

REPUBLIC OF LITHUANIA

LAW

ON THE MANAGEMENT OF RADIOACTIVE WASTE

May 20, 1999, No VIII-1190

Vilnius

CHAPTER I

GENERAL PROVISIONS

Article 1. Purpose of the Law

This Law shall regulate the relations of legal persons, enterprises without the rights of a legal person, and natural persons in the management of radioactive waste, and shall establish the legal grounds for the management of radioactive waste.

Article 2. Definitions

1. **Site** - a territory of definite limits where a radioactive waste management facility is under construction, has been constructed or which is under examination for a projected construction of a radioactive waste management facility.

2. **Treatment** - operations intended to benefit a safe and economic management of the radioactive waste by reducing its volume, removing radionuclides from the waste, and changing its composition.

3. **Exposure** - a process during which people and the environment are exposed to ionising radiation.

4. **Waste producer** - an enterprise, institution, and organisation which generates or has already generated radioactive waste during its operation.

5. **Barrier** - a physical obstruction that prevents or delays the movement of radionuclides or other substances having radionuclides between the elements of the radioactive waste management facility. Barriers may be engineered and natural.

6. **Nuclear damage** - an individual's death or damage to his health, loss of or damage to property, adverse effects on the environment because of the harmful impact of ionising radiation connected with the operation of a radioactive waste management facility or a nuclear /radiological accident.

7. **Decommissioning** - implementation of legal, organisational and technical measures with the aim of refurbishing a radioactive waste management facility, when a decision is made that the facility will never be used in its primary function.

8. **Operator** - a licensed economic entity having material and financial resources to operate a radioactive waste management facility, and responsible for its safety.

9. **Conditioning** - operations used in the production of radioactive waste packaging suitable for transportation, storage and/or disposal. Conditioning may include the conversion of the waste to the solid waste form, enclosure of the waste in containers, and, if necessary, providing an over-pack.

10. **Licensor** - a public authority issuing licenses.

11. **Licence** - an official document issued by a public authority entitling the applicant to engage in specified radioactive waste management activities in compliance with the prescribed conditions and requirements.

12. **Spent nuclear fuel** - fuel irradiated in the reactor core when the operator of a nuclear plant duly executes in the manner prescribed by the licensor that said fuel will no longer be used in reactors.

13. **Pre-treatment** - any or all the operations prior to waste treatment, such as collection, segregation, chemical adjustment, and decontamination.

14. **Commissioning** - the process during which the systems and elements of the constructed radioactive waste management facility are being made operational and are verified if they are in accordance with design specifications and the required performance criteria.

15. **Waste acceptance criteria** - criteria relevant to the acceptance of waste packages for storage and disposal.

16. **Radiation protection** - the aggregate of legal, technical, technological, construction and sanitary norms and rules, environmental and safety at work requirements and measures ensuring protection of every person, society and the environment from the harmful effects of ionising irradiation.

17. **Radioactive waste** - spent nuclear fuel and substances contaminated with or containing radionuclides at concentrations or activities greater than clearance levels and for which no further use is foreseen.

18. **Radioactive waste repository** (hereinafter- **repository**)-a radioactive waste management facility where waste is emplaced for disposal.

19. **Permanent closure of a radioactive waste repository** - the status of or an action directed at the repository at the end of its operating life and after completion of waste emplacement.

20. **Radioactive waste disposal** (hereinafter - **disposal**) - the emplacement of radioactive waste in a repository without the intention of retrieval.

21. **Radioactive waste storage** (hereinafter - **storage**) a radioactive waste management facility intended for the storage of radioactive waste.

22. **Radioactive waste management** - activities related to management and utilisation, involving the pre-treatment, treatment, conditioning, transportation, storage and disposal of radioactive waste, decommissioning of a radioactive waste management facility, and the permanent closure of a radioactive waste repository.

23. **Radioactive waste management facility** - a nuclear facility which is basically intended for the management of radioactive waste. Any radioactive waste management facility existing at the time of coming of this Law into force shall be called an existent radioactive waste management facility.

24. **Protection** - an aggregate of legal norms and rules, as well as of technical, scientific and organisational measures and procedures intended for the prevention of the uncontrolled and undesirable effects on people and the environment during a normal operation of facilities and in other cases.

25. **Storage** - storage of radioactive waste in a radioactive waste management facility where its isolation and control of the impact on people and the environment is provided, with the intent of its exemption or processing and subsequent disposal at clearance levels.

26. **Small waste producer** - a waste producer with the exception of the operator of a nuclear plant.

27. **Radioactivity clearance levels** - (hereinafter - **clearance levels**) - a set of values, established by the state administration and supervision institutions, expressed in terms of activity concentrations (own activity, surface contamination, total activities, etc.), at or below which sources of radiation shall be exempt from the control of the licensor.

28. **Sealed source** - a source of ionising radiation sealed in a capsule or closely bonded and in a solid form, excluding reactor fuel elements.

29. **Post-closure surveillance** - supervision of the site of the repository following its closure. Supervision may be active (monitoring, access restriction, maintenance, etc.) or passive (restrictions on land use, etc.).

CHAPTER II

PRINCIPLES OF RADIOACTIVE WASTE MANAGEMENT

Article 3. Principles of Radioactive Waste Management

Management of radioactive waste must ensure that:

- 1) at all stages of the radioactive waste management, by applying appropriate methods, individuals, society and the environment in Lithuania and beyond its borders are adequately protected against radiological, biological, chemical and other hazards that may be associated with radioactive waste;
- 2) efforts are made to avoid actions that impose reasonably predictable impacts on future generations greater than those permitted for the current generation and to avoid imposing undue burdens on future generations;
- 3) the generation of radioactive waste is kept to the minimum practicable;
- 4) interdependencies among the different steps in the radioactive waste management are taken into account;
- 5) safety of radioactive waste management facilities is guaranteed during their operating lifetime and after it.

CHAPTER III

REGULATION OF RADIOACTIVE WASTE MANAGEMENT

Article 4. Competence of the Government the Sphere of Regulation of the Radioactive Waste Management

The Government:

- 1) shall make decisions on the construction and decommissioning of specific storage facilities and/or repositories;
- 2) shall set aside in a prescribed manner plots of land for radioactive waste storage facilities and/or repositories;
- 3) shall form a commission for the commissioning and operation of a storage facility or a repository;
- 4) shall make decisions on the termination of post-closure surveillance of repositories;
- 5) shall approve the Strategy of Radioactive Waste Management every five years;

6) shall approve the programme of the Radioactive Waste Management Agency for three years;

7) shall support and provide financial assistance for the implementation of research programmes and introduction of new technologies as well as training of specialists in the field of radioactive waste management;

8) shall adopt legal acts regulating acquisition, storage, transportation and disposal of nuclear and radioactive substances or shall instruct authorised institutions to adopt such acts in a prescribed manner.

Article 5. Competence of the State Atomic Energy Safety Inspectorate in the Sphere of Radioactive Waste Management

1. The State Atomic Energy Safety Inspectorate is the key institution regulating safety of radioactive waste management.

2. The State Atomic Energy Safety Inspectorate shall:

1) issue licences in the manner specified in Articles 9 and 10 of this Law;

2) act as co-ordinator of the Radioactive Waste Management Strategy developed by the Radioactive Waste Management Agency;

3) act as co-ordinator of the three-year programme of the Radioactive Waste Management Agency;

4) after consultation with the Radiation Protection Centre and the Ministry of the Environment, define the criteria for the classification and acceptance of radioactive waste;

5) control and guarantee compliance of radioactive waste management with the requirements of legal acts .

Article 6. Competence of the Ministry of Economy in Radioactive Waste Management

1. The Ministry of Economy shall:

1) on the proposal of the Radioactive Waste Management Agency and after consultation with the Ministries of the Environment and Health, and the State Atomic Energy Safety Inspectorate, submit to the Government for approval the three-year programme of the Radioactive Waste Management Agency, with the projected earnings and expenditures of the Agency; and every five years - the Radioactive Waste Management Strategy;

2) approve the regulations of the Radioactive Waste Management Agency and perform the functions of the founder of the Agency;

3) submit recommendations to the Government on the construction or decommissioning of specific storage facilities and/or repositories;

4) organise bilateral and multilateral international co-operation in the field of radioactive waste management;

5) on the recommendation of Radioactive Waste Management Agency, approve the rates of charges for the services rendered by the Agency ;

6) approve the programme and the estimate of the Radioactive Waste Management Agency for the coming year;

8) approve the annual report of the Radioactive Waste Management Agency together with the final audited financial statement.

Article 7. Competence of the Ministry of the Environment in

Radioactive Waste Management

The Ministry of the Environment:

1) after consultation with the Ministry of Health, shall establish clearance levels and conditions of re-use and disposal of decontaminated substances;

2) after consultation with the Radiation Protection Centre shall approve regulations for decontamination of non-nuclear energy objects, land and structures contaminated with radionuclides drafted by the Radioactive Waste Management Agency;

3) after consultation with the Ministry of Health and the State Atomic Energy Safety Inspectorate shall establish the maximum permissible level of contamination of the environment with radionuclides;

4) following the procedure prescribed by legislation and other legal acts, shall take part in the issue of licences as set forth in Articles 9 and 10 of this Law.

Article 8. Competence of the Radiation Protection Centre in Radioactive Waste Management

The Radiation Protection Centre shall:

1) exercise, within the limits of its competence, state radiation protection supervision and control of radioactive waste management;

2) issue licences as set forth in Articles 9 and 10 of this Law.

Article 9. Activities Subject to Licensing

It shall be prohibited without a licence issued by the Government:

- 1) to design, construct, or reconstruct, operate storage facilities and repositories, decommission storage facilities, to permanently close repositories and carry out post-closure surveillance;
- 2) to engage in transport of radioactive waste;
- 3) to collect, sort radioactive waste, to undertake its pre-treatment, treatment, and conditioning, to store, recover and decontaminate it.

Article 10. Issue of Licences and Authorisations

1. Licences for the activities set forth in subparagraph 1, Article 9 shall be issued by the State Atomic Energy Safety Inspectorate after consultation with the Radiation Protection Centre, the Ministry of the Environment and a local authority with its territory, in full or in part, falling within the sanitary protection zone of a radioactive waste storage facility or a repository.

2. Licences to a radioactive waste carrier for the activities set forth in subparagraph 2, Article 9 shall be issued by the Radiation Protection Centre after consultation with the Ministry of the Environment, and for transportation of radioactive waste with nuclear substances - also after consultation with the State Atomic Energy Safety Inspectorate.

3. Licences to small producers for the activities set forth in subparagraph 3 of Article 9 shall be issued by the Radiation Protection Centre.

4. Single permits for the dispatcher to transport radioactive waste inside the country, to export and to transport it in transit shall be issued by the Ministry of the Environment after consultation with the Radiation Protection Centre, and to transport radioactive waste with nuclear substances - also after consultation with the State Atomic Energy Safety Inspectorate.

5. The licensor shall have a right establish the safety norms and requirements of radioactive waste management.

Article 11. Duties and Responsibilities of the Waste Producer

1. It shall be the duty of a waste producer to manage, in accordance with norms and regulations, radioactive waste safely before transferring it to the Radioactive Waste Management Agency.

2. The waste producer shall pay all the expenses incurred during the management of radioactive waste from the moment of its generation to its disposal, including the expenses related to scientific research, the upgrading of the radioactive waste management facility, as well as the post-closure surveillance of the repository.

3. The waste producer shall not be exempt from the duties and responsibilities to manage radioactive waste safely even in the event of a temporary suspension or expiration of the licence.

4. Responsibility of the waste producer for the management of radioactive waste shall be terminated when:

1) radioactive waste is transferred to the Radioactive Waste Management Agency;

2) radioactive waste is safely exported from the Republic of Lithuania and the consignee accepts it in perpetuity under the laws of his country;

3) during the storage of radioactive waste the level of its radioactivity naturally becomes lower than the clearance level. In this case the waste producer shall be responsible for the management of the resulting waste subject to the Law on Waste Management and other legal acts.

CHAPTER IV

RADIOACTIVE WASTE MANAGEMENT AGENCY

Article 12. Founding of the Radioactive Waste Management Agency, its

Status and Basic Principles of its Activities

1. The Ministry of Economy, under direction of the Government, shall found the Radioactive Waste Management Agency (hereinafter "the Agency"). The Agency shall be a state enterprise guided in its activities by the Law on Nuclear Energy, the Law on Radiation Protection, the Law on State Owned and Municipal Enterprises, the regulations of the Agency and other legal acts. After the termination of the activities of the Agency, its rights and obligations shall be assumed by the founder - the Ministry of the Economy.

2. The Agency shall function in accordance with the Radioactive Waste Management Strategy approved by the Government, and the Radioactive Waste Management Programme. These activities of the Agency must be subject to licensing.

Article 13. Functions of the Agency

1. The principal objective of the Agency shall be to manage and dispose all radioactive waste transferred to it, assuring nuclear and radiation protection.

2. The Agency shall be the operator of storage facilities and repositories assigned to it.

Article 14. Administration of the Agency

1. The Agency shall have its board. Members of the board and its director shall be appointed and dismissed by the Minister of Economy.

2. The board shall be composed of 9 members - representatives of the State administration and local government institutions, waste producers and research institutions. The position of a member of the board shall be unpaid. Members of the board may not be employed at the Agency.

3. The key tasks of the board shall be:

1) to oversee that the funds allocated for the activities of the Agency are used rationally and efficiently; and to notify the Director of the Agency and the Minister of Economy about the observed omissions and the proposed remedies;

2) to co-ordinate the programme and the estimate of the Agency for the coming year as well as a three-year programme of the Agency and the Radioactive Waste Management Strategy;

3) to assess the progress report of the Agency, including the implementation of the action plan and the estimate for the accounting year, to ensure auditing of the Agency's annual financial statement;

4) to recommend to the Minister of Economy to appoint or dismiss the Director of the Agency, to change the organisational structure and the regulations of the Agency.

4. The rules of procedure of the board shall be approved by the Agency.

5. The Director of the Agency shall take part in the meetings of the board and shall have a deliberative vote.

6. Travel expenses of the members of the board shall be reimbursed and their participation in the meetings shall be remunerated in the manner prescribed by the Government.

Article 15. Transfer of the Radioactive Waste to the Agency

1. Following the receipt by the Agency of radioactive waste from the waste producer, the Agency shall assume responsibility for the management of the waste. Radioactive waste shall be regarded as transferred to the Agency from the moment of signing a delivery and acceptance statement. Prior to this, the waste producer must pay all the expenses specified in paragraph 2, Article 11.

2. The Agency must take radioactive waste over from the waste producer if the waste conforms to the acceptance criteria established by the State Atomic Energy Safety Inspectorate. On the territory of the waste producer, the Agency must selectively inspect whether the transferred radioactive waste conforms to the acceptance criteria.

3. Where the licensor establishes that the waste producer does not conform to the requirements of safe management of radioactive waste and radiation protection or if he has otherwise violated the terms and conditions of the licence, the licensor may make a decision on a compulsory transfer of the radioactive waste to the Agency. In such a case the Agency shall ensure completion of the unfinished tasks in the radioactive waste management. The expenses for the management of the radioactive waste shall be recovered from the waste producer in the manner prescribed by law.

4. Characteristics of accounts related to record keeping of radioactive waste shall be established by an institution authorised by the Government.

CHAPTER V

ASSESSMENT OF THE EXISTENT RADIOACTIVE WASTE MANAGEMENT FACILITIES AND THEIR PAST PRACTICES

Article 16. Assessment of the Existent Radioactive Waste Management Facilities and Their Past Practices

1. The operator of a radioactive waste management facility must, if so requested by the licensor, review its safety, the condition of radiation protection and make all practicable improvements to upgrade the safety of this facility.

2.. In reviewing past practices the licensor must decided whether any intervention is needed to enhance radiation protection. Account must be taken of whether the decrease of hazardous impact is sufficient to justify the harm and the costs, including social costs, of such an intervention.

3. The existent radioactive waste storage facilities and/or repositories shall acquire the status of storage facilities and repositories pursuant to this Law if the licensor confirms that protective measures are not justifiable and radioactive waste disposed in such a repository or a storage facility shall not pose a threat. The licensor may provide terms and conditions under which such facilities acquire the status of repositories.

4. The operator of the existent radioactive waste management facilities shall make their safety assessment pursuant to Article 19 of this Law and shall submit a report of safety analysis to all the institutions involved in the licensing process.

CHAPTER VI
SITING, DESIGN AND CONSTRUCTION OF RADIOACTIVE WASTE
MANAGEMENT FACILITIES

Article 17. Siting of Radioactive Waste Management Facilities

1. Siting of a radioactive waste management facility shall be made pursuant to the requirements of the Law on Territorial Planning and the Law on the Environmental Impact Assessment of Planned Economic Activity.

2. Siting of a radioactive waste management facility must be subject to preparation and implementation of procedures enabling:

1) to evaluate all relevant site-related factors likely to affect the safety of such a facility during all its operating lifetime, and in case of a repository - its safety in the post-closure period;

2) to assess the likely safety impact of such a facility on individuals, society and the environment, taking into account possible evolution of the site conditions of the repository in the post-closure period;

3) to inform the public about the safety of such a facility;

4) to inform the neighbouring countries in the vicinity of the present or projected radioactive waste management facility, insofar as they are likely to be affected by that facility, and provide them, upon their request, with general data relating to the facility to enable them to evaluate the likely safety impact of the facility upon their territory.

Article 18. Design and Construction of Radioactive Waste Management Facilities

1. A radioactive waste storage facility and/or repository may be designed only subject to a decision of the Government made on the proposal of the Ministry of Economy.

2. Designs for the construction or reconstruction, upgrading, expansion, decommissioning and demolition of a radioactive waste management facility must be approved by the State Atomic Energy Inspectorate. Appropriate designs for storage facilities and/or repositories, including permanent closure, must be approved by state institutions specified in the Law on Nuclear Energy and the Underground Law.

3. Designs for the construction or reconstruction, decommissioning, demolition or permanent closure of radioactive waste storage facilities and/or repositories must be subject to a mandatory state expert evaluation. The evaluation shall be organised in accordance with the requirements of the Law on Nuclear Energy.

4 Oversight and monitoring of the construction, commissioning, operation and decommissioning of a radioactive waste management facility shall be conducted in accordance with the requirements of the Law on Nuclear Energy, other laws and legal acts.

5. The design and construction of a radioactive waste facility necessarily entails:

1) provision for an adequate number of barriers and safety measures limiting the likely impact of ionising radiation on individuals, society and the environment, as well as the effect of controlled and uncontrolled effluents;

2) analysis of conceptual plans and, as necessary, technical provisions for the decommissioning of a radioactive waste management facility, excluding a repository,

3) incorporation of technologies that have been supported by experience, testing and analysis in Lithuania and other countries.

6. At the design stage of a repository, technical provisions for its permanent closure must be made.

Article 19. Safety Assessment of Radioactive Waste Management Facilities

1. Before the start of the construction of a radioactive waste management facility, excluding a repository, a systematic safety assessment, and an assessment of a likely impact on individuals and the environment must be carried out in accordance with the Law on the Environmental Impact Assessment of Planned Economic Activity. The assessment must be appropriate to the hazard presented by the facility and cover its operating lifetime.

2. Before the start of the construction of a repository, a systematic safety assessment, and an assessment of a likely impact on individuals and the environment must be carried out, covering the post-closure period.

3. Before the operation of a radioactive waste management facility, an updated and detailed version of the safety assessment and assessment of its impact on people and the environment must be prepared and periodically renewed during the operation of the facility.

4. Responsibility for carrying out the safety assessment of the facilities specified in this Article and assessment of their impact on individuals and the environment shall be borne by the builder or the operator in the manner prescribed by laws and other legal acts of the Republic of Lithuania.

CHAPTER VII

COMMISSIONING, OPERATION, DECOMMISSIONING OF RADIOACTIVE WASTE MANAGEMENT FACILITIES AND POST-CLOSURE SURVEILLANCE

Article 20. Commissioning of a Radioactive Waste Management Facility

1. Before the operation of a radioactive waste management facility, a commissioning programme must be prepared by an enterprise, institution or an organisation in the manner prescribed by laws and other legal acts, and approved by the State Atomic Energy Safety Inspectorate.

2. Following the completion of construction or reconstruction, an appropriate panel appointed in the manner prescribed by laws and other legal acts shall commission a radioactive waste management facility by signing a statement of acceptance.

Article 21. Operation of a Radioactive Waste Management Facility

1. A radioactive waste management facility shall be put into operation only subject to a licence under Articles 9 and 10 of this Law. The licence shall be conditional upon the results of safety assessment as specified in paragraph 3, Article 19, and the implementation of the commissioning programme as specified in Article 20 of this Law.

2. During the operation of a radioactive waste management facility:

1) operational limits and conditions derived from tests, operational experience and the safety assessment as specified in paragraph 3, Article 19, must be defined and, as necessary, revised;

2) operation, maintenance, monitoring, inspection and testing of the radioactive waste management facility must be conducted in accordance with established procedures, norms, regulations and conditions attached to the licence. As regards a repository, the assessment results derived in such a manner shall be used to verify and review validity of assumptions during the preparation of safety assessments as specified in Article 19;

3) impact on individuals and the environment must be monitored;

4) radioactive waste must be sorted in accordance with the approved procedures and its characteristics must be established, taking into account its physical and chemical properties that might impact safety of its management;

5) programmes to collect and analyse relevant operating experience must be established and implemented and, as necessary, appropriate steps must be taken to improve the operation of a facility on the basis of the obtained results;

6) the licence holder must notify in a timely manner the State Atomic Energy Safety Inspectorate, the Ministry of the Environment and the Radiation Protection Centre about any incidents significant to safety;

7). physical safety of a radioactive waste management facility must be ensured in accordance with the manner prescribed by the Government or an institution authorised by it.

Article 22. Radiation Protection

Management of radioactive waste must be carried out in compliance with the Law on Radiation Protection and the prescribed radiation protection norms.

Article 23. Quality Assurance

The operator of a radioactive waste management facility shall be responsible for developing and implementing appropriate quality assurance programmes related to the safety of radioactive waste management. They shall be assessed by the licensor who may decide which of the quality assurance measures must be carried out by independent experts.

Article 24. Emergency Preparedness

1. The operator of a radioactive waste management facility shall be responsible for ensuring that before the commissioning and during the operation of a radioactive waste management facility accident and incident response plans should be developed.

2. Before the start of operation of a radioactive waste management facility the Civil Protection Department of the Ministry of National Defence together with local authorities must design plans for the protection of the public in a territory likely to be affected in the event of a nuclear or radiological accident at the radioactive waste management facility. During the operation of the facility, accident and incident response plans as well as plans for the protection of the public must be regularly tested together with the operator of the radioactive waste facility. Before the decommissioning of a radioactive waste management facility, such plans must be updated, taking into account the conditions of the decommissioning.

3. Prevention of nuclear and radiological accidents and response to them at radioactive waste management facilities shall be carried out in the manner prescribed by the Law on Nuclear Energy, other laws and legal acts.

Article 25. Decommissioning of Radioactive Waste Storage and Other Facilities

1. Radioactive waste storage facilities shall be decommissioned by the decision of the Government. Other radioactive waste management facilities shall be decommissioned by the decision of the operator.

2. The procedure of decommissioning of a radioactive waste management facility shall be established pursuant to the Law on Nuclear Energy.

3. The operator of a radioactive waste management facility must take the appropriate steps to ensure that enough qualified staff and adequate financial resources are available during the decommissioning. It is obligatory, during the decommissioning of a radioactive waste management facility, to comply with the provisions of Articles 22 and 24 of this Law.

4. The operator of a radioactive waste management facility must record and keep all the information important to decommissioning prescribed by the licensor.

Article 26. Post-closure Surveillance of the Repository

1. The repository shall be closed by the decision of the Government.
2. Before the closure of the repository, the operator must ensure in the manner set forth by law that records of the disposed radioactive waste prescribed by the licensor as well as technical documentation about the site of the repository and its structures are kept indefinitely.
3. Post-closure surveillance of the repository shall be the responsibility of the Agency. The Agency shall prepare the Post-Closure Surveillance of the Repository Programme, and after its approval by the Ministry of the Environment and the Radiation Protection Centre submit it to the licensor for its approval.
4. At any moment of the surveillance, upon detecting an uncontrolled discharge of radioactive substances into the environment or a likelihood of such a discharge, the Agency, where necessary, shall take appropriate measures.
5. The post-closure surveillance of a repository may be terminated subject to the permission of the licensor and by the decision of the Government.

CHAPTER VIII

IMPLEMENTATION OF THE RADIOACTIVE WASTE MANAGEMENT PROGRAMMES

Article 27. Implementation of Radioactive Waste Management Programmes

Funds accumulated from mandatory and other payments in the manner prescribed by laws of the Republic of Lithuania shall be used for the implementation of radioactive waste management.

CHAPTER IX

LIABILITY FOR VIOLATIONS OF THE LAW AND CIVIL LIABILITY FOR NUCLEAR DAMAGE

Article 28. Consequences of Violation of the Law

1. Legal and natural persons as well as entities without the rights of a legal persons who violate the stipulations of this Law shall incur criminal, administrative and civil liability in the manner prescribed by laws of the Republic of Lithuania.

Article 29. Civil Liability for Nuclear Damage

Civil liability for nuclear damage of the operator of a radioactive waste management facility shall be established by the Law on Nuclear Energy.

CHAPTER X

FINAL PROVISIONS

Article 31. Disused Sealed Sources

1. Pursuant to Article 31 of this Law, a re-entry into Lithuania of disused sealed sources shall be permitted, in the manner prescribed by the Government or institutions authorised by it, if they are intended for the legal person who has manufactured them and who is authorised to receive and keep the disused sealed sources.

2. Sealed sources may be imported into the Republic of Lithuania if after their use it is intended to return them to their supplier or if the State Atomic Energy Inspectorate makes a decision to permit final disposal of these sources in the Republic of Lithuania.

3. The Radiation Protection Centre, when issuing licences in the manner prescribed by the Law on Radiation Protection for the activities involving sources of ionising radiation, must take account of the possibility of their final disposal or their return to the supplier if the sealed source was acquired abroad.

Article 31. Transportation, Export and Transit of Radioactive Waste

1. Radioactive waste must be transported, exported or transported in transit in accordance with the provisions of the international agreements ratified by the Republic of Lithuania, laws of the Republic of Lithuania and other legal acts regulating transportation of radioactive substances.

2. Import and transit of radioactive waste shall be subject to a prior notification and consent of the state of destination obtained in a prescribed manner.

3. Radioactive waste may be transported across states of transit subject to compliance with international obligations and requirements which are relevant to the particular modes of transport utilised.

4. Radioactive waste may be transported only to such states that have the administrative and technical capacity to receive it, as well as the regulatory and other structures, needed to manage radioactive waste in accordance with the Joint Convention on the Safety of Spent Fuel Management and on the Safety of Radioactive Waste Management.

5. It shall be prohibited to export radioactive waste for disposal in sites lying south of 60 degrees latitude South.

6. The manner for export and transit of radioactive waste, and re-entry of used sealed sources shall be established by the Government or an institution authorised by it.

I promulgate this Law passed by the Seimas of the Republic of Lithuania

PRESIDENT OF THE REPUBLIC - VALDAS ADAMKUS