reason to doubt the reliability of the guarantee given by him.

(6) The guarantee must be valid until the end of the safekeeping of the radioactive substance, equipment containing it or radioactive waste.

§ 99. Increase of collateral

If the grantor of the radiation activity license determines that the amount of the existing guarantee does not cover the costs of the safety of the radioactive substance, the equipment containing it or the radioactive waste, he has the right to demand an increase in the guarantee.

Chapter 7 Radiation monitoring

§ 100. Assessment of the effective and equivalent dose of residents and the observation group of the population

(1) The assessment of the effective and equivalent doses of residents and observation groups of the population is ensured by the Environmental Board.

(2) The observation group of the population is a group of persons whose radiation caused by some radiation activity is uniform and who represents the part of the population that is more irradiated by this radiation activity.

(3) The holder of a radiation activity permit who has a permit for the radiation activities provided for in clauses 1, 4 or 5 of § 68 (1) of this Act shall ensure the evaluation of the doses caused by the radiation activities to observation groups of the population.

(4) The procedure for monitoring and evaluating the effective doses of the resident, the values of the dose coefficients, radiation and tissue factors of the doses caused by the ingestion of radionuclides, and the procedure for their measurement shall be established by a regulation of the minister responsible for the field .

§ 101. Assessment of the effective and equivalent dose of a radiation worker

(1) The radiation worker's effective and equivalent doses are evaluated by the holder of the radiation activity permit.

(2) The procedure for monitoring and evaluating the radiation worker's effective doses, the values of the dose coefficients of the doses caused by the ingestion of radionuclides, and the radiation and tissue factor values, and the procedure for their measurement shall be established by a regulation of the minister responsible for the field .

§ 102. Dose register

(1) The national dose register of radiation workers is kept to keep records of occupational radiation doses received by radiation workers.

(2) The responsible processor of the national radiation workers' dose register is the Environmental Board.

(3) The personal data of the radiation worker, information about his employer and received occupational radiation doses are collected in the national dose register of radiation workers.

(4) The data specified in subsection 3 of this section must be kept in the national radiation workers' dose register for the entire period of radiation work of the radiation worker. After that, the data is stored until the person reaches or would have reached the age of 75, but not less than 30 years from the date of his/her retirement from radiation work.

(5) Access to the results of personal dose monitoring of a radiation worker shall be granted to the following persons:

- 1) the radiation worker in terms of personal data;
- 2) to a specialist who provides health care to a radiation worker;
- 3) to the holder of a radiation activity permit regarding the data of his radiation workers;
- 4) to the operator of the radiation safety inspection;
- 5) regarding radiation and its effect on the person conducting scientific research in terms of data that does not concern the person of the radiation worker.

(6) The national dose register of radiation workers is established and its statutes are established by the minister responsible for the field by regulation.

Chapter 8 Intervention and implementation of protective measures

§ 103. Intervention

Intervention is human activity aimed at radiation sources, radiation paths and persons, which prevents or reduces the exposure of people in emergency and permanent exposure situations.

§ 104. Irradiation track

The radiation path is the path in the environment through which a radioactive substance travels to a person and irradiates him.

§ 105. Level of intervention, action and reference

[RT I, 26.06.2018, 6 - entered into force. 06.07.2018]

(1) The intervention level is the value of the equivalent or effective dose to be avoided, if exceeded, the implementation of measures to protect residents must be considered, whereas the avoided dose is related only to the radiation path and radiation source for which protective measures are applied.

(2) The action level is the value of the dose rate or activity concentration, in case of exceeding which protective measures are applied.

1

(2) The reference level is the level of effective dose, equivalent dose or activity concentration occurring in the situation of emergency exposure or permanent exposure, above which measures to reduce exposure must be considered, although it is not a limit that must not be exceeded.

[RT I, 22.05.2020, 1 - enters into force. 01.06.2020]

(3) Intervention and action levels and emergency exposure reference levels, which are the basis for drawing up a radiation emergency resolution plan and implementing measures to protect residents, shall be established by a regulation of the Government of the Republic

[RT I, 26.06.2018, 6 - enters into force. 06.07.2018]

§ 106. Protective and remedial measures and principles of their implementation

[RT I, 26.06.2018, 6 - entered into force. 06.07.2018]

(1) The method, scope and duration of the implementation of protective measures must be planned in such a way that the benefit arising from the reduction of human health damage is maximal compared to the damage caused by the intervention.

1

(1) Protective measures are measures, other than remedial measures, which are implemented to avoid or reduce doses that might otherwise be received in emergency or permanent exposure situations.

[RT I, 26.06.2018, 6 - enters into force. 06.07.2018]

2

(1) Remedial measures are the elimination of the source of radiation or the reduction of its power, or the interruption of the radiation path or the reduction of its effects in order to prevent or reduce doses that would otherwise be received in a permanent exposure situation.

[RT I, 26.06.2018, 6 - enters into force. 06.07.2018]

(2) Protective measures are implemented if the reduction of the damage is sufficient to justify the damage and expenses arising from the implementation of the protective measures.

§ 107. Intervention in emergency radiation situations

(1) The participants in the intervention are the Rescue Board on the basis and procedure provided for in the Rescue Act, the Police and Border Guard Board on the basis and procedure provided for in the Police and Border Guard Act, the Environmental Board, the radioactive waste handler participating in the intervention and, if necessary, other persons.

(2) The competence of the Environmental Board includes:

- 1) assessment of the possible dispersion of radioactive substances in time and space and the possible exposure to radiation;
- 2) identifying an area with increased radiation and organizing radiation monitoring in that area;
- 3) carrying out measurements and giving an assessment of exceeding or not exceeding the limit amounts of radioactive pollution;
- 4) assessment and documentation of radiation doses of persons who were in an area with elevated radiation levels;
- 5) exchange of radiation information with the European Commission and the International Atomic Energy Agency.

(3) [Repealed - RT I, 10.07.2020, 2 - entry into force. 01.01.2021]

(4) The radioactive waste handler participating in the intervention is a legal entity that has a radiation activity permit for the management of the radioactive waste storage site and the transport of radioactive material and the ability to remove contamination from a radioactively contaminated area.

(5) The handler of radioactive waste participating in the intervention is appointed by the minister responsible for the field with a directive.

§ 108. Intervention in a radiation emergency

In accordance with the Emergency Act, a radiation emergency plan is drawn up to ensure readiness to respond to a radiation emergency.

§ 109. Intervention in the situation of permanent radiation

[RT I, 26.06.2018, 6 - entered into force. 06.07.2018]

The Environmental Board ensures the identification of the situation of emergency exposure or permanent exposure as a result of past activities by means of studies or other appropriate measures, and prepares a plan for managing the situation, which includes at least the following:

- 1) characterization of the situation of permanent exposure;
- 2) the goals of managing the permanent radiation situation;
- 3) form, scope and duration of optimized remedial and protective measures;
- 4) obligations related to the implementation of corrective and protective measures;
- 5) environmental radiation monitoring program;
- 6) relevant reference levels for the permanent radiation situation, which must be between 1 and 20 millisieverts per year;
- 7) conditions for living and social and economic activities in areas affected by residual pollution for a long time;
- 8) a strategy for informing the public about the implementation of remedial and protective measures, the process of solving the permanent radiation situation, possible health risks and monitoring results.

[RT I, 26.06.2018, 6 - enters into force. 06.07.2018]

§ 110. Health examination of persons who have been in the area affected by a radiation emergency

(1) The Environmental Board shall, if necessary, ensure that the results of the monitoring and assessment of personal doses of resident exposure and emergency or emergency exposure exposure are submitted to the doctor performing the health check.

[RT I, 26.06.2018, 6 - enters into force. 06.07.2018]

(2) Health check-up costs are covered from the reserve fund of the Government of the Republic and are later collected from the person who caused the radiation emergency.

§ 111. System of early warning of radiation danger

The Environmental Board ensures the operation of the radiation hazard early warning system.

Chapter 9 State supervision

§ 112. State supervision

[RT I, 26.06.2018, 6 - entered into force. 06.07.2018]

(1) State supervision of radiation safety is carried out by the Environmental Board.

[RT I, 10.07.2020, 2 - enters into force. 01.01.2021]

(2) Supervision of compliance with the requirements of the regulation established on the basis of subsection 97 (3) of this Act shall be carried out by the Labor Inspectorate and the Environmental Board in accordance with the provisions of the regulation.

[RT I, 10.07.2020, 2 - enters into force. 01.01.2021]

§ 113. Special measures of state supervision

The Environmental Board may apply special state supervision measures provided for in §§ 30, 31, 32, 45, 49, 50, 51, 52 and 53 of the Law Enforcement Act on the basis and according to the procedure provided for in the Law Enforcement Act to carry out the state supervision provided for in this Act.

[RT I, 10.07.2020, 2 - enters into force. 01.01.2021]

§ 114. Use of direct coercion

The Environmental Board is allowed to use physical force on the basis and according to the procedure provided in the Law on Law Enforcement.

[RT I, 10.07.2020, 2 - enters into force. 01.01.2021]

§ 115. Rate of extortion money

In the case of failure to comply with the injunction, the maximum amount of the fine to be applied in accordance with the procedure laid down in the Substitute Enforcement and Fines Act is 32,000 euros.

§ 116. Obligations arising from foreign agreements

International inspectors, who check the fulfillment of the terms of international agreements entered into force with respect to the Republic of Estonia, have access to all objects and relevant data falling within the scope of regulation of these international agreements and the right to take samples.

Chapter 10 Responsibility

§ 117. Acting without a radiation activity permit or in violation of permit requirements

(1) Acting without a radiation activity permit, if the permit was required, or in violation of the permit requirements - shall be punished with a fine of up to 300 fine units.

(2) For the same act, if it has been committed by a legal entity, - shall be punished with a fine of up to 20,000 euros.

§ 118. Violation of obligations of the holder of a radiation activity permit

(1) Violation of the obligations of the holder of a radiation activity permit provided for in this Act - shall be punished with a fine of up to 300 fine units.

(2) For the same act, if it has been committed by a legal entity, - shall be punished with a fine of up to 20,000 euros.

§ 119. Manufacturing goods containing radioactive substances

(1) Adding a radioactive substance to food, animal feed, toy or jewelry or activating the material used in the manufacture of a toy or jewelry

is punishable by a fine of up to 300 fine units.

[RT I, 26.06.2018, 6 - enters into force. 06.07.2018]

(2) For the same act, if it has been committed by a legal entity, - shall be punished with a fine of up to 32,000 euros.

§ 120. Transportation of radiation source and radioactive waste containing radioactive substance and goods across the state border

(1) Transportation of a source of radiation containing a radioactive substance, radioactive waste or the goods listed in § 119 across the state border without the relevant permit - shall be punished with a fine of up to 300 fine units.

(2) For the same act, if it has been committed by a legal entity, - shall be punished with a fine of up to 20,000 euros.

§ 121. Transfer of a radiation source containing a radioactive substance and radioactive waste to a person without a radiation activity license

(1) For handing over a source of radiation or radioactive waste containing a radioactive substance to a person without a radiation activity permit - a fine of up to 300 fine units is imposed.

(2) For the same act, if it has been committed by a legal entity, - shall be punished with a fine of up to 20,000 euros.

§ 122. Procedure

The Environmental Board is the non-judicial processor of misdemeanors stipulated in this chapter.
[RT I, 10.07.2020, 2 - enters into force. 01.01.2021]

Chapter 11 Application settings

§ 123. Validity of a permit for low-risk radiation activities

Limited-term permits for low-risk radiation activities issued before the entry into force of this law are valid until the end of the period of validity specified in them.

§ 124. Procedure for granting permission for low-risk radiation activities

The procedure for granting a permit for low-risk radiation activities initiated before the entry into force of this Act shall be completed in accordance with the Act on the General Part of the Environmental Code and this Act.

1

§ 124 . The first thematic peer review

The first thematic peer review will be organized in 2017.
[RT I, 03.07.2017, 6 - enters into force. 15.08.2017]

§ 125. – § 126. [Omitted from this text.]

§ 127. Entry into force of the law

This Act and the fifth chapter of the Act on the General Part of the Environmental Code enter into force on November 1, 2016.

1

Council Directive 2006/117/Euratom on the supervision and control of radioactive waste and spent nuclear fuel transport (OJ L 337, 05.12.2006, pp. 21–32);

Council Directive 2009/71/Euratom establishing a Community framework for the nuclear safety of nuclear installations (OJ L 172, 02.07.2009, pp. 18–22);

Council Directive 2011/70/Euratom establishing a Community framework for the responsible and safe management of spent nuclear fuel and radioactive waste (OJ L 199, 02.08.2011, pp. 48–56);

Council Directive 2013/59/Euratom establishing basic safety standards for protection against the dangers arising from exposure to ionizing radiation and repealing Directives 89/618/Euratom, 90/641/Euratom, 96/29/Euratom, 97/43/Euratom and 2003/122 /Euratom (OJ L 13, 17.01.2014, p. 1–73);

Council Directive 2014/87/Euratom amending Directive 2009/71/Euratom establishing a Community framework for the nuclear safety of nuclear installations (OJ L 219, 25.07.2014, pp. 42-52).

[RT I, 26.06.2018, 6 - enters into force. 06.07.2018]