

SCHEDULE 9

GENERAL BINDING RULES

PART 2

Interpretation of general binding rules

1. In this schedule—

“barium eluting source” means a source which—

- (a) consists of Cs-137+ in a sealed container which is designed and constructed to allow the elution of Ba-137m;
- (b) is radioactive material or radioactive waste solely because of that Cs-137+; and
- (c) does not contain an activity exceeding 4×10^4 becquerels of Cs-137+;

“category 5 sealed source” means a source, or an aggregate of sources, that would fall within category 5 as defined by the International Atomic Energy Agency in Categorisation of Radioactive Sources (RS-G-1.9)(1);

“Class A gaseous tritium light device” means such a device where the activity of the device does not exceed 2×10^{10} becquerels of tritium;

“Class B gaseous tritium light device” means such a device which is installed or intended to be installed on premises and where the activity—

- (a) in each sealed container in the device does not exceed 8×10^{10} becquerels of tritium; and
- (b) of the device does not exceed 1×10^{12} becquerels of tritium;

“Class C gaseous tritium light device” means such a device installed or intended to be installed—

- (a) in a vessel or aircraft; or
- (b) in a vehicle or other equipment used or intended to be used by the armed forces of the Crown;

“disposed of in normal refuse” means disposed of with substantial quantities of non-radioactive waste for landfill or incineration or composting where the radioactive waste will be mixed with such non-radioactive waste for the purposes of such burial, incineration or recovery;

“electrodeposited source” means an article where radionuclides are electrodeposited onto a metal substrate and which is radioactive material or radioactive waste solely because it contains Ni-63 or Fe-55 the total activity of which does not exceed—

- (a) 6×10^8 becquerels of Ni-63; or
- (b) 2×10^8 becquerels of Fe-55;

“gaseous tritium light device” means a sealed source (or such a source which has become broken) which incorporates tritium in a device which is an illuminant, instrument, sign or indicator;

“luminised article” means an article other than a sealed source—

- (a) which is made wholly or partly from a luminescent substance in the form of a film or a paint;

(1) INTERNATIONAL ATOMIC ENERGY AGENCY, Categorization of Radioactive Sources, IAEA Safety Standards Series No. RS-G-1.9, IAEA, Vienna (2005).

(b) the activity of which does not exceed 4×10^9 becquerels;

“manage” means any activity involving radioactive material or radioactive waste except the production of radionuclides or the manufacture of radioactive sources and related expressions are to be construed accordingly;

“medical or veterinary radioactive substance” means radioactive material or radioactive waste (other than a sealed source) which is intended for use, is used, or arises from medical or veterinary diagnosis or treatment or clinical or veterinary trials;

“relevant sewer” means—

(a) a public sewer; or

(b) a private sewer which leads to a sewage treatment works that—

(i) has the capacity to handle a minimum of 100m^3 of sewage per day; and

(ii) discharges treated sewage only to the sea, to a tidal estuary or to a river that has a flow rate of not less than $1\text{m}^3\text{s}^{-1}$;

“sea” includes any area submerged at mean high water springs and also includes, so far as the tide flows at mean high water springs, an estuary or arm of the sea and the waters of any channel, creek, bay or river;

“sealed source” means a radioactive source in which the radioactive substance is permanently sealed in a capsule or incorporated in a solid form with the objective of preventing, under normal conditions of use, any dispersion of radioactive substances;

“sewer”, “public sewer”, “private sewer”, “sewage treatment works” and “sewage” have the same meanings as in section 59(1) of the Sewerage (Scotland) Act 1968(2);

“smoke detector” means a smoke detector incorporating a sealed source the total activity of which does not exceed 4×10^4 becquerels;

“Table 1” and “Table 2” mean the tables with that number in Part 3;

“thorium alloy” means a substance or article which is, or contains—

(a) magnesium alloy;

(b) thoriated tungsten; or

(c) dross from hardener alloy,

in which the thorium content does not exceed 4% by mass;

“a tritium foil source” means an article which has a mechanically tough surface into which tritium is incorporated the total activity of which does not exceed 2×10^{10} becquerels;

“tritium source” means radioactive material or radioactive waste which contains no radionuclides except for tritium and which is either—

(a) a gaseous tritium light device;

(b) a sealed source;

(c) a tritium foil source; or

(d) a luminised article;

“uranium or thorium compound” means a substance or article which is radioactive material or radioactive waste solely because it is or contains metallic uranium or thorium or prepared compounds of uranium or thorium, and in respect of which metal or compound the proportion of—

(2) 1968 c.47 as relevantly amended by the Water Industry (Scotland) Act 2002 (asp 3), schedule 5, paragraph 41(b)(iv) and the Water Environment and Water Services (Scotland) Act 2003 (asp 3), schedule 3, paragraph 23(a).

- (a) U-235 in the uranium it contains is no more than 0.72% by mass; and
- (b) any isotope of thorium it contains is present in the isotopic proportions found in nature.

Interpretation: NORM

2.—(1) In this schedule, “NORM containing substance” means a solid substance or article which—

- (a) is either—
 - (i) radioactive material or radioactive waste under paragraph 6(2) of schedule 8; or
 - (ii) except where sub-paragraph (2) applies, radioactive waste under paragraph 7 of schedule 8 arising from the remediation of land contaminated by radium;
- (b) contains one or more of the radionuclides which are listed in column 1 of Table 1; and
- (c) has a concentration of radioactivity that does not exceed the value specified in column 2 of Table 2 in respect of that radionuclide.

(2) Land is not contaminated under sub-paragraph (1)(a)(ii) unless the contamination occurred prior to 13th May 2000.

Interpretation: radioactive substances common rules

3.—(1) In this schedule, “radioactive substances common rules” means the following rules—

- (a) a radioactive substance must be managed in a manner which prevents the reckless or accidental dispersal of radionuclides and, in the case of a sealed source, which prevents any dispersal of radionuclides;
- (b) a radioactive substance must be managed safely and securely to minimise the risk of—
 - (i) unauthorised or accidental use;
 - (ii) loss; and
 - (iii) theft;
- (c) records of a radioactive substance must be kept—
 - (i) from receipt of a radioactive substance until at least 2 years after the date of its transfer or disposal;
 - (ii) which include, as a minimum, a description of each source, article or radioactive substance, the location where it is normally kept or used, details of any transfer, and details of any disposal;
- (d) where practicable, a radioactive substance must be marked or labelled as radioactive but any labelling or marking must be removed before it is disposed of in normal refuse;
- (e) SEPA must be promptly notified of a loss or theft (or suspected loss or theft) of radioactive substances where the total amount of radioactive substances lost or stolen (or suspected to have been lost or stolen) from the premises, together with the amount of other substances lost or stolen from the premises in the preceding 12 months, exceeds the value that is ten times the value for the relevant radionuclide in column 3 of Table 2;
- (f) a radioactive substance must not be transferred to a person who is not legally entitled to manage it;
- (g) a radioactive substance must be transferred or disposed of as soon as practicable after it becomes waste.

Draft Legislation: This is a draft item of legislation. This draft has since been made as a Scottish
Statutory Instrument: The Environmental Authorisations (Scotland) Regulations 2018 No. 219