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**Environment  
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Guidance

# **Accumulating radioactive waste that you cannot transfer because of COVID-19: RPS C13**

Published 27 April 2020

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This COVID-19 regulatory position statement (RPS) only applies where you accumulate radioactive waste that you cannot transfer within the UK and overseas as a result of coronavirus (COVID-19) business disruption.

You must tell the Environment Agency before you use this COVID-19 RPS.

For unsealed sources you must provide written confirmation by email that you are using this COVID-19 RPS to:

RSR.Rotherham2.NE@environment-agency.gov.uk

For sealed sources contact us by telephone on 020 3023 8207 or 020 3023 8174. We will tell you how to submit the information securely.

You usually need to comply with the limits in your environmental permit for accumulating radioactive waste (including waste sealed sources) under regulation 13 and Schedule 23 of the Environmental Permitting (England and Wales) Regulations 2016 (EPR).

You usually need to comply with the maximum accumulation period of 26 weeks when you are using the exemption in Schedule 23, Part 6, paragraph 4(7) of EPR (the exemption). This is unless we agree in writing to a longer period. The exemption allows you to accumulate these waste sources:

- electrodeposited sources
- tritium foil sources
- sealed sources which are not high activity sealed sources (HASS) or similar

If you cannot transfer radioactive waste because of coronavirus business disruption, and you can comply with the conditions in this COVID-19 RPS, you can temporarily accumulate radioactive waste:

- over the permitted limits at your premises – for mobile radioactive apparatus, this will be the premises where you normally keep sources when they are not in use
- for longer than the time limit in your permit or the exemption

## **When this COVID-19 RPS applies**

This COVID-19 RPS only applies where, because of coronavirus business disruption, you cannot transfer radioactive waste (including waste sealed sources) to facilities in the UK or overseas that are legally entitled to receive it.

This COVID-19 RPS only applies:

- to radioactive waste types you are authorised to accumulate under your permit or the exemption
- to the temporary accumulation of radioactive waste over the activity, volume and time limits specified in your permit
- if you can demonstrate that you have taken all reasonable steps to avoid accumulating more radioactive waste than your permit allows
- to the temporary accumulation of radioactive waste over the 26 week maximum time limit specified in the exemption
- if you can demonstrate that you have taken all reasonable steps to avoid accumulating radioactive waste for longer than 26 weeks under the exemption

Reasonable steps include:

- considering suitable alternative disposal routes
- contingency planning to avoid or minimise disruption to your business because of coronavirus

- emergency response planning to minimise the impact and duration of not complying with your permit because of coronavirus

This COVID-19 RPS does not apply to any other activity, even if it is under the same legislation. You may still need other permits or licences for other activities you carry out.

## Conditions you must comply with

You must comply with all the other requirements of your environmental permit or the exemption. You must keep records that show why you needed to use this COVID-19 RPS. For example, records of:

- staff absences
- contractors being unavailable
- supply chain failures

You must keep these records for 2 years after this COVID-19 RPS has expired, including any extensions to it. You must make them available to the Environment Agency on request.

You must make sure your activities do not endanger human health or the environment.

You must:

- accumulate the radioactive waste at your permitted premises, or for mobile radioactive apparatus, the premises where you normally keep sources when not in use, in accordance with the conditions in your permit
- make a periodic inventory of radioactive waste to confirm that sources are present and remain in good condition
- transfer radioactive waste to a facility in the UK or overseas that is legally entitled to receive such waste as soon as it is reasonably practicable
- keep records to show that you have complied with the conditions in this COVID-19 RPS – you must make these available to the Environment Agency on request

For waste HASS or similar sealed sources you must:

- comply with the security requirements in your permit
- store the waste sources at the building or location specified in schedule 1 of your permit with the appropriate security level

You must not:

- accumulate additional waste sealed sources that would result in a change in the security category, and consequent increase in the security level required, without the agreement of the Environment Agency
- store waste HASS or similar sealed sources at a location on your premises not specified in your permit without the agreement of the Environment Agency

## Enforcement

A COVID-19 RPS means that the Environment Agency will not normally take enforcement action against you provided:

- your activity meets the description set out in this COVID-19 RPS
- you comply with the conditions set out in this COVID-19 RPS
- your activity does not, and is not likely to, cause environmental pollution or harm human health

- you have taken all reasonable steps to comply with your permit or the exemption

If you operate under this COVID-19 RPS, but think you may no longer be able to comply with its conditions, you must tell the Environment Agency immediately.

The Environment Agency will monitor how operators use and comply with this COVID-19 RPS through its proportionate, risk-based inspection and monitoring activity.

## **When to check back**

This COVID-19 RPS will be withdrawn on 30 September 2020 unless we extend it. After this date you must comply with all of the conditions in your permit or the exemption.

## **Contact the Environment Agency**

Email: [RSR.Rotherham2.NE@environment-agency.gov.uk](mailto:RSR.Rotherham2.NE@environment-agency.gov.uk)

Telephone: 020 3023 8207 or 020 3023 8174