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STATUTORY INSTRUMENTS

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**2019 No. 156**

**The Transfrontier Shipment of Radioactive Waste  
and Spent Fuel (EU Exit) Regulations 2019**

**Issue of authorisations for shipments of radioactive waste**

**11.**—(1) A competent authority must not authorise a shipment of radioactive waste unless this regulation is complied with.

(2) An applicant must make a written assessment of all practicable options for management of the radioactive waste.

(3) In the case of low-level waste, the proposed shipment must be for—

- (a) the recovery of re-usable materials;
- (b) treatment to make its subsequent storage and disposal more manageable;
- (c) sending samples for investigative analysis; or
- (d) the return to the country of origin of radioactive waste resulting from the processing of radioactive waste or spent fuel in another country (or an equivalent amount of other radioactive waste by way of substitute).

(4) In the case of intermediate-level or high-level waste, the proposed shipment must be for—

- (a) the recovery of re-usable materials, where this is the genuine prime purpose;
- (b) treatment to make its subsequent storage and disposal more manageable, in cases—
  - (i) where the processes are at a developmental stage; or
  - (ii) which involve quantities that are too small for the process to be practicable in the country of origin;
- (c) sending samples for investigative analysis; or
- (d) the return to the country of origin of radioactive waste resulting from the processing of radioactive waste or spent fuel in another country (or an equivalent amount of other radioactive waste by way of substitute).

(5) If the processes at paragraphs (3) and (4) would add materially to the radioactive waste needing to be disposed of in the country of destination, the applicant must demonstrate that the waste will be returned to the country of origin, to a timescale agreed by the competent authorities in the countries of origin and destination.

(6) Notwithstanding paragraphs (3), (4) and (5), radioactive waste may be imported for treatment and disposal in the United Kingdom—

- (a) if it is in the form of spent or disused sealed sources that were manufactured in the United Kingdom; or
- (b) if it arises from small users, such as hospitals, situated in—
  - (i) countries that produce such small quantities of radioactive waste that the provision of their own specialised installations would be impractical, or
  - (ii) countries that cannot reasonably be expected to acquire suitable disposal facilities.

(7) Notwithstanding paragraphs (2) to (6), radioactive waste arising from the reprocessing of spent fuel may be returned to its country of origin.

(8) In this regulation—

“low-level waste” means radioactive waste having a radioactive content not exceeding four gigabecquerels per tonne (GBq/te) of alpha activity or twelve GBq/te of beta or gamma activity;

“intermediate level waste” means radioactive waste with radioactivity levels exceeding the upper boundaries for low-level waste, but which does not require the heat generated from the waste to be taken into account in the design of storage or disposal facilities; and

“high level waste” means radioactive waste in which the temperature may rise significantly as a result of its radioactivity, so that this factor has to be taken into account in designing storage or disposal facilities.