

Radioactive Contaminated Land - Briefing Note 6 Land Contaminated with Radioactivity and the Radioactive Substances Act 1993

We regulate how people keep and use radioactive materials and the accumulation and disposal of radioactive waste on or from premises in England and Wales under the Radioactive Substances Act 1993 (RSA93).

Under the RSA93 we don't consider radioactively contaminated land, *per se*, as either the "keeping" or "use" of radioactive material, or the "accumulation" or "disposal" of radioactive waste. However, as soon as any action is taken in relation to that radioactively contaminated land, the potential exists for regulation under RSA93.

Remediating (cleaning up) land contaminated with radioactivity can generate radioactive waste. Examples of such waste include contaminated soil or rubble excavated from the site for disposal; contaminated groundwater discharged from a site to a local watercourse or public sewer; and contaminated dust that becomes airborne as a result of the work.

We have to authorise any accumulation and/or disposal of radioactive waste resulting from remedial/clean up work, unless the waste is covered by an exemption order. The most relevant exemption orders include:

- The Radioactive Substances (Substances of Low Activity) Exemption Order 1986 (as amended); and
- The Radioactive Substances (Phosphatic Substances, Rare Earths etc.) Exemption Order 1962

You can find further information on applying RSA93 and the above exemption orders to disposals of radioactive wastes for the remediation of contaminated land in the following guidance available on our web site: "*Guidance on Characterisation and Remediation of Radioactive Contaminated Land*" (Environment Agency, May 2002)

General information about the Radioactive Substances Act 1993 is available on our web site under: *Business & Industry > Business Sectors > Radioactive Substances Users*.