

# Consultation on the Radioactive Substances Activities Charges

October 2020

Every day SEPA works to protect and enhance Scotland's environment, helping communities and businesses thrive within the resources of our planet.



We call this **One Planet Prosperity**

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Strathallan House, Castle Business Park, Stirling, FK9 4TZ

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## 1 Objective

This consultation document outlines the proposed changes for the fees we charge for regulating radioactive substances activities. These activities are those regulated under the [Environmental Authorisations \(Scotland\) Regulations 2018](#) (EASR) and those still covered by the [Radioactive Substances Act 1993](#) (RSA93) (specifically offshore).

## 2 Background

In 2018 the Environmental Authorisations (Scotland) Regulations 2018 (EASR) replaced the Radioactive Substances Act 1993 for radioactive substances activities onshore. This change in legislation made significant changes to the permitting of radioactive substances activities in Scotland. As the previous charging scheme was based on RSA93 permits SEPA had to develop a new charging scheme for EASR. The new EASR charging scheme was an interim measure until we had better information on the implementation of EASR and were able to review it. Over the last 6 months we have undertaken this review.

We have also taken time to review our existing RSA93 charges that continue to apply to radioactive substances activities offshore.

SEPA is required to fully recover our costs. The guidance which we have to follow is the Scottish Public Finance Manual and the Treasury (HMT) ([Managing Public Money - HM Treasury](#)). The managing public money document states:

*“Charges for services provided by public sector organisations **normally pass** on the full cost of providing them. There is scope for charging **more or less than this provided that ministers choose to do so, parliament consents and there is full disclosure.**”*

To be clear SEPA needs to be open about what we charge for, and what we do not, and this needs to be agreed by ministers. This consultation provides you with the opportunity to give your views on the proposed changes.

### 3 What are the charges / components for the revised scheme?

#### 3.1 Charges for permitted activities

The following summarises the current and proposed charges for the scheme permits and registrations.

##### 3.1.1 Removed descriptors

The descriptors have been changed so they are easier for operators and SEPA to allocate charges. As part of this we have removed four different descriptor types.

**Table 3.1: Removed descriptors**

SEPA Reference Number	KEY SECTOR	SECTOR	REGULATORY SECTOR	LEGAL DESCRIPTION
12000	Non-Nuclear	Radioactive Substances (Non-Nuclear)	RSA: Section 13 and 14	RSA: Section 13/14 accumulation and disposal derived from the keeping and use of lower activity unsealed sources under Section 7 & 10 (less than 10GBq Tc99m and 20MBq of other isotopes).
13350	Non-Nuclear	Radioactive Substances (Non-Nuclear)	Radioactive Substances (Non-Nuclear)	The management of radioactive material intended to be released into the environment and management of any associated radioactive waste.
13360	Non-Nuclear	Radioactive Substances (Non-Nuclear)	Radioactive Substances (Non-Nuclear)	The management of radioactive material intended to be introduced into organisms (excluding human beings) and management of any associated radioactive waste.
13380	Non-Nuclear	Radioactive Substances (Non-Nuclear)	Radioactive Substances (Non-Nuclear)	The management, other than disposal, of sealed sources in IAEA category 5 that exceed 200 kBq.

### 3.1.2 New applications

Table 3.2 gives the application charges comparing the current and proposed values for both onshore (EASR) and offshore (RSA93). **Only the charges which are changing** are included. The changes may include the legal description.

**Table 3.2: New applications**

SEPA Reference Number	LEGAL DESCRIPTION	Current Activity Application		Proposed Activity Application		% Change
		Band	Charge	Band	Charge	
13370	<b>EASR: HASS Permit</b> The management, other than disposal of sealed sources including high-activity sealed sources (HASS).	Band 8	£666	Band 9	£1333	100%
13390	<b>EASR Non-HASS Permit</b> The management of sealed sources excluding high-activity sealed sources (HASS).	Band 7	£516	Band 9	£1333	158%

SEPA Reference Number	LEGAL DESCRIPTION	Current Activity Application		Proposed Activity Application		% Change
		Band	Charge	Band	Charge	
13430	<p><b>EASR: Offshore Registration</b></p> <p>The management of NORM from the production of oil and gas at offshore installations where the total quantity of solid waste discharged to the marine environment per year does not exceed 2GBq each of Radium 226, Radium 228, Polonium 210 and Lead 210.</p>	Band 9	£1,333	Band 8	£666	-50%

### 3.1.3 Applications for changes to existing permits

There will be a new charge for transfers of a non-nuclear EASR Registration / Permit of Band 8 level (£666). All other charges will remain the same.

### 3.1.4 Subsistence charges

The subsistence charges are going to be simplified as follows so if they fall into one of these categories they will get the same charge e.g.:

- Permits / authorisations = £1530
- Registrations = £1275
- Notifications = £0

Table 3.3 gives the annual subsistence charges for each activity and the % change.

**Table 3.3: Subsistence charges**

SEPA Reference Number	LEGAL DESCRIPTION	Current Activity Subsistence	Proposed Activity Subsistence	% Change
		Charge	Charge	
10215	Any other non-nuclear RSA activity not described elsewhere in this table.	£554	£1275	130%
11990	<b>RSA93: s13/14 Authorisation</b> RSA: Section 13 & 14 accumulation and disposal of radioactive waste - can include keeping and use of unsealed sources under Section 7 & 10.	£970	£1530	58%
12010	<b>RSA93: s7/10 unsealed source Registration</b> RSA: Section 7 & 10 keeping and use of unsealed radioactive sources.	£897	£1275	42%



SEPA Reference Number	LEGAL DESCRIPTION	Current Activity Subsistence	Proposed Activity Subsistence	% Change
		Charge	Charge	
12020	<p><b>RSA93: s7/10 HASS Registration</b></p> <p>RSA: Section 7 &amp; 10 keeping and use of sealed sources having an activity level equal to, or above, the high-activity sealed radioactive source threshold level (HASS).</p>	£1290	£1275	-1%
12030	<p><b>RSA93: s7/10 Category 5 Registration</b></p> <p>RSA: Section 7 &amp; 10 keeping and use of sealed sources having an activity level at IAEA Category 5.</p>	£486	£1275	162%
12040	<p><b>RSA93: s7/10 SSLPH Registration</b></p> <p>RSA: Section 7 &amp; 10 keeping and use of sealed sources having an activity level below the high-activity sealed</p>	£897	£1275	42%

SEPA Reference Number	LEGAL DESCRIPTION	Current Activity Subsistence	Proposed Activity Subsistence	% Change
		Charge	Charge	
	radioactive source threshold level but are above the IAEA Category 5 (i.e. SSLPH).			
12051	RSA (Non-Nuclear) - Zero Charge.	£0	£0	
13300	Any radioactive substances activity not listed elsewhere in this table and in the opinion of SEPA will require a <b>permit</b> .	£1290	£1530	19%
13310	Any radioactive substances activity not listed elsewhere in this table and in the opinion of SEPA will require a <b>registration</b>	£897	£1275	42%
13320	Any radioactive substances activity not listed elsewhere in this table and in the opinion of	£0	£0	

SEPA Reference Number	LEGAL DESCRIPTION	Current Activity Subsistence	Proposed Activity Subsistence	% Change
		Charge	Charge	
	SEPA will require a <b>notification</b>			
13330	<b>EASR: Non-nuclear Permit</b> The Management of radioactive substances excluding sealed sources.	£970	£1530	58%
13340	<b>EASR: Non-nuclear Registration</b> The management of unsealed radioactive sources that have an activity not exceeding 10 GBq Tc-99m and 20 MBq in total of all other radionuclides with no disposals other than those allowed by standard conditions G3 to G5.	£554	£1275	130%
13370	<b>EASR: HASS Permit</b>	£1290	£1530	19%

SEPA Reference Number	LEGAL DESCRIPTION	Current Activity Subsistence	Proposed Activity Subsistence	% Change
		Charge	Charge	
	The management, other than disposal of sealed sources including high-activity sealed sources (HASS).			
13390	<b>EASR: Non-HASS Permit</b> The management, other than disposal, of sealed sources excluding high-activity sealed sources (HASS).	£970	£1530	58%
13400	<b>EASR: Outwith Scotland Registration</b> The management, other than disposal, of sealed sources that are normally kept in the UK outwith Scotland.	£897	£1275	42%
13420	<b>Notification</b>	0	£0	-

SEPA Reference Number	LEGAL DESCRIPTION	Current Activity Subsistence	Proposed Activity Subsistence	% Change
		Charge	Charge	
	The management, other than disposal, of an electrodeposited sources.			
13430	<p><b>EASR: Offshore Registration</b></p> <p>The management of NORM from the production of oil and gas at offshore installations where the total quantity of solid waste discharged to the marine environment per year does not exceed 2GBq each of Radium 226, Radium 228, Polonium 210 and Lead 210.</p>	£970	£1275	31%

## 3.2 Common elements of charges

### 3.2.1 Retail Price Inflation (RPI) increases

Each year SEPA may increase charges up to (and including) the Retail Price Inflation (RPI) in line with increases in the Office for National Statistics measures of inflation as at 30 September in the immediately preceding year. For example, charges on 1 April 2020 were increased by 2.4% which was the RPI on the 30 September 2019.

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Increases beyond RPI would only occur after we have consulted on such changes and got them signed off by ministers.

### 3.2.2 Payment reference

We will consider that payment has been made when such payments clearly reference:

1. the permit number, or operator account and permit number (where a permit exists which is associated with the charge); or
2. for a new permit, the name of the operator or operator account if relevant.

The reason for this change is that we receive a considerable number of payments, many of them via BACs or similar electronic transfers, and we can spend a lot of time reconciling these payments.

If a payment is not clearly referenced then we will assume it has not been received and this may make the application invalid. It would also mean we would send any outstanding debt to our debt collection providers

## 4 Opportunities to discuss charging

Due to the nature of the industry using radioactive substances, SEPA has close working relationship via defined forums. We want to use these forums where possible to discuss this charging consultation but will be offering workshops where needed through November – if you are interested in a workshop please contact [RSenquiries@sepa.org.uk](mailto:RSenquiries@sepa.org.uk) titling the email “Charging Consultation”. Depending on demand we will set up a suitable workshop(s).

## 5 Questions

### 5.1 Charges In General

The number starts at 4 since the first three questions are generic and not specific to this consultation. If you have specific queries around the charging scheme then you can contact SEPA on the following email address [RSenquiries@sepa.org.uk](mailto:RSenquiries@sepa.org.uk), titling the email “Charging Consultation”.

Question 4: Are the new descriptors an improvement and do they make things clearer?”

Question 5: Will the removal of the descriptors affect your organisation?”

Application Charges

Question 6: What are your views on the proposed changes in application charges?

Subsistence work

Question 7: What are your views on the proposed changes in subsistence charges?

Other aspects

Question 8: What are your views on all the other aspects of charging (e.g. RPI increment, and payment referencing)?

Question 9: Do you have any other comments to make about this consultation?