
STATUTORY INSTRUMENTS

2011 No. 988

The Waste (England and Wales) Regulations 2011

PART 11

Final provisions

Radioactive waste

47.—(1) This regulation applies to radioactive waste where it is—

- (a) exempt from the requirement for an environmental permit by virtue of a specified order⁽¹⁾; and
- (b) subject to a radioactive substances activity falling within paragraph 5(2)(b) or (c) or (4) of Part 2 of Schedule 23 to the Environmental Permitting (England and Wales) Regulations 2010.

(2) Radioactive waste to which this regulation applies must be treated as waste for the purposes of these Regulations.

(3) Sections 33 to 34C of the Environmental Protection Act 1990 apply to radioactive waste to which this regulation applies.

(4) In this regulation—

“environmental permit” has the meaning given in regulation 13(1) of the Environmental Permitting (England and Wales) Regulations 2010;

“radioactive waste” and “radioactive substances activity” have the meanings given in paragraphs 4 and 5 of Part 2 of Schedule 23 to the Environmental Permitting (England and Wales) Regulations 2010;

“specified order” means—

- (a) the Radioactive Substances (Phosphatic Substances, Rare Earths etc.) Exemption Order 1962⁽²⁾;
- (b) the Radioactive Substances (Lead) Exemption Order 1962⁽³⁾; and
- (c) the Radioactive Substances (Substances of Low Activity) Exemption Order 1986⁽⁴⁾.

⁽¹⁾ See regulation 72 of the Environmental Permitting (England and Wales) Regulations 2010 (S.I. 2010/675).

⁽²⁾ S.I. 1962/2648.

⁽³⁾ S.I. 1962/2649.

⁽⁴⁾ S.I. 1986/1002, amended by S.I. 1992/647.