Text consolidated by Valsts valodas centrs (State Language Centre) with amending regulations of:

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If a whole or part of a paragraph has been amended, the date of the amending regulation appears in square brackets at the end of the paragraph. If a whole paragraph or sub-paragraph has been deleted, the date of the deletion appears in square brackets beside the deleted paragraph or sub-paragraph.

Republic of Latvia

Cabinet

Regulation No. 576

Adopted 15 September 2020

**Requirements for Protection against Ionising Radiation Caused by the Radionuclide Caesium-137 Content in Wood Imported into Latvia from another Country**

*Issued pursuant to*

*Section 3, Paragraph three of the law On Radiation Safety and Nuclear Safety*

1. The Regulation lays down the requirements for protection against ionising radiation caused by the radionuclide caesium-137 (hereinafter – the radionuclide 137Cs) content in wood imported into Latvia from another country.

2. Terms used in the Regulation:

2.1. wood importer – an economic operator who imports wood from another country into Latvia under the combined nomenclature codes referred to in Paragraph 3 of this Regulation in accordance with Council Regulation No 2658/87 of 23 July 1987 on the tariff and statistical nomenclature and on the Common Customs Tariff, the value of which exceeds EUR 300 according to the documents accompanying the cargo;

2.2. wood buyer – a person who buys wood imported from another country in order to use for the performance of its economic activity in Latvia (including combustion plant operators and wood processors);

2.3. radiation test report – a document showing the specific radioactivity level of the radionuclide 137Cs in cargo, for example, a radiation passport issued by an accredited laboratory or a document issued by the forestry authority of the country of dispatch of the wood with a reference to the relevant accredited laboratory report, or another document showing the specific radioactivity level of the cargo;

2.4. dry ash – wood ash heated to a constant sample weight;

2.5. dry wood – wood heated to a constant sample weight;

2.6. bottom ash – ash that accumulates in the furnace of a combustion plant;

2.7. fly ash – ash that accumulates in the flue gas filters of a combustion plant.

3. Within the meaning of this Regulation, wood is:

3.1. fuel wood in logs, in billets, in twigs, in faggots or in similar forms classified under the following codes of the combined nomenclature:

3.1.1. 4401 11 00 (coniferous);

3.1.2. 4401 12 00 (non-coniferous);

3.2. wood in chips or particles classified under the following codes of the combined nomenclature:

3.2.1. 4401 21 00 (coniferous);

3.2.2. 4401 22 00 (non-coniferous);

3.3. sawdust and wood waste and scrap, agglomerated in logs, briquettes, pellets or similar forms and classified under the following codes of the combined nomenclature:

3.3.1. 4401 31 00 (wood pellets);

3.3.2. 4401 39 00 (other);

3.4. sawdust and wood waste and scrap, not agglomerated and classified under the following codes of the combined nomenclature:

3.4.1. 4401 40 10 (sawdust);

3.4.2. 4401 40 90 (other).

4. If wood is imported into Latvia for use as biomass fuel, the wood importer shall ensure that at the time of importation the original or a certified copy (in the form of a paper document) of the radiation test report is attached to the documents accompanying each cargo, confirming that the specific radioactivity level of the radionuclide 137Cs in the wood cargo does not exceed 10 Bq/kg in dry wood. The copy of the radiation test report shall be certified by the organisation that issued the document or by the wood importer.

5. The State Environmental Service (hereinafter – the Service) has the right to perform a test of the specific radioactivity of the wood to make sure the specific radioactivity level of the radionuclide 137Cs in the wood cargo conforms to the requirements of this Regulation.

6. The radiation test referred to in Paragraph 4 of this Regulation shall be performed in one of the following laboratories:

6.1. in a laboratory accredited by the country of dispatch of the wood;

6.2. in a laboratory accredited by the Latvian national accreditation authority in accordance with the laws and regulations on the assessment, accreditation and supervision of conformity assessment authorities;

6.3. in a laboratory accredited in another country of the European Economic Area.

7. It is prohibited to import into Latvia wood for use as biomass fuel if its specific radioactivity level of the radionuclide 137Cs exceeds 10 Bq/kg in dry wood.

8. If wood is imported for use other than biomass fuel, the wood importer shall ensure that the original or a certified copy of the certificate (in the form of a paper document, in Latvian or English) (hereinafter – the certificate) is attached to the documents accompanying each cargo. The copy of the certificate shall be certified by the organisation that issued the document or by the wood importer. The certificate shall show the following:

8.1. certification of the wood buyer (if known at the time of importation of the wood) or the wood importer that the wood (also wood processing products obtained from this wood if the wood is to be processed after importation, for example, into pellets) is not intended for use as biomass fuel in Latvia;

8.2. details of the wood buyer (if known at the time of importation of the wood) and the wood importer – firm name, registration number in the Commercial Register, contact details.

9. The radiation test report and the certificate shall be prepared in the form of paper documents or as electronic documents in accordance with the laws and regulations regarding the drawing up of electronic documents.

10. If wood is imported from a country which is not a country of the European Economic Area and is released for free circulation, the wood importer shall attach the radiation test report or the certificate to the customs declaration.

11. The release of wood cargo for free circulation in Latvia is not permitted if the customs official establishes that:

11.1. the radiation test report shows that the specific radioactivity level of the radionuclide 137Cs in the wood cargo exceeds 10 Bq/kg in dry wood and the wood importer cannot present the certificate;

11.2. the wood importer cannot present the radiation test report and the certificate;

11.3. the quality of the documents presented by the wood importer makes it impossible to read the information provided therein.

12. Upon transferring the cargo to the wood buyer, the economic operator shall hand over the radiation test report and the certificate with the cargo. The wood buyer shall keep the radiation test report and the certificate for five years from the date of receipt of the wood cargo and shall present it to the Service upon request.

13. Wood imported into Latvia from another country may be used as biomass fuel if the wood has undergone a radiation test in one of the laboratories referred to in Paragraph 6 of this Regulation and the test has confirmed that the specific radioactivity level of the radionuclide 137Cs does not exceed 10 Bq/kg in dry wood.

14. If it is found that the specific radioactivity level of the radionuclide 137Cs exceeds 10 Bq/kg in wood imported from another country for use as biomass fuel, the wood importer shall return such wood to the consignor immediately, but not later than within one month.

15. In combustion plants with a rated thermal input exceeding 5 MW, the combustion plant operator using wood which is imported into Latvia from another country as a biomass fuel shall, during the heating season (from October to April) perform monthly tests of the specific radioactivity of fly ash resulting from the combustion of wood or, if the relevant combustion plant does not have separate flue gas filters for fly ash installed – tests of the specific radioactivity of bottom ash.

16. Wood ash in which the specific radioactivity of the radionuclide 137Cs is 1000 Bq/kg in dry ash or less may be used in agriculture and forestry in accordance with the laws and regulations applicable to the relevant sector.

17. Wood ash in which the specific radioactivity of the radionuclide 137Cs is between 1000 and 10 000 Bq/kg in dry ash may be disposed of in municipal landfills or used as cover material in municipal or hazardous waste landfills.

18. If the specific radioactivity of the radionuclide 137Cs in wood ash is 10 000 Bq/kg or more in dry ash, the combustion plant operator shall immediately notify the Service. In this case the combustion plant operator shall ensure that the ash is managed in accordance with the laws and regulations regarding the requirements for the handling of radioactive waste and related materials.

19. With regard to combustion plants with a rated thermal input of 5 MW or more, the Service has the right to perform tests of the specific radioactivity of fly ash or, if the relevant combustion plant does not have separate flue gas filters for fly ash installed – tests of the specific radioactivity of bottom ash.

20. In each test of the specific radioactivity of ash referred to in Paragraphs 15 and 19 of this Regulation, one sample of ash shall be tested using the volume necessary for the relevant laboratory to perform the test.

21. The tests of the specific radioactivity of ash referred to in Paragraphs 15 and 19 of this Regulation shall be performed in a laboratory accredited by the Latvian national accreditation authority in accordance with the laws and regulations regarding the assessment, accreditation and supervision of conformity assessment authorities or in a laboratory accredited in another country of the European Economic Area.

22. The documents related to the tests of the specific radioactivity of ash performed by a combustion plant operator shall be kept by the combustion plant operator for five years from the date of the performance of the test of specific radioactivity and shall be presented to the Service upon request.

23. The Regulation shall come into force on 1 April 2021.

[*29 December 2020*]

Prime Minister A. K. Kariņš

Minister for Environmental Protection and Regional Development J. Pūce