

APPROVED

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December 2008 of the Minister of Health of
the Republic of Lithuania and Head of State
Nuclear Power Safety Inspectorate

RULES ON IMPORT, EXPORT, TRANSIT AND TRANSPORT OF RADIOACTIVE MATERIAL, RADIOACTIVE WASTE AND SPENT NUCLEAR FUEL

I. GENERAL PROVISIONS

1. The rules on import, export, transit and transport of radioactive material, radioactive waste and spent nuclear fuel (hereinafter – Rules) define the permitting procedure to import, export, transit and transport radioactive material, including sealed sources of ionizing radiation and disused sealed sources of ionizing radiation (hereinafter – radioactive material), radioactive waste and spent nuclear fuel and the requirements and controls, aimed at protecting people and the environment from the harmful effects of ionizing radiation.

2. Rules are applicable for:

2.1. import, export, transit and transport of radioactive material in Republic of Lithuania;

2.2. transport of radioactive waste and spent nuclear fuel in Republic of Lithuania;

2.3. transport of radioactive waste and spent nuclear fuel between Member States in cases, when Lithuania is the State of origin, destination or transit and quantity and activity of radioactive waste and spent nuclear fuel exceeds levels, prescribed in the Annex A of Hygiene Standard HN 73:2001 “Basic Standard of Radiation Protection”.

3. Regulations are not applicable for:

3.1. radioactive material, except disused sealed sources of ionizing radiation, that is an integral part of the means of transport;

3.2. radioactive material, radioactive waste or spent nuclear fuel transported within an establishment which is subject to appropriate safety regulations in force in the establishment and where the movement does not involve public roads or railways;

3.3. radioactive material, including sealed sources of ionizing radiation, implanted or incorporated into a person or live animal for diagnosis or treatment;

3.4. Radioactive material in consumer products which are approved by Radiation Protection Centre, following their sale to the end user;

3.5. Natural material and ores containing naturally occurring radionuclide which are either in their natural state, or have only been processed for purposes other than for extraction of the radionuclide, and which are not intended to be processed for use of these radionuclide provided the activity concentration of the material does not exceed 10 times the values specified in The European Agreement concerning the International Carriage of Dangerous Goods by Road (ADR) A and B technical annexes and in the Regulations for the safe transportation of the radioactive material, No. SSR-6, IAEA, 2012.

3.6. transport of radioactive material, except sealed sources of ionizing radiation and disused sealed sources of ionizing radiation, recovered, through reprocessing, for further use;

3.7. transboundary shipments of waste that contains only naturally occurring radioactive material which does not arise from practices.

4. The requirements established in these Rules for transport of radioactive material, radioactive waste or spent nuclear fuel are applied to the extent they conflict with international treaties ratified by Lithuanian Republic.

5. These Rules shall not affect the right of Lithuanian Republic to safely return to its country of origin:

5.1. shipments of radioactive waste and spent fuel which fall under the scope of these Rules but which were not duly authorized in accordance with these Rules;

5.2. radioactively contaminated waste or material containing a radioactive source where this material has not been declared as radioactive waste by the country of origin.

6. Main Definitions:

6.1. **nuclear fuel cycle** – any activity related to nuclear energy;

6.2. **consignee** – any natural or legal person to whom radioactive material, radioactive waste or spent fuel is shipped;

6.3. **country or European Union member state of origin and country or European Union member state of destination** – any country or European Union member state from which a radioactive material, radioactive waste or spent nuclear fuel shipment is planned to be initiated or is initiated, and any country or European Union member state to which a radioactive material, radioactive waste or spent nuclear fuel shipment is planned or takes place;

6.4. **competent authority of the Republic of Lithuania** – Radiation Protection Centre (hereinafter – RSC) and State Nuclear Power Safety Inspectorate (hereinafter – VATESI), according to their competence are implemented the system of state supervision and control of shipments of radioactive material, radioactive waste or spent fuel;

6.5. **disused sealed source of ionizing radiation** – a sealed source, which holder, according to the legal documents, has the issued license for practice with sources of ionizing radiation and which is no longer used or intended to be used for the practice;

6.6. **spent nuclear fuel reprocessing** (hereinafter – reprocessing) – a process or operation, the purpose of which is to extract fissile and fertile materials from spent fuel for further use;

6.7. **radioactive waste or spent nuclear fuel disposal** (hereinafter – disposal) – the emplacement of spent fuel or radioactive waste in a facility without the intention of retrieval;

6.8. **radioactive waste and spent nuclear fuel storage** (hereinafter – storage) – the holding of spent fuel or of radioactive waste in a facility with the intention of retrieval;

6.9. **duly completed application** – the standard radioactive waste and spent nuclear fuel transport monitoring and control document that complies with all the requirements, as established in accordance with Rules;

6.10. **country or European Union member state of transit** – any country or European Union member state other than the country or the European Union member state of origin or the country or the European Union member state of destination, through the territory of which a radioactive material, radioactive waste or spent nuclear fuel a shipment are planned or takes place;

6.11. **holder** – any natural or legal person who, before carrying out a shipment of radioactive material, radioactive waste or spent fuel is responsible under the applicable national law for such materials and plans to carry out a shipment to a consignee;

6.12. **shipment** – the whole of operations involved in moving radioactive material, radioactive waste or spent fuel from the country or the European Union member state of origin to the country or the European Union member state of destination including loading and unloading;

6.13. **shipment within the European Union** – a radioactive material and radioactive waste or spent nuclear fuel shipment carried out where the country of origin and the country of destination are European Union member states;

6.14. **shipment outside the European Union** – a radioactive material and radioactive waste or spent nuclear fuel shipment carried out where the country of origin and/or the country of destination are third countries.

Other definitions used herein shall carry the meanings prescribed to them in the European Agreement concerning the International Carriage of Dangerous Goods by Road (ADR) A and B technical annexes, Law on Transport of Dangerous Goods by Road, Rail and Inland Waterway of the Republic of Lithuania (hereinafter – Law on Transport of Dangerous Goods by Road, Rail and Inland Waterway), Law on Radiation Protection of the Republic of Lithuania, Law on Nuclear Energy of the Republic of Lithuania (hereinafter – Law on Nuclear Energy), Law on the Management of Radioactive Waste of the Republic of Lithuania (hereinafter – Law on the Management of Radioactive Waste), Hygiene Standard HN 73:2001 “Basic Standard of Radiation Protection”, Order No. V-1020 of the Minister of Health “On Approval of Regulations on the Control of High Activity Sealed Sources of Ionizing Radiation and Orphan Sources”, adopted on December 23, 2005 and Order No. 46 of the director of Radiation Protection Centre “Risk Categories of Radioactive Sources and Rules for Their Determination”, adopted on October 11, 2004.

7. It is prohibited to import radioactive waste or spent nuclear fuel to the Republic of Lithuania, except cases when:

- 7.1. radioactive waste or spent nuclear fuel are in transit through the Republic of Lithuania;
- 7.2. radioactive waste is returned after processing;
- 7.3. radioactive waste separated from other materials is returned back;
- 7.4. radioactive waste which is formed while reprocessing spent nuclear fuel is returned;
- 7.5. Spent nuclear fuel after processing is returned if the shipment was banned or spent nuclear fuel wasn't processed.

8. It is prohibited to export radioactive waste or spent nuclear fuel from the Republic of Lithuania:

- 8.1. to a destination south of latitude 60° south;
- 8.2. to a third country, if the Republic of Lithuania has some data and knows that this country has not got technical, legal and administrative means as it is stated in the Joint Convention on the Safety of Spent Fuel Management and on the Safety of Radioactive Waste Management, adopted on September 5th, 1997. Prohibiting such shipments, the information from other European Union member states is evaluated and every year this information is provided to European Commission and Advisory Committee.
- 8.3. to a State which is party to the Partnership Agreement between the members of the African, Caribbean and Pacific Group of States of the one part, and the European Community and its Member States, of the other part, (Cotonou ACP-EC Agreement) which is not a Member State, except in cases the radioactive waste was transported for processing and was returned after recovering the radioactive waste from other material or radioactive waste was returned resulting from the reprocessing operation of spent nuclear fuel.

8¹. Lithuanian Republic competent authority:

8¹.1. may prohibit the export of radioactive waste or spent nuclear fuel if:

8¹.1.1. a third country is not the International Atomic Energy Agency (IAEA) member country;

8¹.1.2. has data and knows that a third country has not signed, ratified and fulfilling the obligations set out in:

8¹.1.2.1. The Joint Convention on the Safety of Spent Fuel Management and on the Safety of Radioactive Waste Management, adopted in 5th of September 1997;

8¹.1.2.2. The Convention on the Physical Protection of Nuclear Material, adopted in 26th of October 1979 and in its amendments;

8¹.1.2.3. Convention on Nuclear Safety, adopted in 20th of September 1994;

8¹.1.2.4. The Treaty on the Non-Proliferation of Nuclear Weapons, adopted in 1th of July 1968 and in additional protocols;

8¹.1.2.5. Vienna Convention on Civil Liability for Nuclear Damage, adopted in 21th of May 1963, in the Protocol of 29 September 1997 replacing the Vienna Convention on Civil Liability

for Nuclear Damage, the Convention on Supplementary Compensation for Nuclear Damage, adopted in 12th of September 1997 or Paris Convention on Third Party Liability in the Field of Nuclear Energy of 29th July 1960, as amended by the Additional Protocol of 28th January 1964 and by the Protocol in 16 of November, 1982;

8^{1.1.2.6}. The Convention on Assistance in the Case of a Nuclear Accident or Radiological Emergency, adopted on 26 of September, 1986;

8^{1.1.2.7}. The Convention on Early Notification of a Nuclear Accident, adopted on 26 of September, 1986;

8^{1.1.2.8}. The International Convention for the Safety of Life at Sea (SOLAS 1974), adopted on 1 of November, 1974;

8^{1.1.2.9}. The Convention on International Civil Aviation (the Chicago Convention), adopted on 7 of December, 1944.

8^{1.2}. approving the radioactive waste or spent nuclear fuel shipment to third countries may take into account the political, economic, social, ethical, scientific and public security interests.

8^{1.3}. exchange information with other competent authorities of European Union member states how this paragraph is applied.

8². Radioactive waste from the Republic of Lithuania can be transported to radioactive waste disposal in any European Union member state or third country, if during the shipment the agreement between the Republic of Lithuania and these countries is valid for using disposal facilities.

8³. Lithuanian Republic competent authority could allow to transport radioactive waste to a third country when:

8^{3.1}. the third country of destination has concluded an agreement with the European Union covering spent fuel and radioactive waste management or is a party to the Joint Convention on the Safety of Spent Fuel Management and on the Safety of Radioactive Waste Management;

8^{3.2}. the third country has radioactive waste management and disposal programmes, ensuring high safety level corresponding to the Law on Nuclear Safety in article 3, where the main nuclear safety and physical protection principles are set;

8^{3.3}. the disposal facility in the third country of destination is authorized for the radioactive waste to be shipped, is operating prior to the shipment, and is managed in accordance with the requirements set down in the radioactive waste management and disposal programme of that third country of destination.

8⁴. Lithuanian Republic competent authority, having received an application for permission to transport radioactive waste to a third country, informs the European Commission about the content of the agreement referred to in paragraph 8² of these Rules.

9. Sealed sources of ionizing radiation can be imported to the Republic of Lithuania in accordance with the paragraph 2 of Article 24 of Law on the Management of Radioactive Waste of the Republic of Lithuania. The Recipient of a sealed source of ionizing radiation shall have a valid contract with the radioactive waste manager during the possession of sealed sources of ionizing radiation and valid suretyship insurance in the amount specified in the contract with the radioactive waste manager for the services.

9¹. A consignee, transporting the sealed sources of ionizing radiation category IV-V with short-lived radionuclides (half-life - no more than 100 days) to the Republic of Lithuania, is not required to insure guaranty insurance in the amount specified in the contract with radioactive waste manager if the contract is made with radioactive waste manager for storage sealed sources of ionizing radiation until it will be possible to remove control.

10. Radioactive material, radioactive waste and spent nuclear fuel can be transported by air, water, rail and road transport, if it is allowed by requirements, which are set in the legal acts regulating the transport of dangerous goods in an appropriate mode of transport. Procedures for carriage must comply with the provision of the Law on Transport of Dangerous Goods by Road, Rail and Inland Waterway, Regulations for the Safe Transport of Radioactive Material No. SSR-

6, IAEA, 2012 edition, Hygiene Standard HN 73:2001 “Basic Standard of Radiation Protection” and regulatory requirements, as well as:

10.1. carriage by road – The European Agreement concerning the International Carriage of Dangerous Goods by Road (ADR) A and B technical annexes;

10.2. carriage by air – The Convention on International Civil Aviation (the Chicago Convention), adopted in 7 of December 1944, annex 18 and Technical Instructions For The Safe Transport of Dangerous Goods by Air (Doc 9284);

10.3. carriage by sea – IMO International Maritime Dangerous Goods Code (IMDG Code);

10.4. carriage by rail – Convention concerning International Carriage by Rail (COTIF), adopted in 9 of June, 1980 and Agreement concerning International Goods Traffic by Rail (SMGS), annex 2 „Transportation of Dangerous Goods“.

11. It is prohibited to transport radioactive materials, radioactive waste and spent nuclear fuel by post mail.

12. Radioactive material, radioactive waste and spent nuclear fuel shall be imported from third countries imported into the customs territory of the Republic of Lithuania, shall be export from the customs territory of the Republic of Lithuania or transit through the Republic of Lithuania only through these frontier posts: Airport customs post of Vilnius territorial customs, Medininkai road post and Vaidotai Railway Station, Kaunas airport post of Kaunas territorial customs, Kybartai railway post, Panemune road post of Klaipeda territorial customs, customs post at the Malku Bay, Molo sea port post, Pilies sea port post. Radioactive materials, radioactive waste or spent nuclear fuel customs inspection in customs posts are performing according to the laws of the European Union and the Republic of Lithuania.

13. Import to, export from, shipment in transit or transportation within the Republic of Lithuania of radioactive materials, radioactive waste and spent nuclear fuel shall be subject to the permit issued by the Lithuanian Republic competent authority (hereinafter – Permit):

13.1. Permission to transport of radioactive materials, including nuclear and fissile materials which are indicated in the Law on Nuclear Safety annex 1, in smaller quantities than it is indicated, and radioactive waste which was generated outside the nuclear fuel cycle, is issued by RSC, having received an application for Permission. The application for Permission must be coordinated with VATESI, when:

13.1.1. radioactive materials and radioactive waste which are planned to transport are classified as nuclear materials;

13.1.2. an application to get a Permission is given by the operator of nuclear installation or carries out the decommissioning of a nuclear installation or is engaged in activities with sources of ionizing radiation at a nuclear installation or at a site of a nuclear installation;

13.2. Permission to transport nuclear and fissile materials, which quantities exceed the amount prescribed in annex 1 in the Law on Nuclear Safety, radioactive waste generated during the nuclear fuel cycle, spent nuclear fuel and other in nuclear installation used materials, which have become radioactive is issued by VATESI;

13.3. Permission issued by the competent authority of the Republic of Lithuania for transporting radioactive material, is not required during the mobilization, time of war and state of emergency, requisition and (or) the temporary collection and return cases.

14. Permit is issued to the applicant or his authorized person, who has paid a state fee in accordance to the legal acts of the Republic of Lithuania.

15. The competent authority of the Republic of Lithuania could identify specific shipping conditions for radioactive materials, radioactive waste and spent nuclear fuel in accordance to the European Agreement concerning the International Carriage of Dangerous Goods by Road (ADR) A and B technical annexes, the Convention on International Civil Aviation (the Chicago Convention), adopted in 7 of December 1944, annex 18 and Technical Instructions For The Safe Transport of Dangerous Goods by Air (Doc 9284), IMO International Maritime Dangerous Goods Code (IMDG Code) and the Convention concerning International Carriage by Rail

(COTIF), adopted in 9 of June, 1980 and Agreement concerning International Goods Traffic by Rail (SMGS), annex 2 „Transportation of Dangerous Goods“.

16. The packaging design of radioactive material, radioactive waste and spent nuclear fuel (hereinafter – package) certificate of compliance with the requirements of the European Agreement concerning the International Carriage of Dangerous Goods by Road (ADR) A and B technical annexes, the Convention on International Civil Aviation (the Chicago Convention), adopted in 7 of December 1944, annex 18 and Technical Instructions For The Safe Transport of Dangerous Goods by Air (Doc 9284), IMO International Maritime Dangerous Goods Code (IMDG Code) and the Convention concerning International Carriage by Rail (COTIF), adopted in 9 of June, 1980 and Agreement concerning International Goods Traffic by Rail (SMGS), annex 2 „Transportation of Dangerous Goods“, issued by the competent authority of the foreign countries is acknowledged by Lithuanian Republic laws, acts and orders.

17. The holder, consignee and the competent authority of the Republic of Lithuania, must ensure, that all information related to the shipment of radioactive material, radioactive waste or spent nuclear fuel should be handled and protected from misuse in accordance to the legal acts.

II. RADIOACTIVE MATERIAL TRANSPORT INSIDE THE REPUBLIC OF LITHUANIA, IMPORT TO THE REPUBLIC OF LITHUANIA FROM THIRD COUNTRY, EXPORT FROM THE REPUBLIC OF LITHUANIA TO THIRD COUNTRY AND TRANSIT THROUGH THE REPUBLIC OF LITHUANIA BETWEEN THIRD COUNTRIES. RADIOACTIVE WASTE AND SPENT NUCLEAR FUEL TRANSPORT INSIDE THE REPUBLIC OF LITHUANIA

18. To obtain the Permit to transport radioactive materials in the Republic of Lithuania, to import from third countries and to export to third countries, an appropriate application form, referred to in annex 2 of the Rules, must be provided to the competent authority of the Republic in Lithuania, referred to in sub paragraph 13.1 of the Rules, It is required to provide following documents:

18.1. documents, referred to in paragraph 9 of the Rules, when sealed sources of ionizing radiation are imported into the Republic of Lithuania;

18.2. documents, ensuring, that:

18.2.1. vehicle will be escorted by a person performing the function of security forces (representative of the security services) during transport of the sealed sources of ionizing radiation of category I and the tracking devices will be used to monitor the movement of conveyances containing sealed sources of ionizing radiation of category I;

18.2.2. vehicle will be escorted by a person performing the function of security forces (representative of the security services or representative of the carrier), during transport of the sealed sources of ionizing radiation of category II;

18.3. description of the security during transport of the sealed sources of ionizing radiation of category I-III, in accordance with the Order of the Minister of Health No. V-687 On Approval of the Regulations on Security of Sources of Ionizing Radiation, subparagraph 15.1;

18.4. written route plan prepared by carrier. In case the radioactive material is imported from the third country or exported to the third country, the border crossing points must be indicated. In case of shipments of the sealed sources of ionizing radiation of category I or II, alternative route must be identified;

18.5. a copy of the consignee authorization or the competent authority of the third country of destination confirmation, that the consignee is authorized to receive and possess source, when sealed sources of ionizing radiation category I and (or) II are exported to the third country.

18¹. Competent authority of the Republic of Lithuania, referred to in subparagraph 13.1 of the Rules, having received an application form, referred to in annex 2 of the Rules, for Permit to transport sealed sources of ionizing radiation category I from the Republic of Lithuania to a third

country, and having received the documents, referred to in paragraph 18 of the Rules, must analyze them within 5 working days of the registration of application and:

18^{1.1}. a written information is sent (the name of the consignee of the sealed sources of ionizing radiation category I, location and legal address or principal place of business, relevant radionuclides and activity (in Bq) and a unique identifier for the request for consent) sealed sources of ionizing radiation category I consignee, who is in the third country, to the competent authority for getting an agreement to import these sources. The term during which the decision of competent authority of the consignee is expected to get, is also indicated in a written form;

18^{1.2}. having received an agreement of the competent authority of the third country, to transport sealed sources of ionizing radiation category I, and having made a positive decision, gives an indicated form Permit within 5 working days since the date of registration of documents from the competent authority of the third country.

18^{1.3}. If the documents, which are referred to in the paragraph 18 of these Rules, are missing or mistakes are made in data, which is inaccurate or incomplete, or disagreement was get from the competent authority of the third country to import sealed sources of ionizing radiation category I, the competent authority of the Republic of Lithuania, referred to in the subparagraph 13.1 of these Rules, establishes 30 calendar days term during which all shortcomings must be removed.

18². The Competent authority of the Republic of Lithuania, referred to in subparagraph 13.1 of these Rules, having received an indicated form application, referred to in annex 2 of these Rules, for Permit to export sealed sources of ionizing radiation category II from the Republic of Lithuania to a third country and documents submitted together with an application, referred to in paragraph 18 of these Rules, analyses these documents within 10 days since the data of registration and having made a positive decision issues a Permit, which form is referred to in the annex 4 of these Rules. If the documents, which are referred to in the paragraph 18 of these Rules, are missing or the data are mistaken or incomplete, the competent authority of the Republic of Lithuania, referred to in the subparagraph 13.1 of these Rules, sets not shorter than 30 calendar days term, during with all the shortcomings must be removed.

18³. The competent authority of the Republic of Lithuania, referred to in subparagraph 13.1 of the Rules, shall be notified in advance of each shipment of sealed sources of ionizing radiation category I and (or) II to the competent authority of the third country with the following information in writing:

18^{3.1}. the estimated date of export;

18^{3.2}. the name of holder of sealed sources of ionizing radiation category I and (or) II;

18^{3.3}. the name of consignee of sealed sources of ionizing radiation category I and (or) II;

18^{3.4}. radionuclides and radioactivity;

18^{3.5}. aggregate activity level;

18^{3.6}. the number of radioactive sources and, if available, their unique identifiers.

18⁴. In order to get a Permit to transport in the Republic of Lithuania, export or import from third countries nuclear and fissile materials, which quantities exceed the amount prescribed in annex 1 in the Law on Nuclear Safety, or other used and having become radioactive materials in nuclear installation, an application form, referred to in annex 2 of the Rules, must be provided to the Competent authority of the Republic of Lithuania, referred to in subparagraph 13.2 of the Rules. The following documents should be provided together with an application:

18^{4.1}. a free form declaration where it is confirmed that for transport operations, involving nuclear and fissile materials in quantities exceeding the amount prescribed in Annex 1 of the Law on Nuclear Safety or other materials used at nuclear facility and thus become radioactive, within the Republic of Lithuania the license holder, referred to in subparagraph 6 of paragraph 1 of article 22 of the Law on Nuclear Safety, is being chosen. Also that the carrier has all necessary information necessary to ensure nuclear safety, radiation safety and security during transport of nuclear and fissile materials, in quantities exceeding the amount prescribed in Annex 1 in the Law on Nuclear Safety, or other materials used at nuclear facility and thus become radioactive.

18⁴.2. The documents proving safety in accordance to the European Agreement concerning the International Carriage of Dangerous Goods by Road (ADR) A and B technical annexes, Technical Instructions For The Safe Transport of Dangerous Goods by Air (Doc 9284), IMO International Maritime Dangerous Goods Code (IMDG Code), Regulation concerning the International Carriage of Dangerous Goods by Rail (RID) – Appendix C to COTIF and Agreement concerning International Goods Traffic by Rail (SMGS), annex 2 „Transportation of Dangerous Goods“.

18⁵. The consignee must provide an application for Permit to import radioactive materials to the Republic of Lithuania from the third countries; the holder must provide the application for Permit to export radioactive material to third countries and to transport radioactive material inside the Republic of Lithuania.

19. The application may be sent in respect of more than one shipment of radioactive material, provided that:

19.1. the radioactive material to which it relates essentially has the same physical, chemical and radioactive characteristics;

19.2. the shipments of radioactive material is to be made from the same holder to the same consignee and involve the same competent authorities;

19.3. radioactive material is transported to third countries and such shipment is via the same frontier post of entry to and/or exit from the European Union member state and via the same frontier post(s) of the third country.

20. In order to get a Permit to import, export and transit to third countries the items containing radioactive materials or nuclear and fissile materials which quantities exceed the amount prescribed in Annex 1 in the Law on Nuclear Safety, which are included in the Common Dual-Use and Military Control Lists, the copy of the licenses for import, export and transit, issued by Ministry of Economy, and the application form, referred to in annex 2 of these Rules, must be submitted to the competent authority of the Republic of Lithuania, referred to in subparagraph 13.1 of these Rules.

21. In order to get a Permit to transport radioactive waste, generated outside the nuclear fuel cycle, in the Republic of Lithuania, the holder has to submit the application form, referred to in annex 3 of these Rules, to the competent authority of the Republic of Lithuania, referred to in subparagraph 13.1 of these Rules. The following documents are required:

21.1. documents, referred to in subparagraphs 18.2 and 18.3 of these Rules, when the disused sealed sources, classified as category I-III, is planned to transport;

21.2. documents, referred to in subparagraph 18.4 of these Rules.

21¹. Permit, issued by VATESI, is not required to transport radioactive waste, radioactive waste, generated in the nuclear fuel cycle and for spent nuclear fuel. Transport control is carried out under the supervision of the license, referred to in subparagraph 6 of paragraph 1 of Article 22 of the Law on Nuclear Safety, the validity conditions of implementation.

22. The Competent authority of the Republic of Lithuania, referred to in subparagraph 13.1 of these Rules, having received an application for Permit to transport radioactive materials in the Republic of Lithuania, import into the Republic of Lithuania from a third countries, export sources of ionizing radiation category III-V to a third countries or transit radioactive material through the territory of the Republic of Lithuania between third countries, documents submitted with an application, referred to in paragraph 18 of these Rules, analyze them during 10 calendar days since the date of application registration and having taken a positive decision issue a Permit, referred to in the Annex 4 in these Rules. If the documents, referred to in the paragraph 18 of these Rules, are missing, or data in documents are mistaken, inaccurate or incomplete, the competent authority of the Republic of Lithuania, referred to in the subparagraph 13.1 of these Rules, sets not shorter than 30 working days term to remove shortcomings.

23. The Competent authority of the Republic of Lithuania, referred to in subparagraph 13.2 of these Rules, having received an application for issuing a Permit and together submitted documents, within 30 working days since their registration, analyze them and:

23.1. if nuclear and fissile material, which quantities exceed the amount prescribed in annex 1 in the Law on Nuclear Safety, or other used and having become radioactive materials in nuclear installation are planned to import into the Republic of Lithuania from a third country and having taken a positive decision to give a Permit, gives out a Permit, referred to in the Annex 5 of these Rules;

23.2. if it is planned to export nuclear and fissile material, which quantities exceed the amount prescribed in Annex 1 of the Law on Nuclear Safety, or other used and having become radioactive materials in nuclear installation from the Republic of Lithuania to the third country, having taken the positive decision to give a Permit, during 5 working days applies to the competent authority of the third country to which materials will be imported and (or) to the competent authorities of transit, for the agreements to import these materials. Having received agreements from the competent authority of the third country or the competent authorities of transit, these materials during 10 working days since the documents registration day, gives out a Permit, referred to in the Annex 5 in these Rules;

23.3. If the documents are not appropriate to the indicated requirements in paragraph 18⁴, or the information contradicting the import of these materials from competent authority of the third country and (or) competent authority of transit was received, the competent authority of the Republic of Lithuania referred in to the subparagraph 13.2 in these Rules, sets the term not shorter than 30 calendar day during which the shortcomings have to be removed.

24. Permits, referred in to the annexes 4 and 5 of these Rules, are valid for a period of not more than three years.

25. Refusal to issue a permit if:

25.1. it is against the legal acts of the Republic of Lithuania, European Union or ratified international treaties of the Republic of Lithuania and during the indicated term of the competent authority of the Republic of Lithuania, referred in to the paragraph 13 in these Rules, these shortcomings were not removed;

25.2. submitted documents do not meet the requirements or submitted data are misleading, inaccurate, incomplete and the following deficiencies within the prescribed period has not been removed.

25.3. during the state supervision of radiation protection it is stated, that the holder, the consignee or carrier preparation to earn their living by sources of ionizing radiation, is not appropriate to the requirements of the Law on Radiation Protection, or other legal acts regulating safety and security of sources of ionizing radiation and during the indicated term shortcomings were not removed.

26. An applicant having received a negative answer for getting a Permit and having removed indicated shortcomings, has the right to apply to the competent authority of the Republic of Lithuania, asking to analyze an application to give a Permit once more.

27. The applicant, who lost the original of Permit, not later than five calendar days, shall provide the competent authority of the Republic of Lithuania with a reasoned explanation in written and application to issue a duplicate of such Permit.

28. If it is found out, that the holder of the Permit does not keep to the Rules or other requirements of radiation protection, the Permit is terminated by the decision of the competent authority of the Republic of Lithuania. When the Permit is terminated, the holder of the Permit is informed immediately and must return the Permit to the competent authority of the Republic of Lithuania.

III. RADIOACTIVE MATERIAL IMPORT TO THE REPUBLIC OF LITHUANIA FROM THE EUROPEAN UNION MEMBER STATE, EXPORT FROM THE REPUBLIC OF LITHUANIA TO THE EUROPEAN UNION MEMBER STATE AND THROUGH THE REPUBLIC OF LITHUANIA BETWEEN EUROPEAN UNION MEMBER STATES

29. Radioactive materials import to the Republic of Lithuania from the European Union member state, export from the Republic of Lithuania to the European Union member state and through the Republic of Lithuania between European Union member states is being regulated by the Council Regulation (EURATOM) No 1493/93 of 8 June 1993 on shipments of radioactive substances between Member States.

30. Radioactive materials may be:

30.1. imported to the Republic of Lithuania from the European Union member state only with approved by the competent authority of the Republic of Lithuania, referred to in the paragraph 13 of these Rules, Standard document „Shipments of radioactive substances between Member States“, which form referred to in the annex 6 of these Rules;

30.2. transported from the Republic of Lithuania into European Union member state only having the agreed Standard document with the competent authority of the Republic of Lithuania, referred to in the paragraph 13 of these Rules, which previously was approved by the competent authority of the European Union member state of destination;

30.3. in transit through the Republic of Lithuania between the European Union member states, only when there is a confirmed copy of Standard document presented to the competent authority of the Republic of Lithuania, referred to in the paragraph 13 of these Rules, which previously was approved by the competent authority of the European Union member state of destination.

None additional Permit is required for transport of radioactive materials within the Republic of Lithuania in cases referred to in this paragraph.

30¹. When radioactive materials are imported to the Republic of Lithuania from the European Union member states and the Standard document is being provided to the competent authority of the Republic of Lithuania, referred to in the subparagraph 13.1 of these Rules, the following documents should be presented together with Standard document:

30¹.1. information about radioactive material carrier (legal entity name, legal form, company code, registered office address), type of package, transport index and category of package;

30¹.2. documents, referred to in the paragraph 9 of these Rules;

30¹.3. documents, referred to in the subparagraphs 18.2 and 18.3 of these Rules, intending to transport sealed sources of ionizing radiation category I-III;

30¹.4. documents, referred to in the subparagraph 18.4 of these Rules.

30². When radioactive materials are exported from the Republic of Lithuania to the European Union member state or shipments involve transit through the Republic of Lithuania between European Union member states and the Standard document is presented to the competent authority of the Republic of Lithuania, referred to in the subparagraph 13.1 of these Rules, the following documents should be presented together with a Standard document:

30².1 information about radioactive material carrier (legal entity name, legal form, company code, registered office address), type of package, transport index and category of package;

30².2. documents, referred to in the subparagraphs 18.2 and 18.3 of these Rules, intending to transport sealed sources of ionizing radiation category I-III;

30².3. documents, referred to in the subparagraph 18.4 of these Rules.

30³. The competent authority of the Republic of Lithuania, referred to in the subparagraph 13.1 of these Rules, having received a Standard document and other presented documents, analyze them during 10 calendar days since the day of registration of Standard document and having adopted a positive decision:

30³.1. must approve the Standard document, when radioactive materials are planned to import to the Republic of Lithuania from the European Union member state;

30³.2. must agree the Standard document, when radioactive materials are planned to export from the Republic of Lithuania to the European Union member state;

30³.3. If the documents, referred in the paragraph 18 of these Rules, are not presented or the data is mistaken, inaccurate or incomplete, the competent authority of the Republic of Lithuania, referred in the subparagraph 13.1 of these Rules, sets not shorter than 30 calendar days term during which the shortcomings have to be removed.

30⁴. When nuclear and fissile material, which quantities exceed the amount prescribed in Annex 1 in the Law on Nuclear Safety, are imported to the Republic of Lithuania from the European Union member states or are exported from the Republic of Lithuania to the European Union member states, a Standard document is presented to the competent authority of the Republic of Lithuania, referred to in the subparagraph 13.2 of these Rules, the following documents should be presented together with Standard documents:

30⁴.1. information about radioactive material carrier (legal entity name, legal form, company code, registered office address);

30⁴.2. a free-form declaration, which confirms, that the carrier inside the Republic of Lithuania is chosen the holder of a license, referred to in subparagraph 6 of paragraph 1 of article 22 of the Law on Nuclear Safety, and all the necessary information required to ensure the nuclear safety and security while transporting nuclear and fissile materials, which quantities exceed the amount prescribed in Annex 1 in the Law on Nuclear Safety;

30⁴.3. information about type of package, transport index, category of package and other documents proving safety in accordance to the European Agreement concerning the International Carriage of Dangerous Goods by Road (ADR) A and B technical annexes, IMO International Maritime Dangerous Goods Code (IMDG Code), Regulation concerning the International Carriage of Dangerous Goods by Rail (RID) – Appendix C to COTIF and Agreement concerning International Goods Traffic by Rail (SMGS), annex 2 „Transportation of Dangerous Goods“.

30⁵. When nuclear and fissile material, which quantities exceed the amount prescribed in Annex 1 in the Law on Nuclear Safety, or others used and having become radioactive material in other nuclear installations, are exported from the Republic of Lithuania to the European Union member state or are imported to the Republic of Lithuania from the European Union member state are not regulated by the Council Regulation (EURATOM) No 1493/93 of 8 June 1993 on shipments of radioactive substances between Member States, the appropriate application form, referred to in paragraph 18⁴ of the Rules, and documents for Permit to transport these materials must be presented to the competent authority of the Republic in Lithuania, referred to in sub paragraph 13.2 of these Rules. The competent authority of the Republic in Lithuania having received an application for issuing a Permit and other documents, analyze them during 30 working days since the date of registration and:

30⁵.1. if nuclear and fissile material, which quantities exceed the amount prescribed in annex 1 in the Law on Nuclear Safety, or others used and having become radioactive materials in other nuclear installations, are being planned to import to the Republic of Lithuania from the European Union member state, having taken a positive decision to issue a Permit, referred to in the annex 5 in these Rules;

30⁵.2. if nuclear and fissile material, which quantities exceed the amount prescribed in annex 1 in the Law on Nuclear Safety, or others used and having become radioactive materials in other nuclear installations are being planned to export from the Republic of Lithuania to European Union member state, having taken a positive decision to issue a Permit, during 5 working days applies to the European Union member state of destination and (or) to the competent authorities of transit, for agreements to import these materials. Having received the agreements of the European Union member state of destination and of the competent authorities of transit for importing nuclear and fissile material, which quantities exceed the amount prescribed in annex 1 in the Law on Nuclear Safety, or others used and having become radioactive materials in other nuclear installations, during 10 working days since the date of documents registration issues a Permit, referred to in the annex 5 in these Rules;

30⁵.3. If the presented documents do not meet the requirements, referred to in the paragraph 184 in these Rules, or the information from competent authority of the European Union member state and (or) competent authority of transit contradicts the import of these materials, the competent authority of the Republic of Lithuania, referred in to the subparagraph 13.2 in these Rules, sets not shorter than 30 calendar days term during which the shortcomings have to be removed.

31. A citizen of the Republic of Lithuania or a citizen of other European Union member state or a state of the European Economic Area, other natural person exercising the right of free movement in the European Union member state or a state of the European Economic Area under the laws of the European Union, a legal entity established in the Republic of Lithuania or a legal entity established in other European Union member state or a state of the European Economic Area, other organization or affiliates thereof, as well as the affiliates of a foreign legal entity or other organization established in the Republic of Lithuania may import to the Republic of Lithuania from the European Union member state or may export from the Republic of Lithuania to the European Union member state in the manner established by the paragraphs 29-30 in these Rules.

32. To import to the Republic of Lithuania from the European Union member state, export from the Republic of Lithuania to the European Union member state and transit through the Republic of Lithuania between European Union member state the items containing radioactive materials or nuclear and fissile materials which quantities exceed the amount prescribed in Annex 1 of the Law on Nuclear Safety, which are included in the Common Dual-Use and Military Control Lists, the Standard document and the copy of the licenses for import, export and transit, issued by Ministry of Economy is submitted to the competent authority of the Republic of Lithuania.

IV. RADIOACTIVE WASTE AND SPENT NUCLEAR FUEL IMPORT TO THE REPUBLIC OF LITHUANIA FROM THE EUROPEAN UNION MEMBER STATE, EXPORT FROM THE REPUBLIC OF LITHUANIA TO THE EUROPEAN UNION MEMBER STATE AND TRANSIT THROUGH THE REPUBLIC OF LITHUANIA BETWEEN EUROPEAN UNION MEMBER STATE

33. Application for getting Permission:

33.1. Transporting radioactive waste or spent nuclear fuel from Republic of Lithuania the holder submits to the competent authority of the Republic of Lithuania, referred in paragraph 13 of these Rules, a completed application, referred to in the annex 7 of these Rules, to get a Permit to transport radioactive waste, or an application, referred the annex 14 of these Rules, to get a Permit to transport spent nuclear fuel;

33.2. The application may be sent in respect of more than one shipment of radioactive waste or spent nuclear fuel, provided that:

33.2.1. the radioactive waste or the spent fuel to which it relates essentially has the same physical, chemical and radioactive characteristics;

33.2.2. the shipments of radioactive waste or spent nuclear fuel are to be made from the same holder to the same consignee and involve the same competent authorities;

33.2.3. where shipments of radioactive waste or spent nuclear fuel involve transit through third countries, such transit is via the same frontier post of entry to and/or exit from the European Union member state and via the same frontier post(s) of the third country or countries concerned, unless otherwise agreed between the competent authorities concerned;

33.3. The competent authority of Republic of Lithuania shall send the duly completed application referred for consent to the competent authorities of the European Union member state of destination and of the European Union member states of transit, if any.

34. Applications for obtaining a Permit and giving information:

34.1. When the radioactive waste or spent nuclear fuel are expected to import to Republic of Lithuania or expected to transit the radioactive waste or spent nuclear fuel through the Republic of Lithuania from European Union member state to the European Union member state, competent authority of Republic of Lithuania within 20 days following the receipt of the application (the forms are referred the annex 7 or 14 of these Rules) shall verify that the application is duly completed;

34.2. the application is not duly completed, when:

34.2.1. it is expected to export radioactive waste or spent nuclear fuel from Republic of Lithuania, the competent authority of Republic of Lithuania shall provide missing information (the forms are referred in the annexes 8 or 15 of these Rules) to the competent authorities of European Union member state of destination or transit, if it was requested.

34.2.2. it is expected to import radioactive waste or spent nuclear fuel to Republic of Lithuania or expecting to transit through the Republic of Lithuania from European Union member state to other European Union member state, the competent authority of Republic of Lithuania shall request (the forms are referred in the annexes 8 or 15 of these Rules) the missing information from the competent authorities of the European Union member state of radioactive waste or spent nuclear fuel origin and inform the other competent authorities (transit and (or) origin) of European Union member state of such request. This request shall be made not later than the expiry of the period set out in sub paragraph 34.1;

34.3. In case the application is duly completed, when it is expected to import radioactive waste or spent nuclear fuel to Republic of Lithuania, the competent authority of the Republic of Lithuania shall send an acknowledgement of receipt (the forms are referred the annex 8 or 15 of these Rules) to the competent authorities of the European Union member state of origin and copy it to the other competent authorities concerned, not later than 10 days after expiry of the 20 days period set out in paragraph 34.1.

34.4. the time periods set out in paragraphs 34.1-34.3 for issuing the acknowledgement of receipt may be shortened if the competent authority of Republic of Lithuania is satisfied that the application is duly completed, when it is expected to import radioactive waste or spent nuclear fuel to Republic of Lithuania or expects to transit through the Republic of Lithuania from European Union member state to other European Union member state.

35. Agreement and refusal:

35.1. when it is expected to import radioactive waste or spent nuclear fuel to Republic of Lithuania or transit through the Republic of Lithuania from European Union member state to other European Union member state:

35.1.1. Competent authority of Republic of Lithuania not later than two months from the date of acknowledgement of receipt shall notify the competent authorities of the European Union member state of origin (the forms are referred in the annex 9 or 16 of these Rules), or of the conditions which consider necessary for giving their consent, or of their refusal to grant consent (the forms are referred in the annex 9 or 16 of these Rules). However, the competent authority of the Republic of Lithuania may request a further period of not more than one month in addition to the period referred above to make position known;

35.1.2. If the competent authority of Republic of Lithuania during the indicated term in the subparagraph 35.1.1 of these Rules, does not provide reply to the European Union member state of origin, it is considered, that competent authority of Republic of Lithuania agreed with a shipment;

35.1.3. if competent authority of Republic of Lithuania refuse to grant consent (the forms are referred in the annex 9 or 16 of these Rules) or set the conditions which consider necessary for giving their consent, which shall be based. Refusal to grant consent for conditions attached to their consent, which shall be based Lithuanian Republic, European Union and international legal acts, applicable to the transport of radioactive material, radioactive waste or spent nuclear fuel. Any conditions imposed by the competent authorities of the Republic of Lithuania, may not be more stringent than those laid down for similar shipments in the Republic of Lithuania.

35.1.4. The competent authority of Republic of Lithuania which gave consent to transit radioactive waste or spent nuclear fuel through Republic of Lithuania (the forms are referred in the annex 9 or 16 of these Rules) for a given shipment may not refuse to give consent to reshipment in the following cases:

35.1.4.1. when the initial consent concerned material being shipped for treatment or reprocessing purposes, if the reshipment concerns radioactive waste or other products equivalent to the original material after treatment or reprocessing, and all relevant legislation is respected;

35.1.4.2. if the reshipment is undertaken on the same conditions and with the same specifications, when radioactive waste or spent nuclear fuel is returned back when some European Union member state has decided that the shipment may not be completed;

35.2. Competent authority of the Republic of Lithuania informs European Commission if any competent authorities of European Union member state taking part in transporting is late to confirm the receipt of application for Permit and (or) does not want to cooperate.

36. Authorisation of shipments:

36.1. when radioactive waste or spent nuclear fuel is exported from Republic of Lithuania and all the consents necessary for shipment have been given, the competent authorities of the Republic of Lithuania shall be entitled to authorize the holder to carry out the shipment of radioactive waste (the forms are referred in the annex 10 or 11 of these Rules) or spent nuclear fuel (the forms are referred in the annex 17 or 18 of these Rules) and shall inform the competent authorities of the Member State of destination and of any Member State or third country of transit accordingly;

36.2. the holder of radioactive waste or spent nuclear fuel has to ensure that the consignment is accompanied by the document describing it and the packages list (the forms are referred in the annex 12 or 19 of these Rules);

36.3. The Permission shall not in any way affect the responsibility of the holder, the carrier, the owner, the consignee or any other natural or legal person involved in the shipment.

36.4. Permission may cover more than one shipment, where the conditions set out in sub paragraph 33.2 are met. Permission shall be valid for a period of not more than three years. When establishing this period of validity, Member States shall take into account any conditions set out in the consent given by the Member States of destination or of transit.

37. Acknowledgement of receipt of the shipment:

37.1. When radioactive waste or spent nuclear fuel is being imported to the Republic of Lithuania, within 15 days of receipt, the consignee shall send the competent authorities of the Republic of Lithuania an acknowledgement of receipt of each shipment (the forms are referred in the annex 13 or 20 of these Rules). The competent authorities of the Republic of Lithuania shall send copies of the acknowledgement of receipt to the Member State of origin and any Member State or third country of transit;

37.2. When radioactive waste or spent nuclear fuel is importing to the Republic of Lithuania, the competent authorities of the Republic of Lithuania shall send a copy of the acknowledgement of receipt (the forms are referred in the annex 13 or 20 of these Rules) to the original holder.

38. Shipment failure:

38.1. The competent authority of the Republic of Lithuania may decide that the shipment of radioactive waste or spent nuclear fuel may not be completed if the conditions for shipment are no longer complied with in accordance with these Rules, or are not in accordance with the authorisations or consents given pursuant to these Rules. The competent authority of the Republic of Lithuania shall forthwith inform the competent authorities of the other Member States involved in the shipment of this decision;

38.2. The competent authority of the Republic of Lithuania having received information relating to transport from other competent authority of European Union member states about radioactive waste or spent nuclear fuel transport prohibition, has to inform the holder within 5 working days in writing since the day of registration. The holder:

38.2.1. in order to continue transport of radioactive waste or spent fuel must assess the possibility to apply alternative safety measures during transport;

38.2.2. finding out that alternative safety measures can be applied and coordinated these measures with the competent authority of the Republic of Lithuania and other competent authorities of European Union member states, relating to this shipment, must inform the carrier about these alternative safety measures. The carrier has to fulfill alternative safety measures, and having received the arrangements from other competent authority of European Union member states, relating to this shipment, has to continue their transporting to the country of origin;

38.2.3. finding out that alternative safety measures cannot be applied, must take back radioactive waste or the spent nuclear fuel from European Union member state, according its decision radioactive waste or the spent nuclear fuel transport was forbidden. In order to take back radioactive waste or the spent nuclear fuel from other European Union member state, the holder has to receive the agreement of that European Union member state to transport radioactive waste or spent nuclear fuel and, having received such an agreement has to take back radioactive waste or spent nuclear fuel as soon as possible. The holder having received radioactive waste or spent nuclear fuel, must inform about it the competent authority of Republic of Lithuania within 15 calendar days since the returning of radioactive waste or spent nuclear fuel, and sent the document confirming the receiving (the forms are referred in the annex 13 or 20 of these Rules);

38.3. The holder shall be liable for costs arising in cases where the shipment cannot or may not be completed;

38.4. when radioactive waste or spent nuclear fuel is taken back to Republic of Lithuania, the competent authority of the Republic of Lithuania within 15 calendar days since the confirmation of received document (the forms are referred in the annex 13 or 20 of these Rules), in accordance to the legal acts performs the inspection, which aim is to determine if the radioactive waste or spent nuclear fuel consignee has received all radioactive waste or spent nuclear fuel which was allowed to transport.

V. RADIOACTIVE WASTE AND SPENT NUCLEAR FUEL IMPORT TO THE REPUBLIC OF LITHUANIA FROM THE THIRD COUNTRY, EXPORT FROM THE REPUBLIC OF LITHUANIA TO THE THIRD COUNTRY AND TRANSIT THROUGH THE REPUBLIC OF LITHUANIA

39. Import to Republic of Lithuania from a third country:

39.1. when radioactive waste or spent fuel is being imported to the Republic of Lithuania from a third country and the country, the consignee shall submit an application for authorization (the forms are referred in the annex 7 or 14 of these Rules). The application may be sent in respect of more than one shipment, under the conditions set out in sub paragraph 33.2.

39.2. The application shall include evidence that the consignee has made an arrangement with the holder established in the third country, and which has been accepted by the competent authorities of that third country, obliging that holder to take back the radioactive waste or the spent fuel where a shipment cannot be completed in accordance with these Rules, as provided for in sub paragraph 39.6 of these Rules;

39.3. The competent authority of the Republic of Lithuania shall send the application (the forms are referred in the annex 7 or 14 of these Rules) for consent to the competent authorities of the European Union member states of transit, if any. Further paragraphs 34 and 35 shall apply.

39.4. If all the consents necessary for the shipment have been granted (the forms are referred in the annex 9 or 16 of these Rules), the competent authority of the Republic of Lithuania shall be entitled to authorize the consignee to carry out the shipment and shall inform the competent authorities of any European Union member state or third country of origin or of transit accordingly. Further paragraphs 36.3 and 36.4 shall apply;

39.5. Within 15 days of receipt of the shipment, the consignee shall send the competent authority of the Republic of Lithuania an acknowledgement of receipt of each shipment (the forms are referred in the annex 13 or 20 of these Rules). The competent authority of the Republic of Lithuania shall send copies of the acknowledgement (the forms are referred in the annex 13 or 20 of these Rules) to the country of origin and to any Member State or third country of transit;

39.6. The competent authority of the Republic of Lithuania may decide that the shipment of radioactive waste or spent nuclear fuel may not be completed if the conditions for shipment are no longer complied with in accordance with these Rules, or are not in accordance with the authorisations or consents issued pursuant to these Rules. The competent authority of the

Republic of Lithuania shall forthwith inform the competent authorities of the country of origin of this decision;

39.7. The consignee shall be liable for costs arising in cases where the shipment cannot or may not be completed.

40. The shipment from the third country to third country transit through European Union member states, when Republic of Lithuania is the first European Union member state of transit:

40.1. the natural or legal person who has the responsibility for managing the shipment in the Republic of Lithuania, shall submit an application for authorisation (the forms are referred in the annex 7 or 14 of these Rules) to the competent authority of the Republic of Lithuania. The application may be sent in respect of more than one shipment, under the conditions set out in sub paragraph 33.2;

40.2. The application shall include evidence that the consignee established in the third country has made an arrangement with the holder established in the third country, and accepted by the competent authorities of that third country, obliging that holder to take back radioactive waste or the spent fuel where a shipment cannot be completed in accordance with these Rules, as provided for in sub paragraph 40.6 of these Rules;

40.3. The competent authority of the Republic of Lithuania shall send the application for consent (the forms are referred in the annex 7 or 14 of these Rules) to the competent authorities of other Member States of transit, if any. Further paragraphs 34 and 35 shall apply;

40.4. If all the consents necessary for shipment have been granted (the forms are referred in the annex 9 or 16 of these Rules), the competent authority of the Republic of Lithuania shall be entitled to authorise the person responsible referred to in sub paragraph 40.1 to carry out the shipment and shall inform the competent authorities of any other Member State or third country of transit or of origin accordingly. Further paragraphs 36.3 and 36.4 shall apply;

40.5. The person responsible referred to in sub paragraph 40.1 shall notify the competent authority of the Republic of Lithuania that the radioactive waste or spent fuel has reached its destination in the third country within 15 days of the date of arrival and shall indicate the last customs post in the European Union through which the shipment passed. The notification shall be substantiated by a declaration or certification by the consignee stating that the radioactive waste or spent fuel has reached its proper destination and indicating the customs post of entry in the third country;

40.6. The Competent authority of the Republic of Lithuania may decide that the shipment may not be completed if the conditions for shipment are no longer complied with in accordance with these Rules, or are not in accordance with the authorisations or consents issued pursuant to these Rules. The Competent authority of the Republic of Lithuania shall forthwith inform the competent authorities of the country of origin of this decision. The person responsible referred to in sub paragraph 40.1 shall be liable for costs arising in cases where the shipment cannot or may not be completed.

41. Exporting from the Republic of Lithuania to a third country:

41.1. the holder shall submit an application for authorisation (the forms are referred in the annex 7 or 14 of these Rules) to the competent authorities of the Republic of Lithuania. The application may be sent in respect of more than one shipment, under the conditions set out in sub paragraph 33.2;

41.2. The competent authority of the Republic of Lithuania shall notify the competent authorities of the country of destination of the planned shipment and ask their consent and shall send the application for consent (the forms are referred in the annex 7 or 14 of these Rules) to the competent authorities of the European Union member states of transit, if any. Further paragraph 34 shall apply;

41.3. If all the consents necessary for shipment have been given (the forms are referred in the annex 9 or 16 of these Rules), the competent authority of the Republic of Lithuania shall be entitled to authorize the holder to carry out the shipment and shall inform the competent

authorities of the third country of destination and of any European Union member state or third country of transit accordingly. Further sub paragraphs 36.3 and 36.4 shall apply;

41.4. The holder shall notify the competent authority of the Republic of Lithuania that the radioactive waste or spent fuel has reached its destination in the third country within 15 days of the date of arrival and shall indicate the last customs post in the European Union through which the shipment passed. The notification shall be substantiated by a declaration or certification by the consignee stating that the radioactive waste or spent fuel has reached its proper destination and indicating the customs post of entry in the third country;

41.5. The Competent authority of the Republic of Lithuania may decide that the shipment may not be completed if the conditions for shipment are no longer complied with in accordance with these Rules, or are not in accordance with the authorisations or consents issued pursuant to these Rules. Further sub paragraphs 38.2 and 38.3 must be applied.

VI. THE STANDARD DOCUMENT FOR THE SUPERVISION AND CONTROL OF SHIPMENTS OF RADIOACTIVE WASTE AND SPENT FUEL

42. The standard document is required to apply to shipments of radioactive waste and spent fuel between Member States, as well as to imports into and exports out of the European Union of such radioactive waste/spent fuel and to its transit through the European Union from a third country to another third country (the forms of the standard document for the supervision and control of shipments of radioactive waste and spent fuel are referred in the annexes 7-20 of these Rules), the electronic form is provided in the websites of the delegated institutions of the Republic of Lithuania.

43. Application for a Permit and all additional documents and information, referred to in the paragraphs 36, 39, 40 and 41 of these Rules, are provided in Lithuanian language to the Competent authority of the Republic of Lithuania, to which an application is given to get a Permit according to the requirements indicated in these Rules.

44. When radioactive waste or spent nuclear fuel is transported into Republic of Lithuania or is transited through the Republic of Lithuania, the holder according to the request of the Competent authority of the Republic of Lithuania, must submit the translation of documents and information, referred to in the paragraph 43 in these Rules, into Lithuanian language, confirmed by legal acts.

45. All the conditions for shipment shall be attached to the standard document for the supervision and control of shipments of radioactive waste and spent fuel.

46. For each import of radioactive waste and spent nuclear fuel into the Republic of Lithuania, export of radioactive waste and spent nuclear fuel from the Republic of Lithuania and transit through the Republic of Lithuania the completed standard document certifying, that the permitting procedure has been followed, including cases where the Permit relates to more than one shipment, must be attached.

47. When radioactive waste and spent nuclear fuel is imported into the Republic of Lithuania, exported from the Republic of Lithuania or in transit through the Republic of Lithuania, the competent authority of the Republic of Lithuania has the right to get documents and information referred to in the paragraphs 42-46 in these Rules.

VII. SECURE SYSTEM OF TRANSMISSION DOCUMENTS AND INFORMATION

48. The competent authority of the Republic of Lithuania must ensure the safety of processed information, referred to in paragraphs 34-38 in these Rules, during the process of giving Permit. The safety must be of the same level as it was set by the competent authority of European Union member state. In case the competent authority of the Republic of Lithuania transfers information to other competent authority of the European Union member, it must determine the appropriate level of secret information and terms and inform if there are any changes in restricted documents.

49. The Competent authority of the Republic of Lithuania must restrict, save, use and disclose information according to the Law on State Secrets and Official Secrets, Rules for classified information management, approved by the Government of the Republic of Lithuania in 5 of December, 2005 and other laws by the Republic of Lithuania.

50. All information disclosure or loss damage must be evaluated during the Permit issuance process, referred to in the paragraphs 34-38 in these Rules, and this information must be restricted appropriately according to the Law on State Secrets and Official Secrets and a detailed restricted information list by the competent authority of the Republic of Lithuania.

51. The competent authority of the Republic of Lithuania, having transferred information to the competent authority of the European Union member states can apply to competent authority of the European Union member state to which information was transferred, and demand restrict, disclose such information or provide such information with lower or higher level of secret mark.

52. The Competent authority of the Republic of Lithuania having received an information from the competent authority of the European Union member states must carry out the competent authority of the European Union member state, that has send the information, requirements to restrict, conceal such information or provide such information in a lower or higher level of secret mark.

53. Following the principle „need-to-know“ right to get and possess information according to the Law on State secrets and official secrets established procedures should be provided only to those persons who work in Competent authority of the Republic of Lithuania, according work contract, and for whom the restrict information is necessary (make familiar with such information or use it) for meeting their engagements.
