

## SCHEDULE 23

### Radioactive substances activities

## PART 3

### The Basic Safety Standards Directive

#### SECTION 2

#### *Interventions*

#### **Radioactive waste: power of the Secretary of State to provide facilities for disposal or accumulation**

3.—(1) If it appears to the Secretary of State that adequate facilities are not available for the safe disposal or accumulation of radioactive waste, the Secretary of State may—

- (a) provide such facilities; or
- (b) make arrangements for their provision by such persons as the Secretary of State may think fit.

(2) Before exercising the power under sub-paragraph (1), the Secretary of State must consult with—

- (a) any local authority in whose area the facilities would be situated; and
- (b) such other public or local authorities (if any) as appear to the Secretary of State to be proper to be consulted.

(3) Reasonable charges for the use of any facilities provided under sub-paragraph (1) may be made by—

- (a) the Secretary of State; or
- (b) the person providing such facilities, unless the arrangements made by the Secretary of State with that person provide to the contrary.