

Official Gazette Date: 31.7.2010 Official Gazette Number: 27658

REGULATION ON RADIATION SAFETY INSPECTIONS AND ENFORCEMENTS

(Unofficial Translation)

SECTION ONE

Purpose, Scope, Legal Basis and Definitions

Purpose

Article 1- (1) The purpose of this regulation is to specify the inspections and enforcement which will be performed by the Authority with the purpose of inspection of persons authorized to carry out radiation applications whether they ensure the continuity of the authorization conditions related radiation safety and determination of the conformity of the persons applying to the Authority for authorization to the authorization conditions.

Scope

Article 2- (1) The provisions of this Regulation include the inspection of the radiation applications.

(2) The inspections of the nuclear facilities and nuclear substances are out of the scope of this Regulation

Legal Basis

Article 3 – (1) This regulation is prepared based on the paragraph (d) of Article 4 of Turkish Atomic Energy Authority Law dd. 9/7/1982 and no. 2690 and the Article 19 of Radiation Safety Decree executed with the Cabinet decision dd. 24/7/1985 and no. 85/9727.

Definitions

Article 4 – (1) The definitions in this Regulation are;

a) Inspection: Inspection of persons, who apply for authorization or authorized to carry out radiation applications, by the Turkish Atomic Energy Authority in accordance with the provisions of the legislation related with radiation safety.

b) Inspection officer: Personnel of the Turkish Atomic Energy Authority that is authorized to make inspection in accordance with the provisions of the legislation related with radiation safety.

c) Authority; Turkish Atomic Energy Authority established by the Law no. 2690

ç) Unusual event: All events ranging from deviation in the normal working conditions to serious accidents.

d) Radiation safety: The system which contains providing of radiation protection, safe use of radiation sources, security of the radiation sources in order to prevent the situations like being get by unauthorized persons, loss or theft of the sources, prevention of accidents and administrative and technical measures needed for the mitigation of the result of an accident when happened.

e) Radiation source: All kind of radioactive substances and devices producing and emitting ionizing radiation.

f) Radiation applications: Activities related radiation facilities and activities of production, installation, dismantlement, maintenance, repair, import, export, transporting, selling, storing, using, keeping, transferring, sending abroad and disposing of radiation sources which are out of the exemptions determined by the Authority.

g) Authorized person: Legal or real person who is authorized by the Authority by means of licensing or giving permission in order to carry out radiation applications.

ğ) Authorization: Licensing or permission process applied as a result of determination of the competence of the persons carrying out radiation application and application conditions in terms of radiation safety by the Authority.

SECTION TWO

Inspection and Results of the Inspections

Inspection

Article 5- (1) The Authority is not obliged to declare the inspections beforehand. Inspections can be made by informing or uninforming at any time of any day of the year including days of legal holiday.

(2) Inspection is performed by at least two inspection officers depending on the content of inspection.

(3) Inspection is performed within necessary ones of followings:

a) Places and facilities where radiation applications are carried out, bordering area and radiation sources are inspected in terms of radiation safety and security.

b) Required radiation measurements are made.

c) Information, documents, reports and records need to keep are controlled.

ç) Compliance with the legal provisions relating to radiation safety and authorization conditions and continuity of these conditions are controlled.

d) Adequacy and timeliness of measures taken in order to provide the radiation protection of the public and the workers exposed to radiation and plan related to emergency are controlled.

e) Reports, documents and records related to determination and evaluation of the unusual events, intervention and measures taken to prevent repeating of the event are controlled.

Results of the inspections

Article 6- (1) Inspection report is prepared at the end of inspection by inspection officer carrying out inspection function of the Authority.

(2) As a result of the evaluation of the report related to the inspection of authorized person, determined deficiencies are informed to the inspected person in written and at most 3 (three) months time is given for the correction of deficiencies. If it is evaluated that the radiation safety is not ensured due to the determined deficiencies, radiation application is stopped temporarily until the correction of deficiencies. In the case the deficiencies are not corrected within the time given, license is cancelled.

(3) As a result of the evaluation of the report related to the inspection of authorised person, if it is evaluated that the radiation safety is not ensured and this might threaten the radiation protection of the public and environment, license is cancelled.

(4) Authorization application is evaluated according to report related to the inspection of person who applied for authorization.

SECTION THREE

Inspection Officer, Competencies, Obligations and Sanctions

Inspection officer

Article 7- (1) Among Authority's personnel who had an education at engineering or related fields of natural science at least four years and worked at the activities related radiation safety at the Authority for at least 2 years and has a physical fitness required for duty, candidate of inspection officer who;

a) successfully complete training programme for which content, duration and performance criteria determined by the Authority and

b) participate inspections with inspection officer for a period of at least one (1) year are charged as inspection officer by the proposal of the Head of Radiation Health and Safety Department and the approval of the President of the Authority.

(2) A special identity card is given to the inspection officer in order to use it during the inspection as an indication of his/her authorization.

(3) Radiation safety inspection duty is performed within the Radiation Health and Safety Department.

Competencies of the inspection officer

Article 8- (1) Inspection officer has following competencies within the scope of the legislation related with radiation safety.

a) to enter the places and facilities where the radiation application is carried out, and bordering area and inspect the activities in place.

b) before, during or after the inspection, to interview necessary persons, take information and give instructions within the scope of the regulations related radiation safety.

c) to request and control the information, documents, reports and records related radiation safety and take these or the copies of them.

ç) if it is necessary, take materials or samples or have them to be taken, detain them and dispose them or make them disposed properly.

d) to do necessary measurements, examinations and tests or make them carried out.

e) to request written or oral information related inspections and take necessary minutes and keep visual or written records.

f) During the inspection, if it is evaluated that security of radioactive sources will be in danger, make the necessary actions be done in order to provide security of the source.

g) During the inspection, if it is determined that radiation safety is not ensured, give instruction for the starting and keeping of remedial actions.

ğ) During the inspection, when needed, request for help from the local authority for security forces.

Obligations of auditee

Article 9- Authorized persons or persons applied for authorization are obliged to do followings at the inspections;

a) to make related personnel available.

b) to collaborate by providing needed materials, working environment and convenience.

c) to give the requested information and document related radiation safety in time by orally or in written without introduce the privacy provisions.

ç) to make the system, device, software and other equipment related to radiation application available to inspection officer.

d) to carry out the instructions given in the scope of the legislation related with radiation safety and recover the possible cost in time.

(2) Authorized person is obliged to correct deficiencies determined as a result of inspection within the given time.

Sanctions

Article 10- (1) During the inspection, if it is determined that the radiation safety is not ensured and this situation needs emergency intervention, inspection officer limits the authorization of the radiation application or stop the radiation application by suspending the authorization and make the necessary measures to be taken in order to ensure the security of the radioactive source.

(2) During the inspection, if it is determined that the authorized person did not fulfil its obligations or there are falsifications on documents or misinformation, in the case inspection officer find it necessary, radiation application is not allowed and the Authority attempt to start legal or administrative inquiry.

SECTION FOUR

Other Provisions

Procedures and principles

Article 11- (1) Depending on the kind of the radiation applications, issues related to the principles, scope, frequency, reporting and evaluation criteria of the inspections and qualification, training, responsibilities, commissioning and discharging of the inspection officer are specified by procedures and principles prepared by the Authority within the frame of the provisions of this Regulation.

Commissioning of the existing personnel

PROVISIONAL ARTICLE 1- (1) Personnel, who worked at Authority's activities related radiation safety at least three years and has been executing the inspection duty at the Radiation Health and Safety Department of the Authority at the issue date of this Regulation, is charged as inspection officer by the approval of the President of the Authority.

(2) Personnel, who worked at Authority's activities related radiation safety at least three years and participate in inspections or radiation controls, can be charged as inspection officer by the proposal of the Head of Radiation Health and Safety Department and the approval of the President of the Authority within three month after the issue date of this Regulation

Enforcement

Article 12 - This Regulation shall be enforced as of issue date.

Execution

Article 13 - The provisions of this Regulation shall be executed by the President of Turkish Atomic Energy Authority.