

**THE PROTECTION FROM IONIZING RADIATION AND NUCLEAR SAFETY LAWS OF  
 2002 TO 2011**

-----  
**Regulations under the Section 40**

**The Protection from Ionizing Radiation and Nuclear Safety Laws  
 (Responsible and Safe Management of Spent Fuel and Radioactive Waste)  
 Regulations of 2014**

For the purpose of harmonization with the European Atomic Energy Community (EURATOM) Act entitled-

Official Journal EU L199 of 2.8.2011, pg. 48	"Council Directive 2011/70/EURATOM EYPATOM of 19 July 2011 establishing a Community framework for the responsible and safe management of spent fuel and radioactive waste", (EE L199 of 2.8.2011, pg. 48)
115(I)/2002, 8(I) του 2009 και 127(I) του 2011.	The Council of Ministers, in exercise of the powers conferred on it by Section 40 of the Protection from Ionising Radiation and Nuclear Safety Laws of 2002 to 2011, hereby makes the following Regulations:
Short title	1. These Regulations may be cited as the Protection from Ionizing Radiation and Nuclear Safety Laws (Responsible and Safe Management of Spent Fuel and Radioactive Waste) Regulations of 2014.
Interpretation	2. -(1) In these Regulations, unless the context otherwise requires,-  <b>"licence"</b> has the meaning given to in Article 2 of the Law; <b>"licence holder"</b> has the meaning given to in Article 2 of the Law; <b>"spent fuel"</b> means nuclear fuel that has been irradiated in and permanently removed from a reactor core; spent fuel may either be considered as a usable resource that can be reprocessed or be destined for disposal if regarded as radioactive waste; <b>"waste from extractive industries"</b> has the meaning given to the term "waste" in the Article 2 of the Management of Waste from Extractive Industries of 2009; <b>"storage"</b> means the holding of radioactive waste in a facility with the intention of retrieval; <b>"Competent Authority"</b> has the meaning given to the Article 2 of the Law; <b>"disposal"</b> means the emplacement of radioactive waste in a facility without the intention of retrieval; <b>"spent fuel management"</b> means all activities that relate to the handling,

13(III) of 2009	<p>storage, reprocessing, or disposal of spent fuel, excluding off-site transportation;</p> <p><b>"radioactive waste management"</b> means all activities that relate to handling, pretreatment, treatment, conditioning, storage and/or disposal of radioactive waste, excluding off-site transportation;</p> <p><b>"disposal facility"</b> means any facility or installation the primary purpose of which is radioactive waste disposal;</p> <p><b>"radioactive waste management facility"</b> means any facility or installation the primary purpose of which is radioactive waste management;</p> <p><b>"reprocessing"</b> means a process or operation, the purpose of which is to extract fissile and fertile materials from spent fuel for further use;</p> <p><b>"Commission"</b> means the European Commission;</p> <p><b>"Joint Convention"</b> means the Joint Convention on the Safety of Spent Fuel Management and on the Safety of Radioactive Waste Management which contracted under the International Atomic Energy Agency and entered into force on 18 June 2001 and ratified by the Republic under the the Joint Convention on the Safety of Spent Fuel Management and on the Safety of Radioactive Waste Management (Ratifying) Law of 2009;</p> <p><b>"Directive 2006/117/EURATOM"</b> means the Council Directive 2006/117/EURATOM of 20 November 2006 on the supervision and control of shipments of radioactive waste and spent fuel;</p> <p><b>"closure"</b> means the completion of all operations at some time after the emplacement of spent fuel or radioactive waste in a disposal facility, including the final engineering or other work required to bring the facility to a condition that will be safe in the long term;</p> <p><b>"radioactive waste"</b> means radioactive material in gaseous, liquid or solid form for which no further use is foreseen or considered by the Competent Authority or by a legal or natural person whose decision is accepted by the Competent Authority, and which is regulated as radioactive waste by a Competent Authority under the Law and these Regulations;</p> <p>(2) Any other terms used in these regulations, unless the context otherwise requires, shall have the meaning assigned to them by the Laws.</p>
Scope	<p>3. The scope of these Regulations is –</p> <p>(1) To ensure responsible and safe management of radioactive waste to avoid imposing undue burdens on future generations.</p> <p>(2) To provide a high level of safety in radioactive waste management to protect workers and the general public against the dangers arising from ionising radiation.</p> <p>(3) To provide for necessary public information and participation in relation to radioactive waste management while having due regard to security and proprietary information issues.</p>
Application	<p>4. -(1) These Regulations are applied to all stages of radioactive waste management, from generation to disposal, when the radioactive waste results only from civilian activities.</p> <p>(2) These Regulations shall not apply to:</p>

	<p>(a) waste from extractive industries which may be radioactive;</p> <p>(b) authorised releases.</p> <p>(3) The paragraph (5) of Regulation 6 shall not apply for the repatriation of disused sealed sources to a supplier or manufacture:</p> <p>(4) These Regulations shall not affect the right of the Competent Authority or an undertaking to return radioactive waste after processing to its country of origin where:</p> <p>(a) the radioactive waste is to be shipped to the Republic or undertaking for processing; or</p> <p>(b) other material is to be shipped to the Republic or undertaking with the purpose of recovering the radioactive waste.</p>
Prohibition of the spent fuel management	5. The spent fuel management is prohibited.
National policy for the management	<p>6. -(1) (a) The Competent Authority establishes the national policy on radioactive waste management.</p> <p>(b) Subject to the provisions of paragraph (2) of Regulation 4, the Competent Authority has the ultimate responsibility for the management of radioactive waste generated within the territory of the Republic its implementation.</p> <p>(2) The disposal of radioactive waste is allowed only for radioactive waste generated within the territory of the Republic and is accomplished in an authorised facility.</p> <p>(3) Where radioactive waste is shipped for processing or reprocessing from the Republic to a Member State or a third country, the ultimate responsibility for the safe and responsible disposal of those materials, including any waste as a by-product, remain with the Republic.</p> <p>(4) The national policy shall be based on all of the following principles:</p> <p>(a) the generation of radioactive waste shall be kept to the minimum which is reasonably practicable, both in terms of activity and volume, by means of appropriate design measures and of operating and decommissioning practices, including the recycling and reuse of materials;</p> <p>(b) the interdependencies between all steps in radioactive waste generation and management shall be taken into account;</p> <p>(c) radioactive waste shall be safely managed, including in the long term with passive safety features;</p> <p>(d) implementation of measures shall follow a graded approach based on the magnitude of the hazards associated with the radioactive waste for each separate case;</p> <p>(e) the costs for the management of radioactive waste shall be borne by those who generated those materials;</p> <p>(f) an evidence-based and documented decision-making process shall be applied with regard to all stages of the management of radioactive waste.</p> <p>(5) Subject to the provisions of paragraph (3) of Regulation 4, radioactive waste generated in the Republic shall be disposed of within its territory, unless at the time of shipment an agreement, taking into account the criteria established by the Commission in accordance with paragraph (2) of the Article 16 of Directive 2006/117/Euratom, has entered into force between the</p>

	<p>Republic and another Member State or a third country to use a disposal facility in one of them.</p> <p>(6) Prior to a shipment to a third country, the Competent Authority informs the Commission of the content of any such agreement referred to paragraph (5) and takes reasonable measures to be assured that:</p> <p>(a) the country of destination has concluded an agreement with the European Atomic Energy Community covering spent fuel and radioactive waste management or is a party to the Joint Convention;</p> <p>(b) the country of destination has radioactive waste management and disposal programmes with objectives representing a high level of safety equivalent to those established by these Regulations; and</p> <p>(c) the disposal facility in the country of destination is authorised for the radioactive waste to be shipped, is operating prior to the shipment, and is managed in accordance with the requirements set down in the radioactive waste management and disposal programme of that country of destination.</p>
National framework	<p>7.-(1) The Competent Authority establishes and maintains a national framework for radioactive waste management that allocates responsibility and provides for coordination between relevant competent bodies and provides for all of the following:</p> <p>(a) a national programme for the implementation of radioactive waste management policy;</p> <p>(b) arrangements for the safety of radioactive waste management, including the determination of how those arrangements are to be adopted and through which instrument they are to be applied;</p> <p>(c) special arrangements for the implementation of the provisions of the Sections 8, 12, 17, 22 and 23 of the Law for the radioactive waste management, including the prohibition of spent fuel or radioactive waste management activities, of the operation of a radioactive waste management facility without a license or both and, if appropriate, prescribing conditions for further management of the activity, facility or both;</p> <p>(d) special arrangements for the implementation of the provisions of the Sections 4, 5, 19, 29 and 30 of the Law for the radioactive waste management, including the reporting and appropriate measures for the post-closure periods of disposal facilities;</p> <p>(e) special arrangements for the implementation of the provisions of the Sections 22, 23 and 24 of the Law for the radioactive waste management, including requirements, if appropriate, for alternative solutions that lead to improved safety;</p> <p>(f) the allocation of responsibility to the bodies involved in the different steps of radioactive waste management; the primary responsibility for the radioactive waste is to their generators or, under specific circumstances, to a license holder to whom this responsibility has been entrusted by the Competent Authority;</p> <p>(g) special arrangements for the implementation of the provisions of the Sections 18B and 26 of the Law for the radioactive waste management and arrangements for the implementation of the Regulation 13;</p> <p>(h) the financing scheme or schemes for radioactive waste management in</p>

	<p>accordance with Regulation 12.</p> <p>(2) The Competent Authority ensures that the national framework is improved, taking into account operating experience, insights gained from the decision-making process referred to in Regulation 6(4)(f), and the development of relevant technology and research.</p>
Effectively independent	<p>8.-(1) The Competent Authority shall ensure that it is effective independent from undue influence on its regulatory function. (2) The personnel of the Control Service, the Chief Inspector, the Inspectors and Advisers referred in Article 28 of the Law shall not have any interest stake or other in any other body or organisation concerned with the promotion or utilisation of nuclear energy or radioactive material, including electricity production and radioisotope applications, or with the management of radioactive waste, in order to ensure effective independence from undue influence on its regulatory function(3)The Competent Authority shall have the legal powers and human and financial resources necessary to fulfil its obligations in connection with the national framework as described in Regulation 7(1)(b), (c), (d) and (e).</p>
Licensing process	<p>9. -(1) (a) Subject to the provisions of Article 10 and Part II of the First Schedule of the Law the demonstration of the safety of an activity or a facility shall cover the development and operation of an activity and the development, operation and decommissioning of a facility or closure of a disposal facility as well as the post-closure phase of a disposal facility. (b)The extent of the safety demonstration shall be commensurate with the complexity of the operation and the magnitude of the hazards associated with the radioactive waste and the facility or activity.</p> <p>(2) The licensing process shall contribute to safety in the facility or activity during normal operating conditions, anticipated operational occurrences and design basis accidents and shall provide the required assurance of safety in the facility or activity.</p> <p>(3) Subject to the provisions of Article 12 and 23 of the Law the conditions of the licence shall aim to prevent accidents and mitigate the consequences of accidents, including verification of physical barriers and the licence holder's administrative protection procedures that would have to fail before workers and the general public would be significantly affected by ionising radiation. That approach shall identify and reduce uncertainties.</p>
Obligations of licence holders	<p>10. -(1) Subject to the provisions of Article 17(1) and (2) of the Law the prime responsibility for the safety of radioactive waste management facilities and/or activities rest with the licence holder. That responsibility can not be delegated.</p> <p>(2) The licence holders shall regularly assess, verify and continuously improve, as far as is reasonably achievable, the safety of the radioactive waste management facility or activity in a systematic and verifiable manner. This shall be achieved through an appropriate safety assessment, other arguments and evidence.</p> <p>(3) (a) Subject to the provisions of Article 17(5) of the Law the licence holder's administrative and management system shall include quality assurance review and give due priority for overall management of radioactive waste.</p>



	<p>(b) The above system is reported to the Control Service each time is being updated.</p> <p>(4) The licence holders shall provide for and maintain adequate financial and human resources to fulfil their obligations with respect to the safety of radioactive waste management as laid down in Regulation 9 and this Regulation.</p>
Expertise and skills	11. The Article 18A of the Law provides for all the necessary research and development activities for the implementation of the national programme for radioactive waste management.
Financial resources	12. The Competent Authority ensures that the national framework ensures that adequate financial resources be available when needed for the implementation of national programmes referred to in Regulation 14, especially for the management of spent fuel and radioactive waste, taking due account of the responsibility of radioactive waste generators as laid down in Regulation 7(1) (f).
Transparency	<p>13. -(1) Subject to the provisions of national legislation or/and other relevant international obligations of the Republic, provided that this does not jeopardise other interests such as, inter alia, security, recognised in national legislation or international obligations of the Republic, the license holders shall ensure that necessary information on the management of radioactive waste is made available to workers and the general public.</p> <p>(2) The obligation of provide information as laid down in paragraph (1) of this Regulation includes the provision for the Competent Authority to inform the public in the fields of its competence. The Competent Authority shall ensure that the public be given the necessary opportunities to participate effectively in the decision-making process regarding waste management.</p>
National programme	<p>14. -(1) The Competent Authority shall establish the national programme for the management of radioactive waste which covers all types of radioactive waste under its jurisdiction, and all stages of radioactive waste management from generation to disposal.</p> <p>(2) The national programme shall regularly review and update, taking into account technical and scientific progress as appropriate as well as recommendations, lessons learned and good practices from peer reviews.</p>
Contents of national programme	<p>15. -(1) The national programme shall set out how the Competent Authority intend to implement the national policy referred to in Regulation 6 for the responsible and safe management of radioactive waste to secure the aims of these Regulations and shall include all of the following:</p> <p>(a) the overall objectives of the national policy in respect of radioactive waste management;</p> <p>(b) significant milestones and clear timeframes for the achievement of those milestones in the light of the over-arching objectives of the national programme;</p> <p>(c) an inventory of all radioactive waste and estimates for future quantities, including those from decommissioning, clearly indicating the location and amount of the radioactive waste in accordance with appropriate</p>

	<p>classification of the radioactive waste;</p> <p>(d) the concepts or plans and technical solutions for radioactive waste management from generation to disposal;</p> <p>(e) the concepts or plans for the post-closure period of a disposal facility's lifetime, including the period during which appropriate controls are retained and the means to be employed to preserve knowledge of that facility in the longer term;</p> <p>(f) the research, development and demonstration activities that are needed in order to implement solutions for the management of radioactive waste;</p> <p>(g) the responsibility for the implementation of the national programme and the key performance indicators to monitor progress towards implementation;</p> <p>(h) an assessment of the national programme costs and the underlying basis and hypotheses for that assessment, which must include a profile over time;</p> <p>(i) the financing scheme or schemes in force;</p> <p>(j) a transparency policy or process as laid down in Sections 18B and 26 of the Law and and in Regulation 13;</p> <p>(k) the agreement(s) concluded with a Member State or a third country on management of spent radioactive waste, including on the use of disposal facilities.</p> <p>(2) The national programme together with the national policy may be contained in a single document or in a number of documents.</p>
Notification	<p>14. The Competent Authority shall notify to the Commission the national programme and any subsequent significant changes.</p>
Reporting	<p>15. -(1) The Competent Authority shall submit a report to the European Commission on the implementation of these Regulations for the first time by 23 August 2015, and every 3 years thereafter, taking advantage of the review and reporting under the Joint Convention.</p> <p>(2) The Competent Authority shall periodically, and at least every 10 years, arrange for self-assessments of their national framework, Competent Authority, national programme and its implementation, and invite international peer review of its national framework, Competent Authority and/or national programme with the aim of ensuring that high safety standards are achieved in the safe management of radioactive waste. The outcomes of any peer review shall be reported to the European Commission and the other Member States, and may be made available to the public where there is no conflict with security and proprietary information.</p>