Unofficial translation from Lithuanian (as of 2019-05-01)
(as last amended by Laws of 17th April, 2014, No. XII-841, 12th January, 2018, No. XIII-1007,21st June, 2018, No. XIII-1284, No. XIII-1285)

REPUBLIC OF LITHUANIA
LAW
ON THE MANAGEMENT OF RADIOACTIVE WASTE

CHAPTER ONE
GENERAL PROVISIONS

Article 1. Purpose of the Law

1. This Law shall regulate public relations arising during the management of radioactive waste, and shall establish the legal grounds for the management of radioactive waste.

2. Provisions of this Law are in compliance with the legal acts of the European Union indicated in the annex to this Law.

Article 2. Definitions

1. **Conditioning –** conversion of radioactive waste to the solid waste form, enclosure of the waste in special containers, and, if necessary, providing an over-pack for the purpose of its shipment, storage and/or disposal in a disposal facility.

2. **Clearance levels** – activity concentration values, where materials (generated while performing practices with sources of ionizing radiation, notification of which should be given to the Radiation Protection Centre or the State Nuclear Power Safety Inspectorate, or which is subject to authorization)not exceeding such values are no longer subject to radiation protection requirements.

Amended by No. XIII-1284, 2018-06-21

3. **Treatment** – a process for changing characteristics of radioactive waste (reducing volume, removing radionuclides, changing composition) for the purpose of managing the waste safely and more cost-efficiently.

4. **Disused sealed radioactive sources** – sealed radioactive sources which are no longer used or intended to be used for validated practices with sources of ionizing radiation, but should be nonetheless managed in accordance with the requirements of radiation safety and the physical protection of radioactive sources.

Supplemented by No. XIII-1284, 2018-06-21

5. **Pre-treatment** – one or several of the operations prior to radioactive waste treatment, such as collection, segregation (sorting), chemical adjustment and decontamination.

Amended by No. XIII-1284, 2018-06-21 (renumbering)

6. **Radioactive waste** – spent nuclear fuel and other gaseous, liquid and solid radioactive materials not intended for reuse, which do not satisfy the clearance criteria and which are subject to regulatory control by the Radiation Protection Centre or the State Nuclear Power Safety Inspectorate.

Amended by No. XIII-1284, 2018-06-21 (renumbering)

7. **Radioactive waste disposal facility (**a **disposal facility**) – a radioactive waste management facility where waste is disposed without the intention of retrieval.

Amended by No. XIII-1284, 2018-06-21 (renumbering)

8. **Closure of a radioactive waste disposal facility** – actions at a radioactive waste disposal facility at the end of its operating life and after completion of radioactive waste emplacement therein, including engineering and other works necessary to ensure the safety of the closed disposal facility.

Amended by No. XIII-1284, 2018-06-21 (renumbering)

Amended by No. XIII-1285, 2018-06-21

9. **Radioactive waste generator** – a natural person or legal entity engaged, in accordance with the legal acts of the Republic of Lithuania, in the activities which generate or have already generated radioactive waste.

Amended by No. XIII-1284, 2018-06-21 (renumbering)

10. **Disposal** – the emplacement of radioactive waste in a disposal facility without the intention of retrieval.

Amended by No. XIII-1284, 2018-06-21 (renumbering)

11. **Acceptance criteria for radioactive waste in a storage or disposal facility** – criteria for determining whether radioactive waste or waste packages are suitable for storage at a storage facility and emplacement at a disposal facility.

Amended by No. XIII-1284, 2018-06-21 (renumbering)
Amended by No. XIII-1285, 2018-06-21

12. **Radioactive waste storage facility** – a radioactive waste management facility intended for temporary storage of radioactive waste. Radioactive waste storage facilities located at institutions or organisations of medicine, science, industry, except for the area of nuclear energy, are not considered as nuclear installations.

Amended by No. XIII-1284, 2018-06-21 (renumbering)

13. **Storage of radioactive waste** – temporary accumulation of radioactive waste in a radioactive waste management facility with isolation and control over the impact on people and the environment, with the intent of its retrieval from the radioactive waste management facility once the clearance levels are reached, or emplacement of the radioactive waste at a disposal facility.

Amended by No. XIII-1284, 2018-06-21 (renumbering)

14. **Radioactive waste management** – operations involving pre-treatment, treatment, conditioning, transportation (excluding off-site transportation), storage, disposal in a disposal facility, closure and post-closure surveillance of the closed disposal facility.

Amended by No. XIII-1284, 2018-06-21 (renumbering)

15. **Site of a radioactive waste management facility** – a territory of definite limits where a radioactive waste management facility is under construction (a construction site), has been constructed, is operated or feasibility of constructing the same is being tested and/or evaluated or where decommissioning or post-closure surveillance of a radioactive waste management facility takes place.

Amended by No. XIII-1284, 2018-06-21 (renumbering)

16. **Decommissioning of a radioactive waste management facility** – implementation of legal, organisational and technical measures in a radioactive waste management facility, when a decision is made that the facility will never be used for its primary purpose.

Amended by No. XIII-1284, 2018-06-21 (renumbering)

17. **Operator of a radioactive waste management facility** – a legal entity licensed to operate a radioactive waste management facility.

Amended by No. XIII-1284, 2018-06-21 (renumbering)

18. **Design of a radioactive waste management facility** – an aggregate of documents indicated in technical standard documents setting forth solutions of a radioactive waste management facility (an exponent part, a design of a building structure (a group of building structures), designs of equipment, calculations, drawings, safety reports etc.) and intended for construction, equipping and operation of a radioactive waste management facility.

Amended by No. XIII-1284, 2018-06-21 (renumbering)

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

Amended by No. XIII-1284, 2018-06-21 (renumbering)

20. **Safety of radioactive waste management** – an aggregate of legal, organisational and technical measures, also competences of the entities and/or their personnel engaged in radioactive waste management intended for prevention of uncontrolled and undesirable effects on people and the environment during operation of a radioactive waste management facility.

Amended by No. XIII-1284, 2018-06-21 (renumbering)

21. **Management system of radioactive waste management** – an aggregate of organisational measures, procedures and actions of the operator of a radioactive waste management facility intended for proper implementation of the requirements for radioactive waste management established by legal acts and/or of other objectives related to activities of the operator of a radioactive waste management facility.

Amended by No. XIII-1284, 2018-06-21 (renumbering)

22. **Radioactive waste manager** – a legal entity referred to in Article 10 of this Law, responsible for the management of all radioactive waste generated during the course of its operation and transferred to such legal entity.

Amended by No. XIII-1284, 2018-06-21 (renumbering)

23. **Radionuclide barrier** – a physical obstruction that prevents or delays release of radionuclides and/or other substances containing radionuclides from the elements of a radioactive waste management facility into the environment. Radionuclide barriers may be engineered and natural.

Amended by No. XIII-1284, 2018-06-21 (renumbering)

24. **Sealed radioactive source –** a radioactive source where radioactive material is permanently sealed in a capsule or bonded in a solid form so that to prevent, under normal conditions of use, the spread of radioactive materials.

Amended by No. XIII-1284, 2018-06-21

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

Amended by No. XIII-1284, 2018-06-21 (renumbering)

26. **Recipient of a sealed radioactive source** – a natural person or a legal entity who/which receives a sealed radioactive source.

Amended by No. XIII-1284, 2018-06-21

27. **Supplier of a sealed radioactive source** – a natural person or a legal entity supplying or assisting in obtaining a sealed radioactive source.

Amended by No. XIII-1284, 2018-06-21

28. Other terms used in this Law shall be interpreted as they are defined in the Law on Nuclear Energy of the Republic of Lithuania (the **Law on Nuclear Energy**), the Law on Nuclear Safety of the Republic of Lithuania (the **Law on Nuclear Safety**) and the Law on Radiation Protection of the Republic of Lithuania (the **Law on Radiation Protection**).

Amended by No. XIII-1284, 2018-06-21 (renumbering)

CHAPTER TWO
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, each individual and the environment in the Republic of 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 consequences 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 which is reasonably practicable in terms of activity and quantity, by means of appropriate design measures and of operating and decommissioning practices, including the recycling and reuse of nuclear cycle materials;

4) interdependencies between all radioactive waste management stages are taken into account;

Amended by No. XIII-1285, 2018-06-21

5) the safety of radioactive waste and radioactive waste management facilities is guaranteed during the period of radioactive waste management and operating lifetime of the radioactive waste management facilities, and afterwards using passive safety measures;

Amended by No. XIII-1285, 2018-06-21

6) implementation of radioactive waste management safety measures shall follow the principle of graded approach;

7) radioactive waste generated in the Republic of Lithuania shall be emplaced at a disposal facility within the Republic of Lithuania or transported to a disposal facility in a foreign country, except for cases referred to in Articles 24 and 25 of this Law.

Amended by No. XIII-1285, 2018-06-21

CHAPTER III
STATE REGULATION OF RADIOACTIVE WASTE MANAGEMENT

Article 4. Competence of the Government of the Republic of Lithuania

The Government of the Republic of Lithuania (the Government):

1) on the recommendation of the Ministry of Energy of the Republic of Lithuania, shall adopt decisions on the construction and decommissioning of radioactive waste management facilities;

2) shall set aside, in a manner established by legal acts, land plots for radioactive waste storage facilities and/or disposal facilities;

3) on the recommendation of the Ministry of Energy of the Republic of Lithuania, shall adopt decisions on closure of disposal facilities and termination of post-closure surveillance;

4) shall set out or authorise another institution to set out the procedure for organising international expert evaluation of a national radioactive waste management system (legislation governing the management of radioactive waste, regulatory and surveillance authorities for the management of radioactive waste and radioactive waste management programmes);

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5) 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;

6) shall perform other functions appointed by this Law, other laws and legal acts.

Article 5. Competence of the Ministry of Energy of the Republic of Lithuania

The Ministry of Energy of the Republic of Lithuania (“the Ministry of Energy”):

(1)shall submit to the Government proposals on the construction or decommissioning of radioactive waste management facilities, closure of radioactive waste disposal facilities and termination of post-closure surveillance thereof;

(2) upon approval of the detailed plan of the territory for construction of a radioactive waste management facility, shall initiate the taking of a land plot for the construction of the radioactive waste management facility for public needs in accordance with the procedure established by the legal acts;

(3) shall organise bilateral and multilateral international cooperation in the area of radioactive waste management;

(4) shall organise an international expert evaluation of the national radioactive waste management system in accordance with the procedure established by the Government or its authorised authority;

(5) shall approve the rates of charges for services rendered by a radioactive waste manager, as proposed by the radioactive waste manager on the basis of costs for the services rendered;

(6) shall organise the improvement of legislation regulating radioactive waste management with a view to implementing EU legislation on radioactive waste management, International Atomic Energy Agency's recommendations and recommendations of the international expert evaluation of the national radioactive waste management system, and the improvement of legislation in line with technological and scientific progress and experience gained from managing radioactive waste in the territory of the Republic of Lithuania;

(7) shall perform other functions defined by this Law, other laws and legal acts.

Amended by No. XIII-1285, 2018-06-21

Article 6. Competence of the Ministry of Health of the Republic of Lithuania or Its Authorised Institution

The Ministry of Health of the Republic of Lithuania (the **Ministry of Health**) or its authorised institution shall:

1) prepare and approve the rules for decontamination of non-nuclear energy installations, land and buildings contaminated with radionuclides;

2) establish clearance levels of radionuclides for the materials generated during the activities involving sources of ionising radiation, except for activities in the area of nuclear energy;

3) approve the requirements and rules regulating safety of radioactive waste management at non-nuclear installations;

4) perform other functions appointed by this Law, other laws and legal acts.

Article 7. Competence of the State Nuclear Power Safety Inspectorate

1. The State Nuclear Power Safety Inspectorate shall conduct the state regulation and supervision of safety of radioactive waste management.

2. The State Nuclear Power Safety Inspectorate shall:

1) define the nuclear safety requirements regulating the classification of radioactive waste and the acceptance criteria for radioactive waste in a storage or disposal facility;

Amended by No. XIII-1285, 2018-06-21

2) upon coordination with the Ministry of Health, establish clearance levels of radionuclides for the materials and waste generated during the activities involving sources of ionising radiation in the area of nuclear energy;

3) approve the requirements and rules regulating safety of radioactive waste management at nuclear installations;

4) supervise and ensure compliance with the requirements of the legal acts in radioactive waste management at nuclear installations;

5) shall submit a report to the European Commission on the implementation of Council Directive 2011/70/Euratom of 19 July 2011 on establishing a Community framework for the responsible and safe management of spent fuel and radioactive waste, in accordance with the procedure established by the Government. This report shall be submitted for the first time by 23 August 2015 and every 3 years thereafter;

6) perform other functions appointed by this Law, other laws and legal acts.

Article 8. Activities Subject to Licensing, Issuance of Licences, Permits and Temporary Permits

1. Types of licences and permits for activities involving nuclear and/or nuclear fuel cycle materials and in the area of nuclear energy, the procedure and grounds for their issuance, suspension, lifting the suspension and cancellation, also the conditions of activities subject to licensing, the rights and obligations of a licence holder shall be established in the Law on Nuclear Safety.

2. Legal grounds for the issuance, suspension, lifting the suspension and cancellation of licences or temporary permits to manage (carry out pre-treatment (to collect, classify, decontaminate), treatment and storage of radioactive waste) and ship radioactive waste, except for radioactive waste generated during a

nuclear fuel cycle, the rights and obligations of a licence holder or a temporary permit holder and legal grounds for the granting and cancellation of permits for shipment of radioactive waste, except for radioactive waste generated during a nuclear fuel cycle, shall be regulated by the Law on Radiation Protection.

Amended by No. XIII-1284, 2018-06-21

Article 8[1]. *Repealed by No. XIII-1285, 2018-06-21*

Article 9. Duties and Responsibilities of the Radioactive Waste Generator

1. It shall be the duty of a radioactive waste producer to manage radioactive waste in accordance with the requirements set out in legal acts regulating radioactive waste management until it is transferred to a radioactive waste manager. The radioactive waste producer shall manage radioactive waste in its economic activities and transfer it to the radioactive waste manager which is obliged to accept it in accordance with the procedure established by the Minister for Energy of the Republic of Lithuania. The radioactive waste producer engaged in activities in the area of nuclear energy subject to licensing and in activities involving nuclear and/or nuclear fuel cycle materials referred to in Article 8(1) of this Law shall not be required to obtain a separate licence or a temporary permit to manage radioactive waste (carry out pre-treatment (to collect, classify, decontaminate), treatment and storage of radioactive waste), issued in accordance with Article 8(2) of this Law.

Amended by No. XIII-1285, 2018-06-21

2. The radioactive waste producer shall pay all the expenses incurred during the management of radioactive waste from the moment of its generation to its emplacement at a disposal facility, including the expenses related to the post-closure surveillance of disposal facilities. Prior to obtaining a licence for activities involving nuclear and/or nuclear fuel cycle materials or a licence or temporary permit for activities involving ionising radiation sources, except for activities involving ionising radiation sources in the area of nuclear energy, the radioactive waste producer, except for radioactive waste producers whose activity-generated radioactive waste contains only short-lived radionuclides with a half-life of 100 days or less, must obtain suretyship insurance for the amount specified for services in the contract for radioactive waste management concluded with the radioactive waste manager or hold a bank guarantee in case of corporate bankruptcy or other cases when the radioactive waste producer has to terminate radioactive waste management activity and does not have necessary funds for the management of radioactive waste. Where the management of disused sealed radioactive sources is concerned, this provision shall apply to the extent that such management is not regulated by Article 24 of this Law. Funds necessary for the decommissioning of nuclear installations and the safe management of radioactive waste generated during the operation and decommissioning of the installations shall be pooled in compliance with Articles 32 and 48 of the Law on Nuclear Energy.

Remark: Where, before 1 May 2019, the radioactive waste generator fails to contract for suretyship insurance for the amount specified for services in the contract for radioactive waste management concluded with the radioactive waste manager or fails to obtain a bank guarantee in the event of corporate bankruptcy or other cases when the radioactive waste producer has to terminate radioactive waste management activity and does not have necessary funds for the management of radioactive waste, the licence or temporary permit for activities involving ionising radiation sources, except for activities involving ionising radiation sources in the area of nuclear energy, shall be suspended in accordance with the Law on Radiation Protection of the Republic of Lithuania. Control over compliance with the provisions of this paragraph shall be ensured by the regulatory authority specified in the Law on Radiation Protection within the limits of its competence.

Amended by No. XIII-1285, 2018-06-21

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

4. Responsibility of the radioactive waste generator for the management of radioactive waste shall end after:

1) radioactive waste is transferred to the radioactive waste manager;

2) radioactive waste is legally exported from the Republic of Lithuania and is permanently accepted under the laws of the relevant country;

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

5. Shipment, storage of orphan sources of ionising radiation and other objects contaminated with radionuclides, also other work related to management of such radioactive waste shall be financed from the allocations provided to state and municipal authorities. Operations necessitated by emergency events, high levels of contamination of the environment with radioactive materials and pertaining to management of orphan sources of ionising radiation and objects contaminated with radionuclides shall be financed from the State Budget. When the persons responsible for acquisition, possession, shipment or production of orphan sources of ionising radiation and objects contaminated with radionuclides are identified in accordance with the laws, the expenses for management of orphan sources of ionising radiation and objects contaminated with radionuclides shall be recovered from the liable persons.

CHAPTER FOUR
RADIOACTIVE WASTE MANAGER

Article 10. Radioactive Waste Manager and Basic Principles of its Practices

1. A radioactive waste manager shall be the State Enterprise Ignalina Nuclear Power Plant which, in the course of the management of radioactive waste generated during the operation and decommissioning of the Ignalina Nuclear Power Plant and other nuclear installations and of radioactive waste transferred by other radioactive waste producers, shall:

(1) collect radioactive waste and organise its transportation from other radioactive waste producers, perform pre-treatment, treatment, conditioning and storage of radioactive waste;

(2) emplace radioactive waste in a disposal facility;

(3) close the radioactive waste disposal facility and perform its post-closure surveillance;

(4) manage orphan radioactive sources and objects contaminated with radioactive materials in accordance with the procedure established by the Government; and

(5) perform other obligations set out for the manager of radioactive waste in this Law, the Law on Nuclear Energy, the Law on Nuclear Safety, the Law on Radiation Protection, the Law on Civil Protection, and legislation implementing those laws.

2. The radioactive waste manager shall carry out its activities in the area of radioactive waste management in accordance with this Law, the Law on Nuclear Energy, the Law on Nuclear Safety, the Law on Radiation Protection, and legislation implementing those laws.

3. Structural units of the radioactive waste manager carrying out treatment, transportation and storage of radioactive waste shall be separated in the organisational structure from the structural unit(s) carrying out emplacement of radioactive waste in disposal facilities and control of radioactive waste compliance with the acceptance criteria for radioactive waste in a storage or disposal facility, as well as performing other functions related to the operation, closure and post-closure surveillance of disposal facilities (hereinafter referred to as “the structural unit emplacing radioactive waste in disposal facilities”).

4. The radioactive waste manager must have in place a control mechanism ensuring the compliance of radioactive waste treated by the radioactive waste manager and their packages with the criteria for acceptance in a storage or disposal facility and also ensuring that only radioactive wastes and their packages that meet the criteria for acceptance in a storage or disposal facility are disposed. Inspections should be carried out by the structural unit of the radioactive waste manager emplacing radioactive waste in disposal facilities.

5. Supervision of compliance with the requirements in paragraphs 3 and 4 above shall be ensured by the State Nuclear Power Safety Inspectorate during the examination of applications for a license to operate a radioactive waste management facility or, where the license has been issued, during the examination of documents justifying the safety of modifications to a radioactive waste management facility in accordance with the procedures and under the conditions laid down in the Law on Nuclear Energy and the Law on Nuclear Safety.Remark: *In order to guarantee compliance with the requirements set out in Article 10(1) of the Law on Radioactive Waste of the Republic of Lithuania referred to in Article 8 of this Law, the State Enterprise Ignalina Nuclear Power Plant which will implement radioactive waste management shall, before entry into force of the Law No. XIII-1285 (2019-01-01), prepare documents and obtain licences in accordance with the Law on Radiation Protection for activities involving ionising radiation sources, except for activities involving ionising radiation sources in the area of nuclear energy, that will be pursued after the entry into force of this Law. In order to guarantee compliance with the requirements set out in Article 10(3) and (4) of the Law on Radioactive Waste of the Republic of Lithuania, the State Enterprise Ignalina Nuclear Power Plant, as the*

future manager of radioactive waste, shall, before entry into force of this Law, submit documents justifying the safety of modifications to a radioactive waste management facility to and have them agreed upon with the State Nuclear Power Safety Inspectorate in accordance with the Lawson Nuclear Energy of the Republic of Lithuania and the Law on Nuclear Safety of the Republic of Lithuania.

Amended by No. XIII-1285, 2018-06-21

Article 11. Transfer of Radioactive Waste to the Radioactive Waste Manager

1. Following the receipt by the radioactive waste manager of radioactive waste from the radioactive waste generator, the radioactive waste manager shall assume responsibility for the management of the radioactive waste. Radioactive waste shall be regarded as transferred to the radioactive waste manager from the moment of signing of the deed on transfer and acceptance. Prior to this, the radioactive waste generator must pay all the expenses specified in paragraph 2 of Article 9 of this Law.

2. *Repealed by No. XIII-1285, 2018-06-21*

3. Where the authority having issued a licence, a temporary permit or a permit to the radioactive waste generator establishes that the radioactive waste generator does not conform to the requirements of safe management of radioactive waste or if it has otherwise violated the terms and conditions of the activities regulated by the licence, temporary permit or permit, the authority having issued the licence, temporary permit or permit may decide on a compulsory transfer of the radioactive waste to the radioactive waste manager. In such case the radioactive waste manager 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 radioactive waste generator in the manner prescribed by laws.

4. Characteristics of accounting of the radioactive waste generated during activities in the area of nuclear energy and of other radioactive waste transferred in the manner established by legal acts to nuclear installations shall be established by the Head of the State Nuclear Power Safety Inspectorate.

5. In the cases specified in the Law on Nuclear Safety nuclear and/or radioactive materials may be transferred to the radioactive waste manager for storage. The procedure and conditions for storage of such nuclear and/or radioactive materials shall be established by the radioactive waste manager having coordinated the same with the State Nuclear Power Safety Inspectorate.

CHAPTER FIVE
EVALUATION OF THE EXISTING RADIOACTIVE WASTE MANAGEMENT FACILITIES AND THEIR PAST PRACTICES

Article 12. Evaluation of the Existing Radioactive Waste Management Facilities and Their Past Practices

1. The operator of a radioactive waste management facility must review its safety or, if necessary and if so requested by the State Nuclear Power Safety Inspectorate on the grounds and subject to the provisions of law, make all justified practicable improvements to upgrade the safety of this facility.

2. When evaluating the results of the safety analysis of the existent radioactive waste management facilities the State Nuclear Power Safety Inspectorate must decide whether any measures are needed to enhance safety. Account must be taken of whether the decrease of hazardous impact is sufficient for the benefit to be objectively more substantial than the potential risk of operation and to justify the expenses and other costs, including social costs, of such improvement.

3. The State Nuclear Power Safety Inspectorate in the manner and subject to the provisions of the legal acts shall evaluate the compliance of an existing radioactive waste management facility with the objectives set in the design of the radioactive waste management facility and with the nuclear safety requirements, also the compliance of the radioactive waste management facility with the requirements set for radioactive waste storage facilities and radioactive waste disposal facilities. An existing radioactive waste storage or disposal facility may be operated in accordance with the objectives established in their designs and only upon assessment of their compliance with the nuclear safety requirements and, if necessary, upon determining measures to enhance their safety.

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

Article 13. Siting of Radioactive Waste Management Facilities

1. Siting of a radioactive waste management facility shall be made pursuant to the procedure laid down in the Law on Territorial Planning of the Republic of Lithuania, the Law on Environmental Impact Assessment of the Proposed Economic Activity of the Republic of Lithuania and other legal acts, also on the recommendations of the International Atomic Energy Agency (the **IAEA**).

2. Siting of a radioactive waste management facility must be subject to preparation and implementation of technical standard documents of the licence or permit holder 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 disposal facility - its safety in the post-closure period;

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

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

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

Article 14. Design and Construction of Radioactive Waste Management Facilities

1. A radioactive waste management facility may be constructed only subject to a decision of the Government made on the proposal of the Ministry of Energy. A separate decision of the Government is not required provided the radioactive waste management facilities are included in the design of a nuclear power plant.

2. Designs for the construction or reconstruction, major repairs and demolition of radioactive waste management facilities must be subject to an expert examination in the procedure prescribed by the Law on Nuclear Energy.

3. Design of a radioactive waste management facility shall be coordinated in accordance with the provisions of the Law on Nuclear Energy.

4. Supervision 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 management facility necessarily entails:

1) provision for an adequate number of radionuclide barriers and protection measures limiting the potential impact of ionising radiation on individuals, society and the environment, as well as the effect of controlled and uncontrolled release of radionuclides into the environment;

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

3) application of technologies that have been supported by experience, testing and analysis in the Republic of Lithuania or other countries.

6. At the design stage of a disposal facility, technical provisions for its permanent closure shall be prepared.

Article 15. Safety Assessment of Radioactive Waste Management Facilities

1. Safety assessment of the existing and newly constructed radioactive waste management facilities shall be carried out in accordance with the requirements of the Law on Nuclear Safety. The safety assessment must cover full operating lifetime of the facility.

2. Safety assessment of a disposal facility shall also cover the post-closure period.

3. Safety assessment of radioactive waste management facilities and assessment of a potential impact on individuals and the environment shall be carried out by the builder (client) or the operator of the facility in the procedure prescribed by laws and other legal acts.

4. When carrying out the safety assessment of storage or disposal facilities, the builder (client) or the operating organisation shall set out the acceptance criteria for radioactive waste in a storage or disposal facility and agree them upon the State Nuclear Power Safety Inspectorate.

Supplemented by No. XIII-1285, 2018-06-21

CHAPTER SEVEN

ACCEPTANCE AS FIT FOR USE, OPERATION, DECOMMISSIONING OF RADIOACTIVE WASTE MANAGEMENT FACILITIES AND POST-CLOSURE SURVEILLANCE

Article 16. Commissioning of a Radioactive Waste Management Facility

Before the operation of a radioactive waste management facility, a commissioning programme shall be prepared by the licence holder and/or an applicant for the licence in the manner established by laws and other legal acts, and coordinated with the State Nuclear Power Safety Inspectorate.

Article 17. Operation of a Radioactive Waste Management Facility

1. A radioactive waste management facility shall be put into operation only subject to a permit in the procedure and subject to the provisions of the Law on Nuclear Safety. The permit shall be issued based on the safety assessment as specified in Article 15 of this Law and the implementation of the commissioning programme of the radioactive waste management facility as specified in Article 16 of this Law.

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

1) the licence holder upon coordination with the State Nuclear Power Safety Inspectorate shall define and, as necessary, revise operational limits and conditions derived from tests, operational experience and the safety assessment as specified in Article 15 of this Law;

2) operation, technical maintenance, control, inspection and testing of the radioactive waste management facility must be conducted in accordance with established procedures, norms, regulations and conditions of the licence. As regards a disposal facility, the assessment results derived in such manner shall be used to verify and review validity of assumptions during the preparation of safety assessments as specified in Article 15 of this Law;

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

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

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

6) the licence holder must notify in the manner and subject to the provisions of the legal acts the State Nuclear Power Safety Inspectorate about any incidents significant to safety of the radioactive waste management facility;

7) physical protection of a radioactive waste management facility must be ensured in accordance with the manner established by the Government or its authorised institution.

Article 18. Management Systems

The operator of a radioactive waste management facility shall be responsible for development and implementation of adequate management systems related to radioactive waste management, which shall be assessed by the State Nuclear Power Safety Inspectorate. The Head of the State Nuclear Power Safety Inspectorate shall define the safety requirements and regulations for the management systems of nuclear installations.

Article 19. Emergency Preparedness

1. The operator of a radioactive waste management facility shall be responsible for ensuring that before the operation and during the operation of the radioactive waste management facility an emergency preparedness plan is developed.

2. During the operation of the radioactive waste management facility, the emergency preparedness plan must be tested at least once a year by the operator of the facility. Before the decommissioning of a radioactive waste management facility the emergency preparedness plan 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 20. Decommissioning of a Radioactive Waste Management Facility

1. A radioactive waste management facility shall be decommissioned in accordance with the decision of the Government. The procedure of decommissioning of a radioactive waste management facility shall be established in accordance with the Law on Nuclear Energy.

2. The operator of a radioactive waste management facility must ensure that sufficient financial, material, organisational and human resources are available during the decommissioning as required for due performance of the obligations established by legal acts in relation to decommissioning of a radioactive waste management facility. It is obligatory, during the decommissioning of a radioactive waste management facility, to comply with the provisions of paragraph 2 of Article 19 of this Law.

3. The operator of a radioactive waste management facility must record and keep all the information important to decommissioning prescribed by the Head of the State Nuclear Power Safety Inspectorate adhering to the requirements established by the Head of the State Nuclear Power Safety Inspectorate.

Article 21. Closure of a Radioactive Waste Disposal Facility and Post-Closure Surveillance

Amended by No. XIII-1285, 2018-06-21

1. The decision regarding closure of a disposal facility shall be adopted by the Government on the proposal by the Ministry of Energy.

1^1. Closure of a radioactive waste disposal facility shall be pursued in accordance with a final plan for the closure of the disposal facility, which is developed by the operator of the radioactive waste disposal facility and subject to being agreed upon the State Nuclear Power Safety Inspectorate. The final plan for the closure of the radioactive waste disposal facility shall be developed and submitted for agreement to the State Nuclear Power Safety Inspectorate no later than two years before the closure of the radioactive waste disposal facility. The State Nuclear Power Safety Inspectorate shall decide on its agreement to the plan within the time limits specified in Article 34 of the Law on Nuclear Safety. The State Nuclear Power Safety Inspectorate shall agree to the final plan for the closure of the disposal facility, if the operator of the radioactive waste disposal facility substantiates positive conclusions as to the possibility of the safe closure of the disposal facility in the final plan for the closure of the disposal facility and such conclusions are based on objective circumstances and in line with legislation regulating the safety of radioactive waste disposal facilities. After being agreed upon with the State Nuclear Power Safety Inspectorate, the final plan for the closure of the disposal facility shall be forwarded by the operator of the radioactive waste disposal facility to the Ministry of Energy for approval in accordance with Article 32 of the Law on Nuclear Energy.

Supplemented by No. XIII-1285, 2018-06-21

2. Prior to the closure of the disposal facility, its operator must ensure in the manner set forth by law that records of the radioactive waste disposed at the disposal facility prescribed by the Head of the State Nuclear Power Safety Inspectorate as well as technical documentation about the site of the disposal facility and its structures are kept indefinitely.

3. Post-closure surveillance of the disposal facility shall be the responsibility of the radioactive waste manager. The radioactive waste manager shall prepare and approve a Post-Closure Surveillance of the Radioactive Waste Disposal Facility Programme. The Post-Closure Surveillance of the Radioactive Waste Disposal Facility Programme shall be agreed upon with the Ministry of the Environment, the Ministry of Health and the State Nuclear Power Safety Inspectorate of the Republic of Lithuania which shall review, assess and align the programme within three months from the receipt of all the required and duly executed documents or other information that was requested to be submitted or clarified by the aforementioned institutions and from the remedial of any weaknesses identified. The requirements for the Post-Closure Surveillance of the Radioactive Waste Disposal Facility Programme shall be set out by the State Nuclear Power Safety Inspectorate.

Amended by No. XIII-1285, 2018-06-21

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 radioactive waste manager shall apply all the necessary measures to contain such uncontrolled discharge of radioactive substances, to mitigate negative consequences of the discharge and to ensure prevention of a possible discharge.

5. The post-closure surveillance of a disposal facility may be terminated subject to the decision adopted by the Government on the proposal by the Ministry of Energy, which is given upon coordination of the same by the Ministry of Energy with the State Nuclear Power Safety Inspectorate.

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

Amended by No. XIII-1284, 2018-06-21

Article 22. Liability for Violation of the Law

Persons as well as entities that violate the requirements of this Law shall be liable in the manner established by laws of the Republic of Lithuania.

Article 23. Civil Liability for the Inflicted 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 NINE
IMPORT, TRANSPORTATION, EXPORT AND SHIPMENT IN TRANSIT OF SEALED RADIOACTIVE SOURCES, RADIOACTIVE WASTE AND SPENT NUCLEAR FUEL

Article 24. Disused Sealed Radioactive Sources

1. Pursuant to the requirements set out in Article 25 of the Law, disused sealed radioactive sources shall be allowed for re-entry into the Republic of Lithuania, if the disused sealed radioactive sources are intended for the legal entity which has manufactured them and is qualified to accept and store them.

2. Sealed radioactive sources may be imported into, sold or transferred in the Republic of Lithuania, if after their use, or with no intention of further using them, the disused sealed radioactive sources are to be returned to the supplier of the sealed radioactive source. The recipient of a sealed radioactive source shall enter into a contract with the radioactive waste manager on the management of the sealed radioactive source in case the sealed radioactive source cannot be returned to its supplier. The recipient of a sealed radioactive source shall obtain suretyship insurance or bank guarantee for the amount specified for services in the contract with the radioactive waste manager, except in cases referred to in the legal act establishing the procedure for import to, export from, shipment in transit and transportation within the Republic of Lithuania of radioactive materials, radioactive waste and spent nuclear fuel and the procedure for the issuance of permits, as approved by the Head of the State Nuclear Power Safety Inspectorate jointly with the Minister for Health, where the contract is made in relation to the sealed radioactive source which will be used and stored until it no longer requires control.

3. Where the return of a disused sealed radioactive source to the supplier of the sealed radioactive source is not possible, the disused sealed radioactive source should be treated as radioactive waste, once it has been verified and agreed by the Radiation Protection Centre or the State Nuclear Power Safety Inspectorate that the return of the disused sealed radioactive source to the supplier of the sealed radioactive source is not possible.

Amended by No. XIII-1284, 2018-06-21

Article 25. Import to, Export from, Shipment in Transit or Transportation within the Republic of Lithuania of Radioactive Waste and/or Spent Nuclear Fuel

1. It shall be prohibited to import to the territory of the Republic of Lithuania radioactive waste and/or spent nuclear fuel, except for the cases where:

1) radioactive waste or spent nuclear fuel are shipped in transit via the territory of the Republic of Lithuania;

2) radioactive waste exported for treatment is being re-entered;

3) radioactive waste recovered from the exported materials is being re-entered;

4) radioactive waste produced after reprocessing of the exported spent nuclear fuel is being re-entered;

5) spent nuclear fuel exported for reprocessing is being re-entered, if the export was prohibited or the spent nuclear fuel has not been reprocessed.

2. Radioactive waste and/or spent nuclear fuel shall be imported to, exported from, shipped in transit and transported in compliance with the international treaties ratified by the Republic of Lithuania, laws and other legal acts regulating shipment of radioactive materials.

3. Economic entities of the Republic of Lithuania shall be allowed to export radioactive waste and/or spent nuclear fuel from the territory of the Republic of Lithuania and ship the same in transit via territories of other states only subject to a prior notification and consent of a competent regulatory authority of the state of destination obtained in a prescribed manner.

4. Radioactive waste and/or spent nuclear fuel may be transported by economic entities of the Republic of Lithuania through the transit countries only in compliance with requirements of international agreements and regulations which are relevant to the particular modes of transport.

5. Radioactive waste and/or spent nuclear fuel may be exported only to such countries that have the administrative and technical capabilities to receive it, as well as adequate regulatory and supervision institutions, also other structures required for radioactive waste and/or spent nuclear fuel management in accordance with the Joint Convention on the Safety of Spent Fuel Management and on the Safety of Radioactive Waste Management.

6. It shall be prohibited to export radioactive waste from the territory of the Republic of Lithuania with an intent of disposal at disposal sites lying south of 60 degrees latitude South.

7. The procedure for the import to, export from, transit or transportation of radioactive waste and/or spent nuclear fuel within the Republic of Lithuania shall be established by the Minister for Health jointly with the Head of the State Nuclear Power Safety Inspectorate.

Amended by No. XIII-1284, 2018-06-21

Annex to
the Law on the Management of Radioactive Waste
of the Republic of Lithuania

IMPLEMENTED LEGAL ACTS OF THE EUROPEAN UNION

1. Council Directive 2003/122/Euratom of 22 December 2003 on the control of high-activity sealed radioactive sources and orphan sources (OJ *special edition*, 2004, Chapter 15, Volume 7, p. 694).

2. Council Directive 2011/70/Euratom of 19 July 2011 on establishing a Community framework for the responsible and safe management of spent fuel and radioactive waste (OL 2011 L 199, p. 48).

3. Council Directive 2013/59/Euratom of 5 December 2013 laying down basic safety standards for protection against the dangers arising from exposure to ionising radiation, and repealing Directives 89/618/Euratom, 90/641/Euratom, 96/29/Euratom, 97/43/Euratom and 2003/122/Euratom(OJ L 13, 2014, p. 1).

Supplemented by No. XIII-1284, 2018-06-21

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

PRESIDENT OF THE REPUBLIC
