
SCOTTISH STATUTORY INSTRUMENTS

2011 No. 147

The Radioactive Substances Exemption (Scotland) Order 2011

PART 2

Exemption from registration under section 7 and authorisation under section 14

Exemption from registration under section 7

5.—(1) A person (“A”) is exempt from registration under section 7 (registration of users of radioactive material) in respect of—

- (a) subject to paragraph (2), the radioactive material described in article 7, where A complies with the relevant standard conditions, and any conditions in article 8 that apply to the material;
- (b) radioactive material stored in transit.

(2) A is not exempt from registration under paragraph (1)(a) in respect of a high-activity source where A takes possession of it.

Exemption from authorisation under section 14

6.—(1) A person (“A”) is exempt from authorisation under section 14 (accumulation of radioactive waste) in respect of—

- (a) subject to paragraph (2)(a), radioactive waste described in article 7—
 - (i) where A has received the waste for accumulation (with a view to its subsequent disposal by A) on premises on which A manages, treats or disposes of radioactive waste mixed with substantial quantities of waste which is not radioactive waste, provided that A disposes of the radioactive waste as soon as is practicable; or
 - (ii) except where head (i) applies, where A complies with any conditions in article 8 that apply to that waste and the relevant standard conditions;
 - (b) subject to paragraph (2), radioactive waste consisting of a sealed source, an electrodeposited source or a tritium foil source, which—
 - (i) contains a quantity of radionuclides which exceeds the value specified in column 2 of Table 2 in respect of the relevant type of source; and
 - (ii) immediately before it became radioactive waste, was radioactive material in the form of a sealed source, an electrodeposited source or a tritium foil source (as appropriate), where A complies with the relevant standard conditions; or
 - (c) radioactive waste stored in transit.
- (2) A is not exempt from authorisation—
- (a) under paragraph (1)(a) or (b) in respect of a high-activity source where A accumulates it and it is waste when A takes possession of it; or
 - (b) under paragraph (1)(b) where A has received the waste for the purpose of A disposing of it.

Radioactive substances exempted under articles 5 and 6

- 7.—(1) Subject to paragraph (2), articles 5 and 6(1)(a) apply to—
- (a) a substance or article described in an entry in column 1 of Table 2 which contains a quantity of radionuclides that does not exceed the value specified in column 2 of Table 2 in respect of that substance or article; or
 - (b) any substance or article which is not described in an entry in column 1 of Table 2.
- (2) Paragraph (1) does not apply to NORM waste with a NORM waste concentration which is less than or equal to 10 Bq/g.

Conditions in respect of the total quantity or concentration of radioactive substances on any premises

- 8.—(1) Paragraph (2) applies to a person (“A”) to whom article 5(1)(a) or 6(1)(a) applies in respect of an article described in article 7(1)(a).
- (2) A must ensure that, in respect of the total amount of such substances or articles on the premises (including any such article which is on the premises and which is mobile radioactive apparatus), the quantity of radionuclides does not exceed the value for that substance or article in column 3 of Table 2.
- (3) Paragraph (4) applies to a person (“B”) to whom article 5(1)(a) or 6(1)(a) applies in respect of a substance or article described in article 7(1)(b).
- (4) B must ensure that—
- (a) in respect of the total amount of such substances and articles on the premises, the quantity of radioactivity does not exceed the value specified in column 2 of Table 1; or
 - (b) no such substance or article on the premises contains a concentration of radioactivity that exceeds the value specified in column 3 of Table 1.

Exemption from authorisation under section 14 for NORM waste

- 9.—(1) Subject to paragraph (2), a person (“A”) is exempt from authorisation under section 14 in respect of the accumulation on premises of NORM waste with a NORM waste concentration that does not exceed 10Bq/g where—
- (a) A has received the waste—
 - (i) from another person under a disposal permit held by that person or under an exemption from holding such a permit that applied in respect of the transfer from that person; and
 - (ii) for accumulation by A with a view to its subsequent disposal on those premises by A; or
 - (b) except where paragraph (a) applies, A complies with the relevant standard conditions.
- (2) In respect of premises in respect of which A holds an authorisation under section 14 for the accumulation of NORM waste with a NORM waste concentration which exceeds 10Bq/g, the exception in paragraph (1) does not apply to A in respect of NORM waste with a NORM waste concentration which exceeds 5 Bq/g which is accumulated on those premises.