

**FEDERAL LAW NO. 170-FZ OF NOVEMBER 21, 1995 ON THE USE OF ATOMIC ENERGY (with the Amendments and Additions of February 10, 1997, July 10, December 30, 2001 March 28, 2002, November 11, 2003, August 22, 2004, December 18, 2006, February 5, December 1, 2007)**

**Adopted by the State Duma on October 20, 1995**

The present Federal Law defines the legal basis and the principles of regulating relations arising during the use of atomic energy and is aimed at protecting the lives and health of the people, environment, property associated with the use of atomic energy and is called upon to promote the development of the atomic science and technology and to facilitate greater international regime of the safe use of atomic energy.

**Chapter I. General Provisions**

**Article 1.** Legislative, Legal and Other Acts of the Russian Federation in the Sphere of the Use of Atomic Energy

Relations arising in the use of atomic energy for peaceful and defence purposes shall be regulated by the present Federal Law, other law and other legal acts of the Russian Federation.

The activities associated with the development, manufacture, testing, operation and utilization of nuclear weapons and nuclear power installations of a military nature shall be carried out on the basis of other federal laws and shall not be in the sphere of the validity of this Federal Law.

**Article 2.** Principles and Tasks of the Legal Regulation in the Sphere of Atomic Energy Use

The basic principles of the legal regulation of the use of atomic energy include:

- safety during the use of atomic energy and protection of individuals, population at large and the environment against radiation danger;
- access to information on the use of atomic energy, if this information does not contain state secrets;
- the participation of individuals, profit-making and non-profit organizations (hereinafter referred to as organizations) and other legal entities in the discussion of state policy, drafts of federal laws and other legal acts of the Russian Federation, and also in the practical activity in the sphere of the use of atomic energy;
- the compensation of damages caused by radiation; the provision of socio-economic compensations to the workers of the nuclear facilities for the negative impact of the ionizing irradiation on human health and additional factors of risk; social protection of private persons who reside and/or carry on their labour activity in the areas where these facilities are situated.

The main regulatory tasks for all activities concerning the use of atomic energy are as follows:

- the creation of legal principles for the system of the state management of atomic power use and the system of the state regulation of safety in the process of using atomic energy;
- the establishment of rights, duties and responsibility of the organs of state power, local self-government bodies, organizations and other legal entities and individuals.

**Article 3.** The Objects of the Application of this Federal Law

The objects of the application of this Federal Law are as follows:

**nuclear installations** mean structures and complexes with nuclear reactors, including atomic power stations, ships and other crafts, spacecrafts and flying vehicles, other transportation and transportable facilities; structures and complexes with industrial, experimental and research nuclear reactors, critical and subcritical nuclear beds; structures, complexes, proving grounds, plants and devices with nuclear charges for peaceful uses; other structures containing nuclear materials, complexes and plants for the production, use, processing and transportation of nuclear fuel and nuclear materials;

**radiation sources** mean complexes that do not relate to nuclear installations, plants, apparatuses, equipment and products containing radioactive substances or generating ionizing irradiation;

**points of storage of nuclear materials and radioactive substances, radioactive waste repositories (hereinafter referred to as storage points)** mean the statutory facilities which do not relate to nuclear installations and radiation sources and the structures designed for the storage of nuclear materials and radioactive substances and for the storage or burial of radioactive waste;

"nuclear reactor fuel element" means an engineering item containing nuclear materials and intended for thermal energy production in a nuclear reactor by means of a controlled nuclear reaction;

"irradiated nuclear reactor fuel elements" means fuel elements that have been irradiated in a nuclear reactor and removed from it, such elements containing spent nuclear fuel;

**nuclear materials** denote the materials containing or capable of reproducing fissionable nuclear substances;

**radioactive substances** denote the substances with ionizing irradiation that do not belong to nuclear materials;

**radioactive waste** denotes nuclear materials and radioactive substances whose further use is not envisaged.

The inclusion of said objects in the listed categories shall be determined by the organization that uses them and fixed in a relevant document in the order, prescribed by the federal executive bodies in the sphere of state safety regulation in the use of atomic energy (hereinafter referred to as state safety regulation bodies).

The present Federal Law shall not extend to the objects containing or using nuclear materials and radioactive substances in the numbers and in the activity (and/or emitting ionizing irradiation with intensity or power) of less values, established by federal norms and regulations in the use of atomic energy, which require permits from the state safety regulation bodies in the matter of handling with said objects.

#### **Article 4.** The Types of Activity in the Sphere of Atomic Energy Use

The present Federal Law shall extend to the following types of activity in the sphere of atomic energy use:

the siting, designing, building, operating and the withdrawal from operation of nuclear installations, radiation sources and storage points;

the development, production, testing, transportation, storage, utilization and use of nuclear charges for peaceful uses, and the handling with them;

the handling with nuclear materials and radioactive substances during the prospecting and extracting mineral resources that contain these materials and substances and during the production, use, processing, transportation and storage of nuclear materials and radioactive substances;

the provision of safety during the use of atomic energy;

control over the nuclear , radiation, technical and fire safety (hereinafter referred to as safety) of nuclear installations, radiation sources and storage points and over the sanitary and epidemiological welfare of individuals during the use of atomic energy;

scientific research in all spheres of atomic energy use;

the physical protection of nuclear installations, radiation sources, storage points, nuclear materials and radioactive substances;

the recording and control of nuclear materials and radioactive substances;

the export and import of nuclear installations, equipment, technologies, nuclear materials, radioactive substances, special non-nuclear materials and services of using atomic energy;

state control over the radiation situation in the territory of the Russian Federation;

the training of specialist for the use of nuclear installations, radiation sources, storage points, nuclear materials and radioactive substances;

the fulfilment of activities of other types in the sphere of atomic energy use.

#### **Article 5.** Ownership of Nuclear Materials, Nuclear Installations, Storage Points, Radiation Sources and Radioactive Substances

Nuclear materials may be in federal ownership or in the ownership of legal entities.

A list of nuclear materials which may be solely in federal ownership shall be endorsed by the President of the Russian Federation.

A list of Russian legal entities (that is, of legal entities established in compliance with the legislation of the Russian Federation), which may have nuclear materials in ownership, shall be endorsed by the President of the Russian Federation.

In the Russian Federation shall be recognized the ownership of foreign states and foreign legal entities towards nuclear materials and products of their processing imported to the Russian Federation or acquired in the Russian Federation.

Nuclear installations may be in federal ownership or in the ownership of Russian legal entities whose list shall be endorsed by the President of the Russian Federation.

Storage points may be both in federal ownership or in the ownership of Russian legal entities, if not otherwise provided for by federal laws.

Radiation sources and radiation substances may be in federal ownership, in ownership of constituent entities of the Russian Federation, municipal ownership or in the ownership of legal entities.

The ownership of the facilities specified in this article shall be obtained and terminated for the reasons provided for by the civil legislation subject to the specifics established by this Federal Law.

Transactions of Russian legal entities involving the transfer of ownership of nuclear materials to a foreign state or a foreign legal entity shall be made by approbation of the federal executive power body

authorized by the Government of the Russian Federation in the procedure and under the terms which are established by the Government of the Russian Federation.

Transactions involving the transfer of nuclear materials and nuclear installations for ownership to Russian legal entities which are not included in the lists provided for by Parts Three and Five of this Article, as well as transactions involving the transfer of ownership of nuclear materials to a foreign state or a foreign legal entity which are made by Russian legal entities in defiance of the requirements of Part Nine of this Article, shall be null and void.

Nuclear materials which are in federal ownership, in the ownership of foreign states, Russian legal entities and foreign legal entities shall be handled, and nuclear installations and storage points which are in federal ownership or ownership of Russian legal entities shall be operated, by Russian organizations that have the appropriate permits (licences) to carry out works in the field of atomic energy use.

Handling of radioactive substances and operation of radiation sources which are in federal ownership, in the ownership of constituent entities of the Russian Federation, municipal ownership and ownership of legal entities shall be effected by organizations that have the appropriate permits (licences) to carry out works in the field of atomic energy use.

Owners of nuclear installations, radiation sources, storage points, nuclear materials and radioactive substances shall exercise control over their safekeeping and proper use in compliance with this Federal Law, other federal laws and other normative legal acts of the Russian Federation. The provisions of Article 22 of this Federal Law shall extend to the facilities specified in this Article.

The provisions of this article concerning nuclear materials shall extend to radioactive wastage containing nuclear materials. The provisions of this article concerning radioactive substances shall extend to radioactive wastage without nuclear materials contained therein.

#### **Article 6. Federal Standards and Rules in the Sphere of Atomic Energy Use**

Federal norms and rules (hereinafter referred to as standards and rules) in the sphere of atomic energy use shall introduce requirements for the safe use of atomic energy whose implementation is obligatory in any activity in the sphere of atomic energy use. The list of federal standards and rules in the sphere of atomic energy use, and also changes in the said list and additions to it shall be endorsed by the Government of the Russian Federation.

Standards and rules in the sphere of atomic energy use shall be elaborated and endorsed in the order, established by the Government of the Russian Federation.

The procedure for the elaboration of standards and rules in the sphere of atomic energy use shall provide for the preliminary publication in an official press organ of drafts of said standards and rules, except for the state secret norms and rules in the sphere of atomic energy use, and the possibility of their discussion.

Said standards and rules shall take into consideration the recommendations of international organizations in the sphere of atomic energy use, in the work of which the Russian Federation takes part.

The standards and rules in the sphere of atomic energy use shall be published in an official press organ, exception being made for the standards and rules in this sphere which constitute state secrets.

With their enforcement the said standards and rules shall be binding on all persons who carry on their activity in the sphere of atomic energy use and shall operate throughout the territory of the Russian Federation.

### **Chapter II. Powers of the President of the Russian Federation, the Federal Assembly of the Russian Federation, the Government of the Russian Federation and of Federal Executive Bodies in the Area of Atomic Energy Use**

#### **Article 7. The Powers of the President of the Russian Federation in the Use of Atomic Energy**

In the use of atomic energy the President of the Russian Federation shall:

- determine the basic trends of state policy in the sphere of atomic energy;
- make decisions on safety during the use of atomic energy;
- make decisions on the prevention or liquidation of consequences of emergency situations in the use of atomic energy;
- endorse the lists of Russian legal entities which may have in their ownership nuclear materials and nuclear installations;
- endorse the list of nuclear materials which may be solely in federal ownership;
- exercise other powers placed on them by federal laws.

#### **Article 8. The Powers of the Federal Assembly of the Russian Federation in the Use of Atomic Energy**

The Federal Assembly of the Russian Federation shall:

- adopt federal laws on the use of atomic energy;

- approve appropriations for financing the use of atomic energy within the framework of the federal budget;
- approve budget appropriations on measures to eliminate the consequences of emergency situations in the use of atomic energy;
- hold parliamentary hearings on the use of atomic energy.

**Article 9. The Powers of the Government of the Russian Federation in the Use of Atomic Energy**

In the use of atomic energy the Government of the Russian Federation shall:

- issue decisions and orders on the use of atomic energy on the basis and in pursuance of the Constitution of the Russian Federation, federal laws and normative decrees of the President of the Russian Federation;
- organize the drafting, endorse and implement federal goal-oriented programmes in the use of atomic energy;
- define the functions, the order of activity, the rights and duties of the bodies managing the use of atomic energy and the state safety regulation bodies in accordance with the legislation of the Russian Federation;
- manage nuclear materials, nuclear installations, radiation sources, storage points and radioactive substances held in federal ownership;
- make decisions on the designing, building, operating and withdrawing from operation of nuclear installations, radiation sources and storage points, which are held in federal ownership or which have federal or interregional importance, including those objects situated in the territory of closed administrative-territorial formations;
- make decisions on the development and production of nuclear installations, radiation sources and storage points which are held in federal ownership;
- adopt measures for the social protection of private persons, ensure the payment of socio-economic compensations for the negative impact of ionizing radiation and for additional factors of risk to the workers of the facilities using atomic energy;
- ensure the payment of sums of money to compensate the damage caused by radiation in keeping with Article 57 of this Federal Law;
- establish the order of export and import of nuclear installations, equipment, technologies, nuclear materials and services in the use of atomic energy;
- settle questions of the importation into the Russian Federation of used-up nuclear fuel for its processing, including the technological process of temporary storage before its processing, in accordance with law;
- provide within the scope of authority thereof the physical protection for nuclear materials, nuclear installations, storage points, as well as for radiation sources and radioactive substances held in federal ownership;
- exercise control over the implementation of the obligations of the Russian Federation under its international treaties and agreements on the use of atomic energy;
- coordinate the international cooperation of the Russian Federation in the use of atomic energy;
- exercise other powers entrusted to it by the Constitution of the Russian Federation, federal laws and decrees of the President of the Russian Federation.

**Article 10. Authority of Federal Executive Bodies**

The federal executive bodies shall:

- adopt decisions on the location of nuclear installations, radiation sources and storage points held in federal ownership or having federal or inter-regional importance in the order prescribed by the legislation of the Russian Federation;
- carry out a governmental expert examination of project documentation for facilities using atomic power in compliance with the legislation of the Russian Federation on town-planning activity;
- provide the protection of the rights of individuals in the use of atomic energy;
- ensure safety and environmental protection during the use of atomic energy;
- take measures aimed at the liquidation of the consequences of accidents in the use of atomic energy;
- shall exercise the authority of the owner in respect of nuclear installations, radiation sources, storage points and radioactive substances that are owned by the Russian Federation;
- take measures aimed at ensuring the safety of nuclear installations, radiation sources and storage points;
- decide on constructing nuclear installations, radiation sources and storage points that are in federal ownership or are of federal or interregional importance, on putting the said units out of operation, as well as on further storage of nuclear waste;
- arrange the physical protection of nuclear installations, radiation sources, storage points, nuclear materials and radioactive substances that are in federal ownership;

carry on the activity involving the training of specialists in the sphere of the use of atomic energy, including the training of specialists with the use of nuclear installations, radiation sources, nuclear materials and radioactive substances;

elaborate and realize the comprehensive programmes of the socioeconomic development and the ecological safety of the territories on which the objects of atomic energy use are located.

The authority established by Part One of this Article may be exercised by the State Atomic Power Corporation Rosatom in compliance with the Federal Law on the State Atomic Power Corporation Rosatom.

#### **Article 11. The Powers of the Organs of Executive Power of the Subjects of the Russian Federation in the Use of Atomic Energy**

The organs of executive power in the subjects of the Russian Federation shall:

exercise the powers of the owners of the radiation sources and radioactive substances held in the ownership of the subjects of the Russian Federation;

carry out measures for ensuring the safety of radiation sources, radioactive substances and radioactive waste not containing nuclear materials that are in the ownership of the subjects of the Russian Federation;

establish the order and organize the discussion of questions of the use of atomic energy with the participation of organizations, public associations and individuals;

shall decide on locating and constructing on the territories subordinate to them radioactive substances and radioactive waste not containing nuclear materials that are in the ownership of the subjects of the Russian Federation;

shall participate in protecting private persons and the environment against radiation that exceeds the limits fixed by the norms and rules of using atomic energy;

exercise control over the radiation safety of the population and environmental protection in the subordinate territories and over the readiness of organizations and individuals to resort to actions in case of accidents in the object of atomic energy use;

record and control radioactive substances in the subordinate territories within the framework of the system of state accounting and control of radioactive substances;

ensure the physical protection of radiation sources, radioactive substances and radioactive waste not containing nuclear material that are in the ownership of the subjects of the Russian Federation;

shall exercise other functions in the area of using atomic energy within the scope of their authority.

State power bodies of such subjects of the Russian Federation as the cities of federal importance Moscow and Saint-Petersburg may exercise in these subjects of the Russian Federation in compliance with the laws of the said subjects of the Russian Federation the authority referred by this federal law to the authority of local self-government bodies.

#### **Article 12. The Powers of the Local Self-government Bodies in the Use of Atomic Energy**

The local self-government bodies shall:

participate in the discussion and settlement of the questions of siting nuclear installations, radiation sources and storage points in the subordinate territories;

decide on locating and constructing on the territories subordinate to them of radiation sources, radiation substances and radioactive waste not containing nuclear materials that are in the ownership of municipal formations;

inform the population about the radiation situation in the subordinate territories through mass media.

### **Chapter III. The Rights of Organizations, Including Public Associations and Individuals in the Use of Atomic Energy**

#### **Article 13. The Rights of Organizations, Including Public Associations, and Individuals to Get Information about the Use of Atomic Energy**

Organizations, including public associations, and individuals shall have the right to request and receive in the statutory manner and within their jurisdiction from the corresponding executive bodies and organizations information about the safety of nuclear installations, radiation sources and storage points, planned for building, designing, operating and withdrawing from operation, except for information comprising state secrets.

Individuals shall have the right to receive free of charge information about the radiation situation in the given region from the organizations of the system of state control over the radiation situation on the territory of the Russian Federation.

Individuals who have been subjected to irradiation shall have the right to get a corresponding document on the radiation dose they have received. The procedure for the receipt of such a document and its form shall be determined by the federal public health bodies.

The heads of the organizations, including public associations, and of the mass media shall bear responsibility for the refusal to submit information, for the intentional distortion or the concealment of objective data on the safety of the use of atomic energy in conformity with the legislation of the Russian Federation.

Citizens of the Russian Federation shall have the right to visit for purposes of acquaintance nuclear installations, radiation sources and storage points. The procedure for paying visits to the objects of the use of atomic energy shall be established by the Government of the Russian Federation.

**Article 14. The Rights of Organizations, Including Public Associations, and Individuals to Take Part in the Formation of Policies in the Sphere of Using Nuclear Energy**

Organizations, including public associations and individuals shall have the right to take part in the discussion of the drafts of legislative acts and programmes on the use of atomic energy and also in the discussion of the questions concerning the siting, designing, building, operating and withdrawing from operation of nuclear installations, radiation sources and storage points.

Federal executive bodies within the scope of their authority shall be obliged to carry on with the participation of organizations, including public associations, and individuals the discussion of the questions of siting, designing and building objects using atomic energy.

According to the results of such discussion the federal executive bodies shall make decisions to be published without fail in official press organs. After their adoption these decisions may be appealed against with courts of law by the natural or juridical persons whose rights and law-protected interests have been breached.

Organizations, including public associations, shall have the right to recommend their representatives for the participation in the expert examination of nuclear installations, radiation sources and storage points at the stage of their siting, building, operating and withdrawing from operation.

**Article 15. The Right of Private Persons to the Compensation of Losses and Damage Caused by Radiation from the Use of Atomic Energy**

Private persons who have suffered from losses and damage as a result of radiation from the use of atomic energy shall have the right to the compensation of said losses and damage in full amount in accordance with Articles 53-60 of this Federal Law and other legislative acts of the Russian Federation.

**Article 16. The Right of the Workers of the Objects of Using Atomic Energy to Social Guarantees**

The workers of the nuclear installations, radiation sources and storage points, sent on business trips to said facilities, and also the workers engaged in any other works associated with nuclear materials and radioactive substances, shall have the right to social guarantee for the negative impact of ionizing irradiation on human health and for additional factors of risk. The persons who worked earlier on the facilities using atomic energy shall also have the right to social guarantee for the negative impact of ionizing irradiation on human health (including medico-sanitary service). Types and amounts of social guarantee for the negative impact of ionizing irradiation on human health and for additional factors of risk, and also the sources of their financing, shall be determined by the legislation of the Russian Federation.

Procedure for granting the said guarantees shall be determined by the Government of the Russian Federation.

**Article 17.** Abolished from January 1, 2005.

**Article 18.** Abolished from January 1, 2005.

**Article 19. The Rights of the Individual During Medical Procedures with the Use of Ionizing Irradiation**

Full information about the size of the planned or actually received dose of irradiation shall be granted to the individual at his request during medical examination or treatment.

The right to make a decision on the use of ionizing irradiation in the course of medical procedures shall be given to the individual or his legitimate representative.

#### **Chapter IV. State Management of Atomic Energy Use**

**Article 20. State Administration Bodies in Charge of Atomic Energy Use**

The state management of the atomic energy use shall be implemented by the federal executive bodies and the State Atomic Power Corporation Rosatom (hereinafter also referred to as the bodies managing the atomic energy use) in the order prescribed by this Federal Law, other federal laws and other normative legal acts of the Russian Federation.

In accordance with their statutes the bodies managing the use of atomic energy shall cover the following within their jurisdiction:

state scientific and technical, investment and structural policies in the sphere of the use of atomic energy;

the elaboration of measures aimed at ensuring the safe use of atomic energy;

the elaboration of norms and rules in the sphere of the use of atomic energy;

the elaboration of fire safety measures and those of the physical protection of nuclear installations, radiation sources, storage points, nuclear materials and radioactive substances;

the organization of the forces and means ready to take actions in case of emergency situations in the facilities using atomic energy and state control over the implementation of measures for their prevention;

the participation in the organization and conduct of the works of certifying equipment, products and technologies for nuclear installations, radiation sources and storage points;

state control over the observance of the requirements of state standards, rules of metrology and certification in the use of atomic energy;

state control over the radiation situation in the territory of the Russian Federation;

state accounting and control of nuclear materials and radioactive substances;

state control over the technical safety of ships and other crafts with nuclear plants and radiation sources;

the formation and realization of programmes of handling with radioactive waste;

other functions in accordance with the statutes of the bodies managing the use of atomic energy.

#### **Article 21. State Control over the Radiation Situation in the Territory of the Russian Federation**

State control over the radiation situation shall be exercised on the territory of the Russian Federation with the purpose of revealing in due time changes in the radiation situation, appraising, forecasting and preventing possible negative consequences of the radiation for the population and the environment, and also with the purpose of systematically providing day-to-day information to the organs of state power and the bodies managing the use of atomic energy, the organs of state safety regulation in the use of atomic energy and to the respective organizations for the adoption of necessary measures of preventing or reducing radiation.

Procedure for the organization and functioning of the system of state control over the radiation situation in the territory of the Russian Federation and the powers of the corresponding bodies exercising such control shall be determined by the Government of the Russian Federation.

#### **Article 22. State Accounting and Control over Nuclear Materials, Radioactive Substances and Radioactive Waste**

Nuclear materials, radioactive substances and radioactive waste, regardless of the property form, shall be subject to state accounting and control in the system of state accounting and control of nuclear materials and in the system of state accounting and control of radioactive substances and radioactive waste for estimation of the available quantity of these materials, substances and wastage in places of their location, for the prevention of losses, non-sanctioned use and thefts, for submission to the state power organs, to the bodies managing the use of atomic energy and to the bodies in charge of state safety regulation of information about the availability and movement of nuclear materials, radioactive substances and radioactive waste, and also about their export and import.

Procedure for the organization of the system of state accounting and control of nuclear materials and the system of state accounting and control of radioactive substances and radioactive waste, and also the bodies carrying out state accounting and control nuclear materials and state accounting and control of radioactive substances and radioactive waste shall be determined by the Government of the Russian Federation.

### **Chapter V. State Regulation of Safety in the Use of Atomic Energy**

#### **Article 23. State Regulation of Safety in the Use of Atomic Energy**

The state regulation the safe use of atomic energy shall provide for the activity of the appropriate federal executive bodies and the State Atomic Power Corporation Rosatom to organize the drafting, approval and enforcement of norms and rules in the sphere of the use of atomic energy. These bodies shall to issue permits (licenses) for the right to use atomic energy, supervise safety, carry on the expert examination and inspection, and exercise control over the development and realization of measures on the protection of the workers of the facilities using atomic energy and of the population and the environment in case of accidents during the use of atomic energy.

#### **Article 24. Federal Executive Bodies Responsible for State Safety Regulation in the Use of Atomic Energy**

State safety regulation in the use of atomic energy shall be effected by the appropriate federal executive bodies - by the state safety regulation bodies which regulate nuclear, radiation, technical and fire safety. The said bodies shall be independent of other state bodies, and also of the organizations whose activity is associated with the use of atomic energy.

Types of activity in the regulation of nuclear, radiation, technical and fire safety and the delimitation of the powers, rights, duties and responsibility of the corresponding bodies, and also the powers of the officials of said bodies shall be established in the statutes of the state safety regulation bodies.

The activity of the state safety regulation bodies shall be financed from the federal budget resources.

**Article 25. The Powers of the State Safety Regulation Bodies**

The state safety regulation bodies shall enjoy the following powers within their jurisdiction:

to submit for consideration by the bodies that enjoy the power of initiating legislation proposals on drafting laws dealing with safety in the use of atomic energy;

to work out, approve and enforce norms and rules in the use of atomic energy in keeping with the present Federal Law and the legislation of the Russian Federation;

to license the activity involving the use of atomic energy for the purpose of safety;

to supervise the observance of norms and rules in the use of atomic energy, the conditions of the validity of permits (licenses) for the right to carry works with the use of atomic energy;

to supervise nuclear, radiation, technical and fire safety;

to supervise the physical protection of nuclear installations, radiation sources, storage points, of nuclear materials and radioactive substances, the systems of the single state accounting and control of nuclear materials, radioactive substances and radioactive waste;

to carry on the expert examination of the safety of nuclear plants, radiation sources and storage points, including with the participation of independent experts;

to carry out inspections associated with their powers;

to take part in the organization and conduct of the works of certifying equipment, products and technologies for nuclear installations, radiation sources and storage points;

to exercise control over the protection of the environment and of natural resources during atomic energy use;

to exercise control over the spending of material and monetary means intended for the regulation of nuclear, radiation, technical and fire safety;

to exercise control over the implementation of the commitments of the Russian Federation in the sphere of safe use of atomic energy;

to apply administrative measures in the order, prescribed by the legislation of the Russian Federation.

**Article 26. Permits (Licenses) for the Right to Carry on Works in the Sphere of Using Atomic Energy**

In the present Federal Law the permit (license) for the right to use atomic energy shall be understood to be the properly completed document that confirms the right to engage in definite activity, provided there is safety of the facilities of using atomic energy and of relevant works.

Permits (licenses) for the right to carry on works with the use of atomic energy shall be issued by the state safety regulation bodies. Said permits (licenses) shall be issued to the organizations working in this sphere, and also to the organizations performing works and rendering services with the use of atomic energy.

The permit (license) for the right to carry on works with the use of atomic energy shall indicate the holder of the permit (license), the requirements and conditions needed for safety of the works and the validity term of the permit (license).

The list of activities with the use of atomic energy which require the receipt of permits (licenses) and the procedure for the issue and termination of the validity of permits (licenses) shall be established by the Government of the Russian Federation.

The introduction of new norms and rules in the sphere of using atomic energy shall not involve directly the termination of the validity or the change of the validity of permits (licenses) for the right to engage in works with the use of atomic energy.

Any activity with the use of atomic energy subject to licensing by the state safety regulation bodies shall not be allowed without the permit (license) for its conduct.

**Article 27. Permits for the Right to Carry Works with the Use of Atomic Energy, Issued to the Workers of the Facilities Using Atomic Energy**

Certain kinds of activity with the use of atomic energy shall be fulfilled by the workers of the facilities of using atomic energy, if they have permits issued by the state safety regulation bodies.

The list of specialists from among the workers who, depending on the kind of their activity, must receive permits for the right to use atomic energy, and also the qualification requirements made for these specialists shall be determined by the Government of the Russian Federation. The absence of medical and psychophysiological contra-indications shall be one of the obligatory conditions for the receipt of said permits.

The list of medical contra-indications and the list of posts to which these contra-indications extend, and also the requirements for medical inspections and psycho-physiological observations shall be determined by the Government of the Russian Federation.

In accordance with the legislation of the Russian Federation the worker who has such permission shall bear responsibility for breaches of law during the performance of works. With the breach of the conditions of the said permit, its validity may be terminated by the state safety regulation body that has issued this permit.

## **Chapter VI. The Siting and Building of Nuclear Installations, Radiation Sources and Storage Points**

### **Article 28. Decisions on the Place of Siting and on the Building of Nuclear Installations, Radiation Sources and Storage Points**

Decisions on the construction of nuclear installations, radiation sources and storage points held in federal ownership or having federal or interregional importance, or sited and built in the territory of closed administrative-territorial formations, shall be adopted by the Government of the Russian Federation.

Decisions on the place of siting of the said facilities shall be taken by the Government of the Russian Federation in coordination with state power bodies of the subjects of the Russian Federation.

Decisions on the place of siting and on building radiation sources, radiation substances and radioactive waste not containing nuclear materials that are in the ownership of the subjects of the Russian Federation shall be taken by state power bodies of the subjects of the Russian Federation on whose territory it is planned to site or build them.

Decisions on the place of siting, and on building, radiation sources, radiation substances and radioactive waste not containing nuclear materials that are in the municipal ownership shall be taken by the local self-government bodies on whose territories it is planned to site or build them.

Land plots and subsoil for siting nuclear installations, radiation sources and storage points shall be given in the order and on the conditions, established by the legislation of the Russian Federation.

Decisions on the siting and building nuclear installations, radiation sources and storage points shall be taken in compliance with the land legislation, legislation on town-planning activity and legislation on the environmental protection and with due account of the conclusion of expert examinations carried out by public associations.

The Government of the Russian Federation shall render the following decisions:

on placement and construction of nuclear installations, radiation sources and storage points, held in federal ownership or having federal or interregional importance, or sited and built in the territory of closed administrative and territorial formations. A Procedure for adopting decisions on placement and construction of nuclear installations, radiation sources and storage points, held in federal ownership or having federal or interregional importance, or sited and built in the territory of closed administrative and territorial formations shall be endorsed by the Government of the Russian Federation;

on the procedure for classifying nuclear installations, radiation sources and storage points as facilities of federal or interregional importance;

on the procedure for rendering decisions on placement and construction of nuclear installations, radiation sources and storage points, which are not held in state or municipal ownership or do not have federal or interregional importance, or are not sited and built in the territory of closed administrative and territorial formations.

### **Article 29. The Abrogation of a Decision on Building a Nuclear Installation, Radiation Source or a Storage Point**

The state body or organisation that has made a decision on building a nuclear installation, radiation source or storage point shall be obliged to abrogate its decision or to cease or suspend the construction of the appropriate facility in case of revealing additional factors leading to the reduction of the safety level of these facilities, the deterioration of the environment or to other unfavourable consequences. Proposals on the review of the adopted decision may be taken by the organs of state power, the local self-government bodies and public organisations (associations).

Losses, incurred in the cessation or the suspension of the construction of a nuclear installation, radiation source or storage point in case of the ascertainment in the process of their building of additional factors that reduce the safety level of these facilities, deteriorate the environment and entail other unfavourable consequences, shall be compensated in due course of law at the expense of the organizations, through the fault of which these factors have not been revealed and accounted in good time.

In all other cases the losses associated with the cessation or suspension of the construction of said facilities shall be compensated at the expense of the appropriate budget resources.

**Article 30.** Basic Safety Requirements for Nuclear Installations, Radiation Sources And Storage Points to Be Planned for Siting and Building

Nuclear installations, radiation sources and storage points shall be sited and built on the basis of the standards and rules of the use of atomic energy and of environmental protection subject to the requirements of legislation on town-planning activity.

Decisions on the siting and building a nuclear installation, radiation source or storage point shall be taken with due account of:

the requirements for them for the solution of the economic and defence tasks of the Russian Federation and its particular regions;

the existence of the conditions that meet the standards and rules of the use of atomic energy for the siting said facilities;

the absence of a threat to the safety of the nuclear installation, radiation source or the storage point from the civilian or military facilities situated close by;

possible social and economic consequences of the siting of said facilities of the use of atomic energy for the industrial, agricultural, cultural and household development of the region.

The respective governing body responsible for the use of atomic energy or the respective operating body shall submit for a state expert examination documents on the evaluation of the radiation impact of a nuclear installation, radiation source or a storage point on the environment within project documentation for the said facilities using atomic energy in compliance with the legislation of the Russian Federation on town-planning activity.

When constructing, reconstructing or overhauling nuclear installations, radiation sources or storage points, governmental building supervision shall be exercised by the federal executive body authorised to exercise governmental building supervision in compliance with the legislation of the Russian Federation on town-planning activity.

**Article 31.** The Establishment of a Sanitary Protective Zone and a Zone of Observation

Special territories - a sanitary protective zone and an observation zone - shall be established to protect the population in the area of siting a nuclear installation, radiation source or storage point.

Control over the radiation situation shall be exercised in the sanitary protective zones and the observation zones.

The dimensions and boundaries of a sanitary protective zone shall be determined in keeping with the standards and rules of the use of atomic energy by the draft of this zone that is to be agreed upon with the bodies of state sanitary and epidemiological supervision and endorsed by the local self-government bodies of municipal districts or city circuits.

It shall be forbidden in the sanitary protective zone to site dwelling houses and public buildings, institutions for children, and also medical and health-building institutions, public catering establishments, subsidiary or other structures and facilities, which have no bearing on the functioning of the near by nuclear installation, radiation source or storage point or which have not been provided for by the approved design of the sanitary protective zone.

The existing facilities and structures situated in a sanitary protective zone may be used for economic purposes in case of the changed character of their use on the proposal of the organization that runs them with the permission of the state safety regulation body concerned.

The need for the establishment of an observation zone and its dimensions and boundaries shall be determined in the respective design on the basis of the safety characteristics of the facilities using atomic energy and shall be agreed upon with the bodies of state sanitary and epidemiological supervision.

Restrictions on the economic activity may be introduced in the observation zone by the bodies of state sanitary and epidemiological supervision in accordance with the legislation of the Russian Federation.

Losses caused by the establishment of a sanitary protective zone or an observation zone shall be compensated by the organization that operates said facilities in conformity with the legislation of the Russian Federation.

The sanitary protective zone or the observation zone may be limited by the territory of a facility, building or other premise for some facilities using atomic energy in accordance with the safety characteristics of these facilities.

**Article 32.** The Acceptance for Operation and the Commissioning of Nuclear Installations, Radiation Sources and Storage Points

Nuclear installations, radiation sources and storage points shall be accepted for operation together with the facilities of production and household designation, envisaged in the design of said facilities using atomic energy.

Nuclear installations, radiation sources and storage points shall be commissioned, if the operating organizations have the permissions (licenses), issued by the respective bodies of state safety regulation for their running.

**Article 33.** The Withdrawal of Nuclear Installations, Radiation Sources and Storage Points from Operation and the Restriction of Their Operation Characteristics

Procedure and measures of the withdrawal from operation of nuclear installations, radiation sources, and storage points shall be provided for by the project of the facility using atomic energy in conformity with the standards and rules of using atomic energy.

Procedure for the formation of sources of financing the works associated with the operation of nuclear installations, radiation sources, and storage points shall be established by the Government of the Russian Federation and defined before they are put into operation.

Proposals on the withdrawal from operation of nuclear installations, radiation sources, and storage points until the service life, fixed in the project of the atomic energy facility is used up, or proposals on the limitation of the design technical and economic indices of their work be tabled by the organs of state power of the Russian Federation, the organs of state power of the subjects of the Russian Federation, and also by the local self-government bodies and public associations in the presence of appropriate justifications.

Decisions on the anticipatory withdrawal of nuclear installations, radiation sources, and storage points from operation shall be made by the bodies of state power, the State Atomic Power Corporation Rosatom or the local self-government bodies within the scope of their authority which have made decisions on their construction, or by their corresponding legal successors and shall be brought to the notice of the operating organization in advance with due account of the technological and ecological possibilities of this organization.

In case a decision has been adopted on the anticipatory withdrawal of nuclear installations, radiation sources, and storage points from operation or on the limitation of their operating characteristics due to the factors other than the technical or ecological factors, the losses caused by such a decision shall be compensated from the monetary resources of the bodies which have made this decision or of the State Atomic Power Corporation Rosatom. A decision on the compensation of losses (in case of a dispute) shall be taken in due course of law.

## **Chapter VII. The Legal Status of Organizations Operating in Atomic Energy Use**

**Article 34.** The Organization Operating in the Use of Atomic Energy

The operating organization is an organization set up in conformity with the legislation of the Russian Federation and recognized in the procedure and under the terms and conditions established by the Government of the Russian Federation by the relevant body managing the use of atomic energy as fit to operate a nuclear installation, radiation source or storage point and to carry on with its own forces or with the attraction of other organizations the activity involved in the siting, designing, building, operating and withdrawing from operation of a nuclear installation, radiation source or storage point, and also to carry on the activity associated with the treatment of nuclear materials and radioactive substances. In order to carry on the said types of activity, the operating organization shall have permits (licenses) issued by the corresponding state safety regulation bodies for the right to carry out works in the sphere of the use of atomic energy.

The operating organization shall have the powers, financial, material and other resources sufficient for the discharge of its functions.

Together with the relevant bodies managing the use of atomic energy, the operating organization shall set up a special fund to finance the costs associated with the withdrawal of a nuclear installation, radiation source, or storage point, with handling of spent nuclear fuel from operation and to finance scientific research and development works for the justification and raising of the safety of said facilities.

Procedure, sources of the formation and the order of use of this fund shall be established by the Government of the Russian Federation.

It shall be impermissible to interfere in the activity of the operating organization with regard to the operation of the nuclear installation, radiation source or the storage point, except for the cases, envisaged by the present Federal Law, federal laws and other legal acts of the Russian Federation.

**Article 35.** The Responsibility and Duties of the Operating Organization for the Safety of a Nuclear Installation, Radiation Source and Storage Point

The operating organization shall bear full responsibility for the safety of a nuclear installation, radiation source and storage point, and also for the improper handling of nuclear materials and radioactive substances. In case the operating organization is deprived of the permit (license) for the operation of a nuclear installation, radiation source and storage point, it shall continue to bear responsibility for the safety of the nuclear installation, radiation source and storage point until the said facilities are transferred to another operating organization or until the receipt of a new permit (license). If the operating organization is unable to ensure the safety of the facilities, the responsibility for the security and proper handling shall be borne by the corresponding body managing the use of atomic energy, which is dutybound to ensure the safety of these facilities prior to the creation of a new operating organization.

The operating organization shall work out and implement measures for the maintenance of the safety of a nuclear installation, radiation source or storage point, shall set up, whenever necessary, special services to exercise control over safety, submit information about the safety of the nuclear installation, radiation source or the storage point to the state safety regulation bodies.

The operating organization shall ensure:

the use of a nuclear installation, radiation source and storage point only for the purposes for which they are intended;

the organization and coordination of the elaboration and fulfilment of the programmes of ensuring quality at all the stages of creating, operating and withdrawing from operation of a nuclear installation, radiation source and storage point;

the elaboration and realization of measures aimed at the prevention of accidents in a nuclear installation, radiation source and storage point and at the reduction of their negative consequences for the workers of said facilities, the population and the environment;

the safe handling with nuclear materials and radioactive substances by the workers of the facilities using atomic energy and their safekeeping;

the realization of the rights of the workers of the facilities using atomic energy to social guarantees;

the accounting of individual doses of irradiation of the workers employed in the facilities using atomic energy;

the elaboration and realization within its jurisdiction of measures to protect workers and the population of large in case of an accident on a nuclear installation, radiation source or a storage point;

the record-keeping and control of nuclear materials and radioactive substances;

the physical protection of a nuclear installation, radiation source, storage point, nuclear materials and radioactive substances;

the elaboration and realization of measures of fire safety;

radiation control in the sanitary protective zone and the observation zone;

the selection, training and maintenance of the skill of the workers of a nuclear installation, radiation source, storage point and the creation of requisite social and everyday condition in production;

the informing of the population about the radiation situation in a sanitary protective zone or an observation zone;

the exercise of other powers, introduced by normative legal acts.

**Article 36.** The Duties of the Operating Organization to Protect the Workers of the Facilities of Using Atomic Energy, the Population, the Environment in Case of Accident in a Nuclear Installation, Radiation Source or Storage Point

In case of an accident in a nuclear installation, radiation source, or a storage point at which there is the discharge of radioactive substances to the environment over and above the fixed limits, the operating organization shall be obliged to supply the day-to-day information about the radiation situation of corresponding organs of state power, the local government authorities and the population of the most threatened territories, the bodies managing the use of atomic energy, the state safety regulation bodies, the services of the system of state control over the radiation situation in the territory of the Russian Federation and the Russian system of warning and actions in emergency situations.

During the works of preventing the development of an incident or liquidating its consequences irradiation of workers (including those sent on a business trip) over and above the fixed dose limits may be admitted (not higher than the dose of potentially dangerous irradiation, fixed by normative documents) only when there is no possibility of taking other measures that exclude said irradiation and may be justified only during the saving of people, the prevention of massive irradiation, and also during the threat of considerable radioactive contamination of the environment. The management of an operating organization shall be obliged to inform the workers who take part in these works about the possible risk of irradiation over and above the fixed dose limits and to obtain their consent to this, and also the permit of the respective public health bodies of the Russian Federation.

The duties and procedure of actions of the operating organization, and also the order of its cooperation with the organs of state power, the local self-government bodies and the bodies managing the use of atomic energy in the implementation of measures of protecting the workers of the facilities

using atomic energy and the population at large in case of an incident, including during the transportation of nuclear materials and radioactive substances, shall be envisaged by the plans for said measures. The procedure for the elaboration and approval of such plans shall be established by the standards and rules of the use of atomic energy.

**Article 37. Organizations Performing Works and Rendering Services for the Operating Organization**

Organizations which carry out scientific research, surveys, designing, building and withdrawing of nuclear installations, radiation sources, or storage points from operation, the designing and manufacture of equipment for them, and which perform other jobs and render other services in the use of atomic energy shall ensure the performance of the works and the rendering of services in such scope and quality which meet the standards and rules of the use of atomic energy and shall bear responsibility for the quality of the performed jobs and provided services during the life service of the nuclear installation, radiation source, storage point or of the equipment manufactured for them.

The body managing the use of atomic energy shall recommend the organization responsible for the designing of a nuclear installation or a storage point.

The manager of the organization (state unitary enterprise) that is responsible for the designing of the nuclear installation or the storage point shall be appointed by decision of the body managing the use of atomic energy on the basis of the powers granted to it by the Government of the Russian Federation.

Equipment, products and technologies for nuclear installations, radiation sources and storage points shall be subject to obligatory certification in conformity with the legislation of the Russian Federation.

With the cessation of the activity of the organizations which perform works and render services in the use of atomic energy for the operating organization, the responsibility, provided for all the kinds of activity of such organizations, shall be borne by the other organization, recognized by the corresponding body that manages the use of atomic energy.

**Article 38. Labour Relations and the Discipline of the Workers Whose Activity is Associated with the Use of Atomic Energy**

The labour relations and the discipline of the workers whose activity is associated with the use of atomic energy shall be regulated by the labour legislation of the Russian Federation.

In the organizations with especially hazardous production, the labour relations and the discipline of said workers shall be regulated by disciplinary rules in addition to the labour legislation of the Russian Federation. The list of such organizations shall be compiled by the Government of the Russian Federation.

Specific features of the labour conditions and the social and welfare provision of certain categories of the workers of nuclear installations, radiation sources and storage points shall be defined by the Government of the Russian Federation and by the terms and conditions of appropriate labour contracts.

**Article 39. Public Undertakings on the Territory of Nuclear Installations and Storage Points**

It shall be forbidden to hold non-sanctioned meetings, rallies, demonstrations and other non-sanctioned public undertakings on the territory of a nuclear installation or a storage point and in their sanitary protective zones.

It shall be impermissible to organize and hold meetings, demonstrations, pickets, to block transport communications and other public undertakings beyond the territory of nuclear installations and storage points, and also strikes, if these actions may result in the breach of the working capacity of a nuclear installation or a storage point, will complicate the discharge of the official duties of the workers of nuclear installations or storage points or will give rise to other threats to the safety of the population, the environment, the health, rights and lawful interests of other persons. Protests against the prevention or prohibition of said actions may be permitted in the order, prescribed by the legislation of the Russian Federation.

The damage caused to the operating organization as a result of said actions encroaching on the safe operation of a nuclear installation or storage point shall be compensated by guilty persons and organizations (in case of a dispute) in due course of law.

**Chapter VIII. Special Conditions for the Building and Operation of Ships and Other Crafts with Nuclear Power Plants and Radiation Sources**

**Article 40. Basic Requirements Made to Ships and Other Crafts with Nuclear Power Plants and Radiation Sources**

In designing, building, operating and withdrawing from operation ships and other crafts with nuclear power plants and radiation sources it is necessary to observe the standards and rules in the field

of using atomic energy, state standards and rules of the Sea Register, the nature conservation and other legislation of the Russian Federation.

The compliance of ships and other crafts with nuclear installations and radiation sources with these requirements shall be confirmed by relevant documents.

The liability for the safety of ships and other crafts with nuclear power plants and radiation sources shall be borne at the stage of their construction and commissioning by the head designing organization and shipbuilding organizations and by the operating organizations after they have been accepted for operation.

The master and members of ship crew of the vessels and other crafts with nuclear plants and radiation sources shall have special training in the field of using atomic energy, and also possess permits issued by relevant state safety regulation bodies for the right to operate them.

The commissioning of ships and other crafts with nuclear plants and radiation sources shall be permitted, if the operating organization has pertinent permits.

#### **Article 41. Calls of Ships and Other Crafts with Nuclear Plants and Radiation Sources at Ports of the Russian Federation**

The list of the ports of the Russian Federation in which the calls of ships and other crafts with nuclear installations and radiation sources, including those in distress, shall be determined by the Government of the Russian Federation.

The order of calls at ports of the Russian Federation by ships and other crafts with nuclear power plants and radiation sources shall be determined by the normative legal acts and rules, agreed upon with the state safety regulation bodies.

The administration of the port of the Russian Federation to which the calls of ships and other crafts with nuclear power plants and radiation sources are permitted shall have the plan of measures of protecting the port workers and other persons to be found in the port's territory and in its water area from accidents on such ships, necessary. The liability for the realization of the plan of measures of protecting the population in the area adjacent to the port in case of such accidents shall be borne by the respective federal executive bodies.

Ships and other crafts with nuclear power plants and radiation sources which are in distress may call at the ports of the Russian Federation only in case of a preliminary notification of the corresponding port administration and local self-government bodies.

#### **Article 42. Prevention of Radioactive Contamination of the Environment by Ships and Other Crafts with Nuclear Plants and Radiation Sources**

Releases of nuclear materials and radioactive substances into oceans, seas, rivers and inland reservoirs from ships and other crafts with nuclear installations and radiation sources exceeding the limits set by standards and rules in the field of atomic energy shall not be allowed. During repairs on said ships and other crafts, and also after the stop of nuclear installations and radiation sources and before they are withdrawn from operation, measures shall be provided to prevent the radioactive contamination of waters.

In case of a leak of radioactive substances over and above the fixed limits from ships and other crafts with nuclear power plants and radiation sources, of these ships and other crafts shall be obliged to take all due measures to stop or limit the leak of radioactive substances, their spread in the environment and forthwith inform about the occurrence the state safety regulation bodies and state bodies supervising and monitoring the radiation situation in the territory of the Russian Federation. The masters and crew leaders shall notify other ships, nearby populated centres and ports in the zone of possible radiation, and also the respective local self-government bodies.

The statutes situated in the zone of possible radiation impact as a result of a radiation incident in ships and other crafts with nuclear power plants and radiation sources shall be notified about this in accordance with the international treaties and agreements of the Russian Federation and the legislation of the Russian Federation.

### **Chapter IX. Special Conditions for the Operation of Space Crafts and Aircrafts with Nuclear Power Plants and Radiation Sources**

#### **Article 43. Safety of Spacecrafts and Flying Vehicles with Nuclear Power Plants and Radiation Sources**

In designing, building and operating spacecrafts and aircrafts with nuclear power plants and radiation sources, and also with the use of the energy of radioactive substances it is necessary to observe the standards and rules in the field of using atomic energy, and also the requirements for environmental protection.

If troubles appear on board a spacecraft or an aircraft with a nuclear power plant or radiation sources which can cause an unscheduled return of nuclear materials or radioactive substances to the Earth, the interested States shall be notified about these and assisted in case of necessity in accordance with the international treaties or agreements of the Russian Federation and its legislation.

Local self-government bodies and safety regulation bodies shall be notified and the population assisted in case of necessity in the order determined by the Government of the Russian Federation and the organs of state power of the subjects of the Russian Federation.

## **Chapter X. Handling with Nuclear Materials, Radioactive Substances and Radioactive Waste**

### **Article 44. State Policy in the Field of Handling with Nuclear Materials, Radioactive Substances and Radioactive Waste**

State policy in the field of handling with nuclear materials, radioactive substances and radioactive waste shall provide for a comprehensive solution to the problems of the rating of their reception, formation, use, physical protection, collection, registration and accounting, transportation and storage.

State policy in the field of handling with nuclear materials, radioactive substances and radioactive waste shall be determined by the present Federal Law and other laws on the regulation of the handling with nuclear materials, radioactive substances and radioactive waste.

### **Article 45. Transportation of Nuclear Materials and Radioactive Substances**

Nuclear materials and radioactive substances shall be transported in keeping with special rules and rules of transporting especially dangerous cargoes, with standards and rules in the field of atomic energy, the legislation of the Russian Federation in the area of environmental protection.

The rules for the transportation of nuclear materials and radioactive substances shall provide for the rights, duties and liability of the consignor, carrier and consignee for safety measures, physical protection, the system of agreed measures aimed at the prevention of transport accidents and incidents during the transportation of nuclear materials and radioactive substances, requirements for packaging, marking and transport vehicles, measures of localization and liquidation of the consequences of possible accidents during the transportation of said materials and substances. The rules for the transportation of nuclear materials and radioactive substances shall provide for all possible types of transport means.

The carrier of nuclear materials and radioactive substances shall have a permit (license), granted by the respective state safety regulation body, for the right to carry on works in the field of atomic energy.

Foreign organisations holding the appropriate permit (licence) for the right to carry out works in the field of atomic energy use which are issued by federal executive bodies or the State Atomic Power Corporation Rosatom may transport (convey) nuclear materials while effecting international sea or air carriage.

### **Article 46. Prevention of Transport Incidents and Accidents During the Transportation of Nuclear Materials and Radioactive Substances**

During the transportation of nuclear materials and radioactive substances the transport organization shall be obliged to carry out measures of preventing transport incidents and accidents and of liquidating their consequences, and also measures of protecting the workers of the facilities using atomic energy, the population at large, the environment and material values with the participation of the consignors and consignees of said products, the operating organizations and, whenever necessary, the local self-government bodies, the corresponding state safety regulation bodies, including the bodies of state sanitary and epidemiological supervision, the organs of internal affairs and civil defence formations.

To abolish the consequences of accidents during the transportation of nuclear materials and radioactive substances, use shall also be made of the regional average formations of operating organizations. Procedure for the formation, functioning and financing the regional average formations of operating organizations shall be established by the Government of the Russian Federation.

### **Article 47. The Storage and Processing of Nuclear Materials, Radioactive Substances and Radioactive Waste**

The workers of the facilities using atomic energy and the population and the environment shall be safety protected against impermissible radiation and radioactive contamination during the storage and processing of nuclear materials, radioactive substances and radioactive waste. The storage of radioactive waste shall be regarded as a definite stage in their preparation for processing or bury. The used-up nuclear fuel shall be processed for the extraction of valuable components out of it in conformity with the legislation of the Russian Federation. The temporary technological storage of irradiated nuclear reactor fuel elements, for the purpose of achieving a higher safety and cost-efficiency in the subsequent handling and processing thereof aimed at extracting valuable components from them shall be carried on under Russian law.

### **Article 48. Storage or Bury of Radioactive Waste**

During its storage or burial radioactive waste shall be safety isolated from the environment, and the present and future generations of people and biological resources shall be protected against radiation over and above the levels fixed by the standards and rules of using atomic energy.

Storage or burial of radioactive waste shall be allowed in specially intended storage points only. Storage and bury of radioactive waste shall be stipulated by the design or technical documentation as an obligatory stage of any cycle of nuclear technology. The procedure for the organization, collection and bury of radioactive waste, and also the bodies carrying such activity shall be determined by the Government of the Russian Federation in accordance with the legislation of the Russian Federation.

## **Chapter XI. Physical Protection for Nuclear Power Plants, Radiation Sources, Storage Points, Nuclear Materials and Radioactive Substances**

### **Article 49. Physical Protection for Nuclear Installations, Radiation Sources, Storage Points, Nuclear Materials and Radioactive Substances**

The physical protection of nuclear installations, radiation sources, storage points, nuclear materials and radioactive substances shall provide for a single system of planning, coordinating, controlling and realizing the complex of technical and organizational measures, which are aimed at:

the prevention of a non-sanctioned penetration into the territory of nuclear installations, radiation sources and storage points, the prevention of a non-sanctioned access to nuclear materials and radioactive substances, the prevention of their theft and spoilage;

the timely disclosure and suppression of any encroachments on the wholeness and preservation of nuclear materials and radioactive substances, the timely revelation and suppression of acts of sabotage and terrorism threatening the safety of nuclear installations, radiation sources and storage points;

the discovery and return of lost or stolen nuclear materials and radioactive substances.

Physical protection for nuclear installations, radiation sources, storage points, nuclear materials and radioactive substances shall be provided at all the stages of the designing, building, operating and withdrawing from operation of said facilities using atomic energy, and also in case of handling with nuclear materials and radioactive substances, including during the transportation of nuclear materials and radioactive substances.

Physical protection for nuclear installations, radiation sources and storage points of nuclear materials and radioactive substances shall be provided by the operating organizations and the appropriate federal executive bodies within the scope of their authority, and in ships and other crafts with nuclear power plants and radiation sources, spacecrafts and flying vehicles with nuclear power plants - by their crews.

The physical protection of nuclear installations, radiation sources, storage points, nuclear materials and radioactive substances shall be supervised by the state safety regulation bodies.

To discharge the functions of providing physical protection for the facilities using atomic energy, it is possible to attract the organs of internal affairs and the security service bodies.

### **Article 50. Requirements for the Physical Protection of Nuclear Installations, Radiation Sources, Storage Points, Nuclear Materials and Radioactive Substances**

Requirements for the physical protection of nuclear installations, radiation sources, storage points, nuclear materials and radioactive substances shall be fixed by the standards and rules of using atomic energy.

Physical protection for nuclear installations, radiation sources, storage points, nuclear materials and radioactive substances shall be provided in conformity with the international commitments of the Russian Federation in the field of using atomic energy.

It shall be banned to operate nuclear installations, radiation sources and storage points, and also to carry on any works of using nuclear materials and radioactive substances, kept in any form and at any stage of production, use, processing, transportation or storage, unless measures are adopted for meeting the requirements for the physical protection of said facilities using atomic energy.

### **Article 51. The Restriction of the Rights of Persons to Be Found on the Territory of a Nuclear Installation, Radiation Source, Storage Point or an Organization Dealing with Nuclear Materials or Radioactive Substances**

The workers of the facilities using atomic energy and the individuals visiting the facilities that use atomic energy with the purpose of acquaintance, and also their things and transport vehicles may be inspected with the use of special means in order to ensure the physical protection of a nuclear installation, radiation source, storage point or an organization dealing with nuclear materials or radioactive substances on the territory of their location.

### **Article 52. Access of Persons to the Work in a Nuclear Installation, Radiation Source or Storage Point with Nuclear Materials and Radioactive Substances**

Persons who satisfy the corresponding qualification requirements, and also persons who have received the access to the work in a nuclear installation, radiation source or storage point with nuclear

materials and radioactive substances shall be admitted to said work associated with state secrets in accordance with state safety requirements, established by the legislation of the Russian Federation.

Persons with the list of limitations of medical contra-indications for the access to the work in a nuclear installation, radiation source or storage point with nuclear materials and radioactive substances shall not be admitted to this work.

## **Chapter XII. Liability for Losses and Injury Inflicted by Radiation on Juridical and Natural Persons and on Human Health**

### **Article 53. Liability for the Losses and Injury Inflicted by Radiation on Juridical and natural persons and on Human Health**

The civil-law liability for the losses and injury inflicted by radiation on juridical and natural persons during the works of using atomic energy shall be borne by the operating organization in the order, prescribed by the legislation of the Russian Federation.

The injury inflicted on the lives and health of individuals by radiation or the combination of radiation and toxic, explosive or other dangerous effects shall be subject to compensation.

If in addition to the losses caused by radiation other losses have been inflicted, which cannot be separated justifiably from the losses caused by radiation, such losses shall be compensated on the basis of the present Federal Law.

### **Article 54. Grounds for Civil-Law Liability for the Losses and Injury Caused by Radiation**

The liability of the operating organization for the losses and injury inflicted by radiation shall set in, regardless of the fault of the operating organization pursuant to the present Federal Law.

The operating organization shall be absolved from the liability for the losses and injury caused by radiation as a result of force majeure, hostilities, armed conflicts and the victim's intent.

If the operating organization proves that said losses and injury have been inflicted wholly or partially due to the intent of the person who has suffered the losses and injury, the said operating organization shall be absolved wholly or partially from the liability for the infliction of losses and injury to such person. The said organization shall be released from the compensation of losses and injury in due course of law.

### **Article 55. The Types and Limits of Liability for the Losses and Injury Caused by Radiation**

Types and limits of the liability of the operating organization for the losses and injury caused by radiation depending on the type of the facility using atomic energy shall be established by the legislation of the Russian Federation.

The maximum limits of liability for the losses and injury caused by radiation in any one incident may not be larger than the limit, fixed by the international treaties and agreements of the Russian Federation.

### **Article 56. Financial Security of Civil-Law Liability for the Losses and Injury Caused by Radiation**

The operating organization shall be obliged to have the financial security of the limit of liability, set by Article 55 of this Federal Law. In case of the compensation of the losses and injury caused by radiation the financial security shall consist of the state guarantee or any other guarantee, the availability of its own financial resources and its insurance policy (contract).

The documentary confirmation of said financial security shall be an indisputable condition for the receipt by the operating organization of a permit (license), issued by the corresponding state safety regulation body for the operation of a nuclear installation, radiation source or storage point.

The terms and order of insurance of civil liability for the losses and injury caused by radiation, the order and sources of the formation of an insurance fund, and also the order of payment of social guarantees shall be defined by the laws of the Russian Federation.

Neither the insurer nor any other person who submits the financial security for said liability pursuant to this Article may suspend or terminate insurance or any other financial security without notifying in writing about this three months before the suspension or cessation of insurance or any other financial security the respective state safety regulation bodies or during the period of the transportation of nuclear materials and radioactive substances, when such insurance or any other financial security concerns the transportation of nuclear materials and radioactive substances.

### **Article 57. The Participation of the State in the Compensation of the Losses and Injury Caused by Radiation**

The Government of the Russian Federation shall ensure the payment of money in compensation for the losses and injury caused by radiation and the liability borne by the operating organization for which in the part in which the caused losses and injury exceed the limit of liability set for this operating organization, fixed by Article 55 of this Federal Law, by means of submitting the necessary amounts of

money until the full compensation of the caused losses and injury, and also in cases, provided for by the legislation of the Russian Federation.

**Article 58. Statute of Limitations for the Compensation of the Losses and Injury Caused by Radiation**

The Statute of Limitations shall not extend to the requirements for the compensation of the losses and injury caused by radiation on the lives and health of individuals. The period of limitation with regard to the requirements for the compensation of the losses and injury caused by radiation to property or the environment shall be fixed as three years from the day when the person learned or should have learned about the violation of his right.

**Article 59. The Compensation of the Damage Caused by Radiation to the Environment**

The operating organization shall bear liability for the damage caused by radiation to the environment in accordance with this Federal Law, the Law of the Russian Federation on the Protection of the Environment, the laws and other legal acts of the Russian Federation, and also with the laws and other normative legal acts of the subjects of the Russian Federation.

Actions for the compensation of losses shall be brought against the operating organization by the organs of state power and the local self-government bodies specially authorized therefor by the state bodies responsible for environmental protection.

**Article 60. The Compensation of the Injury Caused by Radiation by the Workers of Nuclear Installations, Radiation Sources and Storage Points During the Fulfilment of Their Labour Duties**

An injury caused by radiation to the lives or health of the workers (including those sent on business trips) of nuclear installations, radiation sources and storage points, and also to the lives or health of the workers engaged in any other works with the use of nuclear materials or radioactive substances in connection with the discharge of their labour duties, shall be compensated in accordance with the legislation of the Russian Federation.

**Chapter XIII. Responsibility for Breaking the Legislation of the Russian Federation in the Sphere Atomic Energy Use**

**Article 61. The Responsibility of the Officials of the Organs of State Power, Local Self-government Bodies, the Bodies Managing the Use of Atomic Energy, the State Safety Regulation Bodies, the Operating Organizations and the Organizations Performing Works and Rendering Services for Operating Organizations, the Workers of Nuclear Installations, Radiation Sources and Storage Points, the Workers of the Organizations Engaged in Other Activity in the Field of Using Atomic Energy, and Also Individuals for Breaking the Legislation of the Russian Federation in the Field of Using Atomic Energy**

The violation of the legislation of the Russian Federation in the field of using atomic energy by the officials of the organs of state power, local self-government bodies, the bodies managing the use of atomic energy, the state safety regulation bodies, the operating organizations and the organizations engaged in works and rendering services for the operating organizations, by the workers (including those sent on business trips) of the nuclear installations, radiation sources and storage points, the workers (including those sent on business trips) of the organizations engaged in other activity in the field of using atomic energy, and also by private persons, shall entail the responsibility in accordance with the legislation of the Russian Federation.

Such violations include the following:

- the breach of the standards and rules in the field of using atomic energy;
- the breach of the terms of permits (licenses) for the right to carry on works in the field of using atomic energy;
- the non-fulfilment or improper fulfilment of the orders of the state safety regulation bodies;
- the work in a nuclear installation, radiation source or storage point, and also the treatment of nuclear materials and radioactive substances without said permit;
- the issue of said permit (license) and orders by the officials of state safety regulation bodies with the violation of the set procedure;
- the non-observance of the requirements for siting a nuclear installation, radiation source or storage point;
- the delivery, assembly and commissioning of the faulty equipment of a nuclear installation, radiation source and storage point;
- the acceptance for operation of a nuclear installation, radiation source and storage point without the building and commissioning of all said facilities, envisaged in the design;
- the acceptance for operation of a nuclear installation, radiation source and storage point without the realization of measures for the protection of workers and those sent on business trips in the facilities using atomic energy and of the population at large in the adjacent areas and of the environment;

the non-fulfilment of their official duties by the workers of a nuclear installation, radiation source or storage point;

the quitting on their own of a nuclear installation, radiation source or storage point by the workers from the shift on duty;

the non-fulfilment of their official duties by the persons, indicated in the first paragraph of this Article, in critical situations which has entailed or could have entailed human victims, the unwarranted irradiation or the radioactive contamination of the environment;

the access to the work in a nuclear installation, radiation source or storage point of the workers without relevant documents certifying the skill of the workers with medical contra-indications for the work in said facilities, and also of the persons below 18 years of age;

the direct or indirect compulsion of workers by the said officials to break the regulations and instructions on the operation of a nuclear installation, radiation source or storage point;

violent actions that prevent the said officials and the workers of operating organizations to fulfil their labour duties;

the evasion of officials and other workers from the discharge of their duties according to the applicable plan for the protection of the workers engaged in the facilities using atomic energy and of the population at large in cases of accidents;

the sending by the official of the workers employed in the facilities using atomic energy to the dangerous radiation zones with the possible excess of the dose limits and the admissible levels of radiation without the consent of said workers and without informing them about the possible levels of irradiation, and also with the violation of the standards, rules and instructions provided for these conditions;

the creation of the hindrances to the discharge of the functions by the officials of state safety regulation bodies;

the unjustified or intentional release or discharge of radioactive substances to the atmosphere, water or subsoil in quantities exceeding the maximally admissible levels;

the concealment of an accident or the violation of the procedure for the informing about the accident in the nuclear installation, radiation source or the storage point, the concealment of information about the radiation contamination of the environment, and also the issue of deliberately false information about the radiation situation in the said facilities;

the refusal to submit information, the deliberate distortion or concealment of information on safety during the use of atomic energy;

the violation of the requirements for the physical protection of a nuclear installation, radiation source, storage point, nuclear materials and radioactive substances;

the violation of the existing order of accounting and control of nuclear and radioactive substances;

the theft, illegal use, acquisition, storage, transfer, sale or destruction of nuclear materials, radioactive substances and radiation sources; the concealment of information about the known, prepared or committed actions;

the demand for or compulsion for the commission of certain actions (inaction) fraught with the threat of using nuclear materials and radioactive substances for criminal purposes;

the involvement of products containing radioactive substances in the economic turnover with the aim of using and consuming by the population of the products contaminated with radioactive substances over and above the established standards or the production and sale of these products without the permission of the health protection bodies of the Russian Federation;

the violation of the present order of the export and import of nuclear installations, equipment, technologies, nuclear materials, radioactive substances, special non-nuclear materials and services in the field of using atomic energy;

the participation in the organization and conduct of non-sanctioned public arrangements in the territory of a nuclear installation, radiation source or storage point;

the organization and holding of meetings and other public arrangements outside the territory of a nuclear installation, radiation source or storage point, if this organization and holding of public arrangements can result in the violation of the working capacity of the nuclear installation, radiation source or storage point or can complicate the fulfilment by the workers of said facilities of their labour duties or can create other threats to the safety of the population and the environment. The legislation of the Russian Federation may provide for other breaches of law, for the commission of which responsibility sets in pursuant to this Article;

the violation of the procedure for and terms of recognising an organisation as fit for operation of a nuclear installation, radiation source or storage point and for the exercise by its own forces or with the attraction of other organisations the activities related to placement, design, operation and withdrawal from operation of a nuclear installation, radiation source or storage point, as well as the activity of handling nuclear materials and radioactive substances.

**Article 62. The Administrative Responsibility of Organizations**

The organizations which carry out their activity in the field of using atomic energy shall be fined in administrative proceedings by the state safety regulation bodies for the violation of the standards and rules in the field of using atomic energy or of the terms of the permits (licenses) issued by the state safety regulation bodies (for the right to carry out works in the sphere of the use of atomic energy) if these violations have caused or could have caused injury to the health of natural persons or damage to the environment. The procedure for the charge of fines and the amounts of these fines shall be established by the legislation of the Russian Federation.

**Chapter XIV. The Export and Import of Nuclear Power Plants, Equipment, Technologies, Nuclear Materials, Radioactive Substances, Special Non-nuclear Materials and Services in the Sphere of Atomic Energy Use**

**Article 63. The Principles of Realizing the Export and Import of Nuclear Installations, Equipment, Technologies, Nuclear Materials, Radioactive Substances, Special Non-nuclear Materials and Services in the Field of the Use of Atomic Energy**

The export and import of nuclear installations, equipment, technologies, nuclear materials, including nuclear fuel, radioactive substances, special non-nuclear materials used for the production of nuclear materials, and also radiation sources and services in the field of using atomic energy shall be effected in accordance with the international commitments of the Russian Federation on the nonproliferation of nuclear weapons and the international treaties and agreements of the Russian Federation in the field of using atomic energy.

The export and import shall include the transfer, sale, or purchase of nuclear installations, equipment, technologies, nuclear materials, radioactive substances, special non-nuclear materials for commercial purposes and their non-commercial transfer (for demonstration in exhibitions and for the conduct of joint works, etc.).

**Article 64. The Order of the Export and Import of Nuclear Installations, Equipment, Technologies, Nuclear Materials, Radioactive Substances, Special Non-nuclear Materials and Services in the Field of Using Atomic Energy**

The export and import of nuclear installations, equipment, technologies, nuclear materials, radioactive substances, special non-nuclear materials and services in the field of using atomic energy shall be carried out in the order, prescribed by the legislative and other legal acts of the Russian Federation.

Nuclear reactor fuel elements shall be taken out of the Russian Federation and brought into the Russian Federation under civil legal agreements. The procedure for the exportation from the Russian Federation and importation into the Russian Federation of nuclear reactor fuel elements shall be established by the Government of the Russian Federation.

The export and import of nuclear installations, equipment, technologies, nuclear materials, radioactive substances, special non-nuclear materials and services in the field of using atomic energy shall be carried out in accordance with the legislation of the Russian Federation on export control on the basis of the issued permits (licenses) for the right to carry on works in the field of using atomic energy.

The importation of used-up nuclear fuel from foreign States to the territory of the Russian Federation with the aim of the carrying on of temporary technological storage and (or) its processing shall be effected in the order, prescribed by the legislation of the Russian Federation and the international treaties and agreements of the Russian Federation.

The importation into the Russian Federation of radiation-exposed fuel elements of a nuclear reactor manufactured on the territory of a foreign state (foreign-made radiation-exposed fuel elements) shall be performed on the basis of a positive statement of an ad hoc commission formed by the President of the Russian Federation. The composition of the commission is as follows: chairman of the commission and 20 members of the commission (five representatives of each of the following: the President of the Russian Federation, the Federation Council of the Federal Assembly of the Russian Federation, the State Duma of the Federal Assembly of the Russian Federation and the Government of the Russian Federation).

The procedure for suggesting nominees for representatives of the Federation Council and the State Duma shall be determined by a relevant chamber of the Federal Assembly of the Russian Federation.

The ad hoc commission shall lay annual reports before the President of the Russian Federation and the chambers of the Federal Assembly of the Russian Federation on the state of affairs concerning the importation into the Russian Federation of radiation-exposed foreign-made fuel elements.

The regulations on the ad hoc commission shall be approved by a decree of the President of the Russian Federation.

## **Chapter XV. International Treaties and Agreements of the Russian Federation in the Sphere of Atomic Energy Use**

### **Article 65. The International Treaties and Agreements in the Sphere of the Use of Atomic Energy**

If the international treaty or agreement of the Russian Federation has established rules other than those provided for by this Federal Law, the rules of this treaty or agreement shall be applicable.

### **Article 66. Notification about an Accident in the Nuclear Installation, Radiation Source or the Storage Point**

A notification about an accident in the nuclear installation, radiation source or storage point, as a result of which radioactive substances have been released or discharged into the environment and which has led or may lead to the transborder spread of radioactive substances, which fact can have importance for a foreign State, shall be made by the specially authorized bodies in accordance with the international commitments of the Russian Federation.

### **Article 67. The Aid in Case of an Accident in a Nuclear Installation, Radiation Source or Storage Point**

In case of an accident on a nuclear installation, radiation source or storage point the aid may be rendered with the aim of reducing to the minimum the consequences of the accident and of protecting the health of the population, the environment and material values against radiation in accordance with the international commitments of the Russian Federation.

### **Article 68. The Exchange of Information with Foreign States in the Sphere of Using Atomic Energy**

Information shall be exchanged with foreign States in the sphere of atomic energy use in conformity with the international treaties and agreements of the Russian Federation.

## **Chapter XVI. Concluding Provisions**

### **Article 69. The Entry of This Federal Law into Force**

The present Federal Law shall enter into force after its official publication.

### **Article 70. The Bringing of Normative Legal Acts into Conformity with the present Federal Law**

The President of the Russian Federation shall be proposed and the Government of the Russian Federation shall be instructed to bring their normative legal acts into conformity with this Federal Law.

Within three months the Government of the Russian Federation shall be duty-bound to submit in the statutory manner to the State Duma of the Federal Assembly of the Russian Federation its proposals on bringing the legislative acts of the Russian Federation into conformity with this Federal Law.

President  
of the Russian Federation

Moscow, the Kremlin

Boris Yeltsin