

# REPUBLIC OF LITHUANIA

## Law on The Management of Radioactive Waste\*

adopted on 20 May 1999

No. VIII-1190

### Chapter I

#### GENERAL PROVISIONS

##### *Article 1*

##### **Purpose of the Law**

This Law shall regulate relations of legal entities, enterprises without legal personality and natural persons in the management of radioactive waste, and shall establish the legal basis 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 the projected construction of a radioactive waste management facility.
2. **Treatment** – operations intended to facilitate the 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.

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\* Translation kindly provided by the Lithuanian authorities.

4. **Waste producer** – an enterprise, institution or organisation which generates or has generated radioactive waste during its operation.
5. **Barrier** – a physical obstruction that prevents or delays the movement of radionuclides or other substances containing 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 no longer be used for its primary function.
8. **Operator** – a licensed economic entity that has the necessary 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 packages suitable for transportation, storage and/or disposal. Conditioning may include the conversion of the waste to solid form, enclosure of the waste in containers, and, if necessary, providing an over-pack.
10. **Licensing body** – a public authority responsible for the issue of licences.
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 provides in the manner prescribed by the licensing body that said fuel will no longer be used in reactors.
13. **Pre-treatment of radioactive waste** – 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 made operational and are verified to ensure 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 radiation.

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 placed for disposal.
19. **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 disposal.
20. **Radioactive waste disposal (hereinafter “disposal”)** – the placing of radioactive waste in a repository without the intention of retrieval.
21. **Radioactive waste storage facility (hereinafter “storage facility”)** – a radioactive waste management facility intended for the storage of radioactive waste.
22. **Radioactive waste management** – activities related to the 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 upon entry into force of this Law shall be called an existing radioactive waste management facility.
24. **Protection** – the aggregate of legal standards and rules, as well as technical, scientific and organisational measures and procedures intended to prevent uncontrolled and undesirable effects on people and the environment during normal operation of facilities and in other cases.
25. **Storage** – storage of radioactive waste in a radioactive waste management facility where its isolation ensures control over its impact on people and the environment, with the intention of reaching clearance levels for exemption or processing and subsequent disposal.
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 government and supervision institutions, expressed in terms of activity concentrations (specific activity, surface contamination, total activity, etc.), at or below which substances contaminated with or containing radionuclides shall be exempt from the control of the licensing body.
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 supervision** – 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, all individuals 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 a reasonably predictable impact on future generations greater than that 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 radioactive waste management are taken into account;
- (5) safety of radioactive waste management facilities is guaranteed during their operating lifetime and afterwards.

## **Chapter III**

### **REGULATION OF RADIOACTIVE WASTE MANAGEMENT**

#### *Article 4*

#### **Competence of the Government in the Sphere of Radioactive Waste Management**

The Government shall:

- (1) make decisions on the construction and decommissioning of specific storage facilities and/or repositories;
- (2) set aside plots of land in the manner prescribed for radioactive waste storage facilities and/or repositories;
- (3) form a commission for the commissioning of a storage facility and/or a repository;
- (4) make decisions on the termination of post-closure supervision of repositories;

- (5) approve the Strategy of Radioactive Waste Management every five years;
- (6) approve the programme of the Radioactive Waste Management Agency [*Radioaktyviųjų atliekų tvarkymo agentūros programą*] for three years;
- (7) support and finance the implementation of research programmes and introduction of new technologies as well as training of specialists in the field of radioactive waste management;
- (8) adopt legal acts regulating acquisition, storage, transportation and disposal of nuclear and radioactive substances or shall instruct authorised institutions to adopt such acts as prescribed.

#### *Article 5*

#### **Competence of the State Atomic Energy Safety Inspectorate in the Sphere of Radioactive Waste Management**

1. The State Atomic Energy Safety Inspectorate [*Valstybinė Atominės Energetikos Saugos Inspekcija – VATESI*] is the key institution which regulates the 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) co-ordinate the Radioactive Waste Management Strategy developed by the Radioactive Waste Management Agency;
  - (3) co-ordinate the three-year programme of the Radioactive Waste Management Agency;
  - (4) after consultation with the Radiation Protection Centre [*Radiacines Saugos Centras*] and the Ministry of the Environment, establish the criteria for the classification and acceptance of radioactive waste;
  - (5) control and ensure compliance with the legal requirements applicable to radioactive waste management.

#### *Article 6*

#### **Competence of the Ministry of Economy in the Sphere of Radioactive Waste Management**

The Ministry of Economy shall:

- (1) upon 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 – it shall submit the Radioactive Waste Management Strategy;

- (2) approve the regulations of the Radioactive Waste Management Agency and exercise the functions of the founder of that Agency;
- (3) submit proposals 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) approve the recommendations of the Radioactive Waste Management Agency concerning rates for the services rendered by the Agency;
- (6) approve the programme and the budget of the Radioactive Waste Management Agency for the coming year;
- (7) approve the annual report of the Radioactive Waste Management Agency together with the final audited financial account.

#### *Article 7*

#### **Competence of the Ministry of the Environment in the Sphere of Radioactive Waste Management**

The Ministry of the Environment shall:

- (1) after consultation with the Ministry of Health, establish clearance levels and the conditions of re-use and disposal of decontaminated substances;
- (2) after consultation with the Radiation Protection Centre, approve regulations for decontamination of non-nuclear equipment, land and structures contaminated by radionuclides, prepared by the Radioactive Waste Management Agency;
- (3) after consultation with the Ministry of Health and the State Atomic Energy Safety Inspectorate, establish the maximum permissible level of contamination of the environment by radionuclides;
- (4) in the manner prescribed by legislation and other legal acts, participate 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 the Sphere of Radioactive Waste Management**

The Radiation Protection Centre shall:

- (1) within the limits of its competence, exercise 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**

Without a licence issued in the manner prescribed by the Government, it shall be prohibited:

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

## ***Article 10***

### **Issue of Licences and Authorisations**

1. Licences for the activities described in subparagraph 1 of Article 9 of this Law shall be issued by the State Atomic Energy Safety Inspectorate after consultation with the Radiation Protection Centre, the Ministry of the Environment and the local authority whose territory lies, in full or in part within the sanitary protection zone of a radioactive waste storage facility or repository.
2. Licences for the activities described in subparagraph 2 of Article 9 shall be issued to transporters of radioactive waste by the Radiation Protection Centre after consultation with the Ministry of the Environment. In the case of transport of radioactive waste with nuclear substances, it is necessary to obtain the agreement of the State Atomic Energy Safety Inspectorate.
3. Licences to small producers for the activities described in subparagraph 3 of Article 9 shall be issued by the Radiation Protection Centre.
4. Exceptional permits to transport radioactive waste inside the country, and to export or to transport it in transit shall be issued to the dispatcher by the Ministry of the Environment after consultation with the Radiation Protection Centre. In the case of transport of radioactive waste with nuclear substances, it is necessary to obtain the agreement of the State Atomic Energy Safety Inspectorate.
5. The licensing body shall have the right to establish safety standards and requirements for 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 standards and regulations, radioactive waste safely before transferring it to the Radioactive Waste Management Agency.

2. The waste producer shall pay all expenses involved in the management of radioactive waste from the moment of its generation to its disposal, including expenses related to scientific research aiming to upgrade the radioactive waste management facility, as well as to the post-closure supervision of the repository.
3. The waste producer shall not be exempt from his 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) the radioactive waste is transferred to the Radioactive Waste Management Agency;
  - (2) the radioactive waste is legally exported from the Republic of Lithuania and the consignee accepts it for 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*

##### **The Radioactive Waste Management Agency: Establishment, Status and Governing Principles**

1. The Ministry of Economy, under instruction of the Government, shall found the Radioactive Waste Management Agency (hereinafter referred to as “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 its activities, the Agency’s rights and obligations shall be assumed by the founding body *i.e.* the Ministry of 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 are subject to licensing.

#### *Article 13*

##### **Functions of the Agency**

1. The principal aim of the Agency is to manage and dispose of all radioactive waste transferred to it, while ensuring nuclear and radiation protection.

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

#### ***Article 14***

##### **Management of the Agency**

1. The Agency shall have a Board. Members and the Chairperson of the Board and its Director shall be appointed and dismissed by the Minister of Economy.
2. The Board shall consist of 9 members – representatives of State administration and local government institutions, waste producers and research institutions. Members of the Board of the Agency are not remunerated for their services. They 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 breaches observed and proposed remedies;
  - (2) to co-ordinate the programme and the budget of the Agency for the coming year, as well as the 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 budget for the accounting year, and to ensure auditing of the Agency's annual financial accounts;
  - (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's Board.
5. The Director of the Agency shall take part in the meetings of the board and shall have an advisory vote.
6. Travel expenses of the members of the board shall be reimbursed and their participation in meetings shall be remunerated in the manner prescribed by the Government.

#### ***Article 15***

##### **Transfer of Radioactive Waste to the Agency**

1. Following the receipt by the Agency of radioactive waste from the waste producer, the Agency assumes responsibility for the management of such waste. Radioactive waste shall be regarded as transferred to the Agency from the moment of signature of an acceptance certificate. Prior to this, the waste producer must pay all expenses specified in paragraph 2 of 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. The

Agency must inspect on the site of the waste producer whether the radioactive waste to be transferred conforms to the acceptance criteria.

3. If the licensing body 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 breached the terms and conditions of the licence, that body 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 relation to radioactive waste management. The expenses incurred for the management of the radioactive waste shall be recovered from the waste producer in the manner prescribed by law.
4. Accounting criteria related to the accounting of radioactive waste shall be established by an institution authorised by the Government.

## **Chapter V**

### **ASSESSMENT OF EXISTING RADIOACTIVE WASTE MANAGEMENT FACILITIES AND THEIR PAST PRACTICES**

#### *Article 16*

##### **Assessment of Existing Radioactive Waste Management Facilities and their Past Practices**

1. The operator of a radioactive waste management facility must, if so requested by the licensing body, review its safety or the radiation protection situation, and make all practicable improvements to upgrade the safety of this facility.
2. In reviewing past practices of existing radioactive waste management facilities, the licensing body must decide whether any intervention is needed to improve radiation protection. Account must be taken of whether the decrease of hazardous effects is sufficient to justify the harm and the costs, including social consequences, of such an intervention.
3. Existing radioactive waste storage facilities and/or repositories shall acquire the status of storage facilities and repositories pursuant to this Law if the licensing body confirms that protective measures are not justifiable and radioactive waste disposed in such a repository or a storage facility does not pose a threat. The licensing body may provide terms and conditions under which such facilities acquire the status of repositories.
4. The operator of the existing 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 carried out 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) the evaluation of all relevant site-related factors likely to affect the safety of such a facility during its entire operating lifetime, and in the case of a repository, its post-closure safety;
  - (2) the assessment of 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 neighbouring countries in the vicinity of the existing or planned radioactive waste management facility, insofar as they are likely to be affected by that facility, and provide them, upon their request, with general data necessary 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 upon the decision of the Government made on the proposal of the Ministry of Economy.
2. Designs for the construction or reconstruction, upgrading, expansion, decommissioning and dismantling of a radioactive waste management facility must be co-ordinated with the State Atomic Energy Inspectorate. Appropriate designs for storage facilities and/or repositories, including permanent closure, must be co-ordinated with the state authorities specified in the Law on Nuclear Energy and the Law on the Underground.
3. Designs for the construction or reconstruction, decommissioning, dismantling or permanent closure of radioactive waste storage facilities and/or repositories are subject to a mandatory global state expert evaluation. The evaluation shall be organised in accordance with the requirements of the Law on Nuclear Energy.

4. Supervision and monitoring of the construction, commissioning, operation and decommissioning of radioactive waste management facilities shall be conducted in accordance with the requirements of the Law on Nuclear Energy, other laws and legal instruments.
5. The design and construction of a radioactive waste facility necessarily entail:
  - (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 effluent;
  - (2) analysis of conceptual plans and, as necessary, technical provisions for the decommissioning of a radioactive waste management facility, except in the case of a repository;
  - (3) use 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, except in the case of a repository, a complete safety assessment and an assessment of 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 for the risks 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 likely impact on individuals and the environment must be carried out, covering the post-closure period.
3. Before a radioactive waste management facility is put into operation, 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 instruments of the Republic of Lithuania.

## **Chapter VII**

### **COMMISSIONING, OPERATION, DECOMMISSIONING AND POST-CLOSURE SUPERVISION OF RADIOACTIVE WASTE MANAGEMENT FACILITIES**

#### ***Article 20***

##### **Commissioning of a Radioactive Waste Management Facility**

1. Before a radioactive waste management facility is put into operation, a commissioning programme must be prepared by an enterprise, institution or organisation in the manner prescribed by laws and other legal instruments, and approved by the State Atomic Energy Safety Inspectorate.
2. Following the completion of construction or reconstruction, a panel appointed in the manner prescribed by laws and other legal instruments shall commission the radioactive waste management facility by signing the acceptance certificate as set out in this Law.

#### ***Article 21***

##### **Operation of a Radioactive Waste Management Facility**

1. A radioactive waste management facility shall be put into operation only if it has been granted a licence under Articles 9 and 10 of this Law. The licence shall be granted based upon the results of the safety assessment as specified in paragraph 3 of 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 of Article 19 of this Law 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, standards, regulations and conditions attached to the licence. As regards a repository, the assessment results obtained in this manner shall be used to verify and review the validity of assumptions made 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 on the safety of its management;

- (5) programmes to collect and analyse relevant operating experience must be established 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 of any incidents significant to safety;
- (7) physical protection 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**

During the management of radioactive waste, the Law on Radiation Protection and the prescribed radiation protection standards must be complied with.

#### *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 licensing body. This body 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, plans should be developed for accident and incident containment.
2. Before a radioactive waste management facility is put into operation, the Civil Protection Department of the Ministry of National Defence together with local authorities must draw up plans for the protection of the public in the 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 containment plans, and 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 their containment at radioactive waste management facilities shall be carried out in the manner prescribed by the Law on Nuclear Energy, other laws and legal instruments.

## *Article 25*

### **Decommissioning of Radioactive Waste Storage Facilities and Other Facilities**

1. Radioactive waste storage facilities shall be decommissioned upon the decision of the Government. Other radioactive waste management facilities shall be decommissioned upon 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 sufficient numbers of qualified staff and accumulated financial resources are available during the decommissioning. During the decommissioning of a radioactive waste management facility, it is obligatory 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 information as prescribed by the licensing body which is important for decommissioning.

## *Article 26*

### **Post-closure Supervision of the Repository**

The repository shall be closed upon the decision of the Government.

- (1) Before the closure of the repository, the operator must ensure in the manner set forth by law that records of the disposed radioactive waste as prescribed by the licensing body, as well as technical documentation on the site and the construction of the repository must be kept indefinitely.
- (2) Post-closure supervision of the repository shall be exercised by the Agency. The agency shall prepare a programme of post-closure supervision of the repository, co-ordinate it with the Ministry of the Environment and the Radiation Protection Centre, and submit it to the licensing body for its approval.
- (3) At any moment of the supervision, upon detection of an uncontrolled discharge of radioactive substances into the environment or a likelihood of such a discharge, the Agency, where necessary, shall take appropriate measures.
- (4) The post-closure supervision of a repository may be terminated with the permission of the licensing body and by the decision of the Government.

## **Chapter VIII**

### **IMPLEMENTATION OF 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 programmes.

## **Chapter IX**

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

#### *Article 28*

##### **Consequences of Violation of the Law**

Legal entities and natural persons as well as entities without legal personality which 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 as established by the Law on Nuclear Energy.

## **Chapter X**

### **FINAL PROVISIONS**

#### *Article 30*

##### **Used Sealed Sources**

1. Pursuant to Article 31 of this Law, re-entry into Lithuania of used sealed sources shall be permitted, in the manner prescribed by the Government or institutions authorised by it, if

they are intended for the legal entity which has manufactured them and which is authorised to receive and keep such 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 activities involving sources of ionising radiation, shall take account of the possibility of their final disposal after use or their return to the supplier if the sealed source was acquired abroad.

### *Article 31*

#### **Transport, 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 instruments regulating transport of radioactive substances.
2. Export and transit of radioactive waste shall be subject to prior notification and consent of the state of destination obtained in a prescribed manner.
3. Radioactive waste can only be transported across transit states in accordance with the international agreements and regulations that apply to the particular mode of transport involved.
4. Radioactive waste may be exported only to states that have the administrative and technical capacity to receive it, as well as the regulatory and supervisory 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 transport radioactive waste for disposal to 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.