
SCOTTISH STATUTORY INSTRUMENTS

2011 No. 147

The Radioactive Substances Exemption (Scotland) Order 2011

PART 5

Exemption from authorisation under section 13: aqueous radioactive waste

Exemption from authorisation under section 13: aqueous radioactive waste in Table 3

14.—(1) Subject to paragraph (2), a person (“A”) is exempt from authorisation under section 13 in respect of an aqueous radioactive waste described in an entry in column 1 of Table 3, where A complies with the conditions in paragraph (3).

(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) The conditions referred to in paragraph (1) are that A must—

- (a) ensure that in respect of the total amount of a waste described in that paragraph that is disposed of on or from the premises under that paragraph in a year, the quantity of the waste or, as applicable, the quantity of any radionuclide which that waste contains, does not exceed the value specified in column 3 of Table 3 in respect of that waste;
- (b) dispose of the waste described in that paragraph to a relevant sewer or to a waste permitted person;
- (c) keep an adequate record of the waste which A disposes of from the premises under that paragraph; and
- (d) allow SEPA access to such records or such premises as SEPA may request in order to determine that all of the conditions in this paragraph are complied with.

Exemption from authorisation under section 13: other aqueous radioactive waste

15.—(1) Subject to paragraph (2), a person (“A”) is exempt from authorisation under section 13 in respect of the waste described in paragraph (3) where A disposes of that waste in accordance with the conditions in article 16 that apply to A.

(2) Paragraph (1) does not apply to A in respect of premises in respect of which A holds an authorisation under section 13 in respect of aqueous radioactive waste.

(3) Subject to paragraph (4), the waste referred to in paragraph (1) is aqueous radioactive waste—

- (a) which is not described in an entry in column 1 of Table 3; and
- (b) with a total concentration of radioactivity which does not exceed 100 Bq/ml.

(4) Paragraph (3) does not apply to waste—

- (a) where a person has diluted it with the intention that—
 - (i) the waste has a concentration of radioactivity which is below the value in paragraph (3)(b); or

- (ii) the condition in article 16(3)(a) or 16(4)(b) is complied with in respect of that waste;
or
- (b) where the person who generated that waste did not take all practicable measures available to minimise the quantity of radionuclides generated as waste.

Conditions in respect of aqueous radioactive waste in article 15

- 16.**—(1) A person (“A”) to whom article 15(1) applies must—
- (a) subject to paragraph (2), dispose of the waste in respect of which that article applies—
 - (i) directly into a relevant river or the sea;
 - (ii) to a relevant sewer; or
 - (iii) to a waste permitted person.
 - (b) keep an adequate record of the waste which A disposes of from any premises under that article; and
 - (c) allow SEPA access to such records or such premises as SEPA may request in order to determine that all of the conditions that apply to A in respect of that article are complied with.
- (2) In respect of disposals of aqueous non-Table 3 waste disposed of from the premises, A may not use both of the disposal routes described in paragraph (1)(a)(i) or (ii) in a year and where—
- (a) A uses the route in paragraph (i), the conditions in paragraph (3) apply to A; or
 - (b) A uses the route in paragraph (ii), or A does not use the route in either paragraph (i) or paragraph (ii), the conditions in paragraph (4) apply to A.
- (3) Where this paragraph applies, A must ensure that—
- (a) in respect of any aqueous non-Table 3 waste which A disposes of, the concentration of radioactivity does not exceed the value shown in column 2 of Table 4; and
 - (b) in respect of the total amount of aqueous non-Table 3 waste which A disposes of from the premises in a year, the quantity of radioactivity does not exceed the value shown in column 4 of Table 4.
- (4) Where this paragraph applies—
- (a) where any of the aqueous non-Table 3 waste disposed of from the premises in a year has a concentration of radioactivity which exceeds the value shown in column 2 of Table 4, A must not, in respect of the total amount of aqueous non-Table 3 waste which is disposed of from those premises in a year, dispose of a quantity of radionuclides which exceeds—
 - (i) 1×10^8 Bq for the sum of the following radionuclides: H-3, C-11, C-14, F-18, P-32, P-33, S-35, Ca-45, Cr-51, Fe-55, Ga-67, Sr-89, Y-90, Tc-99m, In-111, I-123, I-125, I-131, Sm-153, Tl-201; and
 - (ii) 1×10^6 Bq for the sum of all other radionuclides;
 - or
 - (b) where all of the aqueous non-Table 3 waste disposed of from the premises in a year has a concentration of radioactivity which does not exceed the value shown in column 2 of Table 4, A must ensure that, in respect of the total amount of such waste disposed of from the premises in a year, the quantity of radioactivity does not exceed—
 - (i) the value shown in column 3 of Table 4; or
 - (ii) the quantity in sub-paragraph (a).

(5) In this article, “aqueous non-Table 3 waste” means aqueous radioactive waste which is not described in an entry in column 1 of Table 3.