
STATUTORY INSTRUMENTS

2011 No. 2043

The Environmental Permitting (England
and Wales) (Amendment) Regulations 2011

PART 2

Amendments to the 2010 Regulations

Amendment of regulation 2 (interpretation: general)

- 4.—(1) Paragraph (1) of regulation 2 (interpretation: general) is amended as follows.
- (2) In the definition of “radioactive material”, for “paragraph 2” substitute “paragraph 3”.
- (3) In the definition of “radioactive substances activity”, for “paragraph 5” substitute “paragraph 11”.
- (4) After the definition of “radioactive substances activity”, insert—
- ““radioactive substances exemption” means an exemption under Part 7 of Schedule 23 from the requirement for an environmental permit in respect of a radioactive substances activity;”.
- (5) In the definition of “radioactive waste”, for “paragraph 4” substitute “paragraph 3”.
- (6) In the definition of “waste”, for “paragraph (4)” substitute “paragraph (5) where it applies”.
- (7) For paragraph (4) substitute—
- “(4) Paragraph (5) applies where a person (“A”)—
- (a) carries on a radioactive substances activity described in paragraph 11(2)(b) or (c) or (4) of Part 2 of Schedule 23 in respect of radioactive waste;
- (b) is exempt under regulation 12(3) from the requirement for an environmental permit in respect of that activity and that waste (“the relevant exemption”); and
- (c) the waste (“the applicable radioactive waste”) is—
- (i) NORM waste (as that term is defined in Part 7 of Schedule 23); or
- (ii) the waste described in the first, second or sixth row of column 1 of table 6 in Part 7 of Schedule 23.”.
- (8) After paragraph (4), insert—
- “(5) Where this paragraph applies, for so long as the relevant exemption applies to A, the applicable radioactive waste must be treated for the purposes of these Regulations as if it were waste other than radioactive waste.”.