

1971 No. 381

ATOMIC ENERGY AND RADIOACTIVE SUBSTANCES

LICENSING AND REGULATION OF SITES

The Nuclear Installations Regulations 1971

<i>Made</i>	- - -	<i>9th March 1971</i>
<i>Laid before Parliament</i>		<i>17th March 1971</i>
<i>Coming into Operation</i>		<i>29th March 1971</i>

The Secretary of State for Trade and Industry and the Secretary of State for Scotland in exercise of the powers conferred upon them by sections 1(1) and (2) and 26(1) of the Nuclear Installations Act 1965(a) (hereinafter referred to as "the Act") and of all other powers them enabling hereby jointly make the following Regulations :—

Commencement and citation

1. These Regulations shall come into operation on 29th March 1971 and may be cited as the Nuclear Installations Regulations 1971.

Interpretation

2.—(1) The Interpretation Act 1889(b) shall apply to the interpretation of these Regulations as it applies to the interpretation of an Act of Parliament.

(2) Unless the context otherwise requires, expressions used in these Regulations shall have the same meanings as in the Act.

(3) In these Regulations "enriched uranium" means uranium enriched so as to contain more than 0.72 per cent of the isotope 235.

Prescribed installations

3. There are hereby prescribed for the purposes of section 1(1)(b) of the Act any installations of any of the following descriptions, that is to say—

- (1) any installation designed or adapted for the carrying out of any process involved in the manufacture from—
 - (a) enriched uranium,
 - (b) plutonium,
 - (c) any alloy, chemical compound, mixture or combination containing enriched uranium,
 - (d) any alloy, chemical compound, mixture or combination containing plutonium,
 of fuel elements to be used for the production of atomic energy ;

 (a) 1965 c. 57.

(b) 1889 c. 63.

- (2) any installation designed or adapted for the carrying out of any process (not being a process carried out solely for the purposes of chemical or isotopic assay or metallographic investigation) involved in—
- (a) the production from—
 - (i) enriched uranium,
 - (ii) any alloy, chemical compound, mixture or combination containing enriched uranium,of any alloy, chemical compound, mixture or combination containing enriched uranium,
 - (b) the production from—
 - (i) plutonium,
 - (ii) any alloy, chemical compound, mixture or combination containing plutonium,of any alloy, chemical compound, mixture or combination containing plutonium,
 - (c) the production, from any alloy, chemical compound, mixture or combination containing enriched uranium, of enriched uranium,
 - (d) the production, from any alloy, chemical compound, mixture or combination containing plutonium, of plutonium ;
- (3) any installation designed or adapted for the incorporation of—
- (a) enriched uranium,
 - (b) any alloy, chemical compound, mixture or combination containing enriched uranium,
 - (c) plutonium,
 - (d) any alloy, chemical compound, mixture or combination containing plutonium,
- in any device designed to form part of a nuclear assembly or designed for irradiation in a nuclear reactor other than a device designed solely for the purpose of measuring neutron flux ;
- (4) any installation comprising a nuclear assembly designed or adapted for the production of neutrons and containing—
- (a) enriched uranium,
 - (b) any alloy, chemical compound, mixture or combination containing enriched uranium,
 - (c) plutonium,
 - (d) any alloy, chemical compound, mixture or combination containing plutonium,
- and in which a controlled chain reaction can be maintained with an additional source of neutrons ;
- (5) any installation designed or adapted for the processing of irradiated nuclear fuel other than processing carried out solely for the purpose of chemical or isotopic assay or metallographic investigation of such nuclear fuel ;
- (6) any installation designed or adapted for storage of—
- (a) fuel elements referred to in paragraph (1) of this Regulation,
 - (b) irradiated nuclear fuel,
 - (c) bulk quantities of any other radioactive matter which has been produced or irradiated in the course of the production or use of nuclear fuel,

other than storage incidental to carriage and in the case of irradiated nuclear fuel other than storage incidental to any of the excepted purposes referred to in paragraph (5) of this Regulation :

- (7) any installation designed or adapted for—
- (a) any treatment of irradiated matter which involves the extraction therefrom of plutonium or uranium,
 - (b) any treatment of uranium whether enriched or not such as to increase the proportion of the isotope 235 contained therein ;
- (8) any installation designed or adapted for the carrying on of any process involved in the production from nuclear matter, not being excepted matter, of isotopes prepared for use for industrial, chemical, agricultural, medical or scientific purposes.

Provisions for exemption

4. Either Secretary of State may by instrument in writing exempt from the requirements of section 1(1) of the Act any installation described in Regulation 3 hereof which he is satisfied is not a relevant installation.

Revocation

5.—(1) The Nuclear Installations Regulations 1965(a) are hereby revoked.

(2) Where any nuclear site licence is in force immediately before the coming into operation of these Regulations in respect of any installation prescribed in the Nuclear Installations Regulations 1965 and that installation is prescribed under the provisions of Regulation 3 of these Regulations, such nuclear site licence shall not be affected by the revocation effected by the foregoing paragraph, but shall continue in force as if it had been granted in respect of the installation as prescribed in the said Regulation 3.

John Davies,
Secretary of State for Trade and Industry.

5th March 1971.

Gordon Campbell,
Secretary of State for Scotland.

9th March 1971.

EXPLANATORY NOTE

(This Note is not part of the Regulations.)

These Regulations made by the Secretary of State for Trade and Industry and the Secretary of State for Scotland acting jointly, replace the Nuclear Installations Regulations 1965.

These Regulations extend the classes of installations previously prescribed to include :

1. Installations in which any process is carried on in
 - (a) the manufacture of nuclear fuel from enriched uranium or plutonium in any form, compound or combination or
 - (b) the production of enriched uranium or plutonium in any form compound or combination from other forms compounds or combinations of these elements.
2. Installations comprising sub-critical assemblies or reactor exponential experiments containing enriched uranium or plutonium in any form or compound, or in combination.
3. Installations for the storage of bulk quantities of radioactive matter resulting from the production or use of nuclear fuel.
4. Installations in which plutonium or uranium is extracted from irradiated matter.
5. Installations in which uranium is enriched in the isotope uranium 235 by any process.
6. Installations in which isotopes, ready for use for industrial, chemical, agricultural, medical or scientific purposes, are produced from nuclear matter.

Certain installations where prescribed processes are carried out solely for chemical and isotopic assay or metallographical investigation are excluded from the Regulations and provision is made for the granting of exemption from licensing under the Nuclear Installations Act 1965 in special circumstances.

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