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HEAD OF THE STATE NUCLEAR POWER SAFETY INSPECTORATE

ORDER NO. 22.3-58 ON THE APPROVAL OF NUCLEAR SAFETY REQUIREMENTS BSR-1.1.1-2014 “RULES OF PROCEDURE FOR DRAFTING OF NUCLEAR SAFETY REQUIREMENTS AND NUCLEAR SAFETY RULES”

The heading amended by:

No. [22.3-80](#), 2011-08-23, *Official Gazette*, 2011, No. 107-5082 (2011-08-30)
No. 22.3-215, 2014-11-28, *Register of Legal Acts*, 2014-11-28, No. 18169

15 June 2009
Vilnius

New wording of the order:

No. [22.3-80](#), 2011-08-23, *Official Gazette*, 2011, No. 107-5082 (2011-08-30)
No. 22.3-215, 2014-11-28, *Register of Legal Acts*, 2014-11-28, No. 18169

Acting pursuant to Article 5 and Paragraph 1 of Article 11 of the Law on Nuclear Safety of the Republic of Lithuania,

I approve Nuclear Safety Requirements BSR-1.1.1-2014 *Rules of Procedure for Drafting Nuclear Safety Requirements and Nuclear Safety Rules* (attached).

Gytis Maksimovas

Head of VATESI

Approved by
Order No. 22.3-58
Of 15 June 2009
Of the Head of the State
Nuclear Power Inspectorate
(Wording of Order No. 22.3-215
Of 28 November 2014
Of the Head of the State
Nuclear Power Inspectorate)

NUCLEAR SAFETY REQUIREMENTS BSR-1.1.1-2014

RULES OF PROCEDURE FOR DRAFTING OF NUCLEAR SAFETY REQUIREMENTS AND NUCLEAR SAFETY RULES

CHAPTER I GENERAL PROVISIONS

1. Nuclear Safety Requirements BSR-1.1.1-2014 *Rules of Procedure for Drafting Nuclear Safety Requirements and Nuclear Safety Rules* (hereafter, the Requirements) shall establish the rules for planning of drafting, drafting, documenting and promulgating nuclear safety normative technical documents – nuclear safety requirements and nuclear safety rules – approved by Head of the State

Nuclear Power Safety Inspectorate (thereafter, VATESI) (thereafter all together referred to as the nuclear safety technical normative documents approved by Head of VATESI).

CHAPTER II REFERENCES

2. These Requirements give reference to the following documents:

- 2.1. Law on Nuclear Energy of the Republic of Lithuania;
- 2.2. Law on Nuclear Safety of the Republic of Lithuania;
- 2.3. Law on Radioactive Waste Management of the Republic of Lithuania;
- 2.4. Law on Standardisation of the Republic of Lithuania;
- 2.5. Law on Public Administration of the Republic of Lithuania;
- 2.6. Law on Fundamentals of Legislative Procedure of the Republic of Lithuania;
- 2.7. Law on Administrative Burden Reduction of the Republic of Lithuania;
- 2.8. Recommendations for Legal Drafting approved by Order No. 1R-298 *On the Approval of Recommendations for Legal Drafting* of 23 December 2013 of the Minister of Justice of the Republic of Lithuania;
- 2.9. Framework of General Requirements for Websites of Governmental and Municipal Institutions and Organisations approved by Resolution No. 480 *On the Approval of the Framework of General Requirements for Websites of Governmental and Municipal Institutions and Organisations*, of 18 April 2003 of the Government of the Republic of Lithuania;
- 2.10. Document Drafting Rules, approved by Order No. V-117 *On the Approval of Document Drafting Rules*, of 4 July 2011 of the Chief Archiver of Lithuania;
- 2.11. Resolution No. 1408 with regard to amending “Resolution of the Government No. 1244 *On the Approval of Rules for Legislative Drafting*, dated 30 September 2009”, dated 6 October 2010 of the Government of the Republic of Lithuania;
- 2.12. Methodology for the Establishment of Administrative Burden on Economic Entities, approved by Resolution No. 4 *On the Approval of Methodology for the Establishment of Administrative Burden on Economic Entities*, dated 11 January 2012 of the Government of the Republic of Lithuania; and
- 2.13. Methodology for Impact Assessment of Anticipated Legal Regulation, approved by Resolution No. 276 *On the Approval of Methodology for Impact Assessment of Anticipated Legal Regulation*, dated 26 February 2003, of the Government of the Republic of Lithuania.

CHAPTER III DEFINITIONS

3. The following definitions are used in these Requirements:

- 3.1. **Nuclear Safety Requirements** – legislation approved by Head of VATESI whereby directly establishing legal norms or by providing reference to nuclear safety rules or other pieces of legislation and (or) standards.
- 3.2. **Nuclear Safety Rules** – legislation approved by Head of VATESI establishing methods for implementation of nuclear safety requirements, rules for the organisation of some work or procedure, rules for document preparation, rules on working with constructions, systems and components.
- 3.3. **Normative Technical Documents of Licence or Permit Holder** – technical and procedural documents approved by the licence or permit holder (rules, procedure documents, technical specifications, etc. approved by the licence or permit holder) which set technical characteristics, rules for carrying out certain activity, various procedures and selected standards.
- 3.4. **Normative Technical Documents of Persons Assessing the Construction Site for the Nuclear Energy Facility** – technical and procedural documents approved by persons who perform the assessment of construction sites for nuclear energy facilities (rules, procedure documents, technical

specifications, etc.) that set technical characteristics, rules for the carrying out certain activities, various procedures and selected standards.

4. Other definitions used in these Requirements correspond to definitions used in legislation listed in Paragraphs 2.1, 2.2, 2.3, 2.4, 2.5, 2.6 and 2.7 of these Requirements.

CHAPTER IV PLANNING FOR THE DRAFTING OF NUCLEAR SAFETY TECHNICAL NORMATIVE DOCUMENTS APPROVED BY HEAD OF VATESI

5. In order to ensure the effective nuclear safety regulation VATESI drafts and approves a five year Programme for the Improvement of Nuclear Safety Normative Technical Documents (thereafter, the Programme) and an annual Plan for the Drafting and Review of Nuclear Safety Normative Technical Documents (thereafter, the Annual Plan). The Programme and the Annual Plan can be amended taking into consideration reformed legislation, changing needs and (or) priorities and other important circumstances.

6. The Programme shall include:

6.1. The needs for drafting of nuclear safety normative technical documents approved by Head of VATESI in accordance to the regulated areas, if needed, arguments and comments in connection to the drafting needs;

6.2. The priorities for improvement and the periodicity of the review of nuclear safety normative technical documents approved by Head of VATESI; and

6.3. If needed, other important information.

7. The Annual Plan shall include:

7.1. A list of nuclear safety normative technical documents approved by Head of VATESI that are planned to be reviewed and (or) drafted during the upcoming year. Provided a new piece of legislation or a new edition of the legislation in force is going to be drafted, there shall be a short summary on the legislation provided (the purpose of this legislation, its area of regulation, arguments regarding the need to prepare a new piece of legislation or to have a new edition of the legislation in force, other legislation that will have to be amended or reviewed due to this change);

7.2. Divisions and persons, who are charged with the review, preparation and (or) coordination of the respective drafts;

7.3. Persons to whom the drafts should to be send, following requirements foreseen by law, for conclusions, comments and recommendations (public administration bodies, other persons with regard to whom the legislation in question creates, changes or abolishes rights and obligations); and

7.4. If needed, other important information.

8. In order to ensure consistency of the system of planning of VATESI legal drafting, the Programme and the Plan, in addition to nuclear safety normative technical documents approved by the Head of VATESI, may also include other legislation, the drafting of which, following requirements foreseen by law, may be also initiated by VATESI. With regard to such legal drafting, the Programme includes information indicated in Paragraphs 6.1–6.2 of these Requirements, and the Annual Plan includes information of Paragraphs 7.1–7.4 of these Requirements.

CHAPTER V DRAFTING OF NUCLEAR SAFETY NORMATIVE TECHNICAL DOCUMENTS APPROVED BY HEAD OF VATESI

9. Drafting of nuclear safety normative technical documents approved by Head of VATESI shall be done by VATESI state officials, civil servants and (or) employees working under contracts of

employment or a work group (commission) set up for the purpose of producing the legal draft, the member of which may also include other experts or employees of other public administration bodies.

10. Nuclear safety normative technical documents approved by Head of VATESI shall comply with the Constitution of the Republic of Lithuania, international treaties ratified by the Republic of Lithuania, legal acts of the European Union, other legal acts and other legislation in force of the Republic of Lithuania.

11. Nuclear safety normative technical documents approved by Head of VATESI have to be drafted taking into consideration the best international and national practices of foreign countries. Drafting of nuclear safety normative technical documents approved by Head of VATESI shall take into consideration documents of the International Atomic Energy Agency (thereafter, the IAEA), documents of the Western European Nuclear Regulators Association and documents of other international organisations and agencies. In the nuclear safety normative technical documents approved by Head of VATESI it shall be endeavoured to ensure the use of progressive technologies that were successful in international practice in order to ensure high level of nuclear safety, radiation protection and physical security.

12. Nuclear safety rules shall not conflict with nuclear safety requirements. Normative technical documents of licence or permit holder and of persons assessing the construction site for nuclear energy facility shall not conflict with nuclear safety requirements, nuclear safety rules and other legislation regulating nuclear safety. Normative technical documents of licence or permit holder and of persons assessing construction site for nuclear energy facility shall be obligatory with regard to licence or permit holder and respectively persons performing the assessment of the construction site for nuclear energy facility.

13. The graded approach shall apply when drafting nuclear safety normative technical documents approved by Head of VATESI – the level of detail in the legislation, the means for regulating public interactions or other aspects shall be proportional to the risks in connection to the nuclear facility, activities with nuclear materials or activity with sources of ionising radiation in the area of nuclear energy, as well as (or) the complexity of the nuclear facility, activities with nuclear materials or activities with sources of ionising radiation in the area of nuclear energy.

14. Nuclear safety normative technical documents approved by Head of VATESI shall comply with the requirements on the form, structure, content and language foreseen in the legislation listed in Paragraphs 2.6, 2.8, and 2.10 of these Requirements. The principles indicated in Article 3 of the legal act of Paragraph 2.6 and Article 4 of the legal act of Paragraph 2.6 shall be governing when drafting nuclear safety normative technical documents approved by Head of VATESI.

15. When drafting nuclear safety normative technical documents approved by Head of VATESI, the impact assessment of its anticipated legal regulation shall be conducted.

16. The impact assessment of the anticipated legal regulation of a nuclear safety normative technical document approved by Head of VATESI shall be carried out by the drafter of such legislation.

17. In all cases (with exception of editorial changes) when conducting impact assessment of the anticipated legal regulation there shall be review and evaluation of the following:

17.1. The purpose of the planned legal regulation, and its grounds (to implement legal acts of the Republic of Lithuania, European Union, international treaties) and the suggested means to achieve this purpose;

17.2. The possibility in applying new technical and (or) technological legal norms with regard to:

17.2.1. Impact on nuclear safety, radiation protection and physical security, commitments of the Republic of Lithuania with regard to non-proliferation of nuclear weapons (specify the influence with regard to nuclear safety, radiation protection and physical security as well as international commitments of the Republic of Lithuania with regard to non-proliferation of nuclear weapons);

17.2.2. if the currently existing nuclear facilities and (or) technologies comply with the proposed legal norms (specify if the currently existing nuclear facilities and (or) technologies comply with the

proposed legal norms, in case of non-compliance, measures should be identified that would allow complying with the norms proposed, for instance, a longer period until the legal norms are effected);

17.3. Impact of new legal norms on the administration and quality management systems:

17.3.1. Impact on nuclear safety, radiation protection and physical security, international commitments of the Republic of Lithuania with regard to non-proliferation of nuclear weapons (specify the influence on nuclear safety, radiation protection, physical security, international commitments of the Republic of Lithuania with regard to non-proliferation of nuclear weapons);

17.3.2. Impact on the administrative burden:

17.3.2.1. Impact on the administrative burden to economic entities (specify if the newly drafted or amended legislation establishes new information obligations for economic entities). Provided the draft establishes new or amends the existing information obligations, then, following the procedure foreseen by the legislation under Paragraph 2.12 above, there should be assessment on the administrative burden on economic entities carried out and the draft should be accompanied with supporting documents as specified in the legislation under Paragraph 2.12 above;

17.3.2.2. Impact on the administrative burden to governmental and municipal agencies and organisations (assess the aspects listed under Chapter III of Appendix 2 of the legislation under Paragraph 2.13 of these Requirements and provide conclusions of this assessment);

17.4. The conformity of the nuclear safety normative technical document approved by Head of VATESI with the documents of the IAEA, Western European Nuclear Regulators Association, other international organisations and agencies (provide specific reference to documents that were taken into consideration when preparing the draft, indicate their titles, and where only some specific provisions instead of the entire document were taken into consideration, indicate such provisions);

17.5. Review the practices of foreign countries (specify the countries the practices of which were analysed, indicating titles, sources of information that were relied on, and if the draft includes some regulation that was drafted after practices like that, shortly indicate the essence);

17.6. If needed, specify other actions that should be taken in order to implement the prepared nuclear safety normative technical document approved by Head of VATESI (for instance, specify if it is necessary to draft other pieces of legislation before the draft in question comes in force);

17.7. Taking into consideration the nature and scope of the new planned legal regulation by the nuclear safety normative technical document approved by Head of VATESI, if needed, conduct impact assessment on national economy, finances, social environment, public administration, legal system, criminogenic situation, the extent of corruption, environment, regional development and other fields. If needed other important information may be provided.

18. The findings of the impact assessment of the anticipated legal regulation shall be documented in a note, the form of which is provided in Appendix 1 to these Requirements. The note on the impact assessment of the anticipated legal regulation is signed by the drafter of the legislation.

19. The draft nuclear safety normative technical document approved by Head of VATESI, having coordinated it with the interested VATESI divisions, shall be submitted, in a manner provided by legislation, to other public administration bodies for their conclusions. The draft of the document may be provided for comments and suggestions to licence or permit holders, the rights and obligations of which may be created, amended or abolished by such draft document. The draft document shall be accompanied by the note on the impact assessment and other supplementing documents as needed.

20. The draft of the nuclear safety normative technical document shall be published in a manner provided by law, on the Legislative Information System of the Office of the Seimas of the Republic of Lithuania and VATESI website, subject to requirements foreseen by legislation under Paragraphs 2.6, 2.9 and 2.11 of these Requirements and other legislation. Nuclear safety normative technical documents approved by Head of VATESI shall be reviewed not later than within two years since the approval. The further review shall be conducted at least once every five years since the first review.

21. The draft of nuclear safety normative technical documents approved by Head of VATESI may be prepared electronically in the Legislative Information System of the Office of the Seimas of the

Republic of Lithuania in a manner provided by the legal act under Paragraph 2.6 of these Requirements and its implementing legislation.

CHAPTER VI FORM OF NUCLEAR SAFETY NORMATIVE TECHNICAL DOCUMENTS APPROVED BY HEAD OF VATESI

22. The headline of the nuclear safety normative technical document approved by Head of VATESI shall consist of the type of the nuclear safety normative technical document approved by Head of VATESI (nuclear safety requirements or nuclear safety rules), the cypher, which is assigned in a manner provided under Appendix 2 of these Requirements, and the title, which should be short, accurately describing regulation's area, and written with centre alignment on separate lines from the cypher, leaving one line space in between the cypher and the title.

23. Nuclear safety normative technical documents approved by Head of VATESI shall consist of:

23.1. The following chapters:

23.1.1. GENERAL PROVISIONS;

23.1.2. REFERENCES;

23.1.3. DEFINITIONS;

23.1.4. SIGNS AND ABBREVIATIONS;

23.1.5. Chapters (chapter) of legal norms in particular legislative area. The chapter may be divided into structural parts subject to requirements listed in the legislation under Paragraph 2.8 of these Requirements; and

23.1.6. FINAL PROVISIONS;

23.2. Appendixes.

24. Chapters indicated in Paragraphs 23.1.1, 23.1.5 and 23.1.6 of these Requirements shall be an obligatory structural part of any nuclear safety normative technical document approved by Head of VATESI.

25. Documenting chapters and appendixes of nuclear safety normative technical document approved by Head of VATESI shall be as follows:

25.1. The Chapter GENERAL PROVISIONS shall be started by specifying the object and (or) area of application of the nuclear safety normative technical document approved by Head of VATESI;

25.2. The Chapter REFERENCES shall provide documents that are referred to in the text of the nuclear safety normative technical document approved by Head of VATESI. The documents referred to are indicated in subparagraphs, continuing numbering of the nuclear safety normative technical document approved by Head of VATESI. When giving reference to documents in foreign languages, there shall be the following information provided – publisher of the document (organisation which adopted the document), type of document, title in Lithuanian, number (if any), year of publishing, title in the original language, with abbreviated indication of language in front of the title. The title in a foreign language shall be written in italics;

25.3. The Chapter DEFINITIONS shall provide definitions used in the text;

25.4. The Chapter SIGNS AND ABBREVIATIONS shall provide a list of signs and abbreviations used in the nuclear safety normative technical document approved by Head of VATESI;

25.5. The Chapter (chapters) include legal norms of some legislative area. They are the main part of the nuclear safety normative technical document approved by Head of VATESI, whereby setting legal norms, providing regulation on the normative object;

25.6. The Chapter FINAL PROVISIONS shall define liability for persons with regard to whom the nuclear safety normative technical document approved by Head of VATESI is applicable, dispute settlement procedure, requirements on promulgation, distribution, etc.

CHAPTER VII
PROMULGATION OF NUCLEAR SAFETY NORMATIVE TECHNICAL DOCUMENTS
APPROVED BY HEAD OF VATESI

26. Nuclear safety normative technical documents approved by Head of VATESI shall be promulgated and become effective as provided in the legal act under Paragraph 2.6 of these Requirements.

27. VATESI shall promulgate nuclear safety normative technical documents approved by Head of VATESI as well as their drafts, the Programme and Annual plans on its website (www.vatesi.lt) subject to the legislation under Paragraphs 2.6 and 2.9 of these Requirements. If needed nuclear safety normative technical documents approved by Head of VATESI may be translated to foreign languages.

28. VATESI shall prepare and promulgate, in a manner provided by legislation, a list of legislation regulating activities of the State Nuclear Power Safety Inspectorate and the requirements in the area assigned for the regulation of the State Nuclear Power Safety Inspectorate.

CHAPTER VIII
MONITORING OF LEGAL REGULATION BY NUCLEAR SAFETY NORMATIVE
TECHNICAL DOCUMENTS APPROVED BY HEAD OF VATESI

29. Taking into consideration VATESI strategic and annual activity plans, having considered problems, changes in some area of public interaction, and other circumstances VATESI shall, on its own initiative, perform monitoring of the legal regulation by nuclear safety normative technical documents approved by Head of VATESI. When performing the monitoring of the legal regulation by nuclear safety normative technical documents approved by Head of VATESI, aspects indicated in Article 23 of the legal act under Paragraph 2.6 of these Requirements shall be taken into consideration.

30. The monitoring of the legal regulation by nuclear safety normative technical documents approved by Head of VATESI shall be carried out following a plan, approved by Head of VATESI along with the Programme and (or) the Annual Plan. This plan shall be promulgated in VATESI website.

CHAPTER IX
FINAL PROVISIONS

31. Having breached these Requirements, persons shall liable in a manner provided by Law of the Republic of Lithuania.

32. Disputes with regard to these Requirements shall be resolved in a manner provided by Law of the Republic of Lithuania.

(Form for the Impact Assessment Note of Anticipated Legal Regulation)

***(TITLE OF THE DRAFT
 OF NUCLEAR SAFETY NORMATIVE TECHNICAL DOCUMENT
 APPROVED BY HEAD OF VATESI)***
IMPACT ASSESSMENT NOTE OF ANTICIPATED LEGAL REGULATION

1.	The title of the nuclear safety normative technical document approved by Head of VATESI
2.	The purpose of the anticipated legal regulation, basis and proposed measures to achieve the purpose
3.	Assessment of the application of new technical and (or) technological legal norms with regard to:
3.1.	impacts on nuclear safety, radiation protection, physical security, international commitments of the Republic of Lithuania with regard to non-proliferation of nuclear weapons (expediency)
3.2.	The conformity of the existing nuclear facilities and (or) technologies with the proposed legal norms
4.	Impact assessment of new administrative, quality management system legal norms on:
4.1.	nuclear safety, radiation protection, physical security, international commitments of the Republic of Lithuanian with regard to non-proliferation of nuclear weapons (expediency)
4.2.	Impact on the administrative burden
5.	Documents of IAEA, Western European Nuclear Regulators Association, other international organisations and agencies that were taken into consideration when drafting the requirements
6.	Reviewed practises of foreign countries
7.	Measures to be taken in order to implement the draft
8.	Other important information

(Position)

(Signature)

(Name)

The Appendix amended as follows:

No. [22.3-80](#), 2011-08-23, *Official Gazette*, 2011, No. 107-5082 (2011-08-30)

No.22.3-60, 2013-07-15, *Official Gazette*, 2013, No. 78-3966 (2013-07-20)

No. 22.3-215, 2014-11-28, *Register of Legal Acts*, 2014-11-28, No. 18169

**CYPHERS OF NUCLEAR SAFETY NORMATIVE TECHNICAL DOCUMENTS
 APPROVED BY HEAD OF STATE NUCLEAR POWER SAFETY INSPECTORATE**

1. The cypher of the nuclear safety normative technical documents approved by Head of the State Nuclear Power Safety Inspectorate (thereafter, VATESI) shall consist of the index of the nuclear safety normative technical documents approved by Head of VATESI (thereafter, nuclear safety normative technical document), index for normative object and document, year of the approval of the nuclear safety normative technical document (table 1 and table 2). The index of the nuclear safety normative technical document is followed by a hyphen and a year of the document's approval.

Table 1. Indexes of Nuclear Safety Normative Technical Documents

Nuclear Safety Normative Technical Documents	Index
Nuclear Safety Requirements (Lith. <i>Branduolinės saugos reikalavimai</i>)	BSR
Nuclear Safety Rules (Lith. <i>Branduolinės saugos taisyklės</i>)	BST

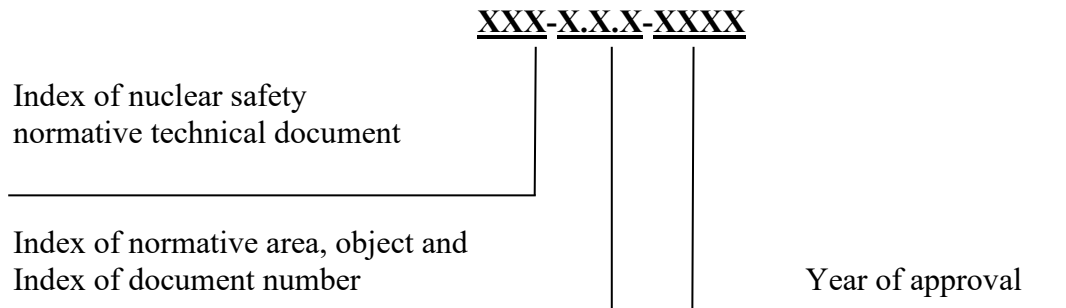
Table 2. Normative areas, objects, indexes for normative areas and objects

Normative Area	Normative Object	Index for Normative Area	Index for Normative Object
General safety requirements and rules	Organisation of National regulation	1.	1.
	Controls over non-proliferation of nuclear weapons		2.
	Emergency preparedness		3.
	Management systems		4.
	Decommissioning		5.
	Physical security		6.
	Fire safety		7.
	Safety assessment		8.
	Radiation protection		9.

Normative Area	Normative Object	Index for Normative Area	Index for Normative Object
Safety requirements and rules for nuclear power plants	Site evaluation, design, construction, operation, decommissioning of nuclear power plants	2.	1.
Requirements and rules for radioactive waste management	Site evaluation, design, construction, operation, decommissioning of radioactive waste treatment and storage facilities and	3.	1.
	Site evaluation, design, construction, operation, decommissioning of radioactive waste repositories, surveillance of closed radioactive waste repositories		2.

Normative Area	Normative Object	Index for Normative Area	Index for Normative Object
Safety requirements and rules for transport of nuclear, fissile and nuclear fuel cycle materials	Transport of nuclear, fissile and nuclear fuel cycle materials	4.	1.

2. The structure of the nuclear safety normative technical document's cypher shall be as follows:



3. When a new edition of the nuclear safety normative technical document is prepared, its indexes of area, object and document number are not changed, only the part of the cypher with regard to years of adoption is changed. When the nuclear safety normative technical document is amended, however, not in a new edition, the cypher is not changed.

4. When a nuclear safety normative technical document is repealed, the cypher used for the document cannot be assigned to other nuclear safety normative technical document.