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DRAFT SCOTTISH STATUTORY INSTRUMENTS

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**2011 No.**

**The Radioactive Substances Act 1993  
Amendment (Scotland) Regulations 2011**

**Amendments to section 47 of the Act**

5.—(1) In section 47(1) of the Act insert, at the appropriate place in alphabetical order, the following definitions—

““m”, where it appears after a radionuclide, means a radionuclide in a metastable state of radioactive decay in which gamma photons are emitted;”;

““NORM industrial activity” means the industrial activities involving radionuclides of natural terrestrial or cosmic origin, which activities are listed in Table 1, but not including any such activity where radionuclides of natural terrestrial or cosmic origin are processed for their radioactive, fissile or fertile properties;”;

““relevant liquid” means a liquid which—

- (a) is non-aqueous; or
- (b) is classified (or would be so classified in the absence of its radioactivity) under Council Regulation No. 1272/2008(1) as having any of the following hazard classes and hazard categories (as defined in that Regulation)—
  - (i) acute toxicity: categories 1, 2 or 3;
  - (ii) skin corrosion/irritation: category 1 corrosive, sub-categories: 1A, 1B or 1C; or
  - (iii) hazardous to the aquatic environment: acute category 1 or chronic categories 1 or 2;”.

(2) After section 47(5A) of the Act insert—

“(5B) Where any radionuclide carries the suffix “+” or “sec” in this Act—

- (a) that radionuclide represents the parent radionuclide in secular equilibrium with the corresponding daughter radionuclides which are identified in column 2 of Table 4 in Schedule 1A adjacent to the description of that parent radionuclide; and
- (b) a concentration value given in a table in Schedule 1A in relation to such a parent radionuclide refers to the value for the parent radionuclide alone, but already takes into account the daughter radionuclides present.

(5C) Where any reference is made to a substance or article possessing a concentration of radioactivity which exceeds the value shown in a particular column of a table in Schedule 1A, that value is exceeded if—

- (a) where only one radionuclide which is included in that table is present in the substance or article, the concentration of that radionuclide exceeds the concentration specified in the appropriate entry in the appropriate column of that table; or

- (b) where more than one such radionuclide is present, the sum of the quotient values of all such radionuclides in the substance or article, as determined by the summation rule following that table as it applies to that column, is greater than one.”.