

**【Title】 Regulation on the Safety Management of Radioactive Waste**[现行有效]  
**【法规标题】 放射性废物安全管理条例** [Effective]

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The Regulation on the Safety Management of Radioactive Waste, as adopted at the 183 executive meeting of the State Council on November 30, 2011, is hereby issued and shall come into force on March 1, 2012.  
Wen Jiabao, Premier  
December 20, 2011  
Regulation on the Safety Management of Radioactive Waste

《放射性废物安全管理条例》已经 2011 年 11 月 30 日国务院第 183 次常务会议通过, 现予公布, 自 2012 年 3 月 1 日起施行。

总 理 温家宝  
二〇一一年十二月二十日

放射性废物安全管理条例

Chapter I General Provisions

第一章 总 则

Article 1 This Regulation is formulated in accordance with the [Law of the People's Republic of China on the Prevention and Control of Radioactive Pollution](#) for purposes of strengthening the safety management of radioactive waste, protecting the environment and safeguarding human health.

第一条 为了加强对放射性废物的安全管理, 保护环境, 保障人体健康, 根据 [《中华人民共和国放射性污染防治法》](#), 制定本条例。

Article 2 The term “radioactive waste” as mentioned in this Regulation means waste containing radionuclide or contaminated with radionuclide, with the density or specific activity of radionuclide higher than the clearance level determined by the state, and is expected to be no longer used.

第二条 本条例所称放射性废物, 是指含有放射性核素或者被放射性核素污染, 其放射性核素浓度或者比活度大于国家确定的清洁解控水平, 预期不再使用的废弃物。

Article 3 This Regulation shall apply to activities such as the processing, storage and disposal of radioactive waste and the supervision and management thereof.

第三条 放射性废物的处理、贮存和处置及其监督管理等活动, 适用本条例。

The term “processing” as mentioned in this Regulation means activities which change the properties, shape and volume of radioactive waste through means such as purification, concentration, solidification, compression and packaging to transport, store and dispose of radioactive waste in a safe and economical manner.

本条例所称处理, 是指为了能够安全和经济地运输、贮存、处置放射性废物, 通过净化、浓缩、固化、压缩和包装等手段, 改变放射性废物的属性、形态和体积的活动。

本条例所称贮存, 是指将废旧放射源和

The term “storage” as mentioned in this Regulation means activities which temporarily place sources of radioactive waste and other solid radioactive waste in facilities specially built for their maintenance.

The term “disposal” as mentioned in this Regulation means activities which ultimately place sources of radioactive waste and other solid radioactive waste in specially built facilities for no further taking back.

Article 4 The safety management of radioactive waste shall adhere to the principle of reduction, harmlessness, appropriate disposal and permanent safety.

Article 5 The environmental protection administrative department under the State Council shall be uniformly responsible for the safety supervision and administration of radioactive waste throughout the country.

The competent department of nuclear industry and other relevant departments under the State Council shall, in accordance with this Regulation and their respective duties, be responsible for the relevant administration of radioactive waste.

The environmental protection administrative departments and other relevant departments of the local people's governments at the county level and above shall, in accordance with this Regulation and their respective duties, be responsible for the relevant administration of radioactive waste within their respective administrative regions.

Article 6 The state shall subject radioactive waste to classification management.

The radioactive waste shall be divided into high-level radioactive waste, medium-level radioactive waste and low-level radioactive waste based on their characteristics and the extent of potential harm to human health and the environment.

Article 7 The processing, storage and disposal of radioactive waste shall comply with the relevant national standards for the prevention and control of radioactive contamination and the provisions of the environmental protection administrative department under the State Council.

Article 8 The environmental protection administrative department under the State Council shall, jointly with the competent department of nuclear industry and other relevant departments under the State Council, establish a national radioactive waste management information system to realize the sharing of information.

The state shall encourage and support scientific research on and the development and utilization of technology for the safety management of radioactive waste, and promote advanced radioactive waste safety management technology.

其他放射性固体废物临时放置于专门建造的设施内进行保管的活动。

本条例所称处置，是指将废旧放射源和其他放射性固体废物最终放置于专门建造的设施内并不再回取的活动。

第四条 放射性废物的安全管理，应当坚持减量化、无害化和妥善处置、永久安全的原则。

第五条 国务院环境保护主管部门统一负责全国放射性废物的安全监督管理工作。

国务院核工业行业主管部门和其他有关部门，依照本条例的规定和各自的职责负责放射性废物的有关管理工作。

县级以上地方人民政府环境保护主管部门和其他有关部门依照本条例的规定和各自的职责负责本行政区域放射性废物的有关管理工作。

第六条 国家对放射性废物实行分类管理。

根据放射性废物的特性及其对人体健康和环境的潜在危害程度，将放射性废物分为高水平放射性废物、中水平放射性废物和低水平放射性废物。

第七条 放射性废物的处理、贮存和处置活动，应当遵守国家有关放射性污染防治标准和国务院环境保护主管部门的规定。

第八条 国务院环境保护主管部门会同国务院核工业行业主管部门和其他有关部门建立全国放射性废物管理信息系统，实现信息共享。

国家鼓励、支持放射性废物安全管理的科学研究和技术开发利用，推广先进的放射性废物安全管理技术。

Article 9 Any entity or individual shall have the right to report violations of this Regulation to the environmental protection administrative department or any other relevant department of the people's government at the county level or above. A department receiving a report shall investigate and handle the issue in a timely manner and keep confidential the name of the informant. If the violation reported is verified to be true through investigation, the informant shall be rewarded.

## Chapter II Processing and Storage of Radioactive Waste

Article 10 An entity operating nuclear facilities shall send the sources of radioactive waste which it has generated and which can not be recycled and can not be returned to the original production entity or the exporter (hereinafter referred to as the "sources of radioactive waste") to an entity which has obtained the corresponding license to store solid radioactive waste for centralized storage, or directly send them to an entity which has obtained the corresponding license to dispose of solid radioactive waste for disposal.

An entity operating nuclear facilities shall process the solid radioactive waste it has generated, other than the sources of radioactive waste, and the liquid radioactive waste which can not be discharged through purification, and after turning the two kinds of waste into stable and standardized solid waste, store the said waste by itself, and send it in a timely manner to an entity which has obtained the corresponding license to dispose of solid radioactive waste for disposal.

Article 11 An entity utilizing nuclear technology shall process the liquid radioactive waste it has generated and which can not be discharged through purification, and turn it into solid radioactive waste.

An entity utilizing nuclear technology shall send in a timely manner the sources of radioactive waste and other solid radioactive waste it has generated to an entity which has obtained the corresponding license to store solid radioactive waste for centralized storage, or directly send them to an entity which has obtained the corresponding license to dispose of solid radioactive waste for disposal.

Article 12 An entity specializing in the storage of solid radioactive waste shall meet the following conditions and apply for a license for the storage of solid radioactive waste in accordance with this Regulation:

- (1) have a corporate status;
- (2) have an organization that can guarantee the safe operation of the storage facilities and more than three professional technical personnel for radioactive waste management, radioprotection and environmental monitoring, and among them, there shall be at least one registered nuclear safety engineer;
- (3) have facilities and places to receive and store solid radioactive waste

第九条 任何单位和个人对违反本条例规定的行为，有权向县级以上人民政府环境保护主管部门或者其他有关部门举报。接到举报的部门应当及时调查处理，并为举报人保密；经调查情况属实的，对举报人给予奖励。

## 第二章 放射性废物的处理和贮存

第十条 核设施营运单位应当将其产生的不能回收利用并不能返回原生产单位或者出口方的废旧放射源（以下简称废旧放射源），送交取得相应许可证的放射性固体废物贮存单位集中贮存，或者直接送交取得相应许可证的放射性固体废物处置单位处置。

核设施营运单位应当对其产生的除废旧放射源以外的放射性固体废物和不能经净化排放的放射性废液进行处理，使其转变为稳定的、标准化的固体废物后自行贮存，并及时送交取得相应许可证的放射性固体废物处置单位处置。

第十一条 核技术利用单位应当对其产生的不能经净化排放的放射性废液进行处理，转变为放射性固体废物。

核技术利用单位应当及时将其产生的废旧放射源和其他放射性固体废物，送交取得相应许可证的放射性固体废物贮存单位集中贮存，或者直接送交取得相应许可证的放射性固体废物处置单位处置。

第十二条 专门从事放射性固体废物贮存活动的单位，应当符合下列条件，并依照本条例的规定申请领取放射性固体废物贮存许可证：

- （一）有法人资格；
- （二）有能保证贮存设施安全运行的组织机构和 3 名以上放射性废物管理、辐射防护、环境监测方面的专业技术人员，其中至少有 1 名注册核安全工程师；

which meet the relevant national standards for the prevention and control of radioactive contamination and the provisions of the environmental protection administrative department under the State Council, and have equipment for the radiation detection, radiation protection and environmental monitoring; and

(4) have a sound management system and quality assurance system that meets the requirements of nuclear safety supervision and administration, including a quality assurance program, monitoring plans for the running of storage facilities, plans for radiation environmental monitoring, contingency plans, and so forth.

Where an entity operating nuclear facilities uses the storage facilities constructed to support nuclear facilities to store the solid radioactive waste it has generated, it is not required to apply for a storage license. In the case of storing solid radioactive waste generated by another entity, it shall apply for a storage license in accordance with this Regulation.

**Article 13** To apply for a license for the storage of solid radioactive waste, an entity shall file a written application with the environmental protection administrative department under the State Council, and submit certification materials meeting the conditions as prescribed by Article 12 of this Regulation.

The environmental protection administrative department under the State Council shall, within 20 workdays upon acceptance of an application, complete examination, and issue a license and make an announcement if the applicant meets the conditions; and if the applicant fails to meet the conditions, notify the applicant in writing and give reasons.

During the process of examination, the environmental protection administrative department under the State Council shall organize experts to conduct technical appraisal, and solicit the opinions of other relevant departments under the State Council. The time needed for technical appraisal shall be communicated to the applicant in writing.

**Article 14** A license for the storage of solid radioactive waste shall include the following:

- (1) the name, address and legal representative of the entity;
- (2) permitted types, scope and scale of activities;
- (3) validity period; and
- (4) the issuing authority, issuance date and serial number of the license.

**Article 15** Where an entity storing solid radioactive waste modifies its name, address or legal representative, it shall, within 20 days from the date of registration of the modification, apply to the environmental protection administrative department under the State Council for handling

(三) 有符合国家有关放射性污染防治标准和国务院环境保护主管部门规定的放射性固体废物接收、贮存设施和场所, 以及放射性检测、辐射防护与环境监测设备;

(四) 有健全的管理制度以及符合核安全监督管理要求的质量保证体系, 包括质量保证大纲、贮存设施运行监测计划、辐射环境监测计划和应急预案等。核设施营运单位利用与核设施配套建设的贮存设施, 贮存本单位产生的放射性固体废物的, 不需要申请领取贮存许可证; 贮存其他单位产生的放射性固体废物的, 应当依照本条例的规定申请领取贮存许可证。

**第十三条** 申请领取放射性固体废物贮存许可证的单位, 应当向国务院环境保护主管部门提出书面申请, 并提交其符合本条例第十二条规定条件的证明材料。国务院环境保护主管部门应当自受理申请之日起 20 个工作日内完成审查, 对符合条件的颁发许可证, 予以公告; 对不符合条件的, 书面通知申请单位并说明理由。

国务院环境保护主管部门在审查过程中, 应当组织专家进行技术评审, 并征求国务院其他有关部门的意见。技术评审所需时间应当书面告知申请单位。

**第十四条** 放射性固体废物贮存许可证应当载明下列内容:

- (一) 单位的名称、地址和法定代表人;
- (二) 准予从事的活动种类、范围和规模;
- (三) 有效期限;
- (四) 发证机关、发证日期和证书编号。

**第十五条** 放射性固体废物贮存单位变更单位名称、地址、法定代表人的, 应当自变更登记之日起 20 日内, 向国务院环境保护主管部门申请办理许可证变更手

the formalities for the modification of the license.

Where an entity storing solid radioactive waste needs to modify the types, scope and scale of activities as stipulated in the license, it shall, according to the original application procedures, apply to the environmental protection administrative department under the State Council for a new license.

**Article 16** A license for the storage of solid radioactive waste shall be valid for 10 years.

Upon the expiration of the validity period of the license, where an entity storing solid radioactive waste needs to continue engaging in storage activities, it shall, 90 days before the expiration of the validity period of the license, apply to the environmental protection administrative department under the State Council for renewal.

The environmental protection administrative department under the State Council shall, before the expiration of the validity period of the license, complete examination, approve renewal if the applicant meets the conditions; and if the applicant fails to meet the conditions, notify the applicant in writing and give reasons.

**Article 17** An entity storing solid radioactive waste shall, in accordance with the relevant national standards for the prevention and control of radioactive contamination and the provisions of the environmental protection administrative department under the State Council, store and clear up the sources of radioactive waste and other solid radioactive waste it receives in categories, clear them in a timely manner or send them to an entity which has obtained the corresponding license to dispose of solid radioactive waste for disposal.

An entity storing solid radioactive waste shall establish files on the storage of solid radioactive waste to truthfully and completely record the issues relevant to storage activities, including the sources, quantity, characteristics, storage location, clearance, and delivery for disposal of the solid radioactive waste the entity stores.

An entity storing solid radioactive waste shall, according to the natural environment of storage facilities and the characteristics of the solid radioactive waste, take necessary protective measures to ensure the integrity of storage facilities and containers and the security of solid radioactive waste during the prescribed storage period, and ensure that the solid radioactive waste can be taken back safely.

**Article 18** An entity storing solid radioactive waste shall, according to the monitoring plan for the running of storage facilities and the plan for radiation environmental monitoring, conduct safety inspection of storage facilities, and conduct radiation monitoring of the groundwater, surface water, soil and air surrounding the storage facilities.

An entity storing solid radioactive waste shall truthfully record the

续。

放射性固体废物贮存单位需要变更许可证规定的活动种类、范围和规模的，应当按照原申请程序向国务院环境保护主管部门重新申请领取许可证。

**第十六条** 放射性固体废物贮存许可证的有效期为 10 年。

许可证有效期届满，放射性固体废物贮存单位需要继续从事贮存活动的，应当于许可证有效期届满 90 日前，向国务院环境保护主管部门提出延续申请。

国务院环境保护主管部门应当在许可证有效期届满前完成审查，对符合条件的准予延续；对不符合条件的，书面通知申请单位并说明理由。

**第十七条** 放射性固体废物贮存单位应当按照国家有关放射性污染防治标准和国务院环境保护主管部门的规定，对其接收的废旧放射源和其他放射性固体废物进行分类存放和清理，及时予以清洁解控或者送交取得相应许可证的放射性固体废物处置单位处置。

放射性固体废物贮存单位应当建立放射性固体废物贮存情况记录档案，如实完整地记录贮存的放射性固体废物的来源、数量、特征、贮存位置、清洁解控、送交处置等与贮存活动有关的事项。

放射性固体废物贮存单位应当根据贮存设施的 natural 环境和放射性固体废物特性采取必要的防护措施，保证在规定的贮存期限内贮存设施、容器的完好和放射性固体废物的安全，并确保放射性固体废物能够安全回取。

**第十八条** 放射性固体废物贮存单位应当根据贮存设施运行监测计划和辐射环境监测计划，对贮存设施进行安全性检查，并对贮存设施周围的地下水、地表水、土壤和空气进行放射性监测。

放射性固体废物贮存单位应当如实记录



monitoring data, and if it discovers any hidden safety danger or that the radionuclide in the surrounding environment exceeds the national standards, it shall immediately identify the reasons, take appropriate preventive measures, and report to the environmental protection administrative department of the people's government of the province, autonomous region or municipality directly under the Central Government of the place where it is located. If a radiation accident is constituted, the entity shall immediately start its emergency plan, make a report and carry out the relevant emergency response according to the [Law of the People's Republic of China on the Prevention and Control of Radioactive Pollution](#) and the [Regulation on the Safety and Protection of Radioisotopes and Radiation Devices](#).

Article 19 When sending sources of radioactive waste and other solid radioactive waste to an entity storing or disposing of solid radioactive waste for storage or disposal, the sender shall provide the types, quantity, activity and other information on the solid radioactive waste as well as the original files of sources of radioactive waste, and bear the expenses for storage or disposal according to the relevant provisions.

### Chapter III Disposal of Radioactive Waste

Article 20 The competent department of nuclear industry under the State Council shall, jointly with the environmental protection administrative department under the State Council, compile a plan for selection of disposal sites of solid radioactive waste according to the geological, environmental and socioeconomic conditions and the needs for the disposal of solid radioactive waste and on the basis of soliciting the opinions of the relevant departments under the State Council and carrying out environmental impact assessment, and implement the plan after it is approved by the State Council.

The relevant local people's governments shall, according to the plan for selection of disposal sites of solid radioactive waste, provide construction land for the disposal sites of solid radioactive waste and take effective measures to support the disposal of solid radioactive waste.

Article 21 The disposal facilities of solid radioactive waste to be constructed shall keep a strict security protective distance from residential areas, water source protection areas, arterial roads, factories, enterprises and other places in accordance with the requirements of technical guidelines and standards for the selection of disposal sites of solid radioactive waste, and full research and demonstration shall be conducted on the natural condition of the sites such as geological structure and hydrogeology, and socioeconomic conditions.

Article 22 The construction of the disposal facilities for solid radioactive

监测数据,发现安全隐患或者周围环境中放射性核素超过国家规定的标准的,应当立即查找原因,采取相应的防范措施,并向所在地省、自治区、直辖市人民政府环境保护主管部门报告。构成辐射事故的,应当立即启动本单位的应急预案,并依照《[中华人民共和国放射性污染防治法](#)》、《[放射性同位素与射线装置安全和防护条例](#)》的规定进行报告,开展有关事故应急工作。

第十九条 将废旧放射源和其他放射性固体废物送交放射性固体废物贮存、处置单位贮存、处置时,送交方应当一并提供放射性固体废物的种类、数量、活度等资料和废旧放射源的原始档案,并按照规定承担贮存、处置的费用。

### 第三章 放射性废物的处置

第二十条 国务院核工业行业主管部门会同国务院环境保护主管部门根据地质、环境、社会经济条件和放射性固体废物处置的需要,在征求国务院有关部门意见并进行环境影响评价的基础上编制放射性固体废物处置场所选址规划,报国务院批准后实施。

有关地方人民政府应当根据放射性固体废物处置场所选址规划,提供放射性固体废物处置场所的建设用地,并采取有效措施支持放射性固体废物的处置。

第二十一条 建造放射性固体废物处置设施,应当按照放射性固体废物处置场所选址技术导则和标准的要求,与居住区、水源保护区、交通干道、工厂和企业等场所保持严格的安全防护距离,并对场址的地质构造、水文地质等自然条件以及社会经济条件进行充分研究论证。

第二十二条 建造放射性固体废物处置设

waste shall meet the plan for selection of disposal sites of solid radioactive waste, and the approval formalities for site selection and a construction permit shall be handled in accordance with law. If the plan for site selection or the technical guidelines or standards for site selection are not met, the site selection or the construction shall not be approved.

The engineering and safety technology research, underground experiments, site selection and construction of deep geological disposal facilities for high-level solid radioactive waste and  $\alpha$  solid radioactive waste shall be organized by the competent department of nuclear industry under the State Council.

Article 23 An entity specializing in the disposal of solid radioactive waste shall meet the following conditions and shall apply for a license for the disposal of solid radioactive waste in accordance with this Regulation:

- (1) have a state-owned or state-holding corporate status;
- (2) have the organization and professional and technical personnel that can ensure the safe operation of disposal facilities. An entity disposing of low- and medium-level solid radioactive waste shall have more than 10 professional and technical personnel in terms of radioactive waste management, radiation protection and environmental monitoring, among them, there shall be at least three registered nuclear safety engineers. An entity disposing of high-level solid radioactive waste and  $\alpha$  solid radioactive waste shall have more than 20 professional and technical personnel in terms of radioactive waste management, radiation protection and environmental monitoring, among them, there shall be at least 5 registered nuclear safety engineers;
- (3) have facilities and places for receiving and disposing of solid radioactive waste and equipment for radiation detection, radiation protection and environmental monitoring which meet the relevant national standards for the prevention and control of radioactive contamination and the provisions of the environmental protection administrative department under the State Council. The disposal facilities of low- and medium-level solid radioactive waste shall meet the requirements of safety isolation for more than 300 years after closure, and the deep geological disposal facilities of high-level solid radioactive waste and  $\alpha$  solid radioactive waste shall meet the requirements of safety isolation for more than 10,000 years after closure;
- (4) have corresponding amount of registered capital. The registered capital of an entity disposing of low- and medium-level solid radioactive waste shall be not less than 30 million yuan, and the registered capital of an entity disposing of high-level solid radioactive waste and  $\alpha$  solid radioactive waste shall be not less than 100 million yuan;
- (5) have a financial guarantee ensuring that disposal activities can proceed continuously until the expiration of the safety monitoring period; and

施, 应当符合放射性固体废物处置场所选址规划, 并依法办理选址批准手续和建造许可证。不符合选址规划或者选址技术导则、标准的, 不得批准选址或者建造。

高水平放射性固体废物和  $\alpha$  放射性固体废物深地质处置设施的工程和安全技术研究、地下实验、选址和建造, 由国务院核工业行业主管部门组织实施。

第二十三条 专门从事放射性固体废物处置活动的单位, 应当符合下列条件, 并依照本条例的规定申请领取放射性固体废物处置许可证:

- (一) 有国有或者国有控股的企业法人资格。
- (二) 有能保证处置设施安全运行的组织机构和专业技术人员。低、中水平放射性固体废物处置单位应当具有 10 名以上放射性废物管理、辐射防护、环境监测方面的专业技术人员, 其中至少有 3 名注册核安全工程师; 高水平放射性固体废物和  $\alpha$  放射性固体废物处置单位应当具有 20 名以上放射性废物管理、辐射防护、环境监测方面的专业技术人员, 其中至少有 5 名注册核安全工程师。
- (三) 有符合国家有关放射性污染防治标准和国务院环境保护主管部门规定的放射性固体废物接收、处置设施和场所, 以及放射性检测、辐射防护与环境监测设备。低、中水平放射性固体废物处置设施关闭后应满足 300 年以上的安全隔离要求; 高水平放射性固体废物和  $\alpha$  放射性固体废物深地质处置设施关闭后应满足 1 万年以上的安全隔离要求。
- (四) 有相应数额的注册资金。低、中水平放射性固体废物处置单位的注册资金应不少于 3000 万元; 高水平放射性固体废物和  $\alpha$  放射性固体废物处置单位的注册资金应不少于 1 亿元。
- (五) 有能保证其处置活动持续进行直至安全监护期满的财务担保。
- (六) 有健全的管理制度以及符合核安全监督管理要求的质量保证体系, 包括

(6) have a sound management system and a quality assurance system meeting the requirements of nuclear safety supervision and administration, including a quality assurance program, monitoring plans for the running of disposal facilities, plans for radiation environmental monitoring, contingency plans, and so forth.

Article 24 The examination and approval authority and procedures for the application, modification and renewal of the license for the disposal of solid radioactive waste and the contents and validity period of the license shall be governed by Article 13 to Article 16 of this Regulation.

Article 25 An entity disposing of solid radioactive waste shall, according to the relevant national standards for the prevention and control of radioactive contamination and the provisions of the environmental protection administrative department under the State Council, dispose of the solid radioactive waste it receives.

An entity disposing of solid radioactive waste shall establish files on disposal of solid radioactive waste to truthfully record the issues relevant to the disposal activities such as the sources, quantity, characteristics, and location of storage of solid radioactive waste it has disposed of. The files on disposal of solid radioactive waste shall be kept permanently.

Article 26 An entity disposing of solid radioactive waste shall, according to the monitoring plan for the running of disposal facilities and the plan for radiation environmental monitoring, conduct safety inspection of disposal facilities, and conduct radiation monitoring on the groundwater, surface water, soil and air surrounding the disposal facilities.

An entity disposing of solid radioactive waste shall truthfully record the monitoring data, and if it discovers any hidden safety danger or that the radionuclide in the surrounding environment exceeds the national standards, it shall immediately identify the reasons, take appropriate preventive measures, and report to the environmental protection administrative department and the competent department of nuclear industry under the State Council. If a radiation accident is constituted, it shall immediately start its contingency plan, and make a report and carry out the relevant emergency response according to the [Law of the People's Republic of China on the Prevention and Control of Radioactive Pollution](#) and the [Regulation on the Safety and Protection of Radioisotopes and Radiation Devices](#).

Article 27 Where the designated service period of the disposal facilities of solid radioactive waste has expired, or the disposed solid radioactive waste has reached the designated capacity of the facilities, or the geological structures or hydrogeological conditions of the area where the facilities are located have changed significantly, rendering the disposal

quality assurance大纲、处置设施运行监测计划、辐射环境监测计划和应急预案等。

第二十四条 放射性固体废物处置许可证的申请、变更、延续的审批权限和程序，以及许可证的内容、有效期限，依照本条例第十三条至第十六条的规定执行。

第二十五条 放射性固体废物处置单位应当按照国家有关放射性污染防治标准和国务院环境保护主管部门的规定，对其接收的放射性固体废物进行处置。放射性固体废物处置单位应当建立放射性固体废物处置情况记录档案，如实记录处置的放射性固体废物的来源、数量、特征、存放位置等与处置活动有关的事项。放射性固体废物处置情况记录档案应当永久保存。

第二十六条 放射性固体废物处置单位应当根据处置设施运行监测计划和辐射环境监测计划，对处置设施进行安全性检查，并对处置设施周围的地下水、地表水、土壤和空气进行放射性监测。放射性固体废物处置单位应当如实记录监测数据，发现安全隐患或者周围环境中放射性核素超过国家规定的标准的，应当立即查找原因，采取相应的防范措施，并向国务院环境保护主管部门和核工业行业主管部门报告。构成辐射事故的，应当立即启动本单位的应急方案，并依照《[中华人民共和国放射性污染防治法](#)》、《[放射性同位素与射线装置安全和防护条例](#)》的规定进行报告，开展有关事故应急工作。

第二十七条 放射性固体废物处置设施设计服役期届满，或者处置的放射性固体废物已达到该设施的设计容量，或者所在地区的地质构造或者水文地质等条件发生重大变化导致处置设施不适宜继续



facilities not suitable for continuous disposal of solid radioactive waste, the closure formalities shall be handled in accordance with law, and permanent markers shall be set up in the designated area.

To close the disposal facilities of solid radioactive waste, the disposal entity shall formulate a safety monitoring plan for disposal facilities and report it to the environmental protection administrative department under the State Council for approval.

After the disposal facilities of solid radioactive waste are closed according to law, the disposal entity shall, under the approved safety monitoring plan, conduct safety monitoring on the closed disposal facilities. Where an entity disposing of solid radioactive waste is terminated due to bankruptcy, revocation of license or any other reason, the expenses needed for the closure and safety monitoring of disposal facilities shall be borne by the entity providing financial guarantee.

#### Chapter IV Supervision and Administration

Article 28 The environmental protection administrative departments and other relevant departments under the people's governments at the county level and above shall, in accordance with the [Law of the People's Republic of China on the Prevention and Control of Radioactive Pollution](#) and this Regulation, conduct supervision and inspection on the safety of the activities such as the processing, storage and disposal of radioactive waste.

Article 29 When carrying out supervision and inspection, the environmental protection administrative departments and other relevant departments under the people's governments at the county level and above shall have the authority to take the following measures:

- (1) inquire of the legal representative and other relevant persons of the entity under inspection about the relevant information;
- (2) enter the entity under inspection to conduct on-site monitoring, inspection or check;
- (3) consult or make copies of relevant documents, records and other relevant information; and
- (4) require the entity under inspection to submit a relevant explanation of the situation or a follow-up handling report.

The entity under inspection shall provide cooperation, truthfully report the situation, provide necessary information and shall not refuse or obstruct inspection.

The supervision and inspection personnel of the environmental protection administrative departments and other relevant departments of the people's governments at the county level and above shall produce their certificates when carrying out supervision and inspection, and keep confidential the technical and business secrets of the entities under inspection.

处置放射性固体废物的，应当依法办理关闭手续，并在划定的区域设置永久性标记。

关闭放射性固体废物处置设施的，处置单位应当编制处置设施安全监护计划，报国务院环境保护主管部门批准。

放射性固体废物处置设施依法关闭后，处置单位应当按照经批准的安全监护计划，对关闭后的处置设施进行安全监护。放射性固体废物处置单位因破产、吊销许可证等原因终止的，处置设施关闭和安全监护所需费用由提供财务担保的单位承担。

#### 第四章 监督管理

第二十八条 县级以上人民政府环境保护主管部门和其他有关部门，依照《[中华人民共和国放射性污染防治法](#)》和本条例的规定，对放射性废物处理、贮存和处置等活动的安全性进行监督检查。

第二十九条 县级以上人民政府环境保护主管部门和其他有关部门进行监督检查时，有权采取下列措施：

- （一）向被检查单位的法定代表人和其他有关人员调查、了解情况；
- （二）进入被检查单位进行现场监测、检查或者核查；
- （三）查阅、复制相关文件、记录以及其他有关资料；
- （四）要求被检查单位提交有关情况说明或者后续处理报告。

被检查单位应当予以配合，如实反映情况，提供必要的资料，不得拒绝和阻碍。

县级以上人民政府环境保护主管部门和其他有关部门的监督检查人员依法进行监督检查时，应当出示证件，并为被检查单位保守技术秘密和业务秘密。

Article 30 Entities operating nuclear facilities or utilizing nuclear technology and entities storing or disposing of solid radioactive waste shall, according to the extent of harm of radioactive waste, establish and improve the corresponding level of security protection systems, take appropriate technical preventive measures and personnel preventive measures, and carry out emergency drills for radioactive waste pollution accidents at the appropriate times.

Article 31 Entities operating nuclear facilities or utilizing nuclear technology and entities storing or disposing of solid radioactive waste shall provide training on nuclear and radiation safety knowledge and professional operating techniques to staff members who are directly engaged in the processing, storage or disposal of radioactive waste, and conduct assessment. Only those who pass the assessment may engage in the aforesaid work.

Article 32 Entities operating nuclear facilities or utilizing nuclear technology and entities storing solid radioactive waste shall, in accordance with the requirements of the environmental protection administrative department under the State Council, truthfully report the information including the generation, discharge, processing, storage, clearance and delivery for the disposal of radioactive waste on a regular basis.

An entity disposing of solid radioactive waste shall, prior to March 31 of each year, truthfully report the information including the receipt and disposal of solid radioactive waste and the operation of facilities in the last year to the environmental protection administrative department and the competent department of nuclear industry under the State Council.

Article 33 Sources of radioactive waste and other solid radioactive waste shall be prohibited from being sent to an entity without the corresponding license for storage or disposal or from being disposed of without authorization.

It is prohibited to engage in the storage or disposal of solid radioactive waste without a license or not in accordance with the types, scope, scale and term of activities as stipulated in the license.

Article 34 The import of radioactive waste and radiation-contaminated goods into the territory of the People's Republic of China or the transfer of them through the territory of the People's Republic of China shall be prohibited. The specific measures shall be formulated by the environmental protection administrative department under the State Council jointly with the competent commerce department under the State Council, the General Administration of Customs, and the competent department of entry-exit inspection and quarantine of the state.

第三十条 核设施营运单位、核技术利用单位和放射性固体废物贮存、处置单位，应当按照放射性废物危害的大小，建立健全相应级别的安全保卫制度，采取相应的技术防范措施和人员防范措施，并适时开展放射性废物污染事故应急演练。

第三十一条 核设施营运单位、核技术利用单位和放射性固体废物贮存、处置单位，应当对其直接从事放射性废物处理、贮存和处置活动的工作人员进行核与辐射安全知识以及专业操作技术的培训，并进行考核；考核合格的，方可从事该项工作。

第三十二条 核设施营运单位、核技术利用单位和放射性固体废物贮存单位应当按照国务院环境保护主管部门的规定定期如实报告放射性废物产生、排放、处理、贮存、清洁解控和送交处置等情况。

放射性固体废物处置单位应当于每年 3 月 31 日前，向国务院环境保护主管部门和核工业行业主管部门如实报告上一年度放射性固体废物接收、处置和设施运行等情况。

第三十三条 禁止将废旧放射源和其他放射性固体废物送交无相应许可证的单位贮存、处置或者擅自处置。

禁止无许可证或者不按照许可证规定的活动种类、范围、规模和期限从事放射性固体废物贮存、处置活动。

第三十四条 禁止将放射性废物和被放射性污染的物品输入中华人民共和国境内或者经中华人民共和国境内转移。具体办法由国务院环境保护主管部门会同国务院商务主管部门、海关总署、国家出入境检验检疫主管部门制定。

## Chapter V Legal Liability

Article 35 Where any department bearing the duties of radioactive waste safety supervision and administration and its staff members, in violation of this Regulation, commit any of the following acts, the directly responsible persons in charge and other directly liable persons shall be subject to disciplinary action. The directly responsible persons in charge and other directly liable persons shall be subject to criminal liability according to law if they commit a crime:

- (1) issuing a license for the storage or disposal of solid radioactive waste in violation of this Regulation;
- (2) approving the selection of a site or the construction of disposal facilities which do not meet the site selection plan or the technical guidelines or standards for site selection in violation of this Regulation;
- (3) failing to investigate and punish the violations of this Regulation that they discover;
- (4) asking for or accepting the property of others or seeking other benefits during the process of handling the license for the storage or disposal of solid radioactive waste and carrying out supervision and inspection; or
- (5) any other act of conducting malfeasance for personal gain, abusing power or neglecting duties.

Article 36 Where any entity operating nuclear facilities or utilizing nuclear technology, in violation of this Regulation, commits any of the following acts, the environmental protection administrative department that examined and approved the project environmental impact assessment document of this entity shall order it to cease the illegal act and make rectifications within a prescribed time limit; and if it fails to make rectifications within the prescribed time limit, designate an entity that has obtained the corresponding license to store or dispose of the radioactive waste on its behalf, and the necessary expenses shall be borne by the entity operating nuclear facilities or utilizing nuclear technology, and a fine of not more than 200,000 yuan may be imposed upon it. If a crime is constituted, the criminal liability shall be pursued according to law:

- (1) the entity operating nuclear facilities fails to send the sources of radioactive waste it has generated for storage or disposal or fails to send other solid radioactive waste it has generated for disposal according to the relevant provisions; or
- (2) the entity utilizing nuclear technology fails to send the sources of radioactive waste or other solid radioactive waste it has generated for storage or disposal according to the relevant provisions.

Article 37 Where any entity, in violation of this Regulation, commits any of the following acts, the environmental protection administrative department of the people's government at the county level or above shall order it to

## 第五章 法律责任

第三十五条 负有放射性废物安全监督管理职责的部门及其工作人员违反本条例规定，有下列行为之一的，对直接负责的主管人员和其他直接责任人员，依法给予处分；直接负责的主管人员和其他直接责任人员构成犯罪的，依法追究刑事责任：

- （一）违反本条例规定核发放射性固体废物贮存、处置许可证的；
- （二）违反本条例规定批准不符合选址规划或者选址技术导则、标准的处置设施选址或者建造的；
- （三）对发现的违反本条例的行为不依法查处的；
- （四）在办理放射性固体废物贮存、处置许可证以及实施监督检查过程中，索取、收受他人财物或者谋取其他利益的；
- （五）其他徇私舞弊、滥用职权、玩忽职守行为。

第三十六条 违反本条例规定，核设施营运单位、核技术利用单位有下列行为之一的，由审批该单位立项环境影响评价文件的环境保护主管部门责令停止违法行为，限期改正；逾期不改正的，指定有相应许可证的单位代为贮存或者处置，所需费用由核设施营运单位、核技术利用单位承担，可以处 20 万元以下的罚款；构成犯罪的，依法追究刑事责任：

- （一）核设施营运单位未按照规定，将其产生的废旧放射源送交贮存、处置，或者将其产生的其他放射性固体废物送交处置的；
- （二）核技术利用单位未按照规定，将其产生的废旧放射源或者其他放射性固体废物送交贮存、处置的。

第三十七条 违反本条例规定，有下列行为之一的，由县级以上人民政府环境保护主管部门责令停止违法行为，限期改

cease the illegal act and make rectifications within a prescribed time limit, and impose a fine of not less than 100,000 yuan but not more than 200,000 yuan; and if any environmental pollution is caused, order it to take control measures to eliminate the pollution within a prescribed time limit, and if it does not take control measures within the prescribed time limit and still fails to do so after being urged, the environmental protection administrative department may designate an entity with the ability to control pollution to take control measures on its behalf, and the necessary expenses shall be borne by the entity in violation. If any crime is constituted, the criminal liability shall be pursued according to law:

- (1) an entity operating nuclear facilities sends sources of radioactive waste to an entity without corresponding license for storage or disposal, or sends other solid radioactive waste to an entity without a corresponding license for disposal, or disposes of them without authorization;
- (2) an entity utilizing nuclear technology sends sources of radioactive waste or other solid radioactive waste to an entity without a corresponding license for storage or disposal or disposes of them without authorization;
- or
- (3) an entity storing solid radioactive waste sends sources of radioactive waste or other solid radioactive waste to an entity without a corresponding license for disposal, or disposes of them without authorization.

Article 38 Where any entity, in violation of this Regulation, commits any of the following acts, the environmental protection administrative department of the people's government at the provincial level or above shall order it to suspend production and business or revoke its license, and if there is any illegal income, confiscate the illegal income, and if the illegal income is more than 100,000 yuan, impose a fine of not less than one time but not more than five times the illegal income, and if there is no illegal income or the illegal income is less than 100,000 yuan, impose a fine of not less than 50,000 yuan but not more than 100,000 yuan. If environmental pollution is caused, the environmental protection administrative department shall order it to take control measures to eliminate the pollution within a prescribed time limit, and if it does not take control measures within the prescribed time limit and still fails to do so after being urged, the department may designate an entity with the ability to control pollution to take control measures on its behalf, and the necessary expenses shall be borne by the entity in violation. If any crime is constituted, the criminal liability shall be pursued according to law:

- (1) engaging in the storage or disposal of sources of radioactive waste or other solid radioactive waste without permission;
- (2) an entity storing or disposing of solid radioactive waste fails to carry out the storage or disposal of sources of radioactive waste or other solid radioactive waste in accordance with the types, scope, scale or term of activities as stipulated in the license; or

正, 处 10 万元以上 20 万元以下的罚款; 造成环境污染的, 责令限期采取治理措施消除污染, 逾期不采取治理措施, 经催告仍不治理的, 可以指定有治理能力的单位代为治理, 所需费用由违法者承担; 构成犯罪的, 依法追究刑事责任:

(一) 核设施营运单位将废旧放射源送交无相应许可证的单位贮存、处置, 或者将其他放射性固体废物送交无相应许可证的单位处置, 或者擅自处置的;

(二) 核技术利用单位将废旧放射源或者其他放射性固体废物送交无相应许可证的单位贮存、处置, 或者擅自处置的;

(三) 放射性固体废物贮存单位将废旧放射源或者其他放射性固体废物送交无相应许可证的单位处置, 或者擅自处置的。

第三十八条 违反本条例规定, 有下列行为之一的, 由省级以上人民政府环境保护主管部门责令停产停业或者吊销许可证; 有违法所得的, 没收违法所得; 违法所得 10 万元以上的, 并处违法所得 1 倍以上 5 倍以下的罚款; 没有违法所得或者违法所得不足 10 万元的, 并处 5 万元以上 10 万元以下的罚款; 造成环境污染的, 责令限期采取治理措施消除污染, 逾期不采取治理措施, 经催告仍不治理的, 可以指定有治理能力的单位代为治理, 所需费用由违法者承担; 构成犯罪的, 依法追究刑事责任:

(一) 未经许可, 擅自从事废旧放射源或者其他放射性固体废物的贮存、处置活动的;

(二) 放射性固体废物贮存、处置单位未按照许可证规定的活动种类、范围、规模、期限从事废旧放射源或者其他放射性固体废物的贮存、处置活动的;

(三) 放射性固体废物贮存、处置单位未按照国家有关放射性污染防治标准和国务院环境保护主管部门的规定贮存、



(3) an entity storing or disposing of solid radioactive waste fails to store or dispose of sources of radioactive waste or other solid radioactive waste in accordance with the relevant national standards for the prevention and control of radioactive pollution and contamination and the provisions of the environmental protection administrative department under the State Council.

Article 39 Where an entity storing or disposing of solid radioactive waste fails to establish files for recording the relevant situation in accordance with the relevant provisions or fails to truthfully record the relevant situation in accordance with the relevant provisions, the environmental protection administrative department of the people's government at the provincial level or above shall order it to make rectifications within a prescribed time limit, and impose a fine of not less than 10,000 yuan but not more than 50,000 yuan; and if it fails to make rectifications within the prescribed time limit, impose a fine of not less than 50,000 yuan but not more than 100,000 yuan.

Article 40 Where an entity operating nuclear facilities or utilizing nuclear technology or an entity storing or disposing of solid radioactive waste fails to truthfully report relevant situations in accordance with Article 32 of this Regulation, the environmental protection administrative department of the people's government at the county level or above shall order it to make rectifications within a prescribed time limit, and impose a fine of not less than 10,000 yuan but not more than 50,000 yuan; and if it fails to make rectifications within the prescribed time limit, impose a fine of not less than 50,000 yuan but not more than 100,000 yuan.

Article 41 Where any entity, in violation of this Regulation, refuses or obstructs the supervision and inspection conducted by the environmental protection administrative department or any other relevant department, or practices frauds when undergoing supervision and inspection, the supervision and inspection department shall order it to make rectifications and impose a fine of not more than 20,000 yuan. If any violation of public security administration is constituted, the public security organ shall impose a public security administration punishment in accordance with law; and if a crime is constituted, the criminal liability shall be pursued.

Article 42 Where an entity operating nuclear facilities or utilizing nuclear technology or an entity storing or disposing of solid radioactive waste fails to give technical training and assessment to relevant staff members in accordance with relevant provisions, the environmental protection administrative department of the people's government at the county level or above shall order it to make rectifications within a prescribed time limit, and impose a fine of not less than 10,000 yuan but not more than 50,000 yuan; and if it fails to make rectifications within the prescribed time limit,

处置废旧放射源或者其他放射性固体废物的。

第三十九条 放射性固体废物贮存、处置单位未按照规定建立情况记录档案，或者未按照规定进行如实记录的，由省级以上人民政府环境保护主管部门责令限期改正，处 1 万元以上 5 万元以下的罚款；逾期不改正的，处 5 万元以上 10 万元以下的罚款。

第四十条 核设施营运单位、核技术利用单位或者放射性固体废物贮存、处置单位未按照本条例第三十二条的规定如实报告有关情况的，由县级以上人民政府环境保护主管部门责令限期改正，处 1 万元以上 5 万元以下的罚款；逾期不改正的，处 5 万元以上 10 万元以下的罚款。

第四十一条 违反本条例规定，拒绝、阻碍环境保护主管部门或者其他有关部门的监督检查，或者在接受监督检查时弄虚作假的，由监督检查部门责令改正，处 2 万元以下的罚款；构成违反治安管理行为的，由公安机关依法给予治安管理处罚；构成犯罪的，依法追究刑事责任。

第四十二条 核设施营运单位、核技术利用单位或者放射性固体废物贮存、处置单位未按照规定对有关工作人员进行技术培训和考核的，由县级以上人民政府环境保护主管部门责令限期改正，处 1 万元以上 5 万元以下的罚款；逾期不改正的，处 5 万元以上 10 万元以下的罚款。

impose a fine of not less than 50,000 yuan but not more than 100,000 yuan.

Article 43 Where any entity, in violation of this Regulation, imports radioactive waste or radiation-contaminated goods into the territory of the People's Republic of China or transfers them through the territory of the People's Republic of China, the customs office shall order it to return the radioactive waste or radiation-contaminated goods, and impose a fine of not less than 500,000 yuan but not more than 1 million yuan. If a crime is constituted, the criminal liability shall be pursued according to law.

## Chapter VI Supplementary Provisions

Article 44 Safety management of radioactive waste generated by military facilities and equipment shall be governed by [Article 60](#) of the [Law of the People's Republic of China on the Prevention and Control of Radioactive Pollution](#).

Article 45 Safety management of the transportation of radioactive waste, emergency handling of pollution accidents caused by radioactive waste and the prevention and treatment of occupational diseases contracted by employees due to their exposure to radioactive waste in occupational activities shall be governed by the relevant laws and administrative regulations.

Article 46 This Regulation shall come into force on March 1, 2012.

第四十三条 违反本条例规定，向中华人民共和国境内输入放射性废物或者被放射性污染的物品，或者经中华人民共和国境内转移放射性废物或者被放射性污染的物品，由海关责令退运该放射性废物或者被放射性污染的物品，并处 50 万元以上 100 万元以下的罚款；构成犯罪的，依法追究刑事责任。

## 第六章 附 则

第四十四条 军用设施、装备所产生的放射性废物的安全管理，依照《[中华人民共和国放射性污染防治法](#)》[第六十条](#)的规定执行。

第四十五条 放射性废物运输的安全管理、放射性废物造成污染事故的应急处理，以及劳动者在职业活动中接触放射性废物造成的职业病防治，依照有关法律、行政法规的规定执行。

第四十六条 本条例自 2012 年 3 月 1 日起施行。