

How to apply for an environmental permit

Part RSR-D3 – Transfer of radioactive substances activity permit (open sources and radioactive waste)

Guidance notes



**Cyfoeth
Naturiol
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Wales**

Please read these guidance notes carefully before you fill in the form.

Complete part RSR-D3 if your permit is for a radioactive substances activity involving open sources and/or radioactive waste on any type of premises, and you are applying to transfer all or part it to another legal entity.

For security reasons, applications to transfer permits for radioactive substances activities involving sealed sources must be made separately using part RSR-D2. Where you see the term 'document reference' on the form: give the document references here and send the documents with the application form when you've completed it.

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1 About the permit

1a State the permit number (as shown on the front of your current permit) that this application relates to.

1b If your current permit was issued under the Radioactive Substances Act 1993 (RSA93) and you don't agree to us updating it to our new format and conditions (which are set out in our 'How to Comply' guidance) on transfer, please give your reasons here. If we are not satisfied with your reasons, we may proceed to update your permit as a regulator-initiated variation.

1b When do you want the transfer to take place?

Give us your best estimate of when you want the transfer to take place. Allow sufficient time for us to complete our determination (the regulations allow two months for us to do this for non-nuclear sites). We will liaise with you to confirm the date before finalising the transfer. Tell us the reasons if you need the transfer to take place on a particular date.

1c Are you applying to transfer all or part of the permit?

Tick the appropriate box if you want to transfer all the permit (this means the existing operator will not be authorised to operate any part of the radioactive substances activities covered by the current permit, after the transfer). You do not need to answer any further questions on this part of the form – go to part RSR-F.

If you want to transfer part of the permit (that is, if the existing operator will remain as the operator of some part of the radioactive substances activities covered by the current permit, after the transfer), tick the appropriate box and complete the rest of the form.

2 About the partial transfer

2a Activities

For each of the radioactive substances activities listed on the current permit (or permitted under RSA93), tell us whether they will be carried out by either or both of the existing and new operators, after the transfer, by ticking the appropriate boxes in the table.

You can't add additional activities as part of the transfer – if you want to do this, you need to apply separately for a variation (see note 1).

2b Details of the partial transfer

Provide a document setting out the details of the proposed partial transfer. You may find it helpful to use the relevant new permit application form part (RSR-B3, 4 or 5) as a guide to structuring your document. Tell us:

- how the work with radioactive substances will be divided up between the existing and new operators;
- how you think the existing permit should be changed and what the new permit (to be issued to the new operator) should contain, to reflect this division.

The latter includes, as appropriate:

- which of the currently permitted justified practices should appear on which permit (may be either or both);
- how you want the limits on open source holdings divided (see note 2);
- which of the currently permitted waste types, disposal outlets and disposal routes should appear on which permit (may be either or both) (see note 3);
- how you want the limits on disposals dividing (see note 2).

2 About the partial transfer, continued

Note 1

If you will need a variation as well as a partial transfer, it may be more straightforward for:

- the new operator to apply for a new permit; and
- the existing operator to apply for a partial surrender and/or a variation.

Note 2

You can't increase limits on holdings or disposal limits as part of the transfer – if you want to do this, you need to apply separately for a variation (see note 1). However, if you want a limit to be divided between the existing and new operators, we may accept a slight increase in the sum of the two new limits compared to the original, if you can make a strong case that this is necessary to give each operator sufficient operational headroom.

Note 3

If you want a disposal route allowing transfer of radioactive waste to a third party included on the new permit, you should provide evidence that the new operator has contractual arrangements in place to do this or, where disposal may not take place for some time, that such contractual arrangements can be put in place. Other than for transfers of waste between the existing and the new operator, you can't add additional disposal routes as part of the permit transfer – if you want to do this, you need to apply separately for a variation (see note 1).