

The Law of Ukraine “On Radioactive Waste Management”.

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(Revisions made by Laws

No. 1673-III (1673-14) of 20.04.2000, BBP, 2000, No. 30, page.236

No. 747-IV (747-15) of 15.05.2003, BBP, 2003, No. 29, page.236

No. 2637-IV (2637-15) of 02.06.2005, BBP, 2005, No. 27, page.362)

This Law is aimed at ensuring protection of the public, and the environment against harmful impact of radioactive waste at present stage, and in future.

This law covers all activities on radioactive waste management.

CHAPTER 1 GENERAL RULES

Article 1 Main terms, concepts and their explanations.

Terms in this Law are used in the meaning as follows:

radioactive waste manufacturers - legal entities or natural persons, whose activity resulted in generating radioactive waste;

Long-lived radioactive waste - radioactive waste, which level of exemption from the regulatory control of the state regulatory body will be reached after 300 years;

Radioactive waste disposal (burial): emplacement of radioactive waste in appropriate facilities, intended for radioactive waste management without the intention of retrieval;

Radioactive wastes storage - holding of radioactive waste in a facility, in which it is provided their isolation from natural environment, their physical protection and radiation monitoring, with the possibility of subsequent removing, processing, transportation and burial;

Radiation waste immobilization - conversion of radioactive waste into other forms by means of solidification, embedding in any kind of matrix or encapsulation in a hermetic container;

State cadastre of storage of radioactive waste: summarization of systematically stated information about facilities for storage or disposal of radioactive waste;

Radioactive waste conditioning – operations of preparation of radioactive waste for transportation, storage or disposal. The conditioning can be carried out by means of emplacement of radioactive waste into containers or their immobilization;

Short-lived radioactive waste - radioactive waste with such level of radioactivity that the exemption from the regulatory control of the state regulatory body can be reached earlier than 300 years;

Facility intended for radioactive waste management: a structure, room or equipment, intended for collecting, transporting, processing, storing or burying radioactive waste, as well as a facility under decommissioning, after it is approved as a facility for radioactive waste management (paragraph 10 of Article 1 with changes according to Law No 1673-III (1673-14) of 20.04.2000) (1673-14) of 20.04.2000);

Radioactive waste treatment - operations, intended for insuring the safety or saving costs by changing the characteristics of radioactive waste;

Radioactive waste processing - any operation which changes the characteristics of radioactive waste, in particular previous treatment and conditioning;

Radioactive waste management – all activities (including the decommissioning activity) related to handling, pre-treatment, treatment, conditioning, transport, storage or disposal of radioactive waste; (Paragraph thirteen of Article 1 is stated according to Law No. 1673-III (1673-14) of 20.04.2000)

Pre-treatment of radioactive waste - decontamination, collection, and sorting of radioactive waste;

Radiation safety at radioactive waste management - radiation impact on personnel, the public, and the environment shall not exceed the limits established by safety norms, rules, and standards including the restriction of migration of radionuclides in the natural environment;

Radioactive waste - materials and substances, which radionuclides activity level or radioactive contamination level does not exceed the limits established by the applicable norms, provided that no further use of these materials and substances is foreseen;

State register of radioactive waste: consecutive records of the certificates of a special form about creation, physical and chemical composition, volumes, property, and also transportation, storage and burial of radioactive waste;

Level of exemption: - a limit level established by the state regulatory body on nuclear and radiation safety for radioactive activity or radioactive contamination at which (or at a lower level) radioactive waste can be exempted from the regulatory control of the state regulatory body on nuclear and radiation safety;

Specialized enterprise for radioactive waste management – an enterprise or association which carries out, on the basis of a license, radioactive waste collecting, processing, transporting, storing, and (or) burial;

Radioactive waste storage facility - a structure for storage or burial of radioactive waste with obligatory provision of engineering, geological, natural and other barriers to prevent migration of radionuclides;

Physical protection for radioactive waste management: a complex of organizational, and technical measures aimed at prohibition of unauthorized access to radioactive waste and their use, to reveal on time and prohibit the actions aimed at violation of inviolability of radioactive waste.

Article 2. Legislation, which regulates relations in the sphere of radioactive waste management.

Legal relations in the sphere of radioactive waste management are regulated by this Law, the Law of Ukraine "On Nuclear Energy Use and Radiation Safety "([39/95-BP](#)), and by other legislative acts.

Article 3. Main principles of the state policy on radioactive waste management.

The main principles of the state policy in the sphere of radioactive waste management are:

- Priority of protection of life and health of personnel, the public, and the environment against impact of radioactive waste according to the state standards on radiation safety;
- Differentiation of functions of the state monitoring and state control in the sphere of radioactive waste management;
- Realization of the state policy in the sphere of radioactive waste management by means of development and fulfillment of a long-term State program on radioactive waste management;
- Revision and confirmation of the State program on radioactive waste management every three years;
- Ensuring minimum practically achieved level of radioactive waste generating (Article 3 is added with paragraph 6 according to Law No. 1673-III ([1673-14](#)) of [20.04.2000](#))
- Prohibition of uncontrollable accumulation of radioactive waste;
- Ensuring the state supervision on radioactive waste management activity;
- Decision-making about location of new radioactive waste storage facilities with participation of the citizens, and their associations, as well as local state executive bodies and local self-governing bodies;

- Ensuring reliable isolation of radioactive waste from natural environment by justifying the safety of radioactive waste storage facilities;
- Storage of radioactive waste at a waste producer's site during a limited time with subsequent transfer to the specialized enterprises for radioactive waste management;
- Responsibility of radioactive waste producers concerning the safety for radioactive waste management until their transfer to enterprises specialized in the radioactive waste management;
- Prohibition to legal entities and natural persons, who deliver and use radioactive substances to nuclear installations to perform any burial of radioactive waste generated as a result their activity;
- International cooperation in the sphere of radioactive waste management;
- Active research activity in the sphere of radioactive waste management.

Article 4. Financing of work in the sphere of radioactive waste management.

Financing of the State program on radioactive waste management is carried out from the special State waste management fund.

The special fund is formed under account of:

- Target deductions of the enterprises, institutions, and organizations, generating radioactive waste. The amount of deductions is determined proportionally to the quantity of the generated waste;
- Payments of the enterprises, institutions and organizations for temporary storage of radioactive waste on their territory, which are charged proportionally to their storage term and are such as to stimulate the transfer of radioactive waste to the specialized enterprises for conditioning and burial;
- Other payments.

The order of creation of the special fund, the size of deductions, and the order of use of the means from this fund are established by the Cabinet of Ministers of Ukraine.

Management of radioactive waste, resulting from the Chernobyl disaster, will be financed by the State.

CHAPTER II. COMPETENCE OF THE STATE POWER BODIES IN THE SPHERE OF RADIOACTIVE WASTE MANAGEMENT.

Article 5. The competence of the Supreme Council of Ukraine in the sphere of radioactive waste management.

The exclusive competence of the Supreme Council of Ukraine in the sphere of radioactive waste management is as follows:

- Definition of the basis of the state policy in the sphere of radioactive waste management;
- Definition of the legal basis of regulation of the relations in the sphere of radioactive waste management;
- Fixing the legal regime of the territories surrounding the enterprises which process the radioactive waste and status of the citizens, which live at these territories;
- Making the decisions about location, design, and construction of the storage for burial of long-lived radioactive waste.

Article 6. Competence of the Cabinet of Ministers of Ukraine in the sphere of radioactive waste management.

To the competence of the Cabinet of Ministers of Ukraine in the sphere of radioactive waste management belongs:

- Ensuring the realization of the state policy in the sphere of radioactive waste management;
- Establishing the bodies of the state management and state regulation of the safety in the field of radioactive waste management;
- Ensuring the development and realization of the state programs in the sphere of radioactive waste management;
- Making the decisions concerning site selection, designing, constructing, operating and decommissioning of the facilities, intended for radioactive waste management, except those determined by the Supreme Council of Ukraine (Paragraph 5 of Article 6, revision according to Law No. 1673-III (1673-14) of 20.04.2000);
- Identification of procedures concerning transport of radioactive waste through the state borders;
- Determination of the amount of money deductions into the special fund for managing the radioactive waste and of the procedure for their use;
- Determination of elaboration and approval of rules and standards on radioactive waste management;
- Realization of international co-operation in the sphere of radioactive waste management.

Article 7. The competence of the Autonomous Republic of Crimea in the sphere of the radioactive waste management.

To the competence of the Autonomous Republic of Crimea in the sphere of radioactive waste management belongs:

- Participation in the development and realization of the state policy of Ukraine in the sphere of radioactive waste management on the issues which concerns the interests of the Autonomous Republic of Crimea;
- Realization of the state management and state regulation about the radioactive waste management according to the legislation of Ukraine and of the Autonomous Republic of Crimea.

Article 8. Powers of the local bodies of the state executive authority and bodies of local self-government in the sphere of radioactive waste management.

The local state executive bodies and bodies of local self-governing in the sphere of radioactive waste management within their competence:

- Co-ordinate the issue of location on their territory of facilities intended for radioactive waste management, on the basis of interests of the citizens which live on this territory, and the social-economical development of these territories in the order established by Law (Paragraph 2 of Article 8 stated according to the revision of Law No. 2637-IV (2637-15) of 02.06.2005);
- Participate in ecological review of projects for siting, constructing, and decommissioning of facilities intended for radioactive waste management, located on their territories (paragraph 3 of Article 8 with changes according to Law No. 1673-III (1673-14) of 20.04.2000);
- Enter into agreements with enterprises specialized in the radioactive waste management about cooperation and mutual relations on issues concerning a facility intended for radioactive waste management, of the whole technical and economic activity, joint consideration of the projects for removal of divergences at any stage of designing, selecting a construction site, operating, decommissioning or closure of such facilities on the territory under their management (paragraph 4 of Article 8 with changes according to Law No. 1673-III (1673-14) of 20.04.2000);
- Arrange public hearings on the issues of defending the projects about siting, constructing, and decommissioning of facilities intended for radioactive waste management, and closure

- of disposal facilities (paragraph 4 of Article 8 with changes according to Law No. 1673-III (1673-14) of 20.04.2000);
- Organize in case of necessity the radiological inspection of territories surrounding a facility intended for the radioactive waste management;
 - Provide information to the public about radiological conditions;
 - Carry out monitoring of radioactive conditions of the corresponding territories after decommissioning of the objects intended for radioactive waste management, or closure of disposal facilities (paragraph 4 of Article 8 with changes according to Law No. 1673-III (1673-14) of 20.04.2000);
 - Carry out the control to ensure the safety of the public and protection of the environment on their territory, on preparedness of enterprises, institutions, organizations and citizens for actions in case of radiation accident;
 - Participate in mitigation of consequences of radiation accidents;
 - Provide the preparation for evacuation of the population and, in case of necessity, carry out it.

CHAPTER III. STATE REGULATION OF SAFETY IN THE SPHERE OF RADIOACTIVE WASTE MANAGEMENT.

Article 9. State regulation of safety in the sphere of radioactive waste management;

The state regulation of safety in the sphere of radioactive waste management covers the kinds of activities as follows:

- Keeping the state accounting of radioactive waste, state cadastre of radioactive waste storage facilities, places of waste burial, as well as places of their interim storage;
- Design and investigation work for site selection of facilities intended for radioactive waste management;
- Designing the facilities and transport means, intended for radioactive waste management, their testing, manufacturing or constructing (Part 4 of part 1 of Article 9 with changes according to Law No. 1673-III (1673-14) of 20.04.2000);
- Commissioning, operating, and decommissioning of facilities intended for radioactive waste management, closure of disposal facilities and performing the regulated works on ensuring the safety of disposal facilities after their closure; (paragraph 5 of part 1 of Article 9 in the revision of Law 1673-III (1673-14) of 20.04.2000);
- Transport and storage of radioactive waste.

The state regulation of the safety in the sphere of radioactive waste management is carried out by:

- The Ministry of Ukraine for Environmental Protection and Nuclear Safety;
- The Ministry of Ukraine for Health Protection;
- The Ministry of internal Affairs of Ukraine;
- Other bodies of the state executive power according to the legislation.

For the realization of the activity in the sphere of radioactive waste management are issued licenses under the procedure, established by the legislation.

CHAPTER IV. STATE EXECUTIVE BODIES IN THE SPHERE OF RADIOACTIVE WASTE MANAGEMENT.

Article 10. State executive bodies in the sphere of radioactive waste management

The state control on radioactive waste management is performed by the executive bodies determined by the Cabinet of Ministers of Ukraine.

The state control on the nuclear energy use, and the state control on radioactive waste management are carried out under a principle of differentiation of these areas of activity.

The state executive body on radioactive waste management is assigned to fulfill the following functions:

- Development and realization of a uniform technical policy in the sphere of radioactive waste management in Ukraine;
- Realization of the State program of radioactive waste management;
- Coordination of work on collecting, processing, transportation, storage and burial of radioactive waste of the industry, nuclear energy, medicine, research establishments and radioactive waste arising during work providing on liquidation of the consequences of the Chernobyl Disaster;
- Organization of activity of the enterprises specialized in radioactive waste management;
- Creation and ensuring the functioning of state system of registration of radioactive waste;
- Coordination of work on constructing, operating, reconstructing, decommissioning of objects intended for radioactive waste management, and closure of disposal facilities; (paragraph 7, part 3 of Article 10 in the revision of Law (1673-14) of 20.04.2000);
- Coordination of work on creation of new storage facilities of radioactive waste and spent nuclear fuel;
- Coordination of research-and-development, and experimental-design work in the sphere of radioactive waste management;
- Development of an order of a special fund creation, and of spending its costs for radioactive waste management.
- Arrangement of activity on determining, creating and maintaining uninterruptible operation of a radioactive waste physical protection system, as well as control over its support during the waste collecting, treatment, transporting, storing and then disposal (part 3 of Article 10 is added with this paragraph according to Law No. 747-IV (747-15) of 15.05.2003);

The executive authority in the sphere of use of the nuclear energy is responsible for organizing the radioactive waste management cycle (collecting, processing, transportation, storage within the framework of technological cycles) until transfer of the waste to enterprises specialized in radioactive waste management.

The rights, duties, and responsibility of the indicated bodies of the state control are defined by the legislation.

CHAPTER V. OBLIGATIONS OF LEGAL AND NATURAL PERSONS DURING RADIOACTIVE WASTE MANAGEMENT OPERATIONS.

Article 11. Obligations of legal and natural persons during radioactive waste management operations.

The right to perform operations on radioactive waste management is given to legal and physical persons, who have got an official permission of the body of state regulation of nuclear and radiation safety to realize an appropriate kind of activity (the licensees).

The licensees, who perform the work at any stage of radioactive waste management, are obliged:

- To ensure the safety at the stage of design, site selection, structure, operation and decommissioning of structures and equipment, intended for the radioactive waste management;
- To provide in due time the re-assessment of the safety of objects in operation, intended for radioactive waste management, for ensuring in case of necessity that all necessary improvements will be made to enhance the safety of such objects (part 2 of Article 11 is added with paragraph 3 according to the Law No. 1673-III (1673-14) of 20.04.2000);

- To develop and implement quality assurance programs concerning the safety of radioactive waste (Part 2 of Article 11 is added with paragraph 4 according to Law No. 1673-III (1673-14) of 20.04.2000);
- To undertake its own accounting of radioactive waste;
- To provide physical protection of radioactive waste;
- To provide radiation monitoring of the places of radioactive waste storage;
- To inform in due time the bodies of the state executive power and local self-governing bodies on violation in work of the facilities intended for the radioactive waste management;
- To apply measures on mitigation of radiation accidents and their consequences;
- To be able to reimburse damage caused by radiation accidents at radioactive waste management operations at the expense of their own costs or costs of insurance organizations.

Article 12. Interrelations of the specialized enterprises with the manufacturers of radioactive waste.

Radioactive waste disposal is carried out by enterprises specialized in radioactive waste management only under the condition to have the appropriate license, delivered according to the established legislation.

The manufacturers of radioactive waste shall transfer them to enterprises specialized in radioactive waste management according to the authorized norms, rules and standards.

Radioactive waste shall be transferred to the property of the state from the time when the document will be signed about the transfer of radioactive waste from the licensee, whose activity resulted in waste generation.

Before transfer of radioactive waste to the property of the state, the responsibility for radiation protection and safety while managing the radioactive waste rests with the licensee, due to the activity of which radioactive waste were generated.

The pre-treatment and processing of radioactive waste can be carried out by the licensee at the enterprises and institutions where they are produced.

(Part 6 of Article 12 was deleted according to Law N 1673-III (1673-14) of 20.04.2000)

Mutual relations between the enterprises, where radioactive waste is generated, and the enterprises specialized in radioactive waste management are funded on contractual bases according to the legislation.

Article 13. Mutual relations of the enterprises specialized in radioactive waste management with the local bodies of the state executive power and local self-governing bodies.

The enterprises specialized on radioactive waste management are obliged to ensure measures directed on enhancement of the safety of the staff, and the public, and protection of natural environment, at the facilities belonging to them, and intended for radioactive waste management.

The enterprises specialized on radioactive waste management conclude with the local bodies of the state executive power and the bodies of local self-government appropriate agreements.

The agreements shall include a period of six months from the time of the confirmation of the choice of a location of new storages of radioactive waste.

Elimination of contradictions at any stage of designing, constructing, operating, decommissioning, or closure of the facility is carried out in the legislative order. (Part 4 of Article 13 with changes made according to Law N 1673-III (1673-14) of 20.04.2000).

CHAPTER VI STATE ACCOUNTING OF RADIOACTIVE WASTE.

Article 14. State accounting of radioactive waste.

The state accounting of radioactive waste is conducted with the purpose to exclude the possibility of a non-controlled accumulation of radioactive waste and ensuring an operative control at the site, transportation of radioactive waste, conditions of their storage and burial.

The state accounting of radioactive waste includes:

Record-keeping of the State register of radioactive waste;

Record-keeping of the State cadastre of radioactive waste storage facilities, and a list of places of radioactive waste temporary storage.

For providing permanent updating and timely modification in the State register of radioactive waste and State cadastre of storage facilities of radioactive waste, regular state inventories of radioactive waste and of radioactive waste storage facilities are carried out, including radioactive waste storage facilities at the territory of manufacturers of these wastes.

Registration of radioactive waste, in particular, the way of conducting the state inventories, is established by the body of state regulation of nuclear and radiation safety, which carries out also the supervision of their fulfillment.

Arrangement of the state inventories rests with the body of state executive power in the sphere of radioactive waste management.

Article 15. The state register of radioactive waste.

Creation and organization of record-keeping of the State register of radioactive waste rests with a body of state control in the sphere of radioactive waste management.

The Provision on the State register of radioactive waste must be approved by Cabinet of Ministers of Ukraine.

Article 16. The state cadastre of radioactive waste storage facilities.

The state cadastre of radioactive waste storage facilities shall contain a systematized data bank about the location, quantitative and qualitative characteristics, conditions of storage of radioactive waste, system of control and monitoring.

Creation of the State cadastre of radioactive waste storage facilities and organization of its record-keeping is attributed to the body of the state control on radioactive waste management.

Records in the state cadastre of radioactive waste storage facilities must be kept with no final storage term.

The Provision about the State cadastre of radioactive waste is approved by the Cabinet of Ministers of Ukraine.

CHAPTER VII. ORDER OF CONDUCT RADIOACTIVE WASTE MANAGEMENT ACTIVITY.**Article 17. Storage and disposal of radioactive waste.**

Storage and disposal of radioactive waste is permitted only in radioactive waste storage facilities specially intended for this purpose.

During storage or at burial of radioactive waste, the reliability of their isolation from natural environment is provided by a system of natural and man-made barriers.

The radiation safety of radioactive waste storage facilities in usual conditions is provided by keeping to norms, rules and standards on nuclear and radiation safety.

The radiation safety of radioactive waste storage facilities in case of extreme natural phenomena (earthquakes, floods, hurricanes, and others) or emergency situations is ensured by

scientifically justified design decisions on the probable scenarios of events, which will prove that the limits established by norms, rules and standards of nuclear and radiation safety are not exceeded.

Long-lived radioactive waste are subject to burial only in solid state, in stable geological formations, with their compulsory transformation into a form that is safe against the explosive, fire, and nuclear hazard, which guarantees localization of the waste within the deep rock boundaries.

The quantity of radionuclides subject to burial is regulated by norms, rules and standards on nuclear and radiation safety.

The burial of short-lived radioactive waste in solid state can be carried out in near surface radioactive waste storage facilities and the land-based facilities.

The spent nuclear fuel that cannot be processed, after appropriate cooling is stored in special spent nuclear fuel storage facilities, equipped with a multi-barrier system of isolation and protection, and with means of retrieval of fuel from the storage facility.

During the whole time of storage or burial of radioactive waste, the control of their state, the radiological conditions in radioactive waste storage facilities and natural environment is regularly carried out.

Article 18. Ensuring physical protection of radioactive waste management.

Ensuring physical protection of radioactive waste management provided for a unified system of planning, coordination and control over the comprehensive organizational and technical measures, aimed at prevention of trespassing in a storage facility, of access to radioactive waste and their use, on-time detection and prohibition of any attempt to break the integrity and inviolability of the structures.

The activity related to radioactive waste management is forbidden if the measures on ensuring the physical protection are not undertaken.

The way of organizing the physical protection of radioactive waste management is determined by law.

The obligations to ensure the physical protection for radioactive waste management rests with the licensees.

Article 19. Transportation of radioactive waste.

Transportation of radioactive waste can be carried out by legal entities or natural persons who have the appropriate licenses, issued according to the legislation in force.

Radioactive waste transporting is carried out in the transport packaging according to the approved regulatory standards, and rules on transportation of radioactive waste, which foresees:

- Order of transportation;
- Rights and responsibilities of the consigner, carrier and recipient;
- Safety measures;
- Requirements to packaging and means of transport;
- Measures in case of traffic events while radioactive waste transporting;
- Prevention and measures on mitigation of consequences of possible radiation accidents.
- Physical protection measures. (Part two of Article 19 is added with the paragraph, according to Law No. 747-IV (747-15) of 15.05.2003)

The Ministry of Internal Affairs of Ukraine shall develop a comprehensive system of measures about the prevention of traffic events while radioactive waste transporting.

The conditions and modes of radioactive waste transporting by air, railway, and water or by car are coordinated with the appropriate services of Ministry of Internal Affairs of Ukraine.

In case of radiation accident because of a traffic event at radioactive waste transporting, the responsibility for its mitigation, as well as the protection of staff, the public, the environment and material assets rests with the consigner, if the other is not stipulated in the transport agreement.

Article 20. Operation of radioactive waste storage facilities

Operation of radioactive waste storage facilities is permitted after reception of a license to perform a radioactive waste management activity.

Radioactive waste storage facilities are operated according to regulatory rules and standards on nuclear and radiation safety with ensuring of radiation monitoring of radioactive waste storage facilities' conditions.

The monitoring concerning the environment in regions of location of radioactive waste storage facilities is carried out at the expense of the licensee of radioactive waste storage facilities.

Timely informing the local bodies of the state executive power and local self-governing bodies about violations at operation of radioactive waste storage facilities rests with the licensees.

The licensees shall undertake measures, directed on effective use of the radioactive waste storage facilities in operation.

The special regime on territory of radioactive waste storage facilities and in sanitary protective zone is ruled according to the legislation.

Article 21. Final shut down (mothballing) of radioactive waste storage facilities

Final shut down (mothballing) of radioactive waste storage facilities is carried out under the decisions of the state control bodies in the field of radioactive waste management, in agreement with the state regulatory body of nuclear and radiation safety.

Termination of radioactive waste reception and mothballing of radioactive waste storage facility is carried out according to the project of radioactive waste storage facility final shut down (mothballing) and regulations, rules and standards on nuclear and radiation safety.

After the final shut down (mothballing) of a radioactive waste storage facility, there shall be provided limitation measures of the possibility of unauthorized access to the closed storage facility.

For preventing unauthorized settlement of the ex-site territories, and carrying out works capable to cause violation of protective barriers, it is necessary to provide for a series of measures on:

- the information and the restriction tags in the maps, which are stored in the offices of the state executive power bodies, and bodies of the state control in the sphere of radioactive waste management;
- installation of precautionary marks with appropriate inscriptions.

The responsibility for preservation of documents, which characterizes the facility, installation of precautionary marks, fences, etc., rests with the state control body in the sphere of radioactive waste management and local bodies of the state executive power.

The special regime on the territory of radioactive waste storage facilities in a sanitary-protective zone after its final shut down is regulated by law.

CHAPTER VIII. RULES OF LOCATION, DESIGN, CONSTRUCTION AND COMMISSIONING OF STORAGE FACILITIES FOR RADIOACTIVE WASTE MANAGEMENT.

Section title is given according to Law No.1673-III of 20.04.2000)

Article 22. Rule of decision-making about investigations on site selection for siting the facilities intended for radioactive waste management operations.

(Title of Article 22 is given according to Law No. 1673-III of 20.04.2000).

The decision about construction of a facility intended for radioactive waste management is made by the Supreme Council of Ukraine or the Cabinet of Ministers of Ukraine according to their authorities.

After the decision about construction of a radioactive waste storage facility or a facility intended for radioactive waste management, as well as the decision on starting the on-site investigations is made, the specialized enterprise for radioactive waste management informs local bodies of the state executive power and local self-governing bodies on the territory of which the construction is planned.

The proposals about specific site, submitted by the specialized enterprise for radioactive waste management, are considered at the condition that the following documents are available:

- necessary information about the facility to be created, and about measures, intended at restriction of negative impact of this facility on the health of the local public, and on the condition of the environment;
- conclusions of the state ecological review;
- conclusions of the state review on nuclear and radiation safety;

The conclusions of these reviews should be accessible for local citizens and their associations.

If the site is determined unsuitable for construction of a radioactive waste storage facility, or a facility intended for the radioactive waste management, the licensee should carried out the work on rehabilitation of the territory and removal all ecologically harmful consequences, which were caused by carrying out the design and investigation work.

Article 23. The procedure to approve the decision concerning a site selection for constructing a storage facility or a facility intended for radioactive waste management.

The state control body in the sphere of radioactive waste management according to the procedure established by law submits to the Supreme Council of Ukraine or the Cabinet of Ministers of Ukraine the proposals about approval of the site and obtaining a permit on construction of a radioactive waste storage facility or a facility intended for radioactive waste management, and informs about this the appropriate local body of the state executive power and local self-governing body.

The information to be considered is presented as follows:

- characteristics of a radioactive waste storage facility or of a facility intended for radioactive waste management;
- Justification of necessity to construct a facility intended for radioactive waste management, and not less than three options about a site for its location;
- Analysis of the data obtained during the course of the design and investigation work, concerning the site safety;
- Characteristics of the environment in the region of location of the facilities intended for radioactive waste management and radioactive waste storage facilities;
- A conclusion on impact of these objects and storage facilities on a person and the environment;
- Remarks and conclusions of the Ministry for Environmental Protection and Nuclear Safety, Ministry of Health of Ukraine, State Committee of Ukraine on Geology and Use of Deposits, State committee of Ukraine on Hydrometeorology;
- Proposals and remarks of the corresponding local bodies of the state executive power and bodies of local self-regulation;
- The decisions on the choice of a site for a construction of storage for radioactive waste or facility intended for radioactive waste management are accepted by the Supreme Council of Ukraine or by the Cabinet of Ministers of Ukraine according to their competence.

Article 24. Design, construction and commissioning of storages of radioactive waste or of facilities intended for radioactive waste management.

Radioactive waste storage facilities are designed in compliance with acting regulatory standards and rules with the use of technologies that were proved by experience, tests, or analysis (Part 1 of article 24 is stated with changes introduced according to Law No. 1673-III (1673-14) of 20.04.2000)

The design documentation of a radioactive waste storage facility must contain two kinds of safety assessment:

- Safety during operation;
- Safety after final shutdown of the storage facility;

The safety assessment includes the analysis of scenarios of development of possible crisis situations, their consequences, and comparison of the results with the safety criteria. In case of a positive conclusion of the state review of the design, the license for construction is issued according to the procedure established by the legislation.

The commissioning of a radioactive waste storage facility or a facility intended for radioactive waste management can be carried out after the license for operation is issued according to the procedure established by the legislation.

CHAPTER IX LEGAL REGIME OF TERRITORIES, ALLOCATED FOR RADIOACTIVE WASTE STORAGE FACILITIES, AND FACILITIES INTENDED FOR RADIOACTIVE WASTE MANAGEMENT.

Article 25. Allocation of sites for radioactive waste storage facilities, and facilities intended for radioactive waste management.

Sites for radioactive waste storage facilities or facilities intended for radioactive waste management are allocated for the whole period of a facility operation and final shutdown, determined in the design, according to the land-law procedures.

Article 26. Activities forbidden on territories intended for radioactive waste storage facilities and facilities intended for radioactive waste management.

The sites intended for radioactive waste storage facilities are removed from economic circulation and are separated from the adjacent territories by sanitary - protective zones.

Within the boundaries of sanitary - protective zones it is forbidden:

- Residence of the public members;
- All kinds of water usage, the use of forests, and deposits, except the activity, approved for the respective projects;
- Carrying out scientific researches without special permissions;
- Agricultural, forest and other industrial activity, intended to commercial use, as well as construction of buildings for social and civil purpose;
- Any other activity, which does not ensure the regime of radiation safety.

CHAPTER X. SOCIAL ASPECTS OF THE STATE POLICY ON RADIOACTIVE WASTE MANAGEMENT.

Article 27. The social guaranties for the citizens who live or work in the region of the site of radioactive waste storage facility and facilities, intended for radioactive waste management.

The citizens, who live or work in the region of a site of radioactive waste storage facility and facilities intended for radioactive waste management have the right for compensation of damage caused by the operator of these facilities.

The issues concerning the kind, amount, and procedure of granting such compensations in each particular case are resolved by the Cabinet of Ministers of Ukraine.

Article 28. Social protection of the personnel who works with radioactive waste.

The social protection of personnel includes:

- A compulsory state medical insurance;
- Benefits in defining the retiring age, shortened working day, extra bonuses to the wages, reception of loans, etc.

The kinds and scope of privileges are determined by the legislative acts of Ukraine.

CHAPTER XI. RESPONSIBILITY FOR VIOLATION OF THE LEGISLATION IN THE SPHERE OF RADIOACTIVE WASTE MANAGEMENT.

Article 29. The responsibility for violation of the legislation in the sphere of radioactive waste management.

Persons blamed for violation of the legislation on radioactive waste management shall be called for account of:

- Radioactive waste management without the appropriate license;
- Violation of the requirements of rules and standards aimed to ensure safe work on radioactive waste management;
- Non-fulfillment of conditions of licensing during the conduct of radioactive waste management activities;
- Non-fulfillment of prescriptions of the regulatory bodies on radioactive waste management;
- Violation of requirements of the legislation about compulsory state review, and neglect of their conclusions;
- Concealment from the population or falsification of the information about the ecological condition of the territory, allocated for radioactive waste storage facilities or facilities intended for radioactive waste management;
- Non-fulfillment of duties on the prevention of accidents and liquidation of their consequences at radioactive waste storage facilities and facilities intended for radioactive waste management, as well as concealment of the information about such accidents;
- Use of radioactive waste with the purpose to damage the health of the public or a person;
- Commissioning of radioactive waste storage facilities or facilities intended for the radioactive waste management, without implementation of measures on ensuring the protection of personnel, the public, and the environment;
- Supplying, installing and starting the operation of faulty equipment;
- Starting the operation of storage of radioactive waste or facilities intended for radioactive waste management, without having built and commissioned of all the constructions of these facilities stipulated by the design;
- Giving permits to work with radioactive waste to persons without appropriate training, persons younger than 18 years, as well as those who have medical contra-indications;
- Violation of the requirements on ensuring physical protection at radioactive waste management operations;
- Unauthorized importing or exporting radioactive waste beyond the borders of Ukraine.

The legislation can stipulate the responsibility for other violations on radioactive waste management.

CHAPTER XII. INTERNATIONAL COOPERATION ON RADIOACTIVE WASTE MANAGEMENT.

Article 30. International cooperation on radioactive waste management.

International co-operation on radioactive waste management is carried out according to the international standards on the basis of a wide exchange of experience and mutual aid with other states, international organizations, and scientific institutions that work on radioactive waste management.

Legal basis for international co-operation on radioactive waste management are international standards and agreements ratified by Ukraine.

President of Ukraine _____ L. Kuchma.

City of Kiev, June 30, 1995.

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