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STATUTORY INSTRUMENTS

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**2017 No. 1075**

**The Ionising Radiations Regulations 2017**

**PART 6**

**ARRANGEMENTS FOR THE CONTROL OF RADIOACTIVE  
SUBSTANCES, ARTICLES AND EQUIPMENT**

**Notification of certain occurrences**

**31.**—(1) An employer must immediately notify the appropriate authority in any case where a quantity of a radioactive substance which was under its control and which exceeds the quantity specified for that substance in column 5 of Part 1 of Schedule 7—

- (a) has been released or is likely to have been released into the atmosphere as a gas, aerosol or dust; or
- (b) has been spilled or otherwise released in such a manner as to give rise to significant contamination.

(2) Paragraph (1) does not apply where such release—

- (a) in relation to England and Wales—
  - (i) was in accordance with an environmental permit under the Environmental Permitting (England and Wales) Regulations 2016<sup>(1)</sup> in respect of mobile radioactive apparatus within the meaning of those regulations;
  - (ii) was in a manner specified in such an environmental permit in respect of radioactive waste within the meaning of those regulations; or
  - (iii) did not, under regulation 12 of those regulations, require an environmental permit;
- (b) in relation to Scotland—
  - (i) was in accordance with a registration under section 10 of the Radioactive Substances Act 1993<sup>(2)</sup> or which was exempt from such registration by virtue of section 11 of that Act; or
  - (ii) was in a manner specified in an authorisation to dispose of radioactive waste under section 13 of that Act or which was exempt from such authorisation by virtue of section 15 of that Act.

(3) Where an employer has reasonable cause to believe that a quantity of a radioactive substance which exceeds the quantity for that substance specified in column 6 of Part 1 of Schedule 7 and which was under its control is lost or has been stolen, the employer must immediately notify the appropriate authority of that loss or theft, as the case may be.

(4) Where an employer suspects or has been informed that an occurrence notifiable under this regulation may have occurred, it must make an immediate investigation and, unless that investigation

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<sup>(1)</sup> [S.I. 2016/1154](#).

<sup>(2)</sup> [1993 c.12](#); section 10 was amended by paragraphs 200 and 2004 of Schedule 22 to the Environment Act [1995 \(c. 25\)](#). Relevant amendments were also made by [S.I. 2005/2686](#) and [S.S.I. 2011/207](#).

shows that no such occurrence has occurred, it must immediately make a notification under the relevant paragraph of this regulation.

(5) An employer who makes any investigation in accordance with paragraph (4) must make a report of that investigation and must, unless the investigation showed that no such occurrence occurred, keep that report or a copy of the report for at least 30 years from the date on which it was made or, in any other case, for at least 2 years from the date on which it was made.

(6) In this regulation “appropriate authority” means—

- (a) in relation to an occurrence notifiable under this regulation as a result of work carried out on nuclear premises, the ONR;
- (b) otherwise, the Executive.