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## **Environmental Permitting (England & Wales) Regulations 2010**

### **How to comply with your EPR RSR environmental permit – sealed sources**

**Document Owner: National Services/ Knowledge, Strategy and Planning (KSP)**

**Document History:**

<b>Document Version</b>	<b>Date Published</b>	<b>Summary of Changes</b>
1		Document Created
2	September 2014	Rebrand to NRW
3	February 2015	HASS address changed

**Published by:**

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## A QUICK GUIDE

This document provides guidance to holders of EPR RSR permits for sealed sources, about the conditions included in their permits.

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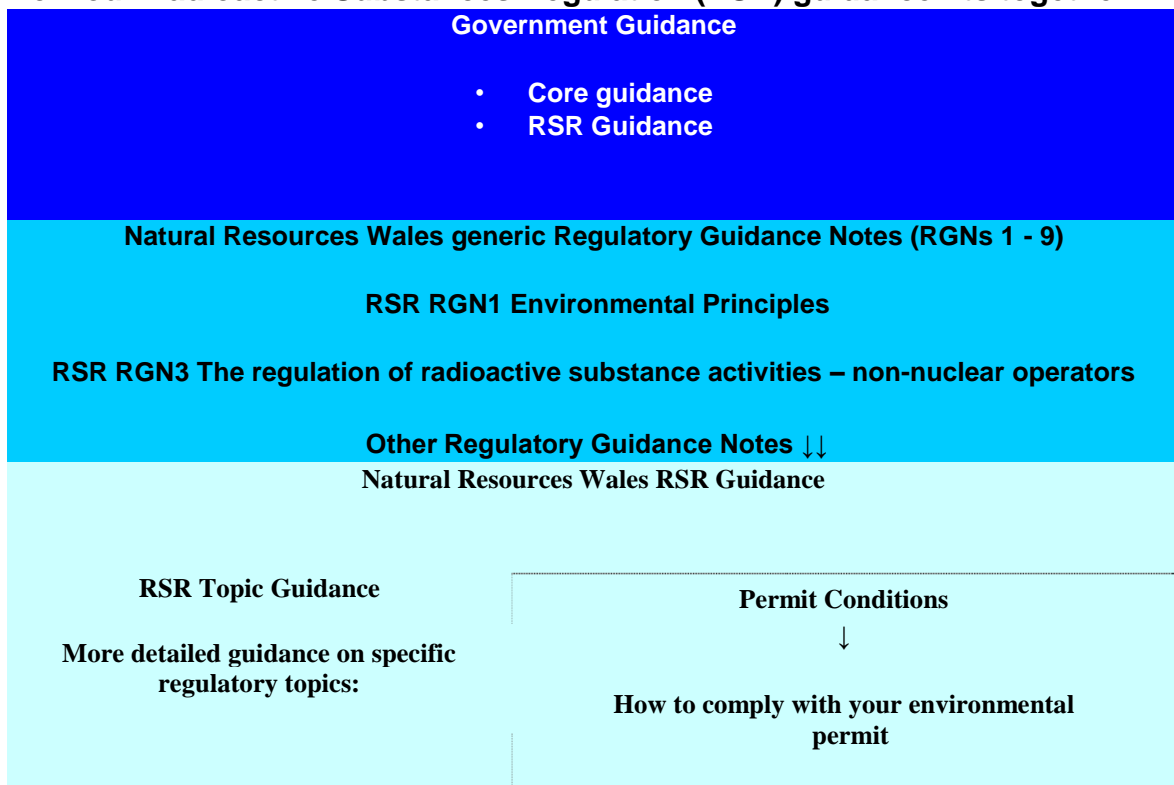
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# Introduction

This guidance note is about how you ensure that you keep and use, and where relevant, receive, accumulate and dispose of radioactive sealed sources safely and securely. It explains in general terms your permit conditions, so that you understand what you need to do to comply with those conditions. Its structure is consistent with the current templates for radioactive substances permits under the Environmental Permitting (England and Wales) Regulations 2010 (EPR). It is also relevant to existing holders of registrations and authorisations dealing with sealed sources that were issued under RSA93 and continue to have effect as environmental permits under EPR. Where we know that there will be different or additional permit conditions in specific circumstances, we say so in this guidance. We may need to develop and use other conditions for use in less common permitting circumstances, so as to ensure that we adopt a proportionate approach. We will revise this guidance if we do so.

In this guidance, references to “sealed sources” include waste sealed sources, unless otherwise stated.

## How our Radioactive Substances Regulation (RSR) guidance fits together



The Government has produced guidance on the EPR (‘the Core Guidance’) which describes the general permitting and compliance requirements. Specific guidance on Radioactive Substances Regulation (RSR) has also been produced (Environmental Permitting Guidance Radioactive Substances Regulation (RSR)) which confirms how RSR should be applied and implemented, and how particular terms should be interpreted in England and Wales. Where specific requirements for RSR differ from those in the Core Guidance, the RSR Guidance sets out those differences. Therefore you should read the RSR Guidance in conjunction with the Core Guidance.

In our “Regulatory Guidance Notes” (RGN series documents) we have provided guidance on generic Natural Resources Wales regulatory approaches, stating what we intend to do and how we apply key terms and technical considerations to the activities we regulate under EPR.

We have published our Radioactive Substances Regulation Environmental Principles (REPs) (RGN RSR1) to set out our overall approach to RSR. This forms a consistent and standardised framework for the assessments and judgements that we make when regulating radioactive substances. This framework includes permitting and compliance where we regulate directly, as well as where we act as consultees, advisors or otherwise have influence. We have also provided regulatory guidance on “The regulation of radioactive substances activities on non-nuclear sites” (RGN RSR3).

### **You should use the guidance in the following ways**

You can use this guidance to help you understand your permit and the conditions we consider necessary to regulate your activity, and to identify in broad terms what you should do to comply with the permit. You may wish to consider its content when applying for a permit, to prepare for what you will be expected to do. This guidance refers to other documents for more information. It does not provide detailed technical guidance nor does it set out specific technical standards or measures.

### **The permit conditions**

The RSR non-nuclear permit conditions describe what we want you to achieve but do not normally tell you how to do this. They are generally intended to give you a degree of flexibility. This document sets out the permit conditions for sealed sources and then provides guidance on how to comply. References to a table in a permit condition refer to the tables you will find in your permit schedules.

In broad terms the conditions are based on the following approach:

- you must have suitable management arrangements, including sufficient competent persons and resources to comply with your permit;
- you must have suitable arrangements and measures in place to maintain the security and integrity of sealed sources;
- you must have suitable arrangements for sources which become disused or are transferred and, where relevant to your operation, for the receipt, accumulation or disposal of radioactive waste;
- you must make and keep records demonstrating compliance and provide information to us as requested;
- you must submit information to comply with the reporting and notification requirements to us.

Permits are generally structured as follows, but conditions and schedules may be differently numbered in different permitting circumstances:

- Section 1 Management
- Section 2 Operations

- Section 3 Disposal of Radioactive Waste
- Section 4 Information
- Section 5 Interpretation
- Schedules

## Information security

Our permits for sealed sources, and the associated application forms, are marked

“Restricted - regulatory” in accordance with the Government Protective Marking System. The unauthorised disclosure of the information they contain could facilitate the commission of serious crime – in particular by terrorists. They are for use only by those people within operators’ organisations who need reasonable access to them, to ensure compliance with the conditions of the permit, and trusted contacts who advise you – such as your Radiation Protection Adviser. In particular, to ensure compliance with the objectives of the Government Protective Marking System you must:

- not copy it to other third parties without consulting Natural Resources Wales.
- lock it in a lockable cabinet or container when it is not in use.
- make those who access it aware of the marking and the need to protect the information from unauthorised disclosure and loss.
- if you move it around, use a sealed envelope and do not mark the envelope “Restricted”. If you post it, use “Royal Mail Special Delivery Next Day”.
- not e-mail it.

# 1 – Management

## 1.1 General management

1.1.1 The operator shall manage and operate the activities:

- (a) in accordance with a written management system that is sufficient to ensure compliance with the conditions of this permit; and (
- b) using sufficient competent persons and resources.

### How to comply

This condition means that you must put in place and implement management arrangements to ensure that you comply with your permit conditions. We have provided guidance on management arrangements in section 5.1 of the RSR Environmental Principles (RGN RSR1 RSR Environmental Principles). .

We will take a proportionate approach, depending on the nature of your operations and the actual and potential impact of such facilities on the public and the environment. If your business is large or complicated it may be best to have a formal environmental management system (EMS). We strongly support systems

which either meet the ISO14001 standard or are registered under EMAS (European Community Eco Management and Audit Scheme). For smaller and simpler activities it may be enough to have a basic management system instead of a fully certified EMS. We do not necessarily expect you to set up a standalone system. It may be integrated with any other management system that you already have in place. Useful guidance on management systems generally is given in the ISO 9000 and ISO 14000 series of **standards**. HSE also publish guidance on safety management systems which may be relevant also to environmental considerations (Managing Health and Safety - Five steps to success).

We expect you to:

- Plan – establish the processes necessary to achieve compliance with the permit rules
- Do – implement those processes
- Check – monitor those processes to ensure that compliance is being achieved
- Act – take action to improve those processes where failures or weaknesses are identified.

We expect your management system, as a minimum, to include:

- the definition of roles, responsibilities and authorities;
- identification of resources required;
- identification of training needs;
- procedures for procurement, operation and maintenance of sealed sources and associated equipment and, where relevant, managing disused sources, source transfer and the receipt, accumulation and disposal of radioactive waste;
- procedures for dealing with incidents and accidents involving sealed sources;
- record-keeping arrangements;
- arrangements for checking compliance.

By 'accidents', we mean risks that a source may be damaged or lost during circumstances you did not plan to happen. You must consider how to reduce the risk of accidents as far as reasonably practicable.

By 'incidents', we mean any equipment breaking down or systems failing, and anything which could have resulted in an accident. You must investigate any incident that happens and keep a record of the investigation. You must be able to:

- detect incidents and investigate the causes;
- decide what you need to do to return to normal and stop it happening again

Condition 1.1.1(b) means that all your staff must have clearly defined roles and responsibilities, with instructions covering what they should and should not do in their job. Staff who manage, supervise or work with sealed sources must:



- understand the conditions of the permit;
- have the skills and ability to carry out their job;
- be given sufficient time to carry out their work in accordance with these rules;
- know when they need to seek help and where to find it.

We expect such instructions to provide direction on how equipment and/or sources are to be used to achieve the work objective and to address the precautions to be taken as part of that work to ensure safe management of sources and compliance with the permit. This might include, for example: instructions on booking sources out from, and returning sources to, the source store at the beginning and end of the work period; and, precautions to be taken to prevent damage to sources during use. Instructions should cover work that directly involves the use of sources and other work having the potential to affect their safe management, for example, cleaning operations.

**1.1.2** The operator shall maintain records demonstrating compliance with condition 1.1.1.

### **How to comply**

You must make and keep reliable records showing how you have implemented your management arrangements. These are an essential part of your management system. The records must show what sort of management system you have and how you meet each of the conditions. You must also make and keep records which show what you have done to make sure your staff have the right skills to do their jobs, including:

- the date and content of training they received;
- who provided the training; and
- how that training met their needs.

Section 4 of the permit tells you how to keep the records.

**1.1.3** Any person having duties that are or may be affected by the matters set out in this permit shall have convenient access to a copy of it kept at or near the place where those duties are carried out.

### **How to comply**

Under this condition, you must make it easy for your staff to read your permit. They should also have ready access to the policies, procedures or work instructions they need to ensure that they act so as to comply with the permit.

For security reasons, you must not display your permit, that is, post it anywhere on your premises. If you currently have a permit issued under RSA93 relating to sealed sources, then similarly you should not post it on your premises (even though it might have included a condition requiring such posting). Nor should you post the name of the relevant competent person alongside the permit. The permits we are issuing from 6 April 2010 do not require sealed source permits to be posted. In all cases, you need to make sure that people in your organisation who need to know about permit obligations can have ready access to it.

**1.1.4** Any person having such duties relating to a high-activity sealed source shall be provided with sufficient information and training to enable them to meet the specific requirements set out in this permit for high-activity sealed sources.

### **How to Comply**

This condition will be included only where the permit authorises the use of high-activity sealed sources (HASS). It is included so as to meet the obligations of the HASS Directive (Directive 2003/122/Euratom) and emphasises the importance of the need to provide for the safe and secure management of HASS.

**1.1.5** The operator shall manage and operate the activities in consultation with such suitable RPAs, or other such qualified experts approved by Natural Resources Wales in writing, as are necessary for the purpose of advising the operator as to compliance with this permit.

### **How to Comply**

This condition will be included only where the permit authorises the disposal of radioactive waste sealed sources. It requires that you consult suitable RPA(s) or qualified expert(s) in the management of the disposal of radioactive waste. This is to comply with the requirements of the Euratom Basic Safety Standards Directive (BSSD) – Directive 96/29 Euratom. The BSSD states these are:

“Persons having the knowledge and training needed to carry out physical, technical or radiochemical tests enabling doses to be assessed, and to give advice in order to ensure effective protection of individuals and the correct operation of protective equipment, whose capacity to act as a qualified expert is recognised by the competent

authorities. A qualified expert may be assigned the technical responsibility for the tasks of radiation protection of workers and members of the general public”.

The role of a Qualified Expert is to advise an operator. You should satisfy yourself that the Qualified Experts you have decided to consult are suitable for your specific facility and the radioactive waste being generated. You will need to use suitably qualified and experienced persons to implement the advice provided by a Qualified Expert. We shall publish, and from time to time update, specific guidance on this Qualified Expert requirement.

## 2 – Operations

### 2.1 Permitted activities

**2.1.1** The operator is only authorised to carry on the activities specified in Schedule 1, Table S1.1 (the “activities”).

#### How to comply

Under this condition, you can carry out only the specified radioactive substances activities. In general, you will need to apply for a variation if you wish to change the nature of the activities undertaken.

You may also work within the provisions of one or more exemption orders – noting that most extant orders provide for conditional exemption only.

**2.1.2** Only sealed sources containing the radionuclides specified in Schedule 1, Table S1.2 together with any associated decay products present in amounts not exceeding those which could be present through radioactive decay of the specified radionuclides, shall be kept or used on the premises.

#### How to comply

We think this condition is self-explanatory and guidance is unnecessary.

**2.1.3** The number of sealed sources kept or used on the premises shall not exceed the relevant maximum number specified in Schedule 1, Table S1.2 except that the relevant maximum number may be exceeded for a period not exceeding two weeks when sealed sources are being kept for the purpose of replacing sealed sources about to be withdrawn from use.

#### How to comply

This condition recognises that some sources need to be replaced, in some cases regularly, to maintain their utility and that the authorised site inventory may be increased for those purposes during those periods.

**2.1.4** The radioactivity of any sealed source shall not exceed the relevant maximum radioactivity specified in Schedule 1, Table S1.2.

#### How to comply

No account needs to be taken of the radioactivity of any decay products as described in condition 2.1.2.

**2.1.5** No high-activity sealed source shall be brought onto the premises unless:

- (a) Natural Resources Wales has agreed the arrangements and provision (as referred to in conditions 2.7.1 and 2.7.2) for sources of the type to which the source belongs; and

- (b) such arrangements and provision are in place in respect of that source.

### **How to comply**

This condition will be included only where the permit authorises the use of HASS. Where the permit authorises the receipt, accumulation or disposal of waste HASS, the cross referencing to other condition numbers in (a) will be amended appropriately

For HASS that you intended to hold immediately, you will have provided details of the arrangements and financial provision as part of your application and we will have issued our written agreement when we issued the permit. For any other HASS that you intend to acquire, you must obtain our agreement to your arrangements and provision before doing so. Guidance about arrangements and provision is set out under conditions 2.7.1 and 2.7.2, below.

**2.1.6** No high-activity sealed source which is a waste sealed source shall be brought onto the premises unless:

- (a) Natural Resources Wales has agreed the arrangements and provision (as referred to in condition 2.8.5) for sources of the type to which the source belongs; and
- (b) such arrangements and provision are in place in respect of that source.

### **How to comply**

This condition will be included only where the permit authorises the receipt, accumulation or disposal of waste HASS.

Guidance about arrangements and provision is set out under conditions 2.7.1 and 2.7.2, below.

## **2.2 The site**

**2.2.1** The activities shall not extend beyond the site, being the land shown edged in green on the site plan at Schedule 4 to this permit.

### **How to comply**

Where the permit does not include a HASS record form or where it authorises the receipt, accumulation or disposal of HASS, the Schedule reference will be amended appropriately. Where the permit authorises the use of mobile radioactive apparatus (MRA) only, the condition will confirm that there is no requirement for a site plan. Where the permit authorises the use of sealed sources and of mobile radioactive apparatus, the condition will confirm that the keeping and use of MRA is not restricted to the site.

You must carry out the activities only within the area of land shown on the site plan.

If you wish to expand that area, you will need to apply for a variation. If you wish to reduce the area, you will need to apply for a partial surrender. RSR RGN 3 and the relevant parts of the application form give advice on these processes.

**2.2.2** When not in use, mobile radioactive apparatus shall normally be kept on the premises.

### **How to comply**

This condition will be included only where the permit authorises the use of MRA. RGN RSR3 explains our regulatory approach to the uses of MRA.

**2.2.3** The occupier of any other premises in England or Wales where mobile radioactive apparatus is to be kept or used shall be informed each time mobile radioactive apparatus is taken onto those premises and each time mobile radioactive apparatus is removed from those premises.

### **How to comply**

This condition will be included only where the permit authorises the use of MRA.

RGN RSR3 explains our regulatory approach to the uses of radioactive substances which are kept and used at more than one location.

**2.2.4** Where the operator intends that mobile radioactive apparatus will be kept or used at any other premises in England or Wales for more than 24 hours, the occupier of those premises shall be informed of the source container identification number, the radionuclide contained in the source and its radioactivity).

### **How to comply**

This condition will be included only where the permit authorises the use of MRA.

## **2.3 Source security and Integrity**

**2.3.1** The operator shall, so far as is reasonably practicable, prevent:

- (a) unauthorised access to any sealed source;
- (b) loss or theft of any sealed source;
- (c) damage to any sealed source by fire or other means.

### **How to comply**

Under this condition, you should have arrangements to stop people, other than those with a legitimate need, having access to any of your sources, and to ensure that your sources aren't lost or damaged whilst they are being used or stored.

You should have regard to the following publications, which provide more detailed guidance about controlling the relevant risks:

- the information sheet on controlling radioactive substances (sheet irp8) that we wrote with the Health and Safety Executive (HSE). You can get this from the HSE's website: [www.hse.gov.uk/pubns/irp8.pdf](http://www.hse.gov.uk/pubns/irp8.pdf).
- our guidance on flood risk for small users ([http://www.environmentagency.gov.uk/static/documents/Business/Flood\\_risks\\_and\\_small\\_users.pdf](http://www.environmentagency.gov.uk/static/documents/Business/Flood_risks_and_small_users.pdf)).

Other conditions require you to make additional arrangements for some types of sources and uses.

You should, in particular:

- control access to your sources;
- secure the places where they are kept, particularly when they are not supervised – you should use a locked container, kept in a locked room when not in use; and
- use signs to warn people where your sources are.

We expect you to take all reasonable care to ensure the safety and security of all of your sources. Both physical measures (e.g. keeping 'under lock and key') and administrative measures (e.g. recording the location of sources) should be applied.

You should not deliberately do anything to a source that might affect its integrity, such as attempting to alter its size or shape.

**2.3.2** All equipment, including sources and source containers, used in the keeping and use of sealed sources shall be maintained in good condition.

### **How to comply**

This condition will refer to 'activities' rather than 'keeping and use of sealed sources' where the permit authorises the receipt, accumulation or disposal of radioactive waste.

You should ensure that all equipment associated with keeping and using any sealed sources, including sources and source containers, is maintained in good condition. This will help avoid your sources being damaged, lost or stolen. You must, as a minimum, follow any advice on maintenance and inspection provided by the manufacturer, supplier or installer, or maintain to an equivalent standard. You should also keep essential spare parts on the site or make sure you can get spares quickly if you need them. You should keep a record of the maintenance you carry out.

**2.3.3** If a sealed source is lost or stolen, all reasonably practicable measures to recover the source shall be taken.

## How to comply

- If you lose a source, or if a source is stolen, you must take action appropriate to the circumstances or the incident. This may, for example, include instigating searches on your premises or elsewhere, or, in the case of a loss, interviewing members of your staff.

**2.3.4** If a sealed source is damaged such that any radioactive substance is escaping or has escaped, or there are reasonable grounds for believing it to be so damaged, so far as is reasonably practicable:

- (a) any further escape shall be prevented;
- (b) the spread of any contamination shall be minimised; and
- (c) any discharge of radioactive gas to the atmosphere shall be made in a manner which prevents its entry into any building.

## How to comply

- Again, the nature of your response will depend on the nature of the specific incident. In general, if you damage any source, we shall expect you to implement your accident procedure, with the aim of reducing the environmental consequences. This may include, for example, containing the damaged source and controlling access to any areas that might already be contaminated.

**2.3.5** The measures in place to achieve compliance with condition 2.3.1 shall, in respect of high-activity sealed sources, be documented and include measures to prevent, detect and extinguish fire.

## How to comply

This condition will be included only where the permit authorises the use of HASS.

It is included so as to meet the obligations of the HASS Directive and emphasises the importance of the need to provide for the safe and secure management of HASS. You will have demonstrated your arrangements at application. We expect you to have regard to the relevant parts of the guidance in the appropriate 'Fire safety risk assessment guide' (these premises-specific guides are published by the Department for Communities and Local Government and are available from: <http://www.communities.gov.uk/fire/firesafety/firesafetylaw/aboutguides/>); and to record in writing the measures that you have put in place.

**2.3.6** Written procedures setting out the actions to be taken in the event of loss, theft or unauthorised use of a high-activity sealed source, or any incident, including fire, that may have damaged such a source shall be available to relevant staff and shall be followed in the event of such an emergency. **How to comply**

This condition will be included only where the permit authorises the use of HASS.



The contingency plan that you will prepare to meet the requirements of regulation 12(1) of the Ionising Radiations Regulations 1999 (IRR99) will be relevant. For the purposes of this condition, you will need to ensure that your contingency plan covers loss and theft as well as more conventional 'accidents'.

Relevant notifications required by the permit should be covered in your procedures.

**2.3.7** The procedures referred to in condition 2.3.6 shall include arrangements for checking the integrity of any high-activity sealed source that may have been damaged during an incident.

### **How to comply**

This condition will be included only where the permit authorises the use of HASS.

See 2.3.8, below.

**2.3.8** Suitable tests to check the integrity of each high-activity sealed source shall be undertaken at regular and appropriate intervals.

### **How to comply**

This condition will be included only where the permit authorises the use of HASS.

To fulfil this requirement to maintain sealed sources in good condition, you should carrying out inspection, servicing, maintenance and integrity tests as appropriate to the source and any article it is a part of – noting the guidance on Recommended Working Life (RWL) below. Records should be made to demonstrate this.

You should consider what actions you would need to take in the event of the discovery that a source is damaged or leaking. These may include the need to safely remove the source from use, make suitable interim storage arrangements, manage contamination control, and initiate source disposal. These matters should be adequately addressed in your management documents.

The arrangements that you will put in place to meet the requirements of regulation 27(3) of IRR99 will be relevant.

**2.3.9** It shall be verified at appropriate intervals that each high-activity sealed source and, where relevant, the equipment containing the source, is still present and in apparently good condition at its place of use or of storage.

### **How to comply**

This condition will be included only where the permit authorises the use of HASS.

It is included so as to meet the obligations of the HASS Directive and emphasises the importance of regularly checking that sources are where you think they are, and the condition of equipment is not deteriorating between planned maintenance activities.

The arrangements that you will put in place to meet the requirements of regulation 28 of IRR99 will be relevant.

**2.3.10** The Security Requirements specified for the security groups/levels listed in Schedule 1, Table S1.3 shall be complied with in respect of the keeping and use of sealed sources within the relevant buildings and locations specified in that table.

### **How to comply**

This condition will be numbered differently where the permit does not authorise the use of HASS.

We will have assessed your arrangements during our determination of your application - using the document *Security Requirements for Radioactive Sources* produced by the National Counter Terrorism Security Office (NaCTSO) (the "Security Requirements Document") as the basis for assessing the adequacy of your measures to ensure the security of HASS and sources of a similar level of potential hazard. These security measures must be maintained during the life of the permit, and any changes in source holdings and/or locations must be assessed and reflected in your arrangements.

**2.3.11** When mobile radioactive apparatus is being kept or used on other premises, which are not nuclear sites, in England or Wales, the appropriate security group/level shall be determined in accordance with the Security Requirements Document and the Security Requirements specified for that security group/level shall be complied with.

### **How to comply**

This condition will be included only where the permit authorises the use of MRA. It will be numbered differently if the permit does not authorise the use of HASS.

It is important that you ensure the appropriate security requirements are in place when you keep or use your mobile radioactive apparatus on any premises. RGN RSR3 describes our approach to the regulation of MRA used at more than one location.

**2.3.12** Where a sealed source is used for industrial radiography or borehole logging, immediately after use and immediately before return to store, each source container shall be subjected to a radiation measurement using a suitable instrument to confirm that the sealed source is in the container.

### **How to comply**

This condition will be included only where industrial radiography or borehole logging are the Justified Practices in Table S1.1. It will be numbered differently where the permit does not authorise the use of HASS.

You must ensure a sealed source has been returned to its proper container and has not been lost, misplaced, or left partially exposed.

## **2.4 Identification of sources**

**2.4.1** No article which incorporates or is a sealed source shall be kept or used unless it is:

- (a) legibly marked with a unique identification number, the word Radioactive and the ionising radiation symbol, so far as is reasonably practicable; and
- (b) accompanied by written information indicating its identification number, how it is marked, details of its radioactive content, and, where appropriate, the identification number of the source container.

### **How to comply**

Where the permit authorises the receipt, accumulation or disposal of sources, this condition will be drafted so as to extend its provisions to waste sources.

Under this condition, you must - if this is reasonably practicable - mark your sources and the equipment they are a part of, so that your staff and other people know they are radioactive or include a radioactive source. Most sources will be suitably marked by their makers. If they are not, it may not be safe to mark them yourself – you may need to consult an RPA. However, you should always assign to each source a unique number (even when it is not reasonably practicable to mark it) so that you can identify it and use that for your records. You must not mark a source in such a way that may damage it – for example, by engraving or stamping it.

**2.4.2** Any container in which a sealed source is kept or used shall be legibly engraved, stamped or otherwise suitably marked with:

- (a) an identification number or other distinguishing mark;
- (b) the name and radioactivity of each radionuclide (excluding decay products) contained in the source on the day of receipt;
- and (c) the word 'Radioactive' and the ionising radiation symbol.

### **How to comply**

Where the permit authorises the receipt, accumulation or disposal of sources, this condition will be drafted so as to extend its provisions to waste sources.

You must mark any container in this way, so that your staff and other people can tell that its contents are radioactive. For dedicated containers the marking should be as permanent as possible - for example, engraved or stamped directly on to the container or on to a metal plate which is screwed or otherwise firmly attached on to the container.

For reusable containers, for example radiography containers for short-lived Ir-192 sources, the marking that is not source-specific should be as permanent as possible but, for the source-specific markings, an engraved or stamped metal plate attached to the container with a heavy-duty cable tie (or similar) would be acceptable.

You must ensure that the container markings and, so far as is reasonably practicable, the source markings remain legible. We expect you to check the legibility of the markings when verifying the location of the source and to clean, remove and replace markings as necessary.

**2.4.3** No high-activity sealed source manufactured after 31 December 2005 shall be brought onto the premises unless the information referred to in condition 2.4.1 also includes photographs of:

- (a) the source or a source of the same design type, and, as appropriate;
- (b) the source container, or container of the same design type;
- (c) the transport packaging, or packaging of the same design type; and (d) any associated equipment or equipment of the same design type.

### **How to comply**

This condition will be included only where the permit authorises the use of HASS.

It is included so as to meet the obligations of the HASS Directive and emphasises the importance of the need to provide for the ready identification of lost or stolen HASS.

We expect the photographs to be of sufficient quality to be useful in searching for a lost source or in identifying a found source and, preferably, to be in digital format. They should include an indication of the dimensions of the item. If you hold several sources of the same design type, only one set of photographs is required, provided that you are able to provide copies to each person to whom you may transfer a source.

**2.4.4** Where reasonably practicable, and where not already available, photographs shall be taken of each high-activity sealed source and, as appropriate, the source container, transport packaging and any associated equipment. **How to comply**

This condition will be included only where the permit authorises the use of HASS. Its purpose is to ensure that any HASS acquired before the Directive was implemented also benefit from photographs providing for their ready identification. You should check whether photographs are available from the original manufacturer or supplier before taking your own. When deciding whether it is reasonably practicable to take your own, you should take account of the magnitude of any dose that might be incurred by the photographer or others involved - photographs may be of a dummy source of the same design, shape and dimensions as the actual source.

**2.4.5** Any article manufactured by the operator which incorporates or consists of a sealed source shall:

- (a) be given a unique identification number; and
- (b) where practicable, be legibly engraved, stamped or otherwise suitably marked to allow its identification.

### **How to comply**

This condition will be included only where the operator is a sealed source manufacturer. It will be numbered differently where the permit does not authorise the use of HASS. Its purpose is to ensure that operators subsequently using the sources do not have to make their own arrangements to mark sources or take other action to allow for their ready identification.

**2.4.6** Written information as described in condition 2.4.1(b) shall be prepared to accompany any article manufactured by the operator which incorporates or consists of a sealed source.

### **How to comply**

This condition will be included only where the operator is a HASS manufacturer. Its purpose is to ensure that source manufacturers help the users of their sources to comply with the conditions of their permits.

**2.4.7** The information referred to in condition 2.4.6 shall be provided to any person to whom the sealed source is transferred.

### **How to comply**

This condition will be included only where the operator is a HASS manufacturer. Its purpose is to ensure that source manufacturers help the users of their sources to comply with the conditions of their permits.

**2.4.8** The design and construction of any high-activity sealed source, or any article incorporating such a source, shall be such as to prevent so far as is practicable the leakage of any radioactive substance.

### **How to comply**

The purpose of this condition is to ensure that operators obtain sources made to an appropriate standard, in accordance with Article 3(3)(c) of the HASS Directive.

## **2.5 Pre-operational conditions**

**2.5.1** The activities shall not be brought into operation until the measures specified in Schedule 2, Table S2.1 have been completed.

## **How to comply**

Where the permit authorises the receipt, accumulation or disposal of waste, this condition will refer to Schedule 1, Table S1.4.

We do not expect often to set pre-operational conditions. But we will do so where they are necessary to ensure that an operator is in a position to meet the other conditions of its permit – where a permit is issued prior to construction of a facility, for example.

**2.5.2** Written notification of the date of completion of each measure shall be sent to Natural Resources Wales within 14 days of the completion of each such requirement.

## **How to comply**

You may begin the activities when you have satisfied pre-operational conditions – and obtained our agreement if that is specified in Schedule 2, Table S2.1.

## **2.6 Improvement programme**

**2.6.1** The operator shall complete the improvements specified in Schedule 2, Table S2.2 by the date specified in that table unless otherwise agreed in writing by Natural Resources Wales.

## **How to comply**

Where the permit authorises the receipt, accumulation or disposal of waste sources, this condition will refer to Schedule 1, Table S1.5.

If we set an improvement programme, this will generally be aimed at securing high standards in environmental and security performance – rather than reaching an adequate standard.

**2.6.2** Except in the case of an improvement which consists only of a submission to Natural Resources Wales, the operator shall notify Natural Resources Wales within 14 days of completion of each improvement.

## **How to comply**

You may continue with your activities whilst you satisfy an improvement programme requirement – we will review your progress and completion of the requirements during our compliance inspections.

## **2.7 Disused sources**

**2.7.1** Adequate arrangements shall be made, kept up-to-date and implemented without undue delay for each high-activity sealed source, when it becomes a disused source, to be:

- (a) transferred to a manufacturer, supplier, other holder of an appropriate radioactive substances activity permit under the Environmental Permitting Regulations for sources of that type, or nuclear site licensee; or
- (b) otherwise managed as agreed in writing by Natural Resources Wales.

## How to comply

This condition will be included only where the permit authorises the use of HASS. Where the permit authorises the receipt or accumulation of radioactive waste, this condition will be numbered 2.9.1

You will be required to implement the arrangements you have made without undue delay once a HASS becomes disused. When a source is no longer fit for use, such that it is evidently radioactive waste, it must be managed accordingly. The disposal of radioactive waste in the form of sealed sources may be possible under the provisions of the Radioactive Substances (Waste Closed Sources) Exemption Order 1963

In general, you should implement your arrangements within 12 weeks of the source becoming disused. If a transfer is involved, then that should be completed within this period.

We recognise that a source may be temporarily out of use, or irregularly used, such that the decision about whether a source is categorised as “disused” may involve judgement. The factors which you should consider may include:

- How long is it since the source was last used?
- Is it installed but not, in practice, being used?
- What would initiate its return to use?
- Is there a clear business plan that would necessitate its return to use?
- If the source is mounted in or on equipment, what is the state of readiness of this equipment for reuse – has it been ‘mothballed’ or dismantled?

A source may be a spare source. Relevant considerations may include:

- What is the likelihood of it being required at short notice – taking into account operational experience?
- Is the source critical to production or other business operations?
- Is the spare source in a ready-to-use condition?
- Are replacement sources otherwise readily available?

If a source has not been used for more than a year or the relevant business plans indicate that it will not be required for use within the next year or where that analysis suggests no demonstrable reason to retain a source as a spare, your presumption should be that the source is disused.

Your management system should take in to account the Recommended Working Life (RWL) of each source. But it need not be assumed that sources which continue to be used after the end of their RWL are not fit for purpose or that they automatically become disused or waste sources.

Under the Ionising Radiation Regulations, the advice adopted by HSE is as set out in Paragraph 482 of the Approved Code of Practice (ACOP): *“Where a sealed source reaches the end of the working life for the source capsule recommended by the supplier or manufacturer, a review of its condition is advised, with a view to replacing the source or having it examined by the supplier or manufacturer. If the source is not replaced it is advisable to set a time limit on its continued use after which a further review would normally be undertaken. Where the supplier or manufacturer does not specify a RWL, it may be advisable to carry out the first review within 5 years of manufacture of the source or to seek advice from the RPA about a period for review which is more appropriate in the circumstances.”* Paragraph 491 in the ACOP recommends increasing the frequency of leak testing from biannually to annually where the RWL is exceeded, unless the manufacturer’s recommendation is different.

However, once a source is beyond **twice** its RWL, you should presume it to be disused – noting that the disposal costs of sources whose integrity is not assured are likely to be higher than otherwise.

**2.7.2** Adequate provision, by way of financial security or other equivalent means, shall be made and maintained, in respect of each high-activity sealed source, to ensure that the arrangements referred to in condition 2.7.1 and any necessary preparatory work can be carried out when the source becomes disused, including in the event that the operator becomes insolvent or goes out of business.

### **How to comply**

This condition will be included only where the permit authorises the use of HASS. Where the permit authorises the receipt or accumulation of radioactive waste, this condition will be numbered 2.9.2

Before we issued you with a permit you arranged appropriate financial provision for your HASS. Those arrangements need to be maintained and remain valid throughout the time that you hold the source and should continue to meet the requirements you satisfied at application.

For conditions 2.7.1 and 2.7.2, we expect you to check regularly that your charged funds provision remains adequate or that the organisation with which you have the agreement or other arrangement is still in a position to honour it. If it is not, for example if a supplier who had agreed to take back the source goes out of business, you will need to make new arrangements. The frequency and formality with which you carry out these checks will depend on the nature of the provision, the nature of the organisations with which you have a relevant relationship and of the detail of your relationship with them. However, we expect you to formally confirm the arrangement at least annually. Financial provision should also be regularly reviewed



and kept up-to-date. Timescales for this will depend on the nature of the financial provision but should generally be in the range of one to three years.

## **2.8 Transfer of sources**

**2.8.1** Before the transfer, including letting or lending on hire, of any high-activity sealed source the operator shall:

- (a) so far as is reasonably practicable, ensure that the recipient holds an appropriate permit under the Environmental Permitting Regulations; or
- (b) where the country of destination is not England or Wales, has appropriate permission under the relevant legislation; and
- (c) prepare and provide to the recipient written information indicating its identification number, how it is marked, details of its radioactive content, and, where appropriate, the identification number of the source container.

### **How to comply**

This condition will be included only where the permit authorises the use of HASS. Where the permit authorises the receipt or accumulation of radioactive waste, this condition will be numbered 2.10.1.

Under (a), you should obtain written confirmation from the intended recipient that they hold an appropriate permit, including the permit number. We do not expect you to obtain a copy of the actual permit, nor to contact the relevant regulator. Under (b) you need to seek the assurance of the intended recipient that it has whatever permission is necessary from the relevant authorities in its country – you do not need to further validate its assertion or contact the relevant regulator.

**2.8.2** Before the transfer of a high-activity sealed source the operator shall:

- (a) ensure also that the information provided to the recipient includes photographs of:
  - (i) The source or a source of the same design type, and, as appropriate,
  - (ii) The source container, or container of the same design type,
  - (iii) The transport packaging, or packaging of the same design type, and
  - (iv) Any associated equipment or equipment of the same design type; and
- (b) Where a source is transferred to a nuclear site licensee for long-term storage or final disposal, a receipt shall be obtained from the recipient and a copy provided to Natural Resources Wales as soon as reasonably practicable.

## How to comply

This condition will be included only where the permit authorises the use of HASS. Where the permit authorises the receipt or accumulation of radioactive waste, this condition will be numbered 2.10.2

The purpose of (a) is to ensure that transferee has sufficient information to manage and identify the source, including in circumstances where the source was damaged or lost during transport, and to secure compliance with its permit or other permission.

Transferees who accept sources for long-term storage or final disposal are not obliged to complete and submit a HASS Record Form when they have received a source for those purposes. The copy of the receipt provided to us under (b) will allow us to maintain the national inventory of HASS.

## 2.7 Receipt of radioactive waste

2.7.1 The operator shall:

- (a) only accept radioactive waste which this permit allows the operator to accumulate or dispose of;
- (b) for each type of radioactive waste that the operator is prepared to receive, produce a written specification of the information required to enable the disposal of that type of radioactive waste in compliance with this permit;
- (c) provide that written specification to any person from whom the operator is prepared to receive radioactive waste of that type;
- (d) only accept a consignment of radioactive waste that is accompanied by a legible note providing the specified information; and (e) keep a copy of any such note received.

## How to comply

This condition will be included only where the permit authorises the receipt of radioactive waste.

The purpose of this condition is to facilitate the transfer of radioactive waste between waste consignors and consignees; ensure adequate exchange of information; ensure the waste is disposed of in accordance with permit conditions; and to ensure the maintenance of records of transfers of radioactive waste.

2.7.2 The provisions of condition 2.7.1 (b) to (e) do not apply to any radioactive waste collected as a result of the operator's participation in the National Arrangements for Incidents involving Radioactivity or in the Radsafe scheme.

## **How to comply**

This condition acknowledges that waste received as a result of participation in NAIR or Radsafe may initially be of uncertain origin and characteristics. We think this condition is self-explanatory. and further guidance is unnecessary..

**2.7.3** Where radioactive waste is received as a result of its participation in the National Arrangements for Incidents involving Radioactivity or in the Radsafe scheme, the operator shall notify Natural Resources Wales of the circumstances and the nature of the waste.

## **How to comply**

This condition acknowledges that waste received as a result of participation in NAIR or Radsafe may initially be of uncertain origin and characteristics. We think this condition is self-explanatory. and further guidance is unnecessary.

## **2.8 Accumulation of radioactive waste**

### **How to comply**

The conditions in this section will be included only where the permit authorises the accumulation of radioactive waste.

**2.8.1** There shall be no accumulation of radioactive waste except of the types of radioactive waste containing the radionuclides specified in Schedule 2.

### **How to comply**

Where we have agreed that the operator may receive waste under the NAIR or Radsafe scheme, the Schedule will provide suitable authorisation.

**2.8.2** The limits on accumulation given in Schedule 2 shall not be exceeded.

### **How to comply**

Limits will usually be set on the radioactivity of specified radionuclides in the accumulated waste and the time period for which it is accumulated. No account needs to be taken of the radioactivity of any decay products, as described in condition 2.1.2.

**2.8.3** The operator shall use the best available techniques to minimise the period over which radioactive waste is accumulated.

### **How to comply**

Identifying the best available techniques (BAT) means making a judgement between options by comparing benefits in terms of safety and environmental protection and costs in terms of time, effort or money. We do not require the use of BAT when managing the disposal by transfer of sealed sources because such transfers do not

involve the release of radioactivity into the environment. But we do, here, require the use of BAT in the accumulation of waste - because inadequately planned and managed waste accumulation can lead to the generation of secondary waste.

It is not sufficient to comply with your authorised accumulation period; you should optimise your accumulation of waste and arrange for its transfer as soon as reasonably practicable. Planning for the disposal of sealed sources before you stop using them, or before you receive waste sources from other users, will help to minimise the time that you need to accumulate them for.

**2.8.4** The operator shall, other than for radioactive waste collected as a result of the operator's participation in the National Arrangements for Incidents involving Radioactivity or in the Radsafe scheme:

- (a) make and maintain adequate provision, by way of financial security or other equivalent means, to ensure that each waste high-activity sealed source can be safely disposed of, including in the event that the operator becomes insolvent or goes out of business;
- (b) not accumulate any waste high-activity sealed source unless:
  - (i) Natural Resources Wales has agreed what is adequate provision for waste sources of the type to which the waste source belongs; and
  - (ii) such provision is in place in respect of that waste source.

### **How to comply**

This condition will be included only where the permit authorises the accumulation of waste HASS.

See the guidance about making and maintaining provision given under condition 2.7.1 and 2.7.2 for Disused Sources.

## 3 – Disposal of radioactive waste

### How to comply

The conditions in this section will be included only in permits which authorise disposal.

**3.1.1** Subject to condition 3.1.3, there shall be no disposals of radioactive waste except of the types of radioactive waste containing the specified radionuclides and by the disposal routes specified in Schedule 3.

### How to comply

In most cases, the permitted disposal route for waste sealed sources will be by transfer, either to a specified premises, or to 'the holder of a permit to accumulate and dispose of sealed sources'. If the recipient's premises is not specified in your permit, you should obtain written confirmation from the intended recipient that they hold an appropriate permit, including the permit number. We do not expect you to obtain a copy of the actual permit, nor to contact the relevant regulator.

Where we have agreed that the operator may receive radioactive waste under the NAIR or Radsafe schemes, the Schedule will provide suitable authorisation. Usually, this will specify that such waste may be disposed of by transferring it to 'a person whom Natural Resources Wales has agreed in writing may receive that radioactive waste'. If you do receive any such waste, you should discuss with us how you propose to dispose of it, so that we may agree appropriate arrangements with you.

**3.1.2** The limits on disposals given in Schedule 3 shall not be exceeded.

### How to comply

In many cases, no limits will be set on the disposal of waste sealed sources by transfer – in this case you are limited only by what the transferee is prepared to receive.

Where a limit is set on the radioactivity of specified radionuclides in the waste to be disposed of, no account needs to be taken of the radioactivity of any decay products (as described in condition 2.1.2) present. The limit applies to the total radioactivity of the specified radionuclides in all the waste disposed of by the specified route in a calendar year.

**3.1.3** Where the operator disposes of radioactive waste which was received as a result of the operator's participation in the National Arrangements for Incidents Involving Radioactivity or in the Radsafe scheme, it shall notify Natural Resources Wales of the manner and date of disposal.

### How to comply

We think this condition is self-explanatory. and guidance is unnecessary.

**3.1.4** The operator shall ensure that the transfer of radioactive waste, including, where practicable, for radioactive waste collected as a result of the operator's participation in the National Arrangements for Incidents involving Radioactivity or in the Radsafe scheme:

- (a) is in accordance with the directions of the person to whom the radioactive waste is transferred that are necessary to enable that person to comply with all relevant regulatory requirements.
- (b) is done using a suitable container constructed and maintained so as to prevent the loss of waste; and
- (c) so far as reasonably practicable, is not subject to delays in transit and is accepted at the premises of the person to whom the operator transfers waste

### **How to comply**

The requirements of the person to whom the radioactive waste is transferred may address matters not related to the radioactivity of the waste.

You will be compliant with (b) if you use a container that meets the requirements of the current UK legislation on the transport of radioactive material.

You should arrange for transfers of radioactive waste to be made, so far as reasonably practicable:

- by the most direct route;
- at a date and time agreed beforehand with the transferee.

**3.1.5** The operator shall:

- (a) ensure that the person to whom radioactive waste is transferred receives at the time of transfer of each consignment a clear and legible note signed on the operator's behalf:
  - (i) stating the total activity in the consignment of each relevant radionuclide or group of radionuclides listed in Schedule 3, Table S3.1; or
  - (ii) stating, when no relevant radionuclide or group of radionuclides is specified in Schedule 3, Table S3.1, the total activity in the consignment of each radionuclide or group of radionuclides as listed in the written specification of the person to whom the radioactive waste is transferred.
- (b) obtain a note signed on behalf of the person to whom radioactive waste is transferred, at the time of transfer, stating that the transfer has taken place; and
- (c) keep a copy of any note issued under condition 3.1.5(a) and any note received under condition 3.1.5(b).

### **How to comply**

We think this condition is self-explanatory. and guidance is unnecessary.

**3.1.6** If required by Natural Resources Wales, the operator shall ensure that any consignment or part of any consignment of radioactive waste found, following transfer, not to be in accordance with the conditions of this permit:

- (a) is packaged in accordance with the relevant legislation; and
- (b) is returned as soon as is reasonably practicable to the operator's site.

### **How to comply**

Under this condition we may require you to take back waste if the transfer has been found not to be in compliance with the conditions of your permit. We will set out that requirement in writing. You would then be responsible for any (re)packaging of the waste to enable it to be returned to you.

**3.1.7** The operator shall, not later than 14 days after the end of each month or within such longer period as Natural Resources Wales may approve in writing, record all disposals of radioactive waste made during that month.

### **How to comply**

Where the disposal is by transfer, the records should consist of the information specified in

3.1.3(d) below.

For other disposals, the records should include:

- the date of each disposal;
- the radioactive content of each disposal;
- the disposal route;
- the total radioactivity of all disposals made by that route during the month.

## **4 – Information**

### **How to comply**

Where the permit authorises the disposal of radioactive waste, this section and the conditions it deals with will be numbered 4 in permits.

### **4.1 Records**

**4.1.1** All records required to be made by this permit shall:

- (a) be legible;
  - (b) be made as soon as reasonably practicable;
  - (c) if amended, be amended in such a way that the original and any subsequent amendments remain legible or are capable of retrieval;
- and

- (d) be retained until notified in writing by Natural Resources Wales that records no longer need to be retained.

**4.1.2** The operator shall:

- (a) retain records made in accordance with any previous relevant permit issued to the operator and related to the premises covered by this permit; and
- (b) retain records transferred to the operator, which were made in accordance with any previous relevant permit related to the premises covered by this permit.

**4.1.3** Records shall be made, including, where practicable, for radioactive waste collected as a result of the operator's participation in the National Arrangements for Incidents Involving Radioactivity or in the Radsafe scheme, of each sealed source showing:

- (a) the radionuclide present, the date on which it was received and the radioactivity on that date;
- (b) the identification number of the source and of any container in which it is kept or used;
- (c) its location on the premises;
- (d) if it has been removed from the premises, the date of removal, the radioactivity on that date and the name and address of the person to whom it was transferred; and
- (e) such other information as Natural Resources Wales may require.

**4.1.4** The operator shall keep on the premises all records, plans and a copy of the management system required by this permit, unless otherwise agreed in writing by Natural Resources Wales.

**4.1.5** The records referred to in condition 3.1.2 shall be made or updated on the day of any event affecting the information held or required to be held except that, for any source that was held under an immediately preceding permit which

had different record-keeping requirements, the records shall be made within 14 days of the issue date of this permit.

## **How to Comply**

Where the permit authorises the use of MRA, condition 3.1.3(c) will require records to show its location on the premises or, where it is being kept at other locations, the address of that other location.

Where the permit authorises the use of HASS, condition 3.1.5 will cross refer to 3.1.4 and 3.16 or 4.1.4 and 4.1.6 where the permit authorises the receipt, accumulation or disposal of HASS.



Under conditions 3.1.1 to 3.1.5, you must make and keep clear and up-to-date records – including whenever you get a source, move a source or send a source to someone else.

We may request you to supply us with copies as part of our compliance inspection work. Your records must show how you have done what this permit says you should do, including any relevant permits previously issued for your premises covering radioactive substances activities and the records must be kept on the premises, so that they're available for our inspection, unless we agree to you keeping them somewhere else.

You should also make records in relation to those conditions where you could not otherwise readily demonstrate that you are compliant. For example, we expect you to record when and what maintenance has been carried out on source-related equipment.

'Making a record' in some cases may simply mean retaining copies of correspondence. For example, we expect you to keep the confirmation that an appropriate permit is in force supplied by any person to whom you have transferred or intend to transfer a source.

We require you to retain records until you have surrendered your permit, unless we specify otherwise. You must also keep records of any off-site environmental effects including pollution incidents that caused, or are alleged to have caused, harm or health effects. Records may be kept in hardcopy or electronic form. Electronic records must remain capable of being read up to the point where you are notified that they may be destroyed.

For the purposes of 3.1.3, the location of a source may be described in general terms e.g. 'Chemistry Department'. But separate, regularly-updated records of the specific location should be kept with the aim of preventing loss of the source (see 2.3.1 above and IRP8).

**4.1.6** The records referred to in condition 3.1.3 shall, for each high-activity sealed source, be extended to include all the information, so far as is reasonably practicable to obtain it and so far as is appropriate to the source in question, specified in the HASS Record Form (RSR-EPR10) in Schedule 3.

## **How to comply**

This condition will be included only where the permit authorises the use of HASS.

Guidance about completing the HASS Record form is at Annex 1.

## **4.2 Reporting**

**4.2.1** The operator shall send all reports and notifications required by this permit to Natural Resources Wales using the contact details supplied in writing by Natural Resources Wales.

## How to comply

Under condition 3.2.1, whenever you need to speak or write to us, you should use the contact details in the letter we sent you with your permit. We shall write to you if our details change.

**4.2.2** A copy of that part of the records referred to in conditions 3.1.3 and 3.1.6 that consists of the information specified in the HASS Record Form (RSR-EPR10) in Schedule 3 shall be provided, in the same format as the HASS Record Form, to Natural Resources Wales:

- (a) within 14 days of the establishment of such records;
- (b) at intervals of 12 months thereafter;
- (c) within 14 days of any of the specified information (other than that in part 6 of the form) changing, including in particular when a high-activity sealed source is transferred either permanently or by lending or letting on hire; and
- (d) within 14 days of the radioactivity of a high-activity sealed source falling below the relevant exemption level specified either in column 2 of Table A to Annex 1 to European Council Directive 96/29/Euratom (the Basic Safety Standards Directive) or by Natural Resources Wales. **How to comply**

This condition will be included only where the permit authorises the use of HASS. But it will be omitted where the permit authorises only the use of HASS which are MRA and which are based in Scotland or Northern Ireland. Where we have agreed to a different reporting schedule, (b) will reflect that.

It is important that all HASS reports are sent to Natural Resources Wales's Regulated Industry Permitting Team Leader, rather than your local Natural Resources Wales area office.

The address will have been confirmed in the letter we sent to you with your permit. You must submit a HASS Record Form to us within 14 days of receiving a HASS on site; this might be your first ever receipt of a source, the delivery of a new type of source or the replacement of an existing source.

We also need to have regular and positive confirmation that you continue to be the holder of a source. You need not, of course, submit a confirming report if you have already told us that the source has been transferred to someone else.

You must submit a HASS Record Form to us every year to confirm that you still hold the HASS, previously notified to us, on site. For some HASS holders, it may be more convenient to submit confirming reports for all relevant sources on a fixed date each year. If this is what you want to do, you should ask your regulator to include in your permit the alternative condition which is available for that purpose. If you have already submitted a replacement record, for one of the reasons set out below other than a transfer to someone else before that 12 month period ends, you need not submit an additional annual 'confirming' report.

If any details relating to the previously notified HASS change, you must notify us of those changes within 14 days by submitting a new HASS Record Form. These changes include:

- changing the equipment in which a source is kept;
- keeping, using or storing a source permitted for mobile use at another location for longer than three months;
- transferring the source to someone else;
- losing, having stolen or recovering a source; • correcting information you have reported before.

If a HASS falls below the relevant exemption level it is no longer a HASS. You must notify us within 14 days of this happening, by submitting a HASS Record Form. This requirement should be incorporated in to your management plan for HASS and waste sealed sources as appropriate.

We have made the record form available in a number of formats on our web site.

## **4.3 Notifications**

**4.3.1** Natural Resources Wales shall be notified without delay following the detection of:

- (a) any malfunction, breakdown or failure of equipment or techniques or accident, which has caused or may cause a radioactive source to be damaged or lost; or
- (b) the breach of a limit specified in this permit; or
- (c) any failure to comply with conditions 2.1.2 – 2.1.4; and

### **How to comply**

Where the permit authorises the use of HASS, (c) will refer to conditions 2.1.2 – 2.1.5.

Under these conditions, you must tell us if things go wrong. The phrase “without delay” emphasises that you must notify us about any such event as an immediate priority. It is particularly important that you contact us urgently if there is any noncompliance with security requirements.

During normal working hours you may be able to contact your local regulator or the local Natural Resources Wales office. You can also use our incident hotline 0800 807 060. Calls are free and the hotline operates 24 hours a day, seven days a week.

If you have to notify the loss or theft of a HASS, your notification to us and to the police should be accompanied by copies of any available photographs of the source and its associated container or equipment. The photographs will assist you, and the police, in locating the source.

- (d) if there are reasonable grounds for believing that contamination of a public sewer or watercourse may arise as a result of any damage to a sealed source which falls within source category 1, 2, 3 or 4 as defined in the Security Requirements document, the relevant Sewerage Undertaker and Water Supply Company shall also be informed without delay.

### **How to comply**

Under (d), you need to make additional notifications because the Sewerage Undertaker or Water Supply Company may need to take prompt action to protect water supplies.

**4.3.2** Written confirmation of the occurrence of any of the circumstances set out in condition 3.3.1 shall be submitted to Natural Resources Wales within 24 hours of its discovery.

### **How to comply**

You should follow up the initial notification with a written report, setting out the circumstances of the event and any actions taken, or planned to be taken, to mitigate or recover the situation or to prevent a recurrence. Under normal circumstances this report should be provided shortly after an event occurring, when your initial investigation into the incident has been completed. A more detailed or revised report may follow at a later date if a lengthy investigation is necessary.

**4.3.3** Natural Resources Wales shall be notified in writing, at least 21 days in advance or, where this is not possible, without delay, of the operator's intention to cease to keep or use sealed sources.

### **How to comply**

Where the permit authorises the use of MRA, this condition additionally requires the notification of the operator's intention to move any sealed source to any place in England and Wales where it is likely to remain for a period of more than 3 calendar months noting the address of that place and the estimated maximum period during which it will remain there. This will allow us to plan our compliance inspection work.

Where you can give the required notice, you should make your notification in writing. Where it is not possible to give the required notice, you should make your

notification on the first possible working day by telephone or FAX. Telephone notifications should be confirmed in writing.

**4.3.4** Natural Resources Wales shall be notified within 14 days of the occurrence of the following matters except where such disclosure is prohibited by Stock Exchange rules:

- (a) Where the operator is a registered company:

- any change in the operator's trading name, registered name or registered office address; and
  - any steps taken with a view to the operator going into administration, entering into a company voluntary arrangement or being wound up.
- (b) Where the operator is a corporate body other than a registered company:
- any change in the operator's name or address; and
  - any steps taken with a view to the dissolution of the operator. (c)
- In any other case:
- the death of any of the named operators (where the operator consists of more than one named individual); and
  - any steps taken with a view to the operator, or any one of them, going into bankruptcy, entering into a composition or arrangement with creditors, or, in the case them being in a partnership, dissolving the partnership.

### **How to comply**

We think this condition is self-explanatory. and guidance is unnecessary.

**4.3.5** If a sealed source has been lost or stolen, or theft of a sealed source has been attempted, or there are reasonable grounds for believing that such an event has occurred:

- (a) the Police and Natural Resources Wales shall be notified without delay; and
- (b) the Operator shall make all reasonable efforts to recover that sealed source; and
- (c) the circumstances, including any actions taken, shall be reported in writing to Natural Resources Wales as soon as is practicable.

### **How to comply**

Condition 3.3.5 (b) will refer also to radioactive waste, where appropriate.

In these circumstances, you need to notify the police so that they can investigate criminal action, investigate the possibility of criminal action (apparent loss might be undetected theft) and so they may take action to protect the public.

### **How to comply**

Conditions 3.3.6 – 3.3.9 will be included only where the permit authorises the use of HASS.

**4.3.6** If a high-activity sealed source has been lost or stolen, the notification under condition 3.3.5 shall be accompanied by copies of any available photographs of the source and, as appropriate, the source container, transport packaging and any associated equipment.

### **How to comply**

We think this condition is self-explanatory. and guidance is unnecessary.

**4.3.7** If a high-activity sealed source has been subject to unauthorised use, the

Natural Resources Wales shall be notified without delay, and the circumstances including any actions taken shall be reported to Natural Resources Wales as soon as practicable.

### **How to comply**

We think this condition is self-explanatory. and guidance is unnecessary.

**4.3.8** Any unplanned exposure of a worker or a member of the public resulting from an incident involving a high-activity sealed source shall be notified to Natural Resources Wales and the Health and Safety Executive without delay.

### **How to comply**

We think this condition is self-explanatory. and guidance is unnecessary.

**4.3.9** Natural Resources Wales shall be notified in writing, at least 7 days in advance, of the operator's intention to determine that a high-activity sealed source is waste to be accumulated under the terms of an exemption from the need for an environmental permit.

### **How to comply**

We think this condition is self-explanatory. and guidance is unnecessary.

**4.3.10** The operator shall notify Natural Resources Wales in writing within 24 hours of any change in circumstances which could lead to an increase in the security group/level, as defined in the Security Requirements Document, of the premises or part of the premises.

### **How to comply**

This condition will be omitted where the operator is a tenant on a nuclear licensed site. Where the permit does not authorise the use of HASS it will be numbered 3.3.6.

Such a notification would be necessary if, for example, you began to keep or use sources in a part of the premises which had not been used for that purpose before. It might also be necessary if, for example, you increased the holdings of sources in one part of the premises by moving them from another part. In response to such a notification, we will check whether your security measures remain appropriate and whether we need to vary your permission.

# Annex 1 - Guidance on completing the HASS record form (EPR-RSR10)

## Making and Amending Records

### 1a Date record made

### 1b Replaces record made on

### 1c Amends information about

Most of the information you record about each source will not change during the time you keep that source.

You will need to make new, replacement records and report those changes to us if you:

- apply for and receive a new permit;
- change the equipment in which a source is kept;
- intend to keep, use or store a source permitted for mobile use at another location for longer than three months;
- transfer the source to someone else;
- lose, have stolen or recover a source;
- need to correct information you have reported before.

## Sending 'confirming' reports

We also need to have regular and positive confirmation that you continue to be the holder of a source. You need not, of course, submit a confirming report if you have already told us that the source has been transferred to someone else.

You must send us a 'confirming' report at intervals of 12 months after the HASS was first received.

If you have already submitted a replacement record, for one of the reasons set out above other than a transfer to someone else, before that 12 month period ends, you should nevertheless send a 'confirming' report – containing the latest version of your record for that HASS - at the anniversary. Annotate 1c as 'annual confirmation'.

For some HASS holders, it may be more convenient to submit confirming reports for all relevant sources on a fixed date each year. If this is what you want to do, you should ask your regulator to include in your permit the alternative condition which is available for that purpose.

For clarity, to ensure that a changed record can be clearly linked with the record it replaces and to make plain what changes you are reporting, these parts of the record allow you to confirm when and what changes have been made. At 1c, your first report about a HASS should be marked as such. In subsequent reports, list the record items now being changed.

## **1d Below exemption level on**

We need to know when the HASS to which this record relates has decayed below the relevant threshold level.

When it has, please complete this section with that date.

## **1e Contact name for this record**

## **1f Contact telephone number**

We may need to speak with you to confirm the detail of your report. If your report is complete and clear, we will not.

## **Identifying the source**

### **2a Source identifying number**

Source manufacturers should supply customers with a document confirming the identifying number inscribed on the source. The intended holder should not accept delivery of a source from a source manufacturer, supplier or previous holder without appropriate accompanying documentation confirming this and other information.

You must record the identifying number as supplied. You should not try to confirm its accuracy by examining the source itself.

### **2b Name of Source Manufacturer or Supplier**

### **2c Address of Source Manufacturer or Supplier**

Outside the European Union

The manufacturer of the source may be located outside the European Union.

Record the name and address of the importer or supplier instead.

The intention is to identify a European 'entry point' at which a source first enters a regulatory and record system maintained within one of the member states. Its movements, until it leaves that system of control, can then be tracked and transfers reconciled. As yet, no truly international tracking system exists and these arrangements seek to make the most of the current arrangements.

Manufacturer or supplier

Add either [M] or [S] to the name recorded at 2b to confirm whether this is the manufacturer or the supplier.

Enter 'Not known' for older sources whose provenance is uncertain, providing you have made reasonable efforts to discover these details



## **2d Equipment identifying number**

Linking source to equipment

Other than during the manufacturing process, sources will usually be installed in some form of equipment, for example a gauge, irradiator, exposure assembly, storage or transport container.

It is important to associate each source with the equipment in which it is currently installed. Sources are commonly delivered in a transport container for subsequent installation into equipment.

Record the identifying number of your equipment.

Amend that record if you later move the source to different equipment.

You do not need to report changes to us when they are of very short duration.

Sources which are delivered in equipment

Some sources are delivered in equipment and may remain there throughout their working life. Equipment should come from its manufacturer, supplier or previous holder with documentation confirming the equipment's identifying number together with confirmation of the source it contains.

Confirm that the equipment identifying number supplied to you matches that marked on the outside of the equipment.

Record that number.

If you hold sources not installed in equipment, mark this section as 'not applicable'.

## **2e Equipment manufacturer**

### **2f Equipment manufacturer's address**

You may acquire equipment for which the original manufacturer is not known. You should make reasonable efforts to confirm this information.

If necessary, confirm that the manufacturer is 'not known'.

If the manufacturer of the equipment is located outside the European Union, record the name and address of the importer or supplier instead. Add [I] or [S] to the name you record at 2e.

### **2g Practice**

## **2h Associated activity**

Please complete these sections by confirming the practice and activity for which this source is to be used – consistent with the description used in your application.

### **Identifying the HASS holder**

We need to know clearly who you are. This is so that we can avoid confusion between you and other organisations of similar name – and between different parts of your own organisation, which may hold and manage sources at different locations.

We also need to be certain who has responsibility for sending records to us.

#### **3a Holder's name**

Please record the name of your organisation, as used when applying for the permit to hold a source of this type.

#### **3b Holder's address**

Confirm your registered office or principal place of business, not the current location of the source. Please ensure this matches the address on the face of your permit.

#### **3c Organisation identifier**

Many HASS holders will be businesses who have had to register with Companies House for other purposes.

If this applies to you, record your Companies House registration number here.

#### **3d Type of Holder**

Please confirm here whether you are holding this source because you are its manufacturer, a supplier, a user or because you are storing the source.

### **Location of HASS**

#### **4a Use**

If this source has been authorised under Schedule 23, Part 2, paragraph 5(5)(a) of EPR, record this source as mobile.

#### **4b Usual source location**

Record here the address of the premises where you usually keep or use the source – which will be the same address as confirmed on the face of your permit. If the source will only be used at these premises, you should record it as fixed at 4a.

#### **4c Other source location**

If the source is, or is likely to be, kept at another, single location for longer than three months, please record that address here.

We or the police may wish to inspect your arrangements at any of the locations where you keep or use the source. But, to allow us to plan our visit programme, we need to know when the source is being kept or used for an extended period at somewhere other than its usual location.

#### **Your permit**

##### **5a Permit number**

##### **5b Date it became effective**

##### **5c Date of expiry**

We, of course, already know this information but it will be helpful to us and allow you to keep clear records if we ask you to confirm the details here.

Record here the reference number on the face of your permit, together with the date it became effective.

In some cases, we have issued permits which are time-limited and if this applies to your permit, record the date here.

#### **Operational information**

This section is to enable you to record source leakage tests - events that are important in demonstrating compliance with the requirements of your permit. We will not record this information. When you amend a record to reflect a recent leakage test you need not report this to us unless you are also telling us of other changes.

Your permit requires you to maintain a record of source movements within your premises and, where the permit allows mobile use, to and from other locations. You will need to keep separate records for those purposes – you should not report those movements.

#### **Characterise the source**

The information you provide here will help us to identify sources that are lost or are found and may be important in responding to an incident involving this source.

##### **7a Radionuclide**

Please specify this in the form cobalt-60, iridium-192, etc.

##### **7b Date of Manufacture**

### **7c Activity at that date**

### **7d Other reference date**

### **7e Activity at that date**

One purpose of this section is to record a date on which the activity of the source can be confirmed and, therefore, allow the activity at any later date to be calculated.

This may be specified for a reference date, which is not necessarily the date of manufacture. But the date of manufacture is of further importance, as it defines the age, rather than activity, of a source – useful where a comparison with its designed working life is of relevance.

Please record all the available information relevant to this section. Please use the standard scientific prefixes and the abbreviation Bq.

Further Source Characterisation details

These items are optional - where a source has been manufactured to ISO 2919 most of this information will be contained within the certificate supplied with the source.

### **7f Physical & Chemical Characteristics**

Where concise information is available, for example 'Cs Cl' pellet in double stainless steel capsule', please record it here.

Where further information is held, you may wish to retain this separately. Otherwise, please record 'not known'.

### **7g Source Type**

We are not aware of a comprehensive, industry-wide type classification scheme which might be adopted here.

Where known, please record here the 'model number' assigned by the manufacturer.

### **7h Capsule Identification**

#### **7i ISO classification**

#### **7j ANSI Classification**

Where this information is available to be recorded, it will be of alphanumeric form. Record it as such.

#### **7k Special Form certificate number**

## **7I Date of expiry of Special Form Certificate**

This certificate affects the type of container necessary to transport the source. Where you are able to complete this section you should do so, as it may be of value in some responses to events involving the source.

## **Receipt of HASS**

### **8a Date of Receipt of this Source**

Please record here when you first received the source or equipment from the manufacturer or your supplier or previous user.

### **8b Name of Consignor**

### **8c Address of Consignor**

### **8d Type of Consignor**

Please record the consignor's declared name and address.

Also record whether the consignor is the manufacturer of this source or equipment, its supplier or a previous user.

If you have already supplied this information in Section 2 put 'As Section 2'.

## **Source transfer**

### **9a Date of Transfer of this Source**

Where appropriate, please record here the date when you transferred the source or equipment to the management of another organisation.

### **9b Name of Recipient**

### **9c Address of Recipient**

### **9d Type of Recipient**

### **9e Recipient's Permit Number**

Please record the recipient's declared name and address.

Record whether the recipient is:

- a manufacturer of HASS or equipment containing HASS;
- a supplier of HASS or equipment containing HASS;
- the next user of this source or equipment;
- a person permitted for short-term storage of waste sources;
- someone who will recycle the source;

- a facility on a nuclear-licensed site for long-term storage or disposal of waste sources.

We also require you to obtain and record the intended recipient's permit number under which it will keep this source, if that user is within the European Union. We will expect to see a complementary report from that new user, if it is in the UK, which will allow us to reconcile our records.

Where you pass a source to a carrier for delivery to the intended recipient, you should not report this as a separate, intermediate transfer.

### **Further information**

This section is only for completion when a relevant event has happened. Conditions of your permit already mean that you must notify us promptly of unusual events of this sort.

But you need also to amend your record and report that change to us – a reporting requirement in addition to the existing need for prompt notification

#### **10a Date of Loss**

#### **10b Date of Theft 10c**

#### **Date of recovery**

#### **Record relevant dates.**

These details will allow our records to readily identify sources which at any time are not under management controls.