

Republic of Moldova
**NATIONAL AGENCY FOR REGULATION OF NUCLEAR AND
RADIOLOGICAL ACTIVITIES**

**NATIONAL REPORT
ON THE IMPLEMENTATION
OF OBLIGATION UNDER THE
CONVENTION ON NUCLEAR SAFETY**

The first Moldovan report in accordance with Article 5

Chişinău, 2007

**NATIONAL REPORT OF THE REPUBLIC OF MOLDOVA
ON THE CONVENTION ON NUCLEAR SAFETY**

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A. GENERAL DISPOSITIONS

Safety of nuclear installations is not only of local interest, since consequences could have transboundary effects. Therefore, whole international community has to express the interest in this issue, and actively participate in various international instruments which are aimed to regulate or coordinate nuclear safety activities. In other words, it means that tasks regarding safety policies and their detailed implementation should obtain high priority in all states, especially IAEA Member States.

The Republic of Moldova pays great importance to nuclear safety and sustains the work of the International Atomic Energy Agency in this field. The legal regime on nuclear safety, which is comprised of internationally binding documents, was effectively established with the acceptance of the Convention on Nuclear Safety. The Republic of Moldova became a party to the Convention on Physical Protection of Nuclear Material, Convention on Early Notification in Case of Nuclear Accident and the Convention on Assistance in Case of Nuclear Accident or Radiological Emergency and Vienna Convention on Civil Liability for Nuclear Damage (into force since August 1998).

The Republic of Moldova promotes a strong non-proliferation policy and is a party to the Non-Proliferation Treaty, being among the countries that strongly advocate the extensive application of this treaty because of its significance for international peace and stability. Therefore, Republic of Moldova has ratified the Comprehensive Safeguards Agreement but did not sign the Additional Protocol with the IAEA yet.

The Republic of Moldova does not have nuclear power plants on its territory and no any other nuclear fuel cycle facilities. However, on the limitrophe territories, in Ukraine, Romania and Bulgaria, operate 8 NPP (see Annex I).

The electrical power stations in the Republic of Moldova are of conventional non-nuclear fuelled by natural gas, oil or coal. Moldova does not plan at the present to introduce nuclear energy as an option for power generation. Moldova also has no research nuclear reactors.

Ionizing radiation such as X-radiation and radioactive sources are used in various scientific, medical, biological and industrial applications.

Scientific research using radiation and radionuclide are carried out in the institutes of the Academy of Sciences, in universities and in other research organizations. There are a number of applications in the medical and biological fields using radiation and radioactive materials, such as nuclear medicine, diagnostic and therapeutic radiology, biology, nuclear chemistry, etc. Such applications are under supervision of the national regulatory body (National Agency for Regulation of Nuclear and Radiological Activities) (see Annex III).

B. ARTICLE-BY-ARTICLE REPORT

Article 1. Objectives

The objectives of this Convention are:

- (i) *to achieve and maintain a high level of nuclear safety worldwide through the enhancement of national measures and international co-operation including, where appropriate, safety-related technical co-operation;*

The objectives of Nuclear Safety Convention are reflected in the legal and institutional framework for radiation safety and nuclear safety. In this part of report only short comments are given with respect to how it is assured.

- (ii) *to establish and maintain effective defences in nuclear installations against potential radiological hazards in order to protect individuals, society and the environment from harmful effects of ionizing radiation from such installations;*

The main utilised in the Republic of Moldova approach is to ensure division of responsibilities between the National Agency and operators; at the same time to maintain high level of professionalism and availability of technical tools to ensure and to verify safety. The main implementation requirements are defined in the legal acts and norms; these are used as pre-requisites for authorization and incorporated into authorization conditions. The operator has to have comprehensive set of safety and QA & QC related requirements in internal documents for facility. The National Agency controls how these provisions and requirements are fulfilled.

- (iii) *to prevent accidents with radiological consequences and to mitigate such consequences should they occur.*

Methods to ensure protection from accidents have already been quoted – emergency preparedness aimed at early detection of any incident, fast response to mitigate any consequences. Capabilities for response are also ensured by 24 hour duty services in the Emergency Situations Service within the Ministry of Internal Affaires, regular training of mobile teams, cooperation with different ministries and departments within the country to

ensure availability of technical tools, measurement equipment and staff for the adequate response.

Article 4. Implementing Measures

Each Contracting Party shall take, within the framework of its national law, the legislative, regulatory and administrative measures and other steps necessary for implementing its obligations under this Convention.

The Law 111-XVI from 11 May 2006 “On the safe deployment of nuclear and radiological activities” sets up the sole state regulatory authority (National Agency on Regulation of Nuclear and Radiological Activities) in the field of radiation protection and radiological and nuclear safety under the Ministry of Environment and Natural Resources, and the main field of applying of this law.

The National Agency of Regulation for Nuclear and Radiological Activities, further the National Agency, its Regulation and structure was established by the Government Decree No 328 from 23 March 2007 in which has been stipulated also the financial and decision making independence of this new legal entity.

The framework Law has introduced the main goals for safety – to protect the inhabitants an environment against the potential risk posed by radiation and nuclear applications. Based on the Law, comprehensive set of regulations must be elaborated by the National Agency and adopted according to national legislation. The Law No 111-XVI also defines the principles for radiation protection, safety and security and lists main obligations for all relevant parties.

The Law No 41-XVI from 02 March 2006, regarding ratification of the Agreement between the Republic of Moldova and IAEA of the application of guaranties follow the NPT, nominates the National Agency as responsible government body for it realization.

With respect to legal obligations under the Convention on Nuclear Safety: to prepares national reports, to answer the questions posed by other parties, to present report, to participate in peer review conferences - these are also reflected into the art. 11 (b) of the Law No 111-XVI to assess situation, to prepare reports and to participate with the competent international organizations in discussions on such issues.

Only shortly resume about regulatory infrastructure. The National Agency has issuing the registration certificate for activities with radioactive sources referred to IV and V categories, for utilization of X-ray equipment and particle accelerators. Licensing for radioactive sources referred to I-III category are carried out by the Chamber of Licensing on the basis of the official authorization issued by the National Agency.

The National Agency is responsible also for elaboration and promotion of necessary legal norms regarding further upgrading of national legislation and norms in the field of radiation protection, nuclear and radiological activities.

Article 5. Reporting

Each Contracting Party shall submit for review, prior to each meeting referred in Article 20, a report on the measures it has taken to implement each of the obligations of this Convention.

Submission of this report fulfils the obligation from this article.

Article 6. Existing Nuclear Installations

Each Contracting Party shall take the appropriate steps to ensure that the safety of nuclear installations existing at the time the Convention enters into force for that Contracting Party is reviewed as soon as possible. When necessary, in the context of this Convention, the Contracting Party shall ensure that all reasonably practicable improvements are made as a matter of urgency to upgrade the safety of the nuclear installation. If such upgrading cannot be achieved; plans should be implemented to shut down the nuclear installation as soon as possible. The timing of the shut down may take into account the whole energy context and possible alternatives as well as the social, environmental and economic impact.

In the Republic of Moldova there are no any nuclear installations, as defined in Article 2(i) of the Nuclear Safety Convention.

C. LEGISLATION AND REGULATION

Article 7. Legislative and Regulatory Framework

Each Contracting Party shall establish and maintain the legislative and regulatory framework to govern the safety of nuclear installations.

The legislative and regulatory framework shall provide for:

- (i) the establishment of applicable national safety requirements and regulations;*
- (ii) a system of licensing (authorization) with regard to nuclear installations and the prohibition of the operation of a nuclear installation without a license;*

(iii) a system of regulatory inspection and assessment of nuclear installations to ascertain compliance with applicable regulations and the terms of licenses;

(iv) the enforcement of applicable regulations and of the terms of licenses, including suspension, modification or revocation.

Introduction. According to the Government Decree No 328 from 23 March 2007 the National Agency consists of Department of Authorization, Nuclear and Radiological Safety, Inspectorate Section, Human Resources Section and Financial Section. The Department of Authorization, Nuclear and Radiological Safety consists of two sections: Authorization & Evaluation and Regulation Policies.

As was mentioned above, the Law No 41-XVI from 02 March 2006, regarding ratification of the Agreement between the Republic of Moldova and IAEA of the application the guaranties follow the NPT, nominated the National Agency as responsible government body for it realization.

The point 22, Article 8 of the Law No 451-XV on Licensing of certain activities from 30 July 2001, stipulates that all activities liaisons with import, export, uses and transportation, service, storage of radiation ionizing sources and radioactive materials (involves radioactive wastes) are prohibited without licenses. In this way, the p. 3, Article 23 of the Law No 111-XVI underline that a license must be issued only for the activities with radioactive sources of the I-III categories and is issuing by the Chamber of Licensing on the base the official Authorization of the National Agency.

The Republic of Moldova at the recommendations of the IAEA's experts has approved the Law No 111-XVI "On the safe deployment of nuclear and

radiological activities” in good correspondence with the IAEA BSS-115 (see Appendix II). Take into account the IAEA GS-R-I, and the above mentioned Law No 111-XVI, the Government of the Republic of Moldova approved by the Decree No 328 from 23 March 2007 the Statutes and the structure of the National Agency on Regulation of Nuclear and Radiological Activities.

(1) The Law No 111-XVI “On the safe deployment of nuclear and radiological activities” has the following objectives:

- a) prohibition of proliferation of the nuclear weapons, materials and the devices necessary for development of the nuclear weapons and other radiation explosive devices;
- b) establishment of mechanisms of safe deployment of nuclear and radiological activity its maintaining in corresponding level in all areas connected to its use; non-admission of non-authorized use of nuclear and radiological activity according to the Non-Proliferation Treaty of the nuclear weapons and with the accepted obligations, within the framework of the international conventions, one of the parties which the Republic Moldova is;
- d) protection of the personnel, the population, property and an environment against harmful influence of ionizing radiations, according to the basic international standards in the field of radiation protection, radiological and nuclear safety.

(2) The Law “On Licensing of certain kind of activities”(No. 451-XV from July 30, 2001) in the field of regulation of nuclear and radiological activity describes the practices with radiation sources and the licensing of activities with export, import, operation, transportation, service, storage of ionizing sources and radioactive materials (including radioactive wastes) to be authorized by licensing. Issuing of licenses is the responsibility of the Chamber of Licensing, which, however, is responsible for more than fifty

other types of licenses, as well as those for radioactive materials. For these, a license is subordinated with conditions that have to contain provisions to provide physical protection and security of radioactive sources and wastes.

Technical norms. The domestic Fundamental Norms of Radiological Protection – 2000 (NFRP-2000) elaborated on basis of the IAEA BSS-115 were approved on March 2001.

Nuclear Safety. As there are no plans on building of nuclear installations in the Republic of Moldova, there is no legal framework for the safety of nuclear power plant installations.

Radiation Protection. The supervision of respects of the norms of radiation protection is provided by the National Agency in conformity with the Law No 111-XVI “On the safe deployment of nuclear and radiological activities” from 11.05.2006 and with the Fundamental Norms of Radiological Protection – 2000 (NFRP-2000). The individual monitoring of the exposed working personal, of the patients during medical investigations and therapy, and of the citizens as results of eventual nuclear or radiological accidents are the responsibility of the National Scientific Applied Centre of Preventive Medicine of the Ministry of Health.

Article 8. Regulatory Body.

Each Contracting Party shall establish or designate a regulatory body entrusted with the implementation of the legislative and regulatory framework referred to in Article 7, and provided with adequate authority, competence and financial and human resources to fulfill its assigned responsibilities.

Each Contracting Party shall take the appropriate steps to ensure an effective separation between the functions of the regulatory body and those of any other body or organization concerned with the promotion of nuclear energy.

The functions of the Agency are separated from organizations concerned with the promotion or utilization of radiation sources. The requested effective independence of the supervisory authority from other governmental bodies concerned with the use of radiation sources is fulfilled on a technical level.

In conformity with the Law No 111-XVI "On the safe deployment of nuclear and radiological activities" and with the Government Decree regarding Regulation of the National Agency for Nuclear and Radiological Activities, in April 2007 under the Ministry of Ecology and Natural Resources was established the National Agency on Regulation of Nuclear and Radiological Activities which has the following main functions:

- a) development of the draft of the legislative and normative acts in the field of nuclear and radiological activities;
- b) assurance of the implementation of the current legislation, of the international agreements in the field of nuclear and radiological activities of which party is the Republic Moldova;
- c) assurance of the corresponding normative status which is defined with the basic requirements on radiation and nuclear safety, protection from ionizing radiations, maintenance of quality, the control over non-proliferation of nuclear weapons, physical protection and safety of radioactive sources, emergency plans for intervention and investigations in case of radiation and nuclear incidents and accidents, etc.;
- d) establish of procedures of authorization, of control and supervision;

- e) assessment of applications for obtaining of the authorization for nuclear and radiological activities; registration, on the base of the notification, of the nuclear and radiological activities;
- g) issue of certificates of safety for installations (equipment) with ionizing radiations sources;
- h) issue of the right of the admission of personal for work in the nuclear or radiological fields;
- i) performance of the state control and supervision with the purpose of the evaluation of conditions in the field of radiation and nuclear safety and protection from ionizing radiations, and also of specific conditions and the requirements notified in the license or registration certificate, with drawing up of reports on the control;
- k) application of necessary measures, involves legal influences, in case of detection of violation of the legislation and normative documents in the field of nuclear and radiological activities;
- l) revision, in all cases, as required, of the norms or other regulatory documents of this area with the purpose of their correlation with the international agreements and acceptances of all measures on their performance;
- m) managing the National Register of the account of ionizing radiations sources and of legal authorised persons or entities;
- n) cooperation with regulatory bodies of other countries, the international organizations in the given area;
- p) accreditation of the experts in radiological and nuclear area with delivery of the respective certificate.

Other relevant governmental bodies with powers in the nuclear and radiological activities are:

- a) the central public authority in the field of health;

- b) the central public authority of emergency situations;
- c) the central public authority in the field of environment protection;
- d) the central public authority in the agro-industrial field;
- e) the Chamber of Licensing;
- f) the National Committee of Radiation Protection under the Government;

The central authority in the health field (the National Scientific Practice Center on Preventive Medicine under the Ministry of Health) carries out:

- a) supervision and a hygienic estimation of the radionuclide content in food stuffs at all stages of their manufacture, potable water, including sources of potable water, building materials and other wide use products, with delivering of hygienic certificates for domestic or import products;
- b) monitoring the influence of radiological and nuclear activities on health of the population, with emitting of the conclusions on the basis of current legislation;
- c) hygienic normalization of radiological factors;
- d) sanitary and epidemiological supervision of the facilities carrying out nuclear and radiological activities, according to current legislation;
- e) monitoring of irradiation of the personnel working with ionizing radiations sources, patients at medical investigations and population in case of radiological (nuclear) accidents;
- f) scientific researches of medical and biologic effects of ionizing radiations.

The central authority of emergency situations (Service of Emergency Situations and Civil Protection under the Ministry of Internal Affairs) carries out:

- a) implementation of the International Conventions stipulations about early notification of nuclear accident and assistance in the case of nuclear accident or radiological emergency as focal point and competent body;
- b) co-ordination of implementation of the International Convention on Physical Protection of nuclear material with further Amendments, one of which parties is the Republic Moldova;
- c) the organization and co-ordination of activity of a national network of monitoring, observation and laboratory control over radionuclide environmental contamination in case of radiological and nuclear accidents;
- d) planning and coordination of implementation of the measures on protection of the population and an environment in case of radiological and nuclear accidents, as terrorism acts with uses of nuclear materials or radiation ionizing sources;
- e) lending of specialized assistance to the Customs Service, other establishments with powers on combating illicit trafficking and use of the nuclear material and ionizing radiation sources.

The central authority in the environmental protection (Ministry of Ecology and Natural Resources and Service Hidrometeo under the Ministry of Ecology and Natural Resources) carries out:

- a) monitoring, sampling and analysis of the information on radioactive background environmental contamination;
- b) prognoses of dispersion and moving of radioactive pollutants;
- c) researches of influence of radioactive pollutants and consequences on natural ecosystem.

The central authority in agro-industrial field (Republican Center of Applied Pedology under the Ministry of Agriculture and Food Industry) carries out:

- a) radiation monitoring of soils, agriculture vegetable and zoo-technical products;
- b) researches of radioactive pollution impact on agro-cenose and departmental supervision of radiological activities in the agro-industrial sector

The Chamber of Licensing gives out licenses for nuclear and radiological activities according to Article 23, on the official conclusion of the National Agency, concerning performing by the applicant of conditions of the authorization.

The National Committee of Radiation Protection is consultative body under the Government in the field of safety of nuclear and radiological activities, which decisions have recommendatory character. It's Regulation, nominative component and powers are approved by the Government.

Article 9. Responsibility of the License Holder

Each Contracting Party shall ensure that prime responsibility for the safety of a nuclear installation rests with the holder of the relevant license and shall take the appropriate steps to ensure that each such license holder meets its responsibility.

In conformity with the Law No 111-XVI:

- (1) Legal entities owners of the authorization are obliged to provide and support:
 - a) radiation and nuclear safety, protection against ionizing radiations, physical protection, own plans on response in case of radiation (nuclear) incident or accident, maintenance of own system on quality control and quality assurance in the activities;

- b) the strict account of radioactive (nuclear) materials, and also anyone used in the activities or made earlier as the results of own activities;
- c) observance of established conditions and limits specified in the authorization and the notice of the National Agency about anyone exceeding, according to regulating documents;
- d) restriction of area of the activities only within the limits mentioned in the authorization;
- e) development of an own system of requirements, rules and instructions which should provide the safe activities without unreasonable of any kind risks;

(2) The entities by possessing authorization and carrying out nuclear activities or activities with use ionizing radiations sources which is connected to formation of radioactive waste it is obliged:

- a) to be responsible for the management with the radioactive waste, arisen as a result of the activity;
- b) to pay the costs of services for shipment, sorting, transportation, processing, removals from operation, conditioning, temporary or long-term storage of these waste, by creation of own fund, with concrete designation, for the management of radioactive waste which size, will provide necessary charges;
- c) to lead development with the subsequent statement of the National Agency, the plan on preparation for decommissioning and deactivation of facilities;
- d) to provide an opportunity of returning of the used (spent) radioactive sources to the manufacturer or the processing organization.

(3) Expiry of the terms of action, cancellation or withdrawal of the license or registration, does not exempt the licensee or the person possessing registration or persons holders on radioactive (nuclear) materials, radiation

(nuclear) installations, facilities or equipment, specified in the license or registration, from the responsibility stipulated in the present law or from conditions stipulated in licenses or registration.

D. SAFETY RELATED GENERAL CONSIDERATIONS

Article 10. Priority to Safety

Each Contracting Party shall take the appropriate steps to ensure all organizations engaged in activities directly related to nuclear installations shall establish policies that give due priority to nuclear safety.

The Moldovan Government, through existing legal field and infrastructure has demonstrated his concern and interest in the mater, subject that has been ratified of the following conventions and treaties:

- Convention on Early Notification of Nuclear Accident, entry into force on 07 June 1998;
- Convention on Assistance in the Case of a Nuclear Accident or Radiological Emergency, entry into force on 07 June 1998;
- Vienna Convention on Civil Liability for Nuclear Damage, entry into force on 07 August 1998;
- Convention on Physical Protection of Nuclear Material, entry into force on 06 June 1998;
- Convention on Nuclear Safety, entry into force on 05 August 1998;
- Treaty on the Non-Proliferation of Nuclear Weapons, entry into force on 11 October 1994 (W);
- Comprehensive Safeguards Agreement (INFCIRC/153 Corr.), entry into force in 2006;

- Code of Conduct on the Safety and Security of Radioactive Sources, accepted in June 2005.

Article 11. Financial and Human Resources

1. *Each Contracting Party shall take the appropriate steps to ensure that adequate financial resources are available to support the safety of each nuclear installation throughout its life.*
2. *Each Contracting Party shall take the appropriate steps to ensure that sufficient numbers of qualified staff with appropriate education, training and retraining are available for all safety-related activities in or for each nuclear installation, throughout its life.*

These requests are included in the Article 24 of the Law No 111-XVI according to which authorization shall be issued only if the authorization's applicant fulfils the following conditions, as applicable, if he:

- a) can prove the professional qualification for each position, of his own personnel: that they know the requirements of the regulations with regard to nuclear and radiation safety and protection from ionizing radiations as well as the probity of the persons having decisional authority in the management of the works during the construction and operation of the facilities or in the management of other nuclear activities from among those mentioned under that article;
- b) can prove his organizing capacity and responsibility in the prevention and limitation of the consequences of emergencies with possible negative effects on the life and health of his own personnel and of the population, on the environment, on the property of third parties, and on his own assets;
- c) is responsible that the rest of his personnel which ensures the operation of the facility shall have the level of knowledge specific to the position

fulfilled with regard to the exploitation of the facility under conditions of nuclear and radiation safety, the associated risks, and the applicable nuclear and radiation safety measures;

- d) takes all the necessary measures at the level of technological and scientific rules in force for preventing the production of damages that would result from the construction and operation of the radiation (nuclear) facility;
- e) appoint an insurance or any other financial guarantee to cover his responsibility for radiation (nuclear) damages the amount, nature, and terms of the insurance or guarantee being in accordance with those provided under the law and the international conventions to which Republic of Moldova is party;
- f) is answerable for taking the measures necessary for the prevention of interference of any kind, or for removing the perturbations due to any third parties in the decision taking process, during the construction and operation of the radiation (nuclear) facility;
- g) proposes a siting of the facility not conflicting with the legal provisions and prevailing public interests with regard to the non-contamination of the soil, air, or water, and does not affect the operation of other facilities situated in the vicinity;
- h) disposes of material and financial arrangements adequate and sufficient for the decommissioning, radioactive waste management and its storage, generated from his own activity;
- i) uses appropriate measuring devices (including radiation gauges) legalized and metrological attorneys established by the current legislation;
- j) appoint and maintain a system according to the specific protection regulations against ionizing radiations;

- k) appoint and maintain a system conformable to the specific regulations of physical protection of the nuclear and radioactive materials , radioactive waste and products as well as of the radiological and nuclear facilities including storage facilities for nuclear and radioactive materials in conformity wit the current legislation;
- l) appoint and maintain a system for the quality assurance and quality control an authorized by the National Agency;
- m) appoint and maintain own preparatory system, authorized by the National Agency, for the intervention in case of nuclear or radiological accident, the monitoring system on observance of requirements on radiation protection, radiation and nuclear safety on installations (equipment) and corresponding ionizing radiation sources;
- n) appoint and maintain a system according to the application regulations of nuclear safeguards in conformity wit the current legislation;
- o) holds all the other agreements, authorizations and advices;
- p) appoint and maintain an adequate public information system.

Article 12. Human Factors

Each Contracting Party shall take the appropriate steps to ensure that the capabilities and limitations of human performance are taken into account throughout the life of a nuclear installation.

Moldovan regulations don't include yet a method to prevent, detect or correct human errors.

Article 13. Quality Assurance

Each Contracting Party shall take the appropriate steps to ensure that quality assurance programs are established and implemented with a view

to providing confidence that specified requirements for all activities important to nuclear safety are satisfied throughout the life of a nuclear installation.

- q) Excepted the Law No. 111-XVI (Art. 24, p. (l) - appoint and maintain a system for the quality assurance and quality control an authorized by the National Agency) there is no specific regulation on quality assurance in the field at present time.

Article 14. Assessment and Verification of Safety

Each Contracting Party shall take the appropriate steps to ensure that:

- (i) comprehensive and systematic safety assessment is carried out before the construction and commissioning of a nuclear installation and throughout its life. Such assessment shall be well documented, subsequently updated in the light of operating experience and significant new safety information, and reviewed under the authority of the regulatory body;*
- (ii) verification by analysis, surveillance, testing and inspection is carried out to ensure that the physical state and the operation of a nuclear installation continue to be in accordance with its design, applicable national safety requirements, and operational limits and conditions.*

Moldovan regulation don't establish until present time a procedure to grant licences or to issue reports on safety at different stages of a radiological (nuclear) installation project as defined in the Convention

Article 15. Radiation Protection

Each Contracting Party shall take the appropriate steps to ensure that in all operational states the radiation exposure to the workers and the public caused by a nuclear installation shall be kept as low as reasonably achievable and that no individual shall be exposed to radiation doses exceed prescribed national dose limits.

The supervisory and control methods currently applied by the Inspectorate are in compliance with the Convention's requirement to keep radioactive doses to the public and the environment as low as reasonably achievable (ALARA) and also to limit, as far as possible, the generation of radioactive waste associated with the use of radioactive sources. The effectiveness of these methods (e.g. guidelines, job planning and supervision) based on the most recent recommendations of the International Commission on Radiation Protection can be seen in the low annual individual and collective doses.

The main legal document that contains requirements on radiological protection is the Fundamental Norms of Radiological Protection – 2000, which defines dose limits and establishes general conditions for radiological protection, as well as requirements to be recognized as dozimetric service.

The estimation and measurement of doses of occupational radiation exposure due to external sources of radiation is carried out on the base of the dozimetric service in the framework of regulatory infrastructure control.

Hierarchically, the Dozimetric Laboratory takes part from Center for Radiation Protection and Radiation Hygiene (CRPRH) of the National Scientific and Applied Center of Preventive Medicine (NSACPM) of the Ministry of Health, in which the system of individual monitoring "Harshaw

6600” and “DTU-04” are used. The Dozimetric Laboratory is the unique provider of individual monitoring services for whole Republic of Moldova.

Dose limits. The NFRP-2000 limits the maximum individual total dose for personnel - 20 mSv per year. As the exception, a limit of 50 mSv per year, but not exceeding 100 mSv in five years, is authorized for the personnel from inspectorate. The collective dose for each radiological (nuclear) facility has to be kept below this guide value for normal operation, including replacement of the spent sources on new and other activities.

Article 16. Emergency Preparedness

1. Each Contracting Party shall take the appropriate steps to ensure that there are on-site and off-site emergency plans that are routinely tested for nuclear installations and cover the activities to be carried out in the event of an emergency.

For new nuclear installation above a low power level agreed by the regulatory body.

2. Each Contracting Party shall take the appropriate steps to ensure that, insofar as they are likely to be affected by a radiological emergency, its own population and the competent authorities of the states in the vicinity of the nuclear installation are provided with appropriate information for emergency planning and response.

3. Contracting Parties which do not have a nuclear installation on their territory, insofar as they are likely to be affected in the event of a radiological emergency at a nuclear installation in the vicinity, shall take the appropriate steps for the preparation and testing of emergency plans

for their territory that cover the activities to be carried out in the event of such an emergency.

The National Agency will establish a system of regulations and guides to ensure that arrangements for preparedness and response are in place for the on-site area for practices or sources that could necessitate an emergency intervention.

The basic reporting procedure required is laid down in an Inspectorate's Guideline.

The preparedness and plans are regularly tested in the form of exercises. The ways for alerting the public and neighboring countries by the Department of Emergency Situation and Civil Protection was approved.

Bilateral agreements exist between the Republic of Moldova and Ukraine as well as the Moldova and Romania governments.

The Law No 111-XVI demands that each licensee should have an emergency plan to cover the whole spectrum of possible emergencies in a given facility.

E. SAFETY OF FACILITIES

Article 17. Sitting

Each Contracting Party shall take the appropriate steps to ensure that appropriate procedures are established and implemented:

- (i) for evaluating all relevant site-related likely to affect the safety of a nuclear installation for its projected lifetime;*
- (ii) for evaluating the likely safety impact of a proposed nuclear installation on individuals, society and the environment;*
- (iii) for re-evaluating, as necessary, all relevant factors referred to in sub-paragraphs (i) and (ii) so as to ensure the continued safety acceptability of the nuclear installation;*
- (iv) for consulting Contracting Parties in the vicinity of a proposed nuclear installation, insofar as they are likely to be affected by that installation and, upon request providing the necessary information to such Contracting Parties, in order to enable them to evaluate and make their own assessment of the likely safety impact on their own territory of the nuclear installation.*

Moldovan legislation doesn't establish a procedure to grant licences for radiological or nuclear facilities, except for the general mention in the Law No 111- XVI, that the radiological (nuclear) facilities require a sitting authorisation.

Article 18. Design and Construction

Each Contracting Party shall take the appropriate steps to ensure that:

- (i) the design and construction of a nuclear installation provides for several reliable levels and methods of protection (defence in depth) against the release of radioactive materials, with a view to preventing the occurrence of accidents and to mitigating their radiological consequences should they occur;*
- (ii) the technologies incorporated in the design and construction of a nuclear installation are proven by experience or qualified by testing or analysis;*

- (iii) *the design of a nuclear installation allows for reliable, stable and easily manageable operation, with specific consideration of human factors and the man-machine interface.*

Moldovan legislation doesn't establish yet a procedure to grant licences for such activity, except for the general mention in the Law No 111- XVI, that the radiological (nuclear) facilities require a general Design and Construction authorization

Article 19. Operation

Each Contracting Party shall take the appropriate steps to ensure that:

- (i) *the initial authorization to operate a nuclear installation is based upon an appropriate safety analyses and a commissioning program demonstrating that the installation, as constructed, is consistent with design and safety requirements;*
- (ii) *operational limits and conditions derived from the safety analyses, tests and operational experience are defined and revised as necessary for identifying safe for operation;*
- (iii) *operation, maintenance, inspection and testing of a nuclear installation are conducted in accordance with approved procedures;*
- (iv) *procedures are established for responding to anticipated operational occurrences and to accidents;*
- (v) *necessary engineering and technical support in all safety-related fields is available throughout the lifetime of a nuclear installation;*
- (vi) *incidents significant to safety are reported in a timely manner by the holder of the relevant license to the regulatory body;*
- (vii) *programs to collect and analyze operating experience are established, the results obtained and the conclusions drawn are*

acted upon and that existing mechanisms are used to share important experience with international bodies and with other operating organizations and regulatory bodies;

- (viii) the generation of radioactive waste resulting from the operation of a nuclear installation is kept to the minimum practicable for the process concerned, both in activity and in volume, and any necessary treatment and storage of spent fuel and waste directly related to the operation and on the same site as that of the nuclear installation take into consideration conditioning and disposal.*

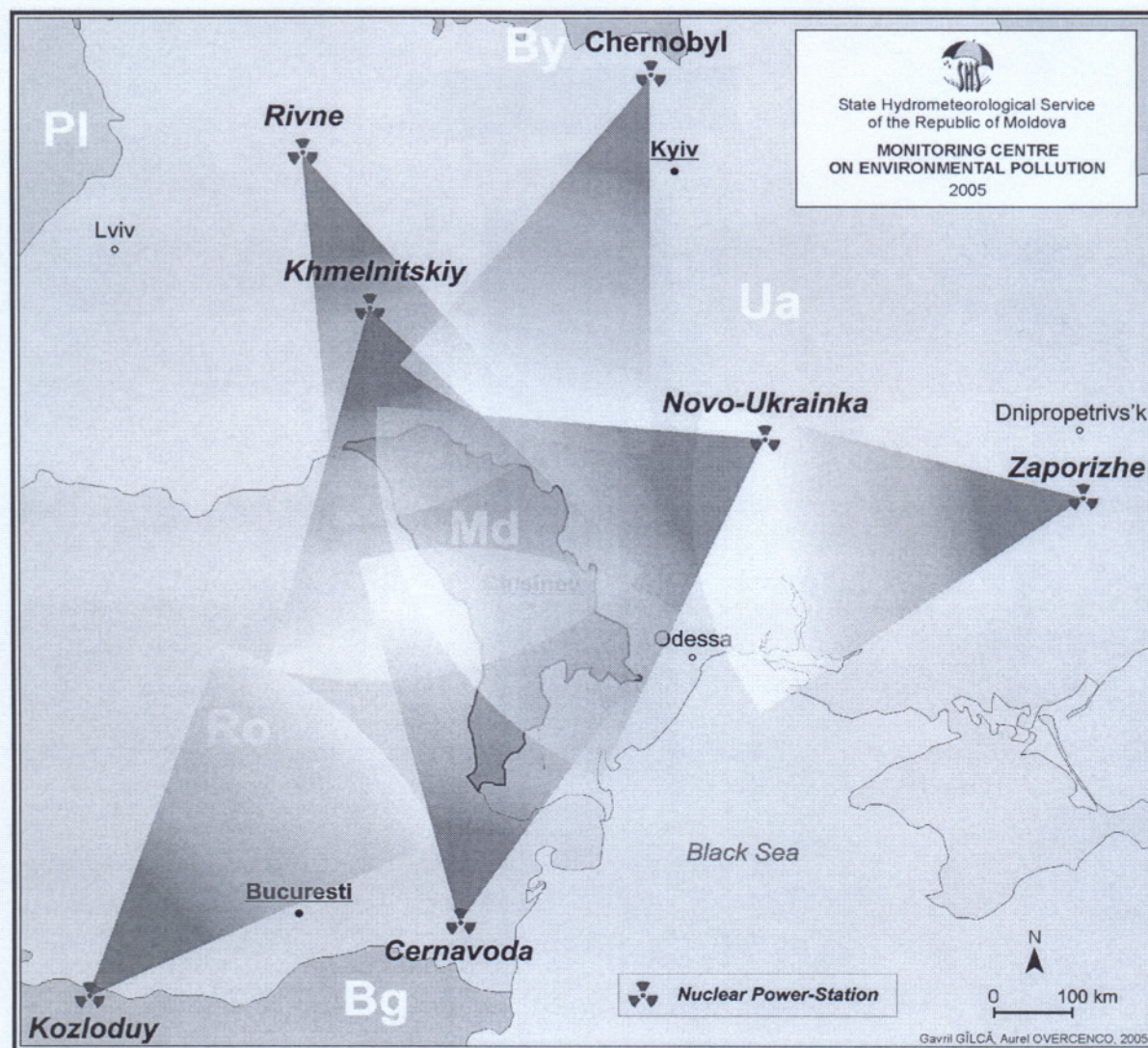
Moldovan regulations don't establish yet a procedure to grant licences, except for the mention in the Law No 111-XVI and Law No 451-XY that the radiological (nuclear) facilities require an operation licence.

F. ACTIVITIES TO IMPROVE SAFETY

In this area, the main concern of the country is to update the legislation related to controlling the existent radiological and nuclear facilities.

With this purpose, the whole effective legal framework is being reviewed and completed.

Site Map of Nuclear Power-Stations in the vicinity of the Republic of Moldova



The Law of the Republic of Moldova No 111-XVI from 11 May 2006

On the safe deployment of nuclear and radiological activities

With the purpose of creation of legislative base harmonized with the international requirements in nuclear and radiological fields of activity,

The Parliament adopts the present organic law.

**THE CHAPTER I
GENERAL PROVISIONS**

Article 1. The object of the present law

The present law pursues the purpose maintenance of safe deployment of nuclear and radiological activities in exclusively peaceful purposes and observance of duties which proceed from the international treaties, one of which parties is the Republic Moldova;

Article 2. The purpose of the law

The present law has as a purpose:

- a) non-admittance of distribution of the nuclear weapons, materials and equipments pertinent for proliferation of the nuclear weapons and of other explosive devices with radioactive device;
- b) establish of mechanisms of safe deployment of nuclear and radiological activities, its maintenance in adequate level in all areas connected to uses of radiation ionising sources;
- c) prevention of non-authorized use of nuclear and radiological activities according to the Non-Proliferation Treaty of the nuclear weapons and with the obligations follows of the international treaties one of the parties which is the Republic Moldova;

d) protection of the personnel, population, property and of environment against harmful influence of ionizing radiations, according to the international standards in the field of radiation protection, radiological and nuclear safety.

Article 3. The area of application of the law

The suppositions of the given law are applied to the following activities:

- a) research, designing, placement, construction, assembly, commissioning, exploitation, change, decommissioning and deactivation of nuclear and radiological facilities;
- b) manufacturing, distribution, rent, transfer, processing, possessing, treatment, use, temporary or permanent storage, transport, transit, import and export of ionizing radiations sources, inclusive of nuclear materials, nuclear fuel, of radioactive waste;
- c) supplying and use of a dosimetric (radiometric, etc.) devices, materials and equipment used for protection from ionizing radiations, and also of means for packing, containerization and for transport specially designed for this purposes;
- d) Supplying on market of products and rendering of services for nuclear and radiological activities.

Article 4. The basic concepts

For the purposes of the present law the basic definitions are the following meaning:

radiological (nuclear) accident – event which affect the radiological (nuclear) facility and causing the irradiation or contamination of the population or environment above the admitted by regulations limits;

nuclear and/or radiological activity - any activity of the person at which additional sources or an irradiation are results;

National Agency on Regulation of Nuclear and Radiological Activities (further «National Agency») – authority recognized to exercise the regulatory functions follows Article 6;

authorization - procedure of assessment and control of the radiological protection level, of the nuclear and radiological safety regarding a legal entities or person and carried out on they requests for the purposes of realization of nuclear or radiological activity appointed to the specific field conditions and follow by delivering of the corresponding document;

certificate of safety - the document which attests safety of installation (equipment) with ionizing radiations sources and its conformity to standards, rules and technical specifications, other normative documents which regulate safe exploitation of installations (equipment) with a potential irradiation risk;

radioactive waste - materials, products, devices and any other object in any form which contains or are contaminate with radionuclide in concentration exceeding levels of exemption and for which no use is provided further;

radiation (nuclear) incident - event which mentions installation (object) and results in a super-irradiation of the personnel, exceeding established annual doze limit, and-or event which results in presence on installation of significant amounts of a radioactivity in the zones which have been not intended for it under the project and which demands application of adjusting measures;

radioactive material - any material, including radioactive waste, in any aggregation state which represents radioactive phenomena;

modification of radiological installations - the activity for replacement of one modules by others ones, which is not recommended by the manufacturer and/or changes of the certain technical parameters, including operation of rehabilitation, restoration or their improvement;

exemption levels – established by the National Agency levels, in terms of activity or in terms of dose (for the generators), under which the practices are excepted of requests for authorization follows of present Law;

radiological (nuclear) facilities – precincts, platform, a zone on which radiation (nuclear) activities are carried out or are placed radiation installations with ionizing radiations sources, generators ionizing radiations or any other nuclear installations, except for what concern to a nuclear fuel cycle;

exercising permit - the document confirming the right of the person which operates any equipment or device with radiation ionising source to carry out authorized activities in the field and given on the basis of an estimation (testing) knowledge and skills of the given person;

use of ionizing radiations sources - the activity connected to use, operating, operation, functioning, including the current maintenance of ionizing radiations sources;

ionizing radiation - any corpuscular or electromagnetic radiation capable, directly or indirectly, to generate ions (particles with electrostatic charge) at passage through substance, or any of the following radiations: alpha, beta particles, gamma and X-rays, neutrons, electrons, protons or other charged particles (excepting the electromagnetic radio waves, visible, infra-red, ultraviolet and laser radiations, ultrasonic oscillations, etc.);

radiation protection, radiation and nuclear safety - protection of the exposed professional personnel, population, property and environment against influence of radiations cause by the radiation ionising sources,, prevention of contamination with radionuclide and assurance of the physical protection of the those sources, including measures on maintenance of protection and safety, which at deployment of various kinds of activities will maintain the irradiation risk to minimally reasonable level and will prevent the radiation (nuclear) accidents and their consequences;

ionising radiation sources – emitter of ionising radiations, any radioactive material;

processing and conditioning of radioactive waste - succession of an technological actions at which radioactive waste are transform into the stable and indispensable form, which does not allow their reuse and adequate to its long-term or final storage;

Article 5. Main principles of activity in the field of assurance of radiation protection and radiation and nuclear safety

Activity on assurance of radiation protection, nuclear and radiation and nuclear safety is based on the following principles:

- a) Non-admission of the excess of maximum permissible exposed irradiation level;
- b) exceptions of any unreasonable irradiation;
- c) reductions of irradiation doze to extremely possible minimum levels.
- d) justification of any activities follows uses of ionizing radiation sources.

Article 6. Regulatory functions in the field of nuclear and radiological activities

In the field of nuclear and radiological activities are stipulated the following regulatory functions:

- a) authorization;
- b) elaboration of the legislative and normative documents in the field;
- c) account of ionizing radiations sources and of nuclear materials;
- d) supervision and control;
- e) imposing sanctions for infringement of the current legislation;
- f) control of non-proliferation of the nuclear weapons.

Article 7. Normative regulation of nuclear and radiological activities

- (1) Nuclear and radiological activities are regulated by the present law and others normative documents in the field.
- (2) Normative documents on regulation of nuclear and radiological activities can be elaborated and approved as by the National Agency, as by the any other bodies with powers in corresponding area specified in Article 13, or by the other central public authorities within the limits of its competence, with the obligatory coordination with the National Agency.

Article 8. Infrastructure in the field of nuclear and radiological activities

Components of the infrastructure in the field of nuclear and radiological activities are:

- a) the National Agency;
- b) the bodies with powers in the field of nuclear and radiological activities;
- c) the legal and physical persons authorized in the field of nuclear and radiological activities or on deployment of radiological measurements;
- d) the human resources with corresponding qualification in the field, including systems of training and professional improvement;
- e) the research organizations;

Article 9. Special provisions

- (1) In the Republic Moldova are forbidden:
 - a) research, experiments, development, manufacturing, import, export, transit, possession, distribution, sale, repair, put into operation, manipulation, rent, disposing, inclusive temporary, detonation of a nuclear

weapon, any nuclear explosive device, or explosive device with radioactive material

b) import of radioactive sources, as also transit of nuclear fuel without authorization of the National Agency;

c) Import of radioactive waste.

(2) The national policy (strategy) concerning safe management of radioactive waste is elaborated according to the basic international principles and reflects national peculiarities in the field.

(3) In the field of nuclear and radiological activities is forbidden holding of appointment of regulatory and user functions.

CHAPTER II

NATIONAL AGENCY

Article 10. The Statute

(1) The National Agency is the central public competence body, created by the Government under of the Environment and Natural Resources Ministry, has the status of the legal person and the necessary level of independence and competence in the field of nuclear and radiological activities for performance of the regulation functions stipulated by the present law.

(2) The structure of National Agency and it Regulations are approved by the Government.

(3) Financing of the National Agency is carried out fully from the state budget, by separate article, and also from other sources as grants, technical assistance, projects of the international cooperation, etc.

(4) The head of the National Agency is from the office the main state inspector in the field of regulation of radiological and nuclear activities and is appointed by the Government.

Article 11. The Functions of the National Agency

The National Agency carried out the following functions:

- a) elaboration of the draft of the legislative acts in the field of nuclear and radiological activities;
- b) assurance of implementation and performance of stipulations of the current legislation in the field of nuclear and radiological activities, of the respective international treaties, one of which parties is Republic Moldova;
- c) assurance of the adequate normative status which will define the basic requirements for safety of the radiological and nuclear activities, of protection from ionizing radiations, of assurance of quality, of control of non-proliferation of nuclear weapons, of physical protection and safety of radiation ionising sources of intervention and investigations in case of radiological (nuclear) incidents and accidents, etc.;
- d) establishing of the procedures for authorization, supervision and control;
- e) assessment of applications for obtaining of the authorization to practice nuclear and radiological activities; registration, on the base of notification, of the nuclear and radiological activities;
- g) issuing of certificates of safety for installation (equipment) with ionizing radiation sources according to the present law;
- h) issuing of the exercising permit to the personnel working in the nuclear or radiological field;
- i) performance of the state control and supervision with the purpose of an estimation of check up of the safety conditions of the nuclear and radiological activities, as of the level of abide of legislative acts, other normative acts, specific conditions stipulated in the licence or registration certificate, with drawing up of reports on the control and issuing of the respective prescriptions; application of necessary measures in correspondence to current legislation, in case of detection of

infringements of the legislation and other normative documents in the field of nuclear and radiological activities;

- k) revised, in all cases, as required, normative documents with the purpose of their correlation with the international treaties and standards from the field, approving of measures on their implementation;
- l) management of the National Register of ionizing radiations sources and legal authorised persons;
- m) cooperation with regulatory bodies of other countries, the international organizations in the field;
- n) accreditation of the experts in radiological and nuclear field with delivering of the corresponding certificate.

Article 12. Rights and duties

(1) The National Agency has the rights:

- a) to access to any place where carried out nuclear and radiological activities, subject to the controls;
- b) to request the inspected persons to respect current legislation both conditions stipulated in the issued authorization;
- c) to carry out measurements or to install the necessary control equipment for supervision purposes;
- d) to ask taking or receiving samples from the materials or products directly or indirectly subject to the control;
- e) to access to all information, technical and contract data, in any form, required for carrying out the objectives of the control, with respects of confidentiality if it is required by the authorized person, or if demands by legal acts;
- f) to request the authorized persons to submit reports, information and notification in the form required by the current legislation and other legal acts;

g) to ask the authorize persons or the licensee to keep records, in the form required by legal acts and norms, of the radioactive and nuclear materials, ionizing radiations sources and other activities subject to the control and to control these records;

h) to request the authorized persons to present necessary equipment for protection.

i) to suspend or to cancel the authorizations or exercising permit as the results of infringements by the authorized persons of stipulations of current legislation and conditions of authorization;

j) to request of the Chamber of Licensing suspend or revoke of the license in cases of infringements by the licensee of the current legislation and conditions of licensing.

(2) The National Agency has the following duties:

a) to assure annual updating the National register of ionizing radiation sources and the physical and legal authorized persons;

b) to assure according to the current legislation confidentiality of the commercial information received during execution of official duties;

c) to inform operatively the central bodies about revealing the infringements, able to lead to an unreasonable irradiation of the personnel and the population.

CHAPTER III

THE COMPETENCE OF OTHER BODIES WITH POWERS IN THE FIELD OF NUCLEAR AND RADIOLOGICAL ACTIVITIES

Article 13. Other bodies with powers in the nuclear and radiological activities

g) the central public authority in the field of health;

h) the central public authority of emergency situations;

- i) the central public authority in the field of environment protection;
- j) the central public authority in the agro-industrial field;
- k) the Customs Service;
- l) the Service of Standardization and Metrology;
- m) the Chamber of Licensing;
- n) the Academy of Sciences of Moldova;
- o) the National Committee of Radiation Protection under the Government;

Article 14. The competence of the central authority in the field of health

The central authority in the field health carries out:

- a) supervision and a hygienic estimation of the radionuclide content in food stuffs at all stages of their manufacture, potable water, including sources of potable water, building materials and other wide use products, with delivering of hygienic certificates for domestic or import products;
- b) monitoring influence of radiological and nuclear activities on health of the population, with emitting of the conclusions on the basis of current legislation;
- c) hygienic normalization of radiological factors;
- d) sanitary and epidemiological supervision of the facilities carrying out nuclear and radiological activities, according to current legislation;
- e) monitoring of irradiation of the personnel working with ionizing radiations sources, patients at medical investigations and population in case of radiological (nuclear) accidents;
- f) scientific researches of medical and biologic effects of ionizing radiations.

Article 15. The competence of the central authority of emergency situations

The central authority of emergency situations carries out:

- f) implementation of the International Conventions stipulations about early notification of nuclear accident and assistance in the case of nuclear accident or radiological emergency as focal point and competent body;
- g) co-ordination of implementation of the International Convention on Physical Protection of nuclear material with further Amendments, one of which parties is the Republic Moldova;
- h) the organization and co-ordination of activity of a national network of monitoring, observation and laboratory control over radionuclide environmental contamination in case of radiological and nuclear accidents;
- i) planning and coordination of implementation of the measures on protection of the population and an environment in case of radiological and nuclear accidents, as terrorism acts with uses of nuclear materials or radiation ionizing sources;
- j) lending of specialized assistance to the Customs Service, other establishments with powers on combating illicit trafficking and use of the nuclear material and ionizing radiation sources.

Article 16. The competence of the central authority of environmental protection

The central authority in the environmental protection carries out:

- d) monitoring, sampling and analysis of the information on radioactive background environmental contamination;
- e) prognoses of dispersion and moving of radioactive pollutants;
- f) researches of influence of radioactive pollutants and consequences on natural ecosystem.

Article 17. The competence of the central authorities in agro-industrial field

The central authority in agro-industrial field carries out:

- c) the radiation monitoring of soils, agriculture vegetable and zoo-technical products;
- d) researches of radioactive pollution impact on agro-cenose and departmental supervision of radiological activities in the agro-industrial sector

Article 18. The competence of Customs Service

The Customs Service carries out the control and permission, on the basis of the license or registration, of import, export or transit of ionizing radiations sources, equipment, materials, and also the information concerning proliferation of the nuclear weapons or other nuclear explosive devices.

Article 19. The competence of the Service of Standardization and Metrology

The Service of Standardization and Metrology carries out:

- a) co-ordination of activity in the field of metrology;
- b) the state registration of standards and other regulation documents in radiological (nuclear) area.

Article 20. The competence of the Chamber of Licensing

The Chamber of Licensing gives out licenses for nuclear and radiological activities according to Article 23, on the official conclusion of the National Agency, concerning performing by the applicant of conditions of the authorization.

Article 21. The competence of the Academy of Sciences of Moldova

The Academy of Sciences of Moldova carries out scientific researches and professional training of high qualification in the field of nuclear and radiological activities.

Article 22. The competence of National Committee of Radiation**Protection**

The National Committee of Radiation Protection is consultative body under the Government in the field of safety of nuclear and radiological activities, which decisions have recommendatory character. It's Regulation, nominative component and powers are approved by the Government.

CHAPTER IV**THE AUTHORIZATION OF NUCLEAR AND RADIOLOGICAL
ACTIVITIES****Article 23. Authorization of nuclear and radiological activities**

(1) Are authorized legal persons who practice nuclear and radiological activities, if respects requests of current legislation and normative acts.

(2) The authorization is made by issuing of license or registration certificate depending of the category of ionizing radiations sources, according to the International Atomic Energy Agency and National Agency recommendations;

(3) Licenses are issuing by Chamber of Licensing for the nuclear and radiological specified in Article 3 and which are referred to the categories I-III.

(4) The registration is made by the National Agency on the base of notification of legal persons and is obligatory for any nuclear and radiological activities specified in Article 3, and which are referred to the

categories IV-V. Licenses are issued in correspondence to the present Law and Law about licensing of any kind of activities.

(5) The license or registration must be used only for the purposes for which it has been given with respects of the established areas and conditions; The authorization is requested and is issued simultaneously or successively, for separate kind of activity (on the each phase) or for each installation having its own functionality, from the applicant's patrimony, or for each distinct type of radioactive material, of ionizing radiation generator, dosimetric control device (radiometric, spectrometric, etc.) or of devices to measure the degree of the radioactive contamination, of material or device used for protection against ionizing radiations, of packaging or containerize for transport means specially arranged to this end, which the applicant intends to its use or sale;

(6) The authorization for a separate phase of performance or functioning of any installation can be given only in case the previous phase have been executed on the basis of all types of necessary authorizations.

(7) For stages of performance of the certain works on installations or functioning of installations can be given partial authorizations.

Article 24. Authorization conditions

Authorization shall be issued only if the authorization's applicant fulfills the following conditions:

- a) can prove the professional qualification for each posts, of his own personnel: knowledge the requirements of the regulations with regard to nuclear and radiation safety and protection from ionizing radiations as well as the probity of the persons having decisional authority in the management of the works requested for authorization;
- b) Assure realization of the measure necessary for the prevention and limitation of the consequences of radiological (nuclear) incidents and

accidents with possible negative impact on the life and health of his own personnel, population, environment, on the property of third parties, and on his own property;

c) Is responsible that the rest of his personnel which assure the operation of the facility shall have the level of knowledge specific to the post fulfilled with regard to the exploitation of the facility under conditions of nuclear and radiological safety, the associated risks, and the applicable nuclear and radiation safety measures;

d) takes all necessary measures follows current legislation for preventing the damages that would result from the construction and operation of the radiological (nuclear) facility;

e) has an insurance or any other financial guarantee to cover his responsibility for recuperation of damages, the amount, nature, and terms of the insurance or guarantee being in accordance with those provided under the international conventions to which the Republic of Moldova is party;

f) is answerable for taking the measures necessary for the prevention of any kind intervention or for removing the perturbations due to any third parties in the decision taking process, during the construction and operation of the radiological (nuclear) facility;

g) proposes a siting of the equipment or radiological (nuclear) facility not conflicting with the legal provisions and prevailing public interests with regard to the non-contamination of the soil, air, or water, and does not affect the operation of other facilities placed in the vicinity;

h) disposes a own financial arrangements sufficient for the decommissioning radioactive waste and materials management generated from his own activity;

i) uses appropriate measuring devices (including radiation gauges) legalized and metrological attested, established by the current legislation;

- j) institutes and maintains a system according to specific protection current regulations against ionizing radiations;
- k) institutes and maintains a system conformable to the specific regulations of physical protection of the nuclear and radioactive materials , radioactive waste and products as well as of the radiological and nuclear facilities including storage facilities for nuclear and radioactive materials in conformity wit the current legislation;
- l) institutes and maintains a proper system for the quality assurance and quality control authorized by the National Agency;
- m) institutes and maintains own control system, authorized by the National Agency, regarding radiation protection, radiation and nuclear safety on installations (equipment), intervention in case of radiological (nuclear) incidents or accidents, nay caused with respective radiation ionizing source or equipment;
- n) institutes and maintains a system according to the application regulations of nuclear guarantees in conformity wit the current legislation;
- o) holds all the authorizations, advices and other documents provided by current legislation;
- p) institutes and maintains a public information system according with current legislation.

Article 25. Conditions for hang up or withdrawal of the license or registration

- (1) The license or the certificate on registration stops or cancelled by the emitter in up 2 working days time on the basis of the official note of the National Agency.
- (2) The license or the certificate on registration stops or cancelled in all cases if it is found out, that:

- a) The holder does not respect stipulations of the current legislation in the field of safe deployment of nuclear and radiological activities or conditions presented in the license or registration;
- b) The holder does not carry out completely and in time a measure (prescriptions) of the National Agency regarding the established infringements;
- c) Appearance a new, from technical or other point of view, situations unknown at the moment of licensing or registration and can affect safe deployment of nuclear and radiological activity;
- d) The holder does not respects the duties concerning creation of the own fund of financial resources for management of radioactive waste and deactivation or a civil liability for the possible damage caused to the third party, in case of radiation (nuclear) incident or accident, which can take place with nuclear installations (equipments) or with corresponding ionizing radiations sources;
- e) The holder cessation its legal activity;
- f) The holder has lost its exercising powers.

Article 26. Conditions of delivering of the exercising permit

- (1) The holder of the licensee or registration, according to Article 23, shall employ in authorized activities only personnel possessing an exercising permit valid for these activities.
- (2) The exercising permit is given out only to the persons having corresponding knowledge's and the responsibilities in the given area, on the basis of an evaluation a level of corresponding knowledge and skills by the National Agency.

(3) The exercising permit is given out for the term indicates in normative acts emitted according to Article 7.

(4) The rights given by the exercising permit cannot be handed to other persons.

Article 27. Conditions of for hang up and withdrawal of the exercising permit

The exercising permit is hang-up or withdrawn by the National Agency in all cases when it is found out, that:

- a) the person possessing the exercising permit does not observe requirements used legislative and statutory acts;
- b) the person possessing the exercising permit has died or has lost capacity.

Article 28. Nuclear and radiological activities exempted from the authorization regime

(1) Nuclear and radiological activities in which are uses materials with small (on weight) total or specific radionuclide concentration, generators of ionizing radiations of the type authorized by the National Agency and also other any electronic tubes which corresponds to the limits and criteria of withdrawal stipulated by current legislation, so that the risks related to the activities are minimum acceptable, are excepted by the National Agency partially or totally from application of the authorization regime and control provided under present law.

(2) The detailed limits and criteria of total or partial exemption from the application of the authorization regime are established by the National Agency in corresponding normative acts.

Article 29. Conditions of the authorization of the import and export of ionizing radiations sources

Authorization of import and export stipulated in Article 3 is given out in the following conditions:

- a) The applicant of the authorization is capable to show competence and decency of the personnel with the rights in decisions on import or export procedures for which the authorization is requested in conformity to the current legislation;
- b) In case of import, the applicant of the authorization undertakes to provide respects of the current legislation, international treaties in the field of the atomic energy, which party is the Republic of Moldova, to deliver and give a products or information only to the authorized persons and to inform the National Agency on entrance to the country of the imported products or information from the field;
- c) In case of export, the applicant of the authorization should receive necessary guarantees from which proceeds, that the received products and information will not be used with a view of which contradict the international agreements, accepted by the Republic Moldova or national security, should show, that export corresponds to rules of the current legislation;
- d) The exporting party is obliged to inform at once the National Agency on the fact of exported products or information pertinent for proliferation of the nuclear weapons;
- e) Authorization to import, export, re-export or transit for ionizing radiations sources and nuclear materials which concern to the strategic goods, will be carried out according to the legislative and normative acts for these goods.

CHAPTER V

THE DUTIES AND RIGHTS OF AUTHORIZED PERSONS

Article 30. The duties of the legal persons

In the field of nuclear and radiological activities, the legal person on the territory of the Republic Moldova is obliged:

- a) to respect requirements of the current legislative and normative acts;
- b) to respect the decisions and orders of the National Agency;
- c) to take necessary precaution measures established by standards, norms and rules of radiation protection and nuclear and radiological safety.

Article 31. The rights of the legal persons

In the field of nuclear and radiological activities the legal person on the territory of the Republic Moldova has the right on:

- a) safe work conditions and a life in a favorable environment;
- b) truthful, operative and competent information concerning radiation (nuclear) situations;
- c) social protection (material compensation) and on free of charge medical rehabilitation in case of accidental overexposures with ionizing radiations.

Article 32. Duties of legal authorized persons

(1) The legal authorized persons are obliged to assure:

- a) radiation and nuclear safety, protection against ionizing radiations, physical protection, carrying out own plans on response in case of radiologic (nuclear) incident or accident, maintenance of a own system on quality control and quality assurance of their activities;

- b) strict account of radioactive and nuclear materials, of all used in the activity or made ionizing radiations sources;
 - c) respect of all conditions specified in the authorization and the notice of National Agency about anyone exceeding of adopted limits, according to regulating documents;
 - d) restriction of area of the activity only within the limits stipulated in the authorization;
 - e) elaboration of own system of requirements, rules and instructions which should provide the safe activity without of any kind risks;
- (2) The authorized person which carry out nuclear and radiological activities and which results or has resulted formation of radioactive waste it is obliged:
- a) to be responsible for the adequate management with the radioactive waste, arisen as a result of the own activity;
 - b) to pay cost of services for gathering, handling, transportation, processing, removals from operation, conditioning, temporary or long-term storage of these waste, by creation of own fund designate for the management of radioactive waste, which quantum will provide necessary charges;
 - c) to elaborate a own program on preparation for decommissioning and present it for approving to the National Agency;
 - d) to provide the possibility of returning of the used radioactive sources and waste to the manufacturer or the processing organization.
- (3) Expiry of the term of action, hung-up or withdrawal of the license or registration, does not exempt the holder or the person taking owner the property on radioactive (nuclear) materials, radiation (nuclear) installations, facilities or equipment from the responsibility stipulated in the present law or from conditions stipulated in licenses or registration.

Article 33. Rights of the authorized legal persons

The legal authorized persons, whom the license or the registration have been suspended or cancelled, have the right to the appeal and to the corresponding compensation according to the current legislation.

THE CHAPTER VI

THE STATE CONTROL AND SUPERVISION ON NUCLEAR AND RADIOLOGICAL ACTIVITIES

Article 34. Conditions on carrying out of the state control and supervision on nuclear and radiological activities

The preventive, current-operative and ulterior state control and supervision of the observance of the provisions of the current legislation in area of radiation protection and nuclear safety, shall be carried out by the representatives of National Agency. The control shall be carried out within the precincts in which these deploy the activities subject to authorization rules, in any other site which might be linked to these activities or at any other natural or juristic persons that might deploy activities, hold facilities, materials, other sources or information provided under Article 3 in any of the following situations:

- a) with a view to the requested authorization;
- b) periodically or unannounced, in the validity period of the authorization;
- c) on the basis of the notification and/or requests from the authorization's or registration's holder;
- d) when on the base on any information might suppose activities provided under Article 3.

Article 35. Duties of legal persons at performance of the state control and supervision

(1) During all period of the control legal persons subject to the control shall have the obligation of taking all the necessary measures to be carried out in good conditions.

(2) In case of insubordination to the control or of insubordination to any of the National Agency disposition, the last may request the intervention of competent authorities in accordance to current legislation.

THE CHAPTER VII

THE RESPONSIBILITY FOR INFRINGEMENT OF POSITIONS OF THE LEGISLATION IN THE FIELD OF NUCLEAR AND RADIOLOGICAL ACTIVITY

Article 36. The responsibility for infringement of the legislation in Areas of nuclear and radiological activity

(1) Infringement of the legislation in the field of nuclear and radiological activities entails the responsibility according to the current legislation.

(2) Deployment of nuclear and radiological activity without the corresponding authorizations stipulated by the present law, use by the authorized persons of radioactive materials, installations or generators of ionizing radiations for the kinds of the activity which are distinct from specified in license or the registration, and also in cases when radiological (nuclear) installations, their components, nuclear fuel, radioactive products, including radioactive waste products, nuclear explosive devices or their components used with infringement of current legislation and norms, that can damage the population or environment, are confiscated on the basis of current legislation. Storage of the confiscated materials is carried out due to

the former owner in a reliable place, with imposing a seal of National Agency and observance of safety requirements of nuclear materials and ionizing radiation sources so that to not endanger a life and health of the population and to not pollute an environment or material, up to the ordering of legal measures in their respect.

Article 37. The responsibility for decision-making in area of radiation protection and safety of nuclear and radiological activities in case of radiological (nuclear) accidents

The responsibility for decision-making in the field of radiation protection and safety of nuclear and radiological activities in case of radiological (nuclear) accidents is assigned to the Commission on emergency situations.

Article 38. The responsibility for the damage

(1) The responsibility for nuclear or radiation damages caused during or as result of accident that might occur by deployment of the activities provided in the authorization or of other activities resulting in the death, damage to the corporal integrity or health of a person, destruction, degradation, or temporary impossibility of using some goods lies entirely with the holder of the authorization under the terms established by law and international commitments to which Republic of Moldova is party.

(2) The legal authorized persons do not responsible for the nuclear (radiological) damage caused by a nuclear accident result of warfare, hostilities, civil war or insurrection.

CHAPTER VIII

FINAL AND TRANSITIVE DISPOSITIONS

Article 39.

(1) Licenses, authorizations and permits given before coming into force of the present law, are considered valid until provided terms with the re-registration in 30-day from the date of coming into force of the present law by the National Agency take into account stipulations of the present law.

(2) The legal person who from the date of coming into force of the present law carries out activities to which will be applied a condition of the authorization and control is obliged in 30-day's term to present the application for of authorization, before coming into force of the present law this condition was not obligatory.

Article 40.

The Government:

shall present to the Parliament proposals regarding conforming of the current legislation to the present law;

shall modify its normative acts in correspondence to the present law;

shall institute the National Agency.

Article 41.

The present law entry in force after 3 months from the date of it publication.

Article 42.

From the date of coming into force of the present law to abrogate the Law on radiation protection and nuclear safety No 1440-XIII from December, 24, 1997.

Chairman of the Parliament

Marian LUPU

May, 11. 2006

Activities in Moldova relating to radioactive material

There are no nuclear power plants, research reactors, critical assemblies, or reprocessing plants in Moldova. Moldova does, however, have eight operating power reactors in proximity to its borders.

Radiation sources are used in medicine, industry, agriculture, civil engineering, and research institutes. These applications generate radioactive waste, chiefly in the form of sealed radioactive sources. There are about 150 organizations using radiation generators or radioactive sources, as well as a Central Radioactive Waste Disposal Facility on the outskirts of Chişinău.

