

**REGULATIONS**

**For the recovery and handling of orphan radioactive sources**

(Promulgated in accompaniment with Decision No 146/2007/QĐ-TTg  
dated 4 September 2007 of the Prime Minister)

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**Chapter I**  
**GENERAL PROVISIONS**

**Article 1. Scope and Subjects of Application**

This Regulations applies to Vietnamese organisations and individuals, and foreign organisations and individuals working and/or living in the territory of Vietnam (called individuals/organizations) in order to recovery and handle radioactive sources which is out of control of the State authorized organizations, individual owners who legally possess (called orphan radioactive sources).

**Article 2. Term Definitions**

For the purpose of this Regulations:

1. Orphan radioactive source means a radioactive source that is:

- a) Stolen;
- b) Lost;
- c) Abandoned;
- d) Misplaced;
- đ) Transferred without proper authorization;
- e) Stored or used without proper authorizatón.

2. Orphan radioactive sources discovery means the activities that detect radioactive sources, suspicious subject containing a radioactive source; information of radiation injury or information of existence of an orphan radioactive source.

3. Orphan radioactive sources handling means the activities that put the orphan radioactive sources in to legally controlled state and apply necessary measures to treat radioactive contamination.

### **Article 3. Principles on information supply and handling of orphan radioactive sources**

1. Information of orphan radioactive sources needs to be sent to authorization for being handled.

2. Orphan radioactive sources handling must be quickly, strictly and safely carried out.

### **Article 4. Data base of orphan radioactive sources**

1. Data base of orphan radioactive sources is one part of the data base system served the state management of radiation and nuclear safety control.

2. Data base of orphan radioactive sources should be updated from these information sources:

a) Investigation result, management document research related to radioactive sources;

b) Specialized inspection report of radiation safety;

c) Results discovered at scrap buying facilities by detectors at border gates, traffic intersection;

d) Reports from customs, police, border army, organization controlling border gates or individuals;

đ) Information of discovered radioactive sources which are stolen, lost, abandoned, illegally used;

e) Health organization announcement of injury victims caused by radiation;

g) Organization and individual announcement of abnormal radiation;

h) Report of orphan radioactive sources treatment after being detected;

i) Other information sources.

3. Ministry of Science and Technology is responsible:

a) Build and control the data base as stipulated in the Item 1 of this Article;

b) Give direction to Department of Science and Technology to carry out tasks as stipulated in Item 5 of this Article.

4. Ministry, ministerial equivalent agencies provide information at Item 2 of this Article to Ministry of Science and Technology for building national data base.

5. Departments of Science and Technology are responsible:

a) Build and control the data base of radiation and nuclear safety control in locality;

b) Provide data for the national data base of radiation and nuclear safety control including data of orphan radioactive sources;

c) Make use of the national data base for the task of radiation and nuclear safety control in locality.

**Article 5. Expense for discovery, handling orphan radioactive sources**

1. State budget is used to ensure the equipment investment and expense for state authorized organization to discover and handle orphan radioactive sources.

2. Ministry of Finance cooperates with Ministry of Science and Technology to set up financial mechanism of using budget to discover and handle orphan radioactive sources.

3. Owner or authorized organization, individual is fully responsible of discovery, handling if a radioactive source is found in situation similar to Point a, b, c and d of Item 1, Article 2.

**Chapter II**

**RESPONSIBILITIES  
OF ORPHAN RADIOACTIVE SOURCE SEARCHES**

**Article 6. Responsibilities of the orphan radioactive source searches**

1. Ministry of Science and Technology is responsible for presiding and cooperating with other Ministries, ministerial equivalent agencies and Provincial People Committee and city under the central government:

a) Set up programs, organise propaganda, disseminate information to support discovery and responsibility of organization and individual when an orphan radioactive source is detected;

b) Collect, investigate, study information to discover orphan radioactive sources;

c) Establish and carry out measures for orphan radioactive sources;

d) Control radioactive sources transported through border gates and traffic intersection.

2. Ministry and ministerial equivalent agencies, organization under government, Provincial People Committee, city under central government are responsible of coordinating with Ministry of Science and Technology to perform Items 1 of this Article.

3. Steel producing facilities using scrap must have relevant equipment to detect radioactive sources.

4. Scrap buying facilities must have relevant equipment to detect radioactive sources.

5. Minister of Science and Technology provides equipment manuals and instructs measures to detect radioactive sources as stipulated in Item 3 and Item 4 of this Article.

**Article 7. Responsibilities of organisations and/or individuals who found an orphan radioactive source**

1. Organisation(s) and/or individual(s) must, when having received or detected an orphan radioactive source, immediately report to Local Police or Department of Science and Technology, or to the Vietnam Agency for Radiation and Nuclear and Safety and Control.

2. Local Police must, when having detected or received an orphan radioactive source from Organization(s) and/or individual(s), immediately report to Department of Science and Technology, or to the Vietnam Agency for Radiation and Nuclear and Safety and Control.

3. Customs, Border Army, functional agency in charge of border gate must, when having detected radioactive sources which are illegally transferred, transported through border, immediately arrest and report to Department of Science and Technology, or to the Vietnam Agency for Radiation and Nuclear and Safety and Control.

4. Medical facilities must, when having detected an injured person likely due to radiation exposure, immediately report to Department of Science and Technology, or to the Vietnam Agency for Radiation and Nuclear and Safety and Control.

5. Steel producing facilities using scrap and scrap buying facilities must, when detected a radioactive source, immediately report to Local Police or Department of Science and Technology, or to the Vietnam Agency for Radiation and Nuclear and Safety and Control.

**Chapter III**

**HANDLING ORPHAN RADIOACTIVE SOURCES WHEN DETECTED**

**Article 8. Responsibilities of handling orphan radioactive sources when detected**

1. Department of Science and Technology must, when having detected an orphan radioactive source, preside and coordinate with relevant organizations to carry out:

a) Instruct relevant organization(s) and/or individual(s) immediately apply safety and security measures;

b) Apply measures stipulated at Item 1 of Article 9;

c) Immediately report the discovery and applied measures to Ministry of Science and Technology.

2. Department of Science and Technology must, when having received information of an orphan radioactive source, preside and coordinate with relevant organizations to carry out:

- a) Verify information;
- b) Set up plan to search information of detected orphan radioactive sources;
- c) Immediately report the received information and applied measures to Ministry of Science and Technology.

3. Ministry of Science and Technology provides directions to Vietnam Agency for Radiation and Nuclear Safety and Control in order to instruct professional knowledge, support Department of Science and Technologies to perform issues stipulated at Item 1, Item 2 of this Article.

4. Department of Public Security coordinates with Department of Science and Technology to investigate and determine owner, organization who legally use and control radioactive sources.

5. Organization(s) and/or individual(s) must, when having informed functional organization information of an orphan radioactive source, comply with instruction of functional organization to ensure security and safety.

#### **Article 9. Handling of an orphan radioactive source**

1. In cases a radioactive source is stolen, lost, abandoned, Department of Science and Technology presides, coordinates with relevant organizations to verify information, search, collect, move radioactive sources to permanent storage site and determine owner or organization(s) and/or individual(s) who legally control.

2. After 30 days keeping without owner determination or legal/authorized manager, Department of Science and Technology must report to Ministry of Science and Technology.

3. In cases a radioactive source is legally transferred, stored, used, authorized state management body shall handle violation and order organization(s) individual(s) to apply for license as stipulated in law.

4. In cases an orphan radioactive source causes radioactive contamination, Department of Science and Technology shall carry out necessary measures to remedy, minimize human and environment danger.

**Chương IV**  
**COMMENDATIONS AND THE HANDLING OF VIOLATIONS**

**Article 10. Commendations**

Organisations and/or individuals who found and reported about orphan radioactive source(s) shall be rewarded as prescribed by law.

**Article 11. Handling of violations**

1. Concerned organisations and/or individuals violating items in this Regulations due to their seriousness and nature of the violations and the consequences, compensate the loss or be disciplined, administratively sanctioned or examined for penal liability.

2. Concerned organisations and/or individuals lacking responsibility or taking advantages of their position/authority to prevent/object or cause difficulties to search, discovery, handling of orphan radioactive sources, due to the seriousness and nature of the violations and the consequences, compensate the loss or be disciplined, administratively sanctioned or examined for penal liability.

**Chapter V**  
**IMPLEMENTATION PROVISIONS**

**Article 12. Ministry of Science and Technology shall be responsible for supervising and monitoring the implementation of this Regulations.**

In implementing this Regulations, any problems arising during the implementation of this Regulations should be informed to the State Regulatory Body, or relevant ministries to report to the Prime Minister in order for the problem to be addressed in time./.

**PRIME MINISTER**

**Nguyen Tan Dung**