

TRANSPOSITION NOTE

IMPLEMENTATION OF THE JUSTIFICATION OF PRACTICES AND PUBLIC EXPOSURES ASPECTS OF THE BASIC SAFETY STANDARDS DIRECTIVE 2013/59/EURATOM (BSSD)

Ionising Radiation (Basic Safety Standards) (Miscellaneous Provisions) Regulations 2018

The Department for Business, Energy and Industrial Strategy (BEIS) has overall responsibility for coordinating UK transposition of the BSSD. A number of government departments, and the devolved administrations, are making regulations to transpose various aspects of the BSSD and each will complete a Transposition Note relating to the regulations they are making.

BEIS is implementing the **justification of practices** and **public exposures** aspects of the BSSD through four sets of regulations:

- the Justification of Practices Involving Ionising Radiation (Amendment) Regulations 2018 (S.I. 2018/430), which amend the Justification of Practices Involving Ionising Radiation Regulations 2004 (S.I. 2004/1769) which set out a UK-wide framework for the making of justification decisions;
- the Environmental Permitting (England and Wales) (Amendment) (No. 2) Regulations 2018 (S.I. 2018/428), which amend the Environmental Permitting (England and Wales) Regulations 2016 (S.I. 2016/1154) which set out the environmental permitting regime for radioactive substances activities;
- the Radioactive Contaminated Land (Enabling Powers and Modification of Enactments) (Amendment) (England) Regulations 2018 (S.I. 2018/429), which amend the Radioactive Contaminated Land (Enabling Powers) (England) Regulations 2005 (S.I. 2005/3467) and the Radioactive Contaminated Land (Modification of Enactments) (England) Regulations 2006 (S.I. 2006/1379); and
- the Ionising Radiation (Basic Safety Standards) (Miscellaneous Provisions) Regulations 2018, which make UK-wide provision for matters not covered by existing statutory regimes.

The table below sets out how articles in the BSSD are transposed by **the Ionising Radiation (Basic Safety Standards) (Miscellaneous Provisions) Regulations 2018 (IRMPR18)**.

Article	Objective	Implementation
2.1	Scope Sets out the scope of the Directive which applies to existing exposure situations which require consideration with respect to radiological protection and the environment with respect to long term health protection.	IRMPR18

2.2(d)	The Directive applies to exposure to indoor radon, external exposure from building materials and cases of lasting exposure resulting from the after-effects of an emergency or a past human activity.	Part 2, Part 3, Part 4
4	Definitions Sets out relevant definitions.	Regulation 2
7.1 and 7.2	Reference levels Reference levels shall be established for existing exposure situations. A range should be given for each type of exposure situation to enable optimisation of protection.	Regulation 4(3) (exposure situation (a) in Annex XVII BSSD – contaminated land) Regulation 6(4) (exposure situations (b)(ii) – building materials and (c) – commodities in Annex XVII BSSD)
7.3	Reference levels to be set for exposure to the public of Radon.	Regulation 8 (exposure situation (b)(i) – Radon in Annex XVII BSSD)
73.1(a)	Contaminated areas Article 73.1(a) – requirement for protection strategies for contaminated land to set reference levels.	Regulation 4(3)
73.2	Sets requirement to ensure appropriate arrangements are in place before the resumption of habitation or social or economic activities on contaminated land.	Regulation 4(4)
74.1	Indoor exposure to radon Sets national reference levels for indoor radon concentrations and sets duty to ensure information on indoor radon exposure is available at a local and national level.	Regulation 8
74.2		Regulation 10
74.3		Regulation 9
75.1	Gamma radiation from building materials	Regulation 7(2)
75.2 (a) – (b)	Sets national reference levels for indoor external and outdoor external exposure to gamma radiation emitted by building materials, and sets duty to measure activity concentrations and provide information on materials.	Regulation 7(1)
75.3		Regulation 7(2)
92.1(a) – (b)	Detection of orphan sources Make arrangements to raise awareness and issuing guidance on handling orphan sources.	Regulation 13

94.2	<p>Recovery, management, control and disposal of orphan sources Organisation of campaigns to recover, manage, control and dispose of orphan sources.</p>	Regulation 14
100.1	<p>Programmes on existing exposure and situations Measures should be in place to identify and evaluate existing exposure situations to determine corresponding public exposure.</p>	Regulation 6(2) (exposure situations (b)(ii) – building materials and (c) commodities in Annex XVII BSSD).
101.1, 101.2 (a) and (b)	<p>Establishment of strategies Requirement to assign responsibility for implementation of strategies and sets out duties to enable the implementation of strategies that have been established for managing existing exposure situations.</p>	Regulation 6(3) and (4) (exposure situations (b)(ii) – building materials and (c) – commodities in Annex XVII BSSD).
102.1, 2 and 3	<p>Implementation of strategies Assigns responsibility and sets out duties to enable the implementation of strategies that have been established for managing existing exposure situations. Sets the requirement for protective measures and distribution of doses to be assessed and optimised.</p> <p>Duties of implementation include review of remedial and protective measures.</p> <p>Duties to provide information and guidance to the public.</p>	Regulation 6(4) (exposure situations (b)(ii) – building materials and (c) – commodities in Annex XVII BSSD).
102.4 (b), (c)	<p>Duties to provide information and guidance to the public.</p>	<p>Regulation 5 (existing exposure situation (a) – contaminated land in Annex XVII BSSD).</p> <p>Regulation 6(4) (exposure situations (b)(ii) – building materials and (c) – commodities in Annex XVII BSSD).</p>
103.1	<p>Radon action plan Requirement to establish national action plan to address long-term risks of radon exposure.</p>	Regulation 10

103.2	Requirement to ensure appropriate measures are taken to prevent ingress in new buildings.	Regulation 11
103.3	Requirement to identify areas where the annual dose is likely to exceed the reference level.	Regulation 12