

# LATVIA

## Act on Radiation Safety and Nuclear Safety\*

adopted on 26 October 2000

### Chapter I

#### GENERAL PROVISIONS

##### *Section 1*

##### **Terms used in the Act**

The following terms are used in the Act:

- 1) **practices involving ionising radiation sources** – human activities (manufacturing, import, export, transport, sale, transfer, lease, acquisition into possession or use, storage, repair and other similar activities, except for exposure in cases of emergency), which may increase the exposure of workers or members of the public to man-made or natural sources of ionising radiation in procedures where the radioactive, nuclear fission or nuclear transformation properties of radionuclides are used;
- 2) **ionising radiation** – energy flux in the form of particles or electromagnetic waves (wavelength equal to or less than 100 nanometers, or wave frequency range is equal to or more than  $3 \times 10^{15}$  Hertz), *i.e.* gamma radiation, x-ray radiation, corpuscular radiation and any other type of radiation which is capable of producing ionisation in a direct or indirect way;
- 3) **ionising radiation sources** – devices, radioactive substances, nuclear materials, radioactive waste or equipment capable of producing ionising radiation or radioactive substances from non-radioactive materials by irradiating them with particles or high energy gamma radiation, as well as important parts of technical equipment producing ionising radiation;
- 4) **nuclear facility** – a reactor, critical assembly, nuclear materials processing facility or isotope separation plant, as well as any location where a significant quantity (at least one effective kilogram) of nuclear materials is used, or any installation for the storage of nuclear materials located outside the site where those materials are used;

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\* Unofficial translation kindly provided by the Latvian authorities.

- 5) **nuclear materials** – ores from which uranium or thorium may be obtained by chemical or physical processes; uranium which contains a mixture of isotopes occurring in nature; depleted uranium, uranium-233; uranium enriched in uranium-233 or uranium-235; thorium in the form of metal, alloy, chemical compound or concentrate; plutonium, with the exception of mixtures of plutonium isotopes where the concentration of plutonium-238 is greater than 80%; as well as other materials containing isotopes capable of fission in interaction with neutrons, and which produce ionising radiation during the nuclear fission process;
- 6) **operator** – physical person or legal entity, who holds a special permit (licence) or a permit to conduct practices involving ionising radiation sources and who is responsible for radiation safety and nuclear safety within his/her controlled area;
- 7) **radiation safety and nuclear safety** – a system of organisational and technical measures for the safe, accident-free use of ionising radiation sources and of nuclear facilities, and for the protection of workers, members of the public and the environment against ionising radiation;
- 8) **radioactive substance** – a substance containing one or more radionuclides – isotopes, which during the process of nuclear transformation, produces ionising radiation with total or specific radioactivity that exceeds the permissible levels, and against which workers, members of the public and the environment require protection;
- 9) **radioactive waste** – materials, devices and items which have no further use and which contain or whose surfaces are contaminated by radioactive substances;
- 10) **ionising radiation facilities of state significance** – nuclear facilities, radioactive waste disposal or management facilities and other facilities in which practices involving radioactive substances are conducted, where the total radioactivity of those substances exceeds by one billion times the prescribed limit by the Cabinet of Ministers, which require a special permit (licence) or a permit.

## *Section 2*

### **Purpose of the Act and scope of application**

- (1) The purpose of this Act is to ensure the protection of people and the environment from the harmful effects of ionising radiation and to set out the distribution of responsibilities and rights of state institutions, physical persons and legal entities in the field of radiation safety and nuclear safety.
- (2) The Act establishes safety requirements for ionising radiation sources and for practices involving such sources, and imposes special requirements for ionising radiation facilities of state significance. It further prescribes the allocation of responsibilities among state authorities in the field of radiation safety and nuclear safety.

### *Section 3*

#### **Basic principles of radiation safety and nuclear safety**

- (1) Practices involving ionising radiation sources are permissible if the following basic principles are observed:
- 1) the public and the environment may not be exposed to a dose of ionising radiation which exceeds the established dose limits;
  - 2) the positive results achieved shall exceed the negative impact or loss caused by practices involving ionising radiation sources;
  - 3) optimum radiation safety measures are chosen, taking into account economical and social circumstances, as well as technical capabilities, so that the exposure level is reasonably low and does not exceed the established dose limits;
  - 4) workers, who carry out practices involving ionising radiation sources, are insured against occupational accidents and illnesses, as well as the operator's civil liability for damage that may be caused to a third party and its property or the environment;
  - 5) practices involving ionising radiation sources may only be conducted upon receipt of a special permit (licence) or permit, except for circumstances prescribed by the Cabinet of Ministers regulations.
- (2) Ionising radiation facilities of state significance may not be sited on specially protected nature areas, specially protected nature objects or in the vicinity of inhabited areas.
- (3) The implementation of the basic principles of radiation safety and nuclear safety is carried out in accordance with the Cabinet of Ministers Regulations on protection against ionising radiation.

## **Chapter II**

### **STATE SUPERVISION AND CONTROL OF RADIATION SAFETY AND NUCLEAR SAFETY**

#### *Section 4*

##### **The Radiation Safety Centre**

- (1) State supervision and control in the radiation safety and nuclear safety field is independently carried out by a state regulatory authority called the Radiation Safety Centre (hereinafter referred to as "the Centre"), which is supervised by the Ministry of Environmental Protection and Regional Development.
- (2) The supervision of the Centre, according to the Act on Organisation of Ministries, is carried out by the Minister of Environmental Protection and Regional Development.

(3) The Cabinet of Ministers approves the Statutes of the Centre. The Director of the Centre is appointed by the Cabinet of Ministers upon recommendation by the Minister of Environmental Protection and Regional Development.

### *Section 5*

#### **Primary tasks of the Centre**

The primary tasks of the Centre are as follows:

- 1) to draft policy proposals for State supervision and control of radiation safety and nuclear safety;
- 2) to carry out supervision and control of radiation safety;
- 3) to carry out supervision and ensure control over testing and holding of special dosimetric equipment and individual personal dosimeters;
- 4) to issue special permits (licences) and permits for practices involving ionising radiation sources;
- 5) to collect, analyse and submit information to the Radiation Safety Board on the radiation safety situation in the country, major users of ionising radiation sources and the results of control activities;
- 6) to inform persons who manage work involving ionising radiation sources about the applicable normative acts in radiation safety and recommendations to improve radiation safety levels;
- 7) to ensure identification, investigation and assessment of unknown ionising radiation sources discovered on national territory, or of undeclared ionising radiation sources discovered at the state's border, and to organise disposal thereof should it fail to be possible to identify the user or the owner of a radiation source;
- 8) to encourage introduction of new technologies to minimise the possible harmful impact resulting from the ionising radiation sources;
- 9) to co-ordinate technical assistance programmes in the field of radiation safety;
- 10) to prepare reports for international organisations, secretariats of conventions and agreements, and to the Commission of the European Union about issues that fall within the responsibilities of the Centre, to participate in discussions on such issues with the competent international organisations;
- 11) to assess the implementation of requirements and recommendations of international institutions in Latvia, and to draft proposals for the amendment of relevant normative documents or for the development of new normative acts;

- 12) with a view to increasing the level of radiation safety in the country, to organise and co-ordinate training of inspectors and job managers whose work is related to radiation safety, as well as to promote training of radiation workers;
- 13) to establish and update databases on the exposure of workers whose activities involve ionising radiation sources, and on the exposure of members of the public;
- 14) to ensure accounting of ionising radiation sources; to establish and update data bases on radioactive substances, nuclear materials, radioactive waste and other ionising radiation sources;
- 15) to establish and maintain a register of workers who conduct practices with ionising radiation sources or work in places with increased natural radiation;
- 16) to ensure operational 24-hour emergency preparedness for notification of a nuclear accident and serve as a communication point of contact in accordance with the “Convention on Early Notification of a Nuclear Accident”;
- 17) to assume the responsibilities as a point of contact under the Nuclear Suppliers Group in order to foster implementation of the Treaty on the Non-proliferation of Nuclear Weapons and associated agreements.

## *Section 6*

### **Powers of the Radiation Safety Centre**

- (1) The Centre is entitled to immediately receive information about any accidents and incidents that may impact radiation safety and nuclear safety, as well as to request and receive, free of charge, information from state institutions, authorities and operators about radiation safety and nuclear safety in order to carry out its functions.
- (2) The Centre:
  - 1) prohibits the carrying out of practices involving ionising radiation sources where radiation safety and nuclear safety norms are being violated;
  - 2) suspends those practices that do not require a special permit (licence) or permit, should human life and health be threatened.
- (3) The Centre has the power to co-operate with international organisations to resolve radiation safety issues.
- (4) Appeals against decisions and orders of the Centre are held in accordance with the applicable law.

## *Section 7*

### **Powers of the Radiation Safety Centre inspectors**

- (1) The Centre's inspectors have the right to inspect locations where practices with ionising radiation sources are conducted, and to collect samples in necessary quantities for supervision purposes. Such collection of samples is not considered prejudicial.
- (2) In order to control the implementation of requirements of this Act and of other normative acts in the radiation safety and nuclear safety area, the Centre's inspectors have the right to:
  - 1) make decisions and give opinions on the situation in the field of radiation safety and nuclear safety;
  - 2) issue administrative acts to job managers and operators whose work is related to ionising radiation sources, in order to prevent or avert violations of radiation safety and nuclear safety requirements and to increase radiation safety;
  - 3) draw up reports (statements) about results of inspections;
  - 4) enquire into alleged violations of radiation safety and nuclear safety normative acts and, if necessary, hold accountable those persons who are administratively liable, and to carry out other activities prescribed by laws and normative acts.

## *Section 8*

### **The Radiation Safety Board**

- (1) The Radiation Safety Board (hereinafter referred to as "the Board") is an advisory institution. The Cabinet of Ministers approves the Statutes of the Board. The Ministry of Environmental Protection and Regional Development organises the functioning of the Board.
- (2) The objective of the Board's activities is to consult institutions and authorities of the state and of local governments, as well as other institutions and authorities, regarding issues related to radiation safety and nuclear safety, and to promote co-operation among different institutions in order to strengthen radiation safety. Decisions of the Board are of an advisory nature and its opinions are available to anyone interested.
- (3) The Centre consults the Board on how to improve radiation safety and nuclear safety in the country before submitting proposals in this respect to the Ministry of Environmental Protection and Regional Development or to other ministries.
- (4) The Cabinet of Ministers, upon recommendation of the Minister of Environmental Protection and Regional Development, appoints the ten members of the Board and the chairman thereof for a period of four years. The Board must be comprised of at least three radiation safety and nuclear safety specialists.

## ***Section 9***

### **Allocation of responsibilities among authorities involved in inspections**

- (1) The Ministry of Welfare and the subordinated institutions, institutions under its supervision ensure compulsory health examinations of workers involved in practices using ionising radiation sources, and carry out state technical supervision of ionising radiation equipment.
- (2) The State Border Guards, in co-operation with the customs authorities, the Sanitary Border Inspectorate and the Centre, in accordance with the procedure established by the Cabinet of Ministers, conduct inspections at the state's borders to ensure that the quantity of radioactive substances in shipments transferred across the border does not exceed acceptable norms, and that undeclared ionising radiation sources neither enter nor leave the country.
- (3) The Centre, in co-operation with institutions authorised by the Ministry of the Interior, verifies physical protection and emergency preparedness measures at locations where practices involving ionising radiation sources are conducted.
- (4) The Cabinet of Ministers sets out requirements with respect to:
  - 1) physical protection of ionising radiation sources;
  - 2) preparedness for radiation accidents and actions to be taken during such accidents.

## ***Section 10***

### **Radiation monitoring**

The Ministry of Environmental Protection and Regional Development and the subordinated institutions and institutions under its supervision, within the scope of their competence, ensure the operation of radiation monitoring stations, exchange information in accordance with the requirements of international radiation safety and nuclear safety agreements, and participate in radioecological research.

## **Chapter III**

### **LICENCING REGIME AND ISSUE OF PERMITS**

## ***Section 11***

### **Issue of special permits (licences) and permits for practices involving ionising radiation sources**

- (1) For any commercial activity involving ionising radiation sources a special permit (licence) is required, whereas for non-commercial activities, a permit to commence and conduct such activities within a fixed time period is required, taking into account any limitations imposed on activities in the relevant special permit (licence) or permit.

- (2) The Cabinet of Ministers establishes:
- 1) criteria to be observed in order to apply for a special permit (licence) or a permit for practices involving ionising radiation sources;
  - 2) procedure for the issue of special permits (licences) and permits;
  - 3) a list of practices involving ionising radiation sources, which do not require a special permit (licence) or permit because human behaviour is not capable of influencing these practices or the potential exposure to ionising radiation and the harmful effects of exposure are so insignificant that from the point of view of radiation safety, they may be disregarded.
- (3) Special permits (licences) and permits for practices involving ionising radiation sources are issued by the Centre, based on a decision made by the Commission for the issue of special permits (licences) for practices involving ionising radiation sources (hereinafter referred to as “the Commission”). In a special permit (licence) and in a permit the Centre identifies which practices are allowed for a physical person or legal entity.
- (4) The Minister of Environmental Protection and Regional Development approves the Statutes and the composition of the Commission. At least one member of the Board must be a member of the Commission.
- (5) A levy, which is deposited in the state’s central budget, is paid for issue of a special permit (licence) and a permit.
- (6) A special permit (licence) or permit may be revoked or suspended if there is a failure to meet requirements of this Act and of other normative acts with respect to radiation safety and nuclear safety, as well as requirements prescribed by special permit (licence) or permit.

## *Section 12*

### **Procedure on co-ordination of establishment of ionising radiation facilities of state significance or of essential modifications thereto**

- (1) In order to issue a special permit (licence) to commence commercial activity in relation to nuclear facilities or radioactive substances where the total radioactivity exceeds one billion times the limits established by the Cabinet of Ministers, which require a special permit (licence) or a permit, or where radioactive waste is used, or to issue a special permit (licence) to carry out essential modifications to the ionising radiation facilities of state significance, the Centre:
- 1) consults with the Board about the usefulness of establishing such a commercial venture, analyses the possible impact of planned changes on radiation safety and nuclear safety, and assesses whether the positive result that is to be achieved by the operator will outweigh the overall negative impact;
  - 2) conceptually agrees with the relevant local government, on whose territory the ionising radiation facility of state significance is located or planned, upon the option to grant a special permit (licence) for the given commercial activity;

- 3) informs members of the public about the application for a special permit (licence) by placing an announcement in the newspaper, “*Latvijas Vestnesis*”.
- (2) The Cabinet of Ministers sets out the procedure for public hearings on the establishment of ionising radiation facilities of state significance or on essential modifications thereto.

## **Chapter IV**

### **RESPONSIBILITIES OF THE OPERATOR AND THE JOB MANAGER REGARDING PRACTICES INVOLVING IONISING RADIATION SOURCES**

#### ***Section 13***

##### **Basic responsibilities of the operator**

- (1) Prior to commencement of practices involving ionising radiation sources, the physical person or legal entity designates a job manager and authorises him to prepare and to submit, in accordance with the procedure prescribed in the law, an application for a special permit (licence) or permit. Upon receipt of a special permit (licence) or permit the applicant is recognised as the operator and is responsible for radiation safety and nuclear safety in the controlled area.
- (2) The operator ensures that ionising radiation sources which have no further use, or whose safety no longer meets the requirements prescribed in normative acts, be made harmless.
- (3) The operator ensures that workers involved in practices using ionising radiation sources of ionising radiation (permanently employed workers and outside – contract – workers who carry out such practices temporarily) in the operator’s controlled area, be protected against the effects of ionising radiation.
- (4) The procedure for control and accounting of exposure of workers is established by the Cabinet of Ministers, which also ensures that information on the exposure of outside (contract) workers can also be used in their country of residence.
- (5) The operator provides workers with individual and collective equipment for control and protection against ionising radiation.

#### ***Section 14***

##### **Basic responsibilities of the job manager**

- (1) Work with ionising radiation sources is managed by the operator’s authorised job manager, who possesses an adequate level of knowledge to perform physical, technical or radiochemical measurements, and make an assessment of ionising radiation doses and to effectively protect workers and members of the public against ionising radiation by correct application of protective measures.

(2) The job manager:

- 1) supervises the accounting of radioactive substances, nuclear materials and other ionising radiation sources;
- 2) enforces safety measures to protect workers, members of the public and the environment against the harmful effects of ionising radiation and to prevent accidents at nuclear facilities and other radiological accidents;
- 3) immediately informs the operator and the Centre of any accidents and incidents that may impact upon radiation safety and nuclear safety;
- 4) ensures that all radioactive waste be collected, isolated,<sup>1</sup> stored, treated and if necessary, disposed of causing no risk to workers, members of the public and the environment;
- 5) ensures that workers involved in practices using ionising radiation sources be sufficiently trained to implement protective measures, be aware of circumstances and of the requirements of normative acts, and be informed of potential risk related to given practices;
- 6) in accordance with the radiation safety requirements, supervises and maintains the applicable conditions, the measuring equipment and protective equipment against ionising radiation at workplaces and in other impact areas of ionising radiation sources;
- 7) ensures that only those workers who are involved in practices using ionising radiation sources be allowed to work with such sources, upon completion of a compulsory health examination.

### *Section 15*

#### **Provision of information**

(1) The operator and the job manager are responsible for ensuring that the Centre, and the employees of other state and local government institutions whose scope of competence includes radiation safety and nuclear safety issues, receive information about radiation safety and nuclear safety measures at their respective sites.

(2) The job manager, either directly or through the media, informs members of the public about radiation safety and nuclear safety measures carried out or proposed at the site concerned.

(3) The job manager informs state and local government institutions and, either directly or through the media, informs members of the public about potential incidents, accidents and the necessary measures for protection of members of the public in the event of an accident.

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1. Isolated from the environment and employees, *i.e.* put in safe storage (safe enclosure).

## *Section 16*

### **Information on emergencies**

- (1) The job manager reports immediately to the operator, the Centre and the State Fire Protection and Rescue Service upon all accidents and incidents, which occur during practices involving ionising radiation sources.
- (2) If as a result of an accident or other incident during a practice involving an ionising radiation source, damage is caused to any worker, the worker immediately informs the job manager thereof. The job manager immediately reports to the operator, the Centre and the State's Labour Inspectorate.

## **Chapter V**

### **REQUIREMENTS FOR WORKERS REGARDING PRACTICES INVOLVING IONISING RADIATION SOURCES**

## *Section 17*

### **Basic responsibilities of workers**

- (1) Where the doses of ionising radiation involved exceed any of the dose limits established by the Cabinet of Ministers for members of the public, practices involving ionising radiation sources may only be carried out by specially trained workers who have attained the age of 18, and:
  - 1) who are informed about the detrimental impact of ionising radiation;
  - 2) who do not have medical contraindications to ionising radiation exposure, defined by the Cabinet of Ministers;
  - 3) who are allowed to be involved in practices using ionising radiation sources in accordance with the results of the compulsory health examinations.
- (2) Workers who are involved in practices using ionising radiation sources:
  - 1) are responsible for using equipment for control and protection, and for carrying out all measures to protect themselves, other workers, members of the public and the environment against the harmful effects of ionising radiation, and for conducting the necessary measurements and records;
  - 2) are forbidden to carry out practices involving ionising radiation sources if all possible measures to prevent emergency situations that may cause additional exposure or contamination of the environment are not implemented.
- (3) If a worker who is involved in practices using ionising radiation sources shows impairment of health, which may possibly be attributed to the impact of the ionising radiation, the said worker is responsible for:
  - 1) immediately informing the job manager of this;

- 2) discontinuing practices related to ionising radiation and undergoing additional health examinations.

### *Section 18*

#### **Employment of adolescents, pregnant women and breast-feeding mothers**

- (1) Persons aged between 16 and 18 years may only be involved in practices using ionising radiation sources for educational purposes, and the effective dose of ionising radiation for such apprentices or students may not exceed 6 millisieverts per year.
- (2) A pregnant woman may not be employed in practices involving ionising radiation during the whole period of her pregnancy. Upon notification of her pregnancy to the employer, a pregnant woman must be transferred to work which is not related to ionising radiation, if the employer cannot provide working conditions which ensure that the exposure dose which may be received by the foetus during the whole period of pregnancy does not exceed the effective dose limit for members of the public – 1 millisievert, thereby ensuring that the negative impact of ionising radiation on the safety and health of a pregnant woman is avoided.
- (3) Breast feeding mothers may not be involved in work related to unsealed radiation sources.

### *Section 19*

#### **Partly dangerous practices**

Should the presence of a worker who is not involved in practices using ionising radiation sources be required at a place where practices involving ionising radiation sources are carried out, the job manager is responsible for ensuring that the total dose of ionising radiation received by that worker does not exceed the dose limit for members of the public – 1 millisievert per year. If this requirement cannot be met, the job manager may allow only those workers who are involved in practices using ionising radiation sources to perform the tasks of the worker in question.

### *Section 20*

#### **Protection of visitors**

If it is deemed that the operator's controlled area is to be visited on a regular basis, the job manager co-ordinates with the Centre the plan of measures to protect those persons concerned from exposure to ionising radiation.

## **Chapter VI**

### **RADIATION SAFETY MEANS AND MEASURES**

#### ***Section 21***

##### **Additional investigations**

Any physical person or legal entity has the right to request that the Centre carry out supplementary investigations into the radiation safety and nuclear safety situation in any operator's controlled area. The costs involved in collecting samples and analyses are covered by the person requesting such investigations.

#### ***Section 22***

##### **Physical protection of ionising radiation sources**

- (1) Physical protection of ionising radiation sources is carried out by an operator in accordance with the procedure prescribed by normative acts.
- (2) The Security Police co-ordinate measures for recovery of nuclear material, and carry out necessary activities, in the case of unauthorised transfer, use, or trafficking of nuclear materials or justified threat of such unauthorised use.
- (3) The Centre and the Security Police control the physical protection of ionising radiation sources.

#### ***Section 23***

##### **Conditions for packaging, marking and supply of ionising radiation sources**

- (1) An entrepreneur who produces, imports, exports or leases radioactive substances or other ionising radiation sources:
  - 1) is responsible for the resistance and safety of the packaging of radioactive substances or ionising radiation sources;
  - 2) ensures that containers comprising an ionising radiation source bear a radiation warning sign and details of its contents (including in particular information which is necessary for protection against ionising radiation) in the Latvian language. If this information is in a foreign language, its translation into the Latvian language must also appear;
  - 3) ensures that the consignment documents for an ionising radiation source be supplemented with a safety data sheet in two copies, one of which is shipped along with the consignment and the other copy of which is sent by mail. The content of safety data sheets is specified in accordance with the requirements of Section 24 of this Act;

- 4) ensures that ionising radiation sources are supplied whole and complete with the equipment necessary to protect workers, members of the public and the environment against the harmful impact of ionising radiation.
- (2) The procedure for packaging and marking of radioactive substances and ionising radiation sources is set out by the Cabinet of Ministers.

#### *Section 24*

##### **Contents of safety data sheet**

- (1) The Cabinet of Ministers approves the model safety data sheet, and sets out the procedure for its completion and transmission.
- (2) The safety data sheet must be comprised of information relevant to a radioactive substance or an ionising radiation source:
  - 1) identification of the radioactive substance or ionising radiation source and information on the manufacturer, importer or other person supplying that radioactive substance or ionising radiation source;
  - 2) description of hazards presented by the radioactive substance or ionising radiation source;
  - 3) description of first aid measures;
  - 4) description of measures to be taken in the event of an accident;
  - 5) requirements for storage and use;
  - 6) requirements for work safety measures;
  - 7) requirements for safe transport;
  - 8) information on the main normative acts governing practices involving the radioactive substance or ionising radiation source concerned;
  - 9) other information relevant for safety, the protection of human life and health or of the environment.

#### *Section 25*

##### **Installation and maintenance of ionising radiation sources**

An entrepreneur who installs or repairs devices/apparatus related to ionising radiation sources, may only install such devices/apparatus if protective equipment is provided and other measures for protection against ionising radiation and work safety rules are observed.

## *Section 26*

### **Procedure for accounting and control of nuclear material**

The Cabinet of Ministers sets out the procedure governing practices involving nuclear materials, related materials and equipment and the procedure for maintenance of systems for the accounting and control of nuclear materials.

## **Chapter VII**

### **RADIOACTIVE WASTE AND UNUSABLE IONISING RADIATION SOURCES**

## *Section 27*

### **Radioactive waste**

- (1) Import of radioactive waste into the Republic of Latvia from other countries is prohibited, except in cases:
  - 1) where such radioactive waste originated as a result of the treatment of radioactive waste exported from the Republic of Latvia and is being transported back into the country;
  - 2) where it is impossible to segregate the radioactive waste which, during the treatment process abroad, originated from the radioactive waste which was imported from the Republic of Latvia in such case an equivalent amount of other radioactive waste can be imported into the country.
- (2) Before issuing a special permit (licence) or permit for practices which may result in generation of radioactive waste, the Centre requests information about the projected quantity of radioactive waste and measures to be taken by the operator in relation to such waste.
- (3) The Cabinet of Ministers establishes requirements governing practices involving radioactive waste and related materials.
- (4) The Cabinet of Ministers approves criteria and principles to establish equivalence of different types of radioactive waste.
- (5) In the case of import into the Republic of Latvia of radioactive substances that, after use thereof, generate radioactive waste which needs to be disposed of in Latvia, a natural resource tax is payable on the import of such substances.

## *Article 28*

### **Termination of operation of ionising radiation equipment/apparatus which does not contain radioactive substances**

- (1) If the operator owns or has possession of equipment/apparatus which is capable of generating ionising radiation, but which does not contain radioactive substances and which is no longer needed

for further practices, or if their safety no longer corresponds to requirements laid down in the Republic of Latvia, the operator makes this equipment/apparatus harmless and notifies the Centre thereof.

(2) The Cabinet of Ministers sets out the procedure for the dismantling of ionising radiation equipment that does not contain radioactive substances.

## **Chapter VIII**

### **LIABILITY FOR VIOLATIONS**

#### ***Section 29***

##### **Compensation of loss and nuclear damage**

- 1) An operator who has violated requirements prescribed in normative acts shall compensate any party who has suffered damage to human health, property and the environment associated with practices involving ionising radiation sources.
  - 2) An operator has the right of recourse against any person who is liable for such loss incurred.
- (2) If during the performance of practices using ionising radiation sources, the environment or buildings are contaminated, the operator shall use his own resources to ensure the clean up (decontamination) of the environment and the premises so that the contamination no longer presents a threat to the environment, life, health or property of workers and members of the public or the life and health of animals. The operator also covers all costs for the collection of samples and investigations.
- (3) The operator shall not be required to compensate such damage if the loss is due to *force majeure*, or if it was caused intentionally by the person responsible or due to his negligence. This does not apply to cases which should have been foreseen by the operator, in accordance with normative acts to implement the preventive measures concerned.
- (4) The operator of a nuclear facility is solely liable for nuclear damage caused by that facility. The liability of the Republic of Latvia, as an operator, for any separate nuclear damage is limited to 80 million lats.

#### ***Section 30***

##### **Requirements for the management of unlawfully used ionising radiation sources**

- (1) Ionising radiation sources which have been used in violation of the requirements set out in this Act and in other normative acts, together with protective equipment which is directly related to ionising radiation sources, is to be given by the operator to a radioactive waste disposal or management facility, ensuring that members of the public and the environment are not endangered.
- (2) Ionising radiation sources, of which the user or owner is not known, are to be given, observing radiation safety requirements, to radioactive waste disposal or management facilities by the authorities which discovered such ionising radiation sources.

### Transitional provisions

1. The Cabinet of Ministers regulations, issued in accordance with Sections 4, 6, 7, 9, 23, 25 and 27 of the Act on Radiation Safety and Nuclear Safety<sup>2</sup> (*Latvijas Republikas Saeimas un Ministru Kabineta Zinotajs*,<sup>3</sup> No. 3, 1995; No. 11, 1997) remain in force until the entry into force of new regulations by the Cabinet of Ministers, but not longer than 12 months after the entry into force of this Act.<sup>4</sup>
2. The Cabinet of Ministers, within a period of 12 months after the entry into force of this Act, issues regulations for the implementation of the norms prescribed in Section 1, in paragraphs 1 and 3 of Section 3, paragraph 3 of Section 4, paragraphs 1 and 4 of Section 8, paragraphs 2 and 4 of Section 9, paragraph 2 of Section 11, paragraphs 1 and 2 of Section 12, paragraph 4 of Section 13, paragraph 1 of Section 17, paragraph 2 of Section 23, paragraph 1 of Section 24, Section 26, paragraphs 3 and 4 of Section 27, paragraph 2 of Section 28, and paragraph 4 of Section 29.
3. Special permits (licences) and permits issued before the date of entry into force of this Act are valid until the expiration of the term of validity specified therein.
4. Upon entry into force of this Act, the Act on Radiation Safety and Nuclear Safety is repealed (*Latvijas Republikas Saeimas un Ministru Kabineta Zinotajs*, No. 3, 1995; No. 11, 1997).

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2. The full text in English of this Act was reproduced in the Supplement to *Nuclear Law Bulletin* No. 55 (June 1995).
  3. Bulletin of the Parliament and the Cabinet of Ministers of the Republic of Latvia.
  4. This Act entered into force 14 days after its signature by the Latvian President, *i.e.* on 22 November 2000.