

Law On Radiation Safety and Nuclear Safety

Unofficial translation

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Chapter I

Purpose, Subjects, Fundamental Principles and Legal Basis of the Law

Article 1. Terms and Definitions Used in the Law

- (1) Protection against ionizing radiation - a set of measures for the protection of people and the environment against the harmful effects of ionizing radiation.
- (2) Permit - a document granting the right, during a specified period of time, to conduct activities with radioactive substances and other sources of ionizing radiation which cannot be considered as entrepreneurial activities, as well as to obtain the said substances and sources into one's possession or to transfer them into the possession of other persons.
- (3) Activities with ionizing radiation sources - the manufacture, import, export, transportation, sale, transfer, lease, acquisition, possession, use, storage or any other comparable activity with ionizing radiation sources.
- (4) Activities with radioactive substances - the manufacture, import, export, transportation, sale, transfer, lease, acquisition, possession, use, storage or any other comparable activity with radioactive substances.
- (5) Job performer - a person who conducts activities with radioactive substances and other ionizing radiation sources, nuclear materials, their waste and radioactive waste.
- (6) Job supervisor - a natural person who supervises activities with radioactive substances and other ionizing radiation sources.
- (7) Work in an environment of ionizing radiation - activities with radioactive substances and other ionizing radiation sources.
- (8) Ionizing radiation - gamma radiation, x-ray radiation, corpuscular radiation and any other type of radiation with similar biological effects.
- (9) Ionizing radiation sources - radioactive substances, nuclear materials, radioactive waste and technical devices capable of generating ionizing radiation.
- (10) Devices capable of generating ionizing radiation - technical devices which contain radioactive substances or which are capable of generating ionizing radiation, as well as essential parts for generation of ionizing radiation of the said technical devices.
- (11) Nuclear materials - materials which contain isotopes capable of fission when colliding with neutrons and which, as a result of nuclear fission, generate ionizing radiation (thorium 232, uranium 233 and 235 and plutonium 239).
- (12) License - a document restricting entrepreneurial activities which grants the rights, for the specified period of time, to sell, export, import, manufacture, process, dispose of or perform other activities with radioactive substances and other ionizing radiation sources.
- (13) Undeclared ionising radiation sources - any sources of ionising radiation, the presence of which in cargo is not declared prior to commencement of inspection
- (14) Operator - with respect to nuclear facilities and devices, a legal entity which has been granted the right to use nuclear devices in the Republic of Latvia.
- (15) Radiation protection and nuclear safety - a system of organizational and technical measures providing for the accident-safe use of ionizing radiation sources and nuclear facilities, and for the protection of activities conducted in the environment of ionizing radiation.
- (16) Radioactive waste - materials, equipment and goods which contain radioactive substances or the surfaces of which are contaminated by the said substances, and which have no further use or for which the owner can not be identified.
- (17) Radioactive substance - a substance the isotopes of which generate ionizing radiation through nuclear fission.

(18) Entrepreneur - a legal entity or a natural person who conducts business activities with radioactive substances and other ionizing radiation sources and who has obtained a license for the said activities.

(19) Ionizing radiation facilities of state significance - nuclear power stations, nuclear reactors, places of disposal of radioactive waste and other facilities in which activities with nuclear materials or high activity radioactive substances are performed.

Article 2. Purpose and Subjects of the Law

(1) The purpose of this Law shall be to protect people and the environment against the harmful effects of ionizing radiation.

(2) This Law sets specific requirements on the ionizing radiation facilities of state significance. Ionizing radiation facilities of state significance are those which have been classified as such by the Law "On Civil Defense in the Republic of Latvia".

Article 3. Basic Principles of Radiation Protection and Nuclear Safety

(1) It shall be permissible to use ionizing radiation sources or conduct activities in the environment of ionizing radiation, provided that the following basic principles are observed:

- 1) the gains exceed the losses incurred by the said activities;
- 2) the exposure to radiation is kept as low as reasonably achievable within the given social and economic conditions;
- 3) the exposure of people and the environment to ionizing radiation may not exceed the maximum permitted dose set in the Republic of Latvia;
- 4) the compulsory insurance of the employees and of the liability under civil law for damages that can be caused to a third party and its property, to nature and the environment, has been accomplished in the procedure set by the normative acts.

(2) The regulations, radiation protection and nuclear safety standards of the Republic of Latvia, as well as the requirements for safety measures are compulsory for every person who conducts activities with ionizing radiation sources in the territory of Latvia, regardless of the form of ownership and possession of the said sources.

(3) The Ministry of Environmental Protection and Regional Development shall ensure that the normative acts of the Republic of Latvia comply with the recommendations issued by the International Commission of Radiation Protection, International Atomic Energy Agency, World Health Organization, Commission of the European Union and other international organizations, and, if necessary, the Ministry shall prepare proposals on amendments to those normative acts which may so require.

Article 4. Legal Basis for the Implementation of Radiation Protection and Nuclear Safety

(1) The legal basis for the implementation of radiation protection and nuclear safety shall be this Law, international agreements, Cabinet of Ministers' regulations and the decisions adopted within the competence of the Ministry of Environmental Protection and Regional Development, the Ministry of Welfare and other institutions authorized by the Government.

(2) This Law shall also be applicable in emergency situations taking into consideration the additional requirements prescribed by the Law "On the State of Emergency".

Chapter II

Radiation and Nuclear Safety Inspectorate

Article 5. Radiation and Nuclear Safety Inspectorate

(1) The Radiation and Nuclear Safety Inspectorate of the Environmental State Inspectorate at the Ministry of Environmental Protection and Regional Development shall supervise radiation protection and nuclear safety in the Republic of Latvia and shall take decisions concerning the issuance of licenses and permits.

(2) In order to enforce requirements of this Law and other normative acts with respect to protection against ionizing radiation, the Radiation and Nuclear Safety Inspectorate shall be entitled to issue instructions and prohibitions to job supervisors and job performers who supervise or perform activities with ionizing radiation sources.

(3) State technical supervision over the ionizing radiation devices shall be exercised in accordance with legislative acts on state technical supervision.

Chapter III

Issuance of Licenses and Permits

Article 6. Issuance of Licenses for Activities with Ionizing Radiation Sources

(1) The Cabinet of Ministers shall establish the procedure by which licenses for activities with ionizing radiation sources are to be issued.

(2) Licenses for activities with ionizing radiation sources shall be issued by the Radiation and Nuclear Safety Inspectorate; licenses to conduct medical examinations and apply to medical treatment shall be issued by the institutions of the Ministry of Welfare.

(3) Upon issuing a license it must be asserted that adherence to the basic principles mentioned in Article 3 of this Law will be ensured.

(4) Fee for the license shall be deposited in the Republic of Latvia Environment Protection Fund or, if the license is issued by an institution subordinate to the Ministry of Welfare in the bank account of that Ministry.

(5) It shall not be necessary to obtain a license for activities with radioactive substances and other ionizing radiation sources, and for the possession or transfer into the possession of other persons of the said substances or the said sources, provided that:

1) the specific activity of radioactive materials does not exceed 100 kBq/kg;

2) the specific activity of natural materials is higher than 100 kBq/kg and these materials have not been processed for the purpose of increasing their specific activity;

3) uranium and thorium or their compounds (up to 1 gram) are used for chemical analyses or demonstrations, research or educational purposes in educational or research institutions;

4) thorium is used in electrodes for luminous discharge lamps, gas discharge tubes, electron tubes, incandescent gas mantles or high refractory laboratory appliances;

5) technical devices capable of and intended for emission of ionizing radiation with the maximum energy less than 5 keV are used.

Article 7. Issuance of Permits for Activities with Ionizing Radiation Sources

(1) The Cabinet of Ministers shall establish the procedure by which permits for activities with ionizing radiation sources are to be issued.

(2) It shall not be necessary to obtain the above permits in the cases referred to in Article 6, paragraph 5 of this Law.

(3) Prior to commencing activities with radioactive substances and other ionizing radiation sources, the job supervisor shall be obliged to obtain a permit to conduct such activities. Legal entities and natural persons shall be obliged to obtain permits for the possession or transfer into the possession of other persons of radioactive substances and other ionizing radiation sources.

(4) Permits for activities with radioactive substances and other ionizing radiation sources and for the possession or transfer into the possession of other persons of such radioactive substances or other ionizing radiation sources shall be issued by the Radiation and Nuclear Safety Inspectorate; permits to conduct medical examinations and to apply medical treatment shall be issued by the institutions of the Ministry of Welfare.

(5) During the term of the validity of the permit, the Radiation and Nuclear Safety Inspectorate may set additional requirements for the entrepreneur in view of specific circumstances. Such additional requirements shall be foreseen by the permit. The additional requirements set by the Radiation and Nuclear Safety Inspectorate shall be in compliance with the existing regulations on radiation protection and nuclear safety. In the permit the Inspectorate shall specify the requirements the aim of which is to protect the people and the environment from the effects of ionizing radiation.

(6) A person who may substitute the holder of the permit in case of the latter's death, continuous absence or inability shall be indicated in the permit.

Article 8. Prohibition to Commence or Continue Activities with Ionizing Radiation Sources

The Radiation and Nuclear Safety Inspectorate may prohibit activities with ionizing radiation sources which are not subject to the requirements for obtaining a license or permit pursuant to this Law, provided that there is reason to consider that an ecologically hazardous situation may occur.

Article 9. Licensing of the Ionizing Radiation Facilities of State Significance

(1) The Cabinet of Ministers shall establish the procedure for the issuance of special licenses and permits to the ionizing radiation facilities of state significance.

(2) It is prohibited to locate ionizing radiation facilities of state significance in specially protected nature areas or close to specially protected nature objects.

Article 10. Annulment or Suspension of a License or Permit and Information on the License or Permit Holders

(1) A license or permit may be annulled or suspended if the requirements on radiation protection and nuclear safety, as set by this Law and other normative acts, as well as the requirements defined in the license or permit, are not fulfilled.

(2) The Radiation and Nuclear Safety Inspectorate is entitled to close an enterprise or an ionizing radiation device in order to prevent its unlawful use of the same.

(3) In the event of the death of a natural person possessing a license or permit the substituting person indicated in the license or permit shall immediately report the death to the Radiation and Nuclear Safety Inspectorate and no later than within three months shall obtain a new license or permit or annul the same.

Chapter IV Supervision

Article 11. Ensuring of Supervision

(1) The job supervisor shall provide the Radiation and Nuclear Safety Inspectorate with all the information necessary for the purpose of supervision, afford inspectors access to the site where the activities with ionizing radiation sources are carried out, allow inspections to be made and samples to be taken to the extent necessary for the purpose of supervision. No compensation shall be payable for the samples taken for this purpose.

(2) When necessary the police shall provide the assistance for the purpose of supervision.

(3) Customs services shall control the import and export of radioactive substances and nuclear materials and, in the procedure approved by the Radiation and Nuclear Safety Inspectorate, shall provide the latter with all the necessary information concerning the transfer of such substances and materials across the state borders.

(4) All natural persons and legal entities shall be entitled to request additional inspections to be conducted. These are not the responsibility of the Radiation and Nuclear Safety Inspectorate. The Environment Protection and Regional Development Ministry may require such natural persons and legal entities to reimburse the expenses incurred in connection with the taking and analysis of samples. Remuneration for such additional inspections shall be deposited in the Republic of Latvia Environment Protection Fund.

Article 12. Metrology and Methods

(1) The Cabinet of Ministers shall issue regulations on Sampling for the purposes of supervision and inspection:

(2) The Cabinet of Ministers shall issue regulations on Job performers' protective equipment against ionising radiation and regulations on Discovery of Undeclared sources of ionising radiation in means of transport and cargoes, which cross the state border of the Republic of Latvia.

(3) Radiation and Nuclear Safety Inspectorate of The Ministry of Environmental Protection and Regional Development shall render necessary methodical assistance in cases of discovery of undeclared sources of ionising radiation.

Chapter V

Duties of job supervisors

Article 13. Duties of Job Supervisors

(1) The general duties of job supervisors shall be:

1) to register radioactive substances and ionizing radiation sources, and to obtain a license or permit for their use;

2) to undertake the necessary safety measures to protect people and the environment from the harmful effects of ionizing radiation;

3) to control and maintain in proper condition the measuring instruments and ionizing protection equipment at work places and other areas where radiation may occur;

4) to ensure that the operators have the necessary permits and undergo medical examinations.

(2) If the job supervisor fails to ensure the necessary measures incumbent upon him/her in accordance with this Law or the normative acts issued pursuant to it, the Radiation and Nuclear Safety Inspectorate shall require such measures to be taken by using the services of other establishments. These services shall be rendered at the expense of the entrepreneur.

Article 14. Ensuring of Information

(1) The job supervisor shall be responsible for providing state and local government officials, whose competence includes radiation protection and nuclear safety issues, with information on radiation protection and nuclear safety measures in the facility, as well as for providing the population and the mass media with information on implemented or planned radiation protection and nuclear safety measures.

(2) At the request of state and local government institutions, the job supervisor shall provide them with information on potential accidents and on the measures necessary to protect the population in the event of an accident, as well as provide them with normative documents and the interpretations thereof.

Article 15. Training of Job Performers

The job supervisor shall ensure that the job performers are properly trained, know the conditions and regulations of their work, have the knowledge and skills to undertake the protection measures against ionizing radiation and are informed of any potential risks inherent in their work.

Article 16. Information on Accidents

(1) The job supervisor shall be obliged to notify the Radiation and Nuclear Safety Inspectorate of all break-downs and accidents which have occurred while performing activities with ionizing radiation sources.

(2) If, at his or her work place a job performer has been affected by ionizing radiation due to a break-down or other accident, the job supervisor shall immediately notify the Radiation and Nuclear Safety Inspectorate thereof.

Article 17. Marking

Persons who manufacture, import, export, transfer or lease radioactive substances shall mark the containers with such substances and provide relevant information concerning ionizing radiation protection as prescribed by normative documents.

Article 18. Providing Technical Devices with Necessary Safety Equipment

Persons who manufacture, import, export, transfer or lease technical devices capable of generating ionizing radiation shall be responsible for insuring that, when such a device is delivered for the purpose of being put into operation or for marketing purposes, it is supplied with the necessary radiation protection equipment in order to protect people and the environment against the harmful effects of ionizing radiation.

Article 19. Installation and Maintenance of Devices

Persons who install or perform maintenance work on ionizing radiation devices shall ensure that the necessary radiation protection equipment is also installed and that any other measures necessary with respect to radiation protection and safety precautions are observed.

Chapter VI

Requirements to job performers

Article 20. Responsibilities of Job Performers

(1) Job performers shall use the safety equipment and take any other measures necessary to protect themselves, other people and the environment against the harmful effects of ionizing radiation.

(2) Persons who work with facilities that involve special risks with respect to radiation shall take any possible measures to ensure the safe performance of the said facilities and to prevent risky situations which can cause additional exposure to radiation or contamination of the environment.

Article 21. Underage Employees, Pregnant Women and Women of Age up to 45 Years

(1) Pregnant women during the whole period of their pregnancy, as well as persons under the age of 18 may not be employed in work involving ionizing radiation, except when the employer provides work conditions, where the annual exposure of persons does not exceed the effective dose of 1mSv (milisievert), with a precondition that pregnant women, parents or guardians of underage persons agree to the aforesaid.

(2) Persons aged 16 to 18 may be employed in work involving ionizing radiation only for study purposes.

(3) The Cabinet of Ministers shall issue special requirements which must be observed when employing persons under 18 and women under 45 in work involving ionizing radiation.

Article 22. Medical Examinations

(1) The Cabinet of Ministers shall issue a list of jobs involving ionizing radiation, and persons engaged in the said type of job shall undergo a compulsory medical examination.

(2) Persons who are about to be employed in work involving ionizing radiation shall undergo a compulsory general and special medical examination. Only persons who have undergone the general and special medical examination in the procedure set by the Ministry of Welfare and have received permission to perform such type of work may be employed in work involving ionizing radiation.

(3) If a person who is employed in work involving ionizing radiation shows signs of impairment of health with a reason to believe that it may be attributed to the radiation, the job supervisor shall prohibit that person to continue work involving ionizing radiation and he or she must undergo a medical examination without delay.

Article 23. Ensuring of Medical Examinations

The Cabinet of Ministers shall define requirements for medical supervision of work places where activities involving ionizing radiation are conducted, shall issue a list of contraindications and

determine a special certification procedure for the medical personnel who are entitled to carry out the said medical examinations.

Article 24. Partially Hazardous Activities

(1) If there are persons on the site where the activities with ionizing radiation sources are conducted who usually do not work there but have come for the purposes of a visit or to perform specific duties, the job supervisor shall ensure that the said persons are protected against ionizing radiation in accordance with specific requirements of the normative acts.

(2) If the job supervisor cannot ensure that the above requirements are met, the said work shall be performed by those employees whose responsibilities include activities with ionizing radiation sources.

(3) If regular visits or a continuous presence of persons who usually do not work there but who will perform their specific duties is expected on the sites where activities with ionizing radiation sources are conducted, the job supervisor must submit a plan of measures for the protection of such persons against ionizing radiation to the Radiation and Nuclear Safety Inspectorate.

Chapter VII

Radioactive Waste and Unusable Non-Isotopic Ionizing Radiation Sources

Article 25. Radioactive Waste

(1) The Cabinet of Ministers shall establish the procedure by which work with radioactive waste and related materials should be performed.

(2) The entrepreneur shall be responsible for ensuring that the radioactive waste and unusable non-isotopic radiation sources are collected, stored, treated, placed in terminal storage and, if necessary, disposed of, thereby eliminating risks to human health and to the environment. The Radiation and Nuclear Safety Inspectorate, shall require that the entrepreneur ensures an adequate implementation of the safety measures when handling radioactive waste prior to issuing of a license for the commencement of work with radioactive waste.

(3) The import of radioactive waste into the Republic of Latvia shall not be permitted.

Article 26. Termination of Operations of Non-Isotopic Ionizing Radiation Devices

(1) The Cabinet of Ministers shall establish the procedure by which the operation of non-isotopic ionizing radiation devices shall be terminated.

(2) The entrepreneur shall be responsible that the devices capable of generating ionizing radiation, but not containing radioactive substances, be rendered harmless after the termination of operation of the said devices.

Chapter VIII

Control of Food Products

Article 27. Control of Food Products

(1) The Cabinet of Ministers shall issue regulations defining the maximum acceptable radioactive contamination of food products for human and animal consumption, potable water, agricultural soil, and shall establish the procedure of control.

(2) The Ministry of Welfare and the Ministry of Agriculture shall ensure the control of implementation of the above regulations as prescribed by the Cabinet of Ministers.

Chapter IX

Liability for Violations

Article 28. Liability for Ignoring the Requirements of Radiation Protection and Nuclear Safety

(1) Persons who have violated the requirements of the legislative acts with regard to radiation protection and nuclear safety shall be held administratively, criminally or disciplinary or otherwise liable in accordance with Republic of Latvia normative acts.

(2) Any legal entity or natural person who has violated the requirements prescribed by normative acts with respect to radiation protection and nuclear safety shall compensate the damages resulting from the above violations.

(3) Radioactive substances or ionizing radiation devices the operation of which has involved the violation of the law must be delivered to the Radioactive Waste Disposal Agency, and simultaneously measures must be taken to prevent people and the environment from the harmful effects of radiation. This requirement shall also apply to containers or other radiation protection equipment directly related to ionizing radiation sources.

(4) Persons shall be discharged from compensating the damages provided that the latter have occurred as a result of circumstances beyond their control or such like circumstances (ca aclysms of nature etc.) for which these persons may not be held liable. This shall not apply to cases when these persons, in conformity with the normative acts in effect, had to foresee hazards, and were obliged to ensure the implementation of the necessary protection measures.

(5) Only the operator of nuclear devices shall be liable for the nuclear damages caused by the said devices. The responsibility of the Republic of Latvia as the operator for any one nuclear damage shall be limited to the amount in Lats which corresponds to the minimum amount applicable under Article V of the 21 May 1963 Vienna Convention on Civil Liability for Nuclear Damage.