

NUCLEAR SAFETY REQUIREMENTS BSR-1.9.5-2018

JUSTIFICATION OF ACTIVITIES WITH SOURCES OF IONISING RADIATION IN THE NUCLEAR ENERGY AREA

CHAPTER I GENERAL PROVISIONS

1. The Nuclear Safety Requirements BSR-1.9.5-2018 ‘Justification of activities with sources of ionising radiation in the nuclear energy area’ (hereinafter – the Requirements) establish the procedure of the justification of activities with sources of ionising radiation in the nuclear energy area, except for the construction, operation, decommissioning of nuclear facilities and post-closure surveillance of a waste disposal facility (hereinafter – the activities).

2. The activities shall be considered justified when they correspond to the type of activity defined in the List of types of justified activities with sources of ionising radiation in the nuclear energy area (hereinafter – the List) approved by the Head of the State Nuclear Energy Inspectorate (hereinafter – VATESI). Construction, operation, decommissioning of nuclear facilities and post-closure surveillance of a waste disposal facility shall be considered justified in accordance with Article 9 Paragraph 3 of the Law on radiation Protection of the Republic of Lithuania.

3. The recognition of the activity as feasible shall not grant the right to engage in the activity which needs validation in observance of Article 12 of the Law on Radiation Protection of the Republic of Lithuania and Article 22 of the Law on Nuclear Safety of the Republic of Lithuania.

4. The terms used in the Requirements shall be understood as they are defined in the Law on Radiation Protection, the Lithuanian Hygiene Standard HN 73:2018 ‘Basic Standards of Radiation Protection’ approved by Order No 663 of the Minister of Health of the Republic of Lithuania of 21 December 2001 on approval of the Lithuanian Hygiene Standard HN 73:2018 ‘Basic Standards of Radiation Protection’ (hereinafter – the Lithuanian Hygiene Standard HN 73:2018) and in other legal acts regulating radiation protection.

CHAPTER II JUSTIFICATION OF THE ACTIVITIES

5. Prior to applying to VATESI for authorization of the activity which is not on the List, the applicant shall submit to VATESI a free-form application for the justification of such activity. The application shall be accompanied by the following documents and information:

5.1. the personal data: the name, legal form, code, head office address (correspondence address, if different from the head office address), phone and fax numbers, e-mail address of a legal person, other organisation or their branch, or the forename and surname of a natural person and name and number of a personal identity document;

5.2. the description of activities, the techniques and technologies of the use of sources of ionising radiation providing drawings of installations used in the activities, as well as of the premises and containers where sources of ionising radiation are placed;

5.3. the description of sources of ionising radiation (radionuclides, activity, technical characteristics) and the information about measures in place for ensuring radiation protection of the public and environment;

5.4. the planned scope of the activities (e.g., quantities of sources of ionising radiation intended to be used, the frequency of use);

5.5. the quantitative assessment of benefits and damage from the activities, including radiological exposure damage for people (workers and the public) and environment (e.g., monetary expression, exposure doses, number of people exposed to radiation). This evaluation shall cover the following factors:

5.5.1. when assessing the benefits of the activity:

5.5.1.1. the possible economic and social benefits of the planned activity;

5.5.1.2. the comparison with benefits provided by alternative techniques and/or technologies that can be applied without sources of ionising radiation or using sources of ionising radiation that are safer from the point of view of radiation protection;

5.5.2. when assessing the damage from the activity for people (workers and the public) or environment:

5.5.2.1. the exposure doses for people (workers and public) from the activity in the nuclear energy area with sources of ionising radiation and the probability of exposure and doses in the cases of radiological accidents or incidents;

5.5.2.2. the collective dose from the activity;

5.6. the information demonstrating that there are no equivalent alternative techniques and/or technologies that can be applied without sources of ionising radiation or using sources of ionising radiation that are safer from the point of view of radiation protection.

6. The purpose of obtaining personal data specified in Subparagraph 6.1 of the Requirements shall be to identify without ambiguity the natural person who applies to VATESI for justification of the activity, which is not on the List, for the purpose of performing the legal obligation specified in Article 9 Paragraph 3 of the Law on Radiation Protection. These personal data may be disclosed only to state and municipal institutions and bodies on their request based on the need to perform their functions. These data shall be retained in accordance with the procedure established by secondary legislation Law on Documents and Archives of the Republic of Lithuania.

7. Within five business days of receipt of the application, VATESI shall send to the applicant the acknowledgement of receipt of the application specified in Paragraph 6 of the Requirements. The acknowledgement shall include the deadline for examining the application, possible remedies available to the applicant in the event of disputes, and the provision that if the applicant does not receive the answer within the specified deadline the activity shall be considered justified.

8. If the incomplete set of documents and information s are submitted to VATESI, which are specified in Paragraph 6 of the Requirement, VATESI shall not later than within five business days of the day of receipt of the documents, notify the applicant about the need to submit the missing documents and information or to update the documents and information, and shall inform that the deadline for the adoption of the decision on the justification of the activity shall be calculated from the day of receipt of all duly completed documents.

9. VATESI shall assess the documents and information specified in Paragraph 6 of the Requirements taking account the recommendations of international organisations, scientific and technical information, practices of other countries, and, where appropriate, may consult with experts of radiation protection, use services of experts and consultants, scientific and technical support organisations within the area of their competence.

10. VATESI shall justify the activity and take the decision on the recognition of its feasibility, within thirty calendar days of the day of receipt of all documents and information necessary for assessing the feasibility of the activity. The decision that the activity is considered feasible shall be adopted if the activity meets the criteria of Article 9 Paragraph 4 of the Law on Radiation Protection.

11. During examination of documents and information, VATESI may request additional information or explanations necessary for evaluation of documents and information, required for justification. In such case, VATESI shall set the deadline of at least five business days for the submission of such information or explanations.

12. VATESI shall inform in writing the applicant for the justification of activity about the adopted decision to justify the activity within three business days of the decision date.

13. Further to the adoption of the decision of the justification of the activity, VATESI shall include the activity (a new type of activity) into the List and, within three business days after approval of the List, shall publish the consolidated version on the website of VATESI.

CHAPTER III
FINAL PROVISIONS

14. Decisions of VATESI on the justification of the activity may be appealed against according to the procedure established by the Law on Administrative Proceedings of the Republic of Lithuania.
