

## SCHEDULE

### Amendment of Schedule 23

#### **Amendment of Part 4 (the Basic Safety Standards Directive)**

13. After Section 2 insert—

#### *“SECTION 3*

#### *Miscellaneous duties of the regulator*

##### **Inspection programmes**

5. When establishing an inspection programme for the purposes of regulation 34(2) (periodic inspections of regulated facilities) in relation to radioactive substance activities, the regulator must take into account the potential magnitude and nature of the hazard associated with such activities, a general assessment of radiation protection issues in the activities, and the state of compliance with the requirements of these Regulations.

##### **Inspection findings**

6. Where a regulator makes an inspection of a regulated facility that is a radioactive substances activity, the regulator must—

- (a) record the findings of that inspection; and
- (b) communicate those findings to the operator of the regulated facility.

##### **Radioactive waste: requirements to be imposed on permit holders**

7.—(1) The regulator must require a person who holds an environmental permit to carry on the radioactive substances activity described in paragraph 11(2)(b) (disposing of waste) or (c) (accumulating waste) of Part 2 of this Schedule to—

- (a) achieve and maintain an optimal level of protection of members of the public;
- (b) accept into service adequate equipment and procedures for measuring and assessing exposure of members of the public and radioactive contamination of the environment;
- (c) check the effectiveness and maintenance of equipment as referred to in paragraph (b) and ensure the regular calibration of measuring instruments; and
- (d) seek advice from a radioactive waste adviser in the performance of the tasks referred to in paragraphs (a), (b) and (c).

(2) In this paragraph “radioactive waste adviser” means an individual, or group of individuals, with the knowledge, training and experience needed to give radioactive waste management and environmental radiation protection advice in relation to radioactive waste in order to ensure the effective protection of members of the public, and whose competence in that respect is recognised by the regulator.

##### **Dilution of radioactive material and radioactive waste**

8. In exercising its relevant functions in relation to a radioactive substances activity, the regulator must observe the requirements of Article 30(4) of the Basic Safety Standards Directive.

*Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.*

### **Monitoring of discharges**

9.—(1) This paragraph applies where the regulator is exercising relevant functions in relation to a radioactive substances activity where there are radioactive discharges authorised by an environmental permit.

(2) The regulator must impose appropriate environmental permit conditions concerning—

- (a) the monitoring, or the evaluation, of radioactive airborne or aqueous discharges into the environment; and
- (b) the reporting to the regulator of the results of such monitoring or evaluation.

(3) For the purposes of sub-paragraph (2), where the regulator is exercising relevant functions in relation to a nuclear power station or nuclear reprocessing plant, the environmental permit conditions imposed must require the monitoring of radioactive discharges and reporting to the regulator of such information on radioactive discharges as the appropriate authority directs.”.