

Briefing note

The Environmental Permitting Regulations 2010 (EPR2010) and Radioactive Substances Regulation in England and Wales

When do the Regulations start?

We expect that the new regulations will come into force on 6 April 2010. The changes are only being made in England and Wales. Arrangements in Scotland and Northern Ireland will stay as they are.

Do I need to apply for a new permit?

Existing registrations and authorisations will automatically become 'environmental permits' – you do not need to apply to convert them and they will continue to be valid.

Is RSA93 going to stay in force?

Much of what was contained in the Radioactive Substances Act (RSA93) will appear in Schedule 23 of EPR2010. There will be a small 'rump' of provisions in RSA93. Overall, there will be no substantial change in the Government's regulatory policy for Radioactive Substances or in the Environment Agency's regulatory practice.

How can I find out more?

We will later publish a fuller overview of what EPR2010 means for you as a user of radioactive substances – it will highlight those changes to the way we will need to work with you and include a glossary of terms. More general information about the Environmental Permitting Regulations 2010 can be found on the Defra and Environment Agency websites.

I think I need to make an application to use radioactive substances or manage radioactive waste now.

What should I do?

We aim to make the change from RSA93 to EPR2010 straightforward for you. If you plan to make an application between now and 6 April you should use our current application forms. But it would help us if you could avoid making an application very close to the changeover date.

We will publish new application forms and guidance to applicants before 6 April on a EPR2010 Radioactive Substances web page on the Environment Agency website.

You said 'no substantial changes'. That implies some changes – what do I need to know?

EPR will allow permits to be transferred between operators, for example, when one company takes over another - we will publish an application form and guidance.

If you stop using radioactive substances, you will now need to apply to surrender a permit. The process will be similar to that used under RSA93. Again, we will publish an application form and guidance.

We will advertise applications on our web site – except where national security or commercial confidentiality means that we shouldn't.

We will now issue three types of permits:

- a standard permit, as a replacement for the fixed condition registration
- a 'security' permit for sealed source use and waste management
- a 'publicly available' permit, for open source use and waste management

We will change the way we charge for applications and for annual subsistence. We have consulted on those changes and are considering the final details of the scheme so we can publish it before 6 April.

If you currently have a RSA93 permit relating to sealed sources, there will be no requirement from 6 April to post that permit on the premises and we encourage you not to post it. Those permits also require that you post the name of the relevant competent person alongside the permit – we will not enforce that condition for sealed source permits.

Are the Exemption orders being changed as part of the introduction of EPR?

DECC has not yet completed its exemption order review – the current suite of orders will continue for now.

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