
SCOTTISH STATUTORY INSTRUMENTS

2011 No. 147

The Radioactive Substances Exemption (Scotland) Order 2011

PART 6

Exemption from authorisation under section 13: gaseous radioactive waste

Exemption from authorisation under section 13: gaseous radioactive waste

17.—(1) Subject to paragraph (2), a person (“A”) is exempt from authorisation under section 13 in respect of—

- (a) gaseous radioactive waste where the only radionuclide contained in that waste is Kr-85, where that person complies with the conditions in article 18; or
- (b) subject to paragraph (3), gaseous radioactive waste—
 - (i) which is released from within a container at the time that the container is opened; and
 - (ii) that has been emitted by solid or liquid radioactive material within the container, where that person complies with the conditions in article 18(2).

(2) Paragraph (1) does not apply to waste where the person who generated that waste did not take all practicable measures available to minimise the quantity of radionuclides generated as waste.

(3) Paragraph (1)(b) does not apply in respect of any gas which arises as a result of a process applied by a person to the contained radioactive material.