

**Consultation on our Objective and Principles for Regulating Radioactive Substances**

February 2025

**How to respond**

The preferred way to respond to this consultation is digitally via [SEPA’s consultation hub](https://consultation.sepa.org.uk/communications/easr_charging_scheme_2024/start_preview?token=e65f6bd10ff3111d5b547cd1e88701f9c5881e47).

Where it is not possible to respond via our consultation hub, you can respond to this consultation by sending an email to radioactivesubstance@sepa.org.uk. If responding by email, please complete and return the [Respondent Information Form](https://consultation.sepa.org.uk/radioactive-substances-unit/consultation-on-our-objective-and-principles-for-r/supporting_documents/Respondent_Information_Form_Consultation%20on%20our%20Objective%20and%20Principles%20for%20Regulating%20Radioactive%20Substances.docx) with your response

If you wish to respond another way or would like this document in an accessible format, such as large print, audio recording or braille, please [contact us using our online contact form](https://www2.sepa.org.uk/contactus) or by phone: 0300 099 6699 and we’ll arrange for an Officer to call you back.

Responses must be submitted by midnight on the 5 May 2025 . Earlier responses are welcome.

**Handling your response**

We would like to know if you are happy for your response to be made public. If you ask for your response not to be published, it will be regarded as confidential and treated in accordance with SEPA’s published [Privacy Policy](https://www.sepa.org.uk/help/privacy-policy/).

You can indicate your preference in the [Respondent Information Form](https://consultation.sepa.org.uk/radioactive-substances-unit/consultation-on-our-objective-and-principles-for-r/supporting_documents/Respondent_Information_Form_Consultation%20on%20our%20Objective%20and%20Principles%20for%20Regulating%20Radioactive%20Substances.docx).

**How we use your feedback**

As Scotland’s principal environmental regulator, our purpose is to protect and improve Scotland’s environment in ways that, as far as possible, also contribute to improving health and well-being, and achieving sustainable economic growth. Our [Corporate Plan 2024-2027](https://beta.sepa.scot/about-sepa/who-we-are/our-performance/corporate-plan/) sets out our strategic ambition and priorities. [Our Annual Operating Plan](https://beta.sepa.scot/about-sepa/who-we-are/our-board/meetings-agendas-and-minutes/16-april-2024/annual-operating-plan-2024-2025/) set out how we will implement our priorities every year.

In delivering these priorities we engage with those who have an interest in and/or are affected by our regulations and duties. One way we engage is through formal consultations. This is your opportunity to tell us what you think about our proposals. The feedback we receive helps us to understand what matters most to people and how we can deliver our duties efficiently and effectively.

After the consultation closes, we’ll consider the information we receive before publishing a digest of responses through the “[We asked, You said, We did](https://consultation.sepa.org.uk/we_asked_you_said/)” section of our consultation website. This will close the consultation process by explaining how we have considered and, where appropriate, acted upon what we have heard.

# Introduction

We are seeking your views on our draft objective and principles, which we propose to apply to regulating radioactive substances activities, to underpin our regulatory work and guide our decision-making. They apply to our regulation of nuclear and non-nuclear radioactive substances activities authorised under the Environmental Authorisations (Scotland) Regulations 2018 (EASR), the Radioactive Contaminated Land (Scotland) Regulations 2007 (RCLSR), radioactive substances shipments legislation, and other relevant legislation administered by SEPA (see section 5 – Related links).

# Background

We are SEPA, Scotland’s environmental regulator. Our job is to protect and improve Scotland’s environment. We have developed a policy statement to set out two clear objectives for how we regulate radioactive substances. We have also brought together a suite of principles to help us achieve those objectives. Our objectives and principles reflect international obligations and good practice. They build on the principles of better regulation, as described in the [Scottish regulators' strategic code of practice](https://www.gov.scot/publications/scottish-regulators-strategic-code-of-practice/), and embodied in “Our approach to regulation”. They also support our general (statutory) purpose, which is to protect and improve the environment while contributing to better health, wellbeing, and sustainable economic growth.

In developing our objective and principles for regulating radioactive substances activities we have taken account of international guidance from the International Atomic Energy Agency (IAEA) and the International Commission for Radiological Protection (ICRP) as well as other relevant good practice (see section 5 – Related links). The IAEA is the world's central intergovernmental forum for scientific and technical co-operation in the nuclear field. The ICRP is an independent registered charity, established to advance for public benefit the science of radiological protection, in particular by providing recommendations and guidance on all aspects of protection against ionising radiation.

We had previously included an objective and some principles in our guidance ‘Near-surface Disposal Facilities on Land for Solid Radioactive Wastes: Guidance on Requirements for Authorisation February 2009’. While updating our 2009 guidance, we concluded it would be better to extract and expand them so they apply to all of our work in regulating radioactive substances activities. This draft policy statement presents one version of our objectives and principles, which will help us be more consistent in how we understand and apply them. We can also more easily refer to them, which will help us to keep all our other documents consistent and up to date.

# Draft policy statement

Our draft policy statement details the specific objectives and principles which we propose to apply in our regulation of radioactive substances.

Many radioactive substances activities have the potential to affect people and the environment for very long periods of time. In the regulatory decisions SEPA makes now, we must ensure risks from radiation in the environment are consistent with internationally established standards, and kept as low as reasonably achievable, for current and future generations.

Our objective in regulating radioactive substances activities is to:

* protect people and the environment from the harmful effects of ionising radiation, now and in the future;

and

* protect and improve the environment as a whole.

This objective is consistent with SEPA’s general purpose, which is set out in the Regulatory Reform (Scotland) Act 2014. This is to carry out our statutory functions for the purpose of protecting and improving the environment in ways that, as far as possible, also contribute to improving health and wellbeing and achieving sustainable economic growth.

In our regulation under EASR, we fulfil this objective by including and enforcing appropriate conditions and limitations within permits and registrations for the management of higher risk radioactive substances activities, and by enforcing the general binding rules for lower risk radioactive substances activities. In doing so we seek to protect public health and the environment against harmful effects of ionising radiation arising from radioactive substances activities.

Under the RCLSR we fulfil this objective by investigating, characterising and regulating the remediation of land where radioactive contamination is causing or likely to cause significant harm to or significant pollution of the water environment.

**Principles**

We propose seven principles to support our approach to achieving our objectives, and which build upon SEPA’s other regulatory principles. Our seven draft principles are:

### Justification: Radioactive substances activities must be justified before we can authorise them.

### Optimisation: Radiological protection of the public must be optimised.

### Dose Limitation: Radiation doses to the public from radioactive substances activities must be kept within statutory dose limits.

* **Radiological protection of wild animals and plants:** Wild animals and plants, including all forms of non-human species, in designated habitats must be protected from harmful effects of ionising radiation from radioactive substances activities.
* **Protection from non-radiological hazards**: People and the environment must be protected from the non-radiological (such as physical, chemical or biological) hazards of radioactive substances to a level that is consistent with that provided by the relevant legislation, policy and guidance for non-radioactive substances.
* **Safe and secure management of radioactive substances**: Radioactive substances must be safely and securely managed and an adequate level of security must be in place for sealed radioactive sources.
* **Lifetime planning for radioactive substances activities**: Radioactive substances should be managed throughout their lifetime to ensure people and the environment are protected both now and in the future.

You can download our draft policy statement using the link below.

[‘SEPA’s Objectives and Principles for regulating radioactive substances activities’](https://consultation.sepa.org.uk/radioactive-substances-unit/consultation-on-our-objective-and-principles-for-r/supporting_documents/20250116SEPA_RS_Objectives_Principles_PolicyFor_ConsultationInspected%20FINAL_FOR_CONSULTATION.docx)

# Questions

1. What is your name?
2. What is your email address?
3. Are you responding to this consultation on behalf of yourself, or a business or organisation?
4. Are you happy for us to publish your response to this consultation?
5. How easy or difficult do you find the policy statement to read?
   1. Very easy
   2. Somewhat easy
   3. Neither easy nor difficult
   4. Somewhat difficult
   5. Very difficult

Do you have any suggestions to make the policy statement easier to read? If so, please describe below.

1. How easy or difficult do you find the policy statement to understand?
2. Very easy
3. Somewhat easy
4. Neither easy nor difficult
5. Somewhat difficult
6. Very difficult

Do you have any suggestions to make the policy statement easier to understand? If so, please describe below.

1. How much do you agree or disagree that our objectives for regulating radioactive substances activities fulfil the recommendations made by ICRP?
2. Strongly agree
3. Agree
4. Neither agree nor disagree
5. Disagree
6. Strongly disagree
7. How much do you agree or disagree that our objectives for regulating radioactive substances activities meet the standards set by IAEA?
8. Strongly agree
9. Agree
10. Neither agree nor disagree
11. Disagree
12. Strongly disagree
13. How much do you agree or disagree that the following principle will help achieve our objectives for regulating radioactive substances:

*“Justification – Radioactive substances activities must be justified before we can authorise them.”*

1. Strongly agree
2. Agree
3. Neither agree nor disagree
4. Disagree
5. Strongly disagree
6. How much do you agree or disagree that the following principle will help achieve our objectives for regulating radioactive substances?

*“Optimisation – Radiological protection of the public must be optimised.”*

1. Strongly agree
2. Agree
3. Neither agree nor disagree
4. Disagree
5. Strongly disagree
6. How much do you agree or disagree that the following principle will help achieve our objectives for regulating radioactive substances?

*“Dose Limitation – Radiation doses to the public from radioactive substances activities must be kept within statutory dose limits.”*

1. Strongly agree
2. Agree
3. Neither agree nor disagree
4. Disagree
5. Strongly disagree
6. How much do you agree or disagree that the following principle will help achieve our objectives for to regulating radioactive substances?

*“Radiological protection of wild animals and plants – Wild animals and plants, including all forms of non-human species, must be protected from harmful effects of ionising radiation from radioactive substances activities.”*

1. Strongly agree
2. Agree
3. Neither agree nor disagree
4. Disagree
5. Strongly disagree
6. How much do you agree or disagree that the following principle will help achieve our objectives for to regulating radioactive substances?

*“Protection from non-radioactive hazards – People and the environment must be protected from the non-radiological hazards of radioactive substances to a level that is consistent with that provided by the relevant legislation, policy and guidance for non-radioactive substances*.”

1. Strongly agree
2. Agree
3. Neither agree nor disagree
4. Disagree
5. Strongly disagree
6. How much do you agree or disagree that the following principle will help achieve our objectives for to regulating radioactive substances?

*“Safe and secure management of radioactive substances – Radioactive substances must be safely and securely managed and an adequate level of security must be in place for sealed radioactive sources.”*

1. Strongly agree
2. Agree
3. Neither agree nor disagree
4. Disagree
5. Strongly disagree
6. How much do you agree or disagree that the following principle will help achieve our objectives for to regulating radioactive substances?

*“Lifetime planning for radioactive substances activities – Radioactive substances should be managed throughout their lifetime to ensure people and the environment are protected both now and in the future.”*

1. Strongly agree
2. Agree
3. Neither agree nor disagree
4. Disagree
5. Strongly disagree
6. How much do you agree or disagree that the policy statement is internally consistent?
7. Strongly agree
8. Agree
9. Neither agree nor disagree
10. Disagree
11. Strongly disagree

Do you have any suggestions to make the policy statement more consistent? If so, please describe below.

1. Do you want to say anything more about how the policy presents, explains or applies our principles? Please describe below.
2. Do you any suggestions for improving or expanding on our principles, so that they are sufficient to help us meet our objectives? Please describe below.

# Related links

**Legislation**

[Environment Act 1995](https://www.legislation.gov.uk/ukpga/1995/25/contents)

[Regulatory Reform (Scotland) Act 2014](https://www.legislation.gov.uk/asp/2014/3/contents)

[The Justification of Practices Involving Ionising Radiation Regulations 2004](https://www.legislation.gov.uk/uksi/2004/1769)

[The Radioactive Contaminated Land (Scotland) (Amendment) Regulations 2007](https://www.legislation.gov.uk/uksi/2007/3240/made)

[The Radioactive Contaminated Land (Scotland) Amendment Regulations 2009](https://www.legislation.gov.uk/ssi/2009/202/contents/made)

[The Radioactive Contaminated Land (Scotland) (Amendment) Regulations 2010](https://www.legislation.gov.uk/uksi/2010/2153/contents/made)

[Nature Conservation (Scotland) Act 2004](https://www.legislation.gov.uk/asp/2004/6/contents)

[The Conservation (Natural Habitats, &c.) Regulations 1994](https://www.legislation.gov.uk/uksi/1994/2716/contents)

[The Environmental Authorisations (Scotland) Regulations 2018](https://www.legislation.gov.uk/sdsi/2018/9780111039014/contents)

**Statutory guidance etc**

[Purpose of the Scottish Environment Protection Agency and its contribution towards sustainable development: statutory guidance](https://www.gov.scot/publications/statutory-guidance-general-purpose-scottish-environment-protection-agency-contribution-towards/)

[Environmental Protection Act 1990 - Part IIA Contaminated Land: statutory guidance edition 2](https://www.gov.scot/publications/environmental-protection-act-1990-part-iia-contaminated-land-statutory-guidance/)

[Managing Radioactive Substances and Nuclear Decommissioning: UK policy framework, May 2024](https://assets.publishing.service.gov.uk/media/6632371769098ded31fca7c1/managing-radioactive-substances-and-nuclear-decommissioning-uk-policy-framework.pdf)

[Scottish regulators' strategic code of practice](https://www.gov.scot/publications/scottish-regulators-strategic-code-of-practice/)

**International standards**

[IAEA | Fundamental Safety Principles](https://www.iaea.org/publications/7592/fundamental-safety-principles)

[IAEA | Radiation Protection and Safety of Radiation Sources: International Basic Safety Standards](https://www.iaea.org/publications/8930/radiation-protection-and-safety-of-radiation-sources-international-basic-safety-standards)

[IAEA | Categorization of Radioactive Sources](https://www.iaea.org/publications/7237/categorization-of-radioactive-sources)

[ICRP | The 2007 Recommendations of the International Commission on Radiological Protection](https://www.icrp.org/publication.asp?id=ICRP%20Publication%20103)

**SEPA guidance**

[SEPA | Our approach to regulation](https://www.sepa.org.uk/regulations/how-we-regulate/our-approach-to-regulation/)

[SEPA | Satisfying the optimisation requirement and the role of Best Practicable Means RS-POL-001](https://www.sepa.org.uk/media/101545/satisfying_the_alara_requirement_and_the_role_of_best_practicable_mean.pdf)

[SEPA | Principles for the assessment of prospective public doses arising from authorised discharges of radioactive waste to the environment RS-JG-016](https://www.sepa.org.uk/media/478051/rs-jg-016-principles-for-assessment-of-public-doses.pdf)

[SEPA | Guidance on who can hold an authorisation](https://www.sepa.org.uk/media/372007/guidance_on_who_can_hold_an_authorisation.pdf)

[SEPA | Management of radioactive waste from decommissioning of nuclear sites: Guidance on Requirements for Release from Radioactive Substances Regulation v1-0](https://www.sepa.org.uk/media/365893/2018-07-17-grr-publication-v1-0.pdf)