
STATUTORY INSTRUMENTS

2011 No. 988

The Waste (England and Wales) Regulations 2011

PART 11

Final provisions

Radioactive waste

47.—^[F1](1) This regulation applies to radioactive waste—

- (a) which is a specified waste; and
- (b) in respect of which a person—
 - (i) is carrying on a radioactive substances activity described in paragraph 11(2)(b) or (c) or (4) of Part 2 of Schedule 23 to ^[F2]the Environmental Permitting (England and Wales) Regulations 2016]; and
 - (ii) is exempt from the requirement for an environmental permit under regulation 12(3) of those Regulations for that activity.]

(2) Radioactive waste to which this regulation applies must be treated as waste for the purposes of these Regulations.

(3) Sections 33 to 34C of the Environmental Protection Act 1990 apply to radioactive waste to which this regulation applies.

(4) In this regulation—

“environmental permit” has the meaning given in regulation 13(1) of ^[F3]the Environmental Permitting (England and Wales) Regulations 2016];

^[F4]“radioactive substances exemption” means an exemption under ^[F3]Part 6] of Schedule 23 to ^[F3]the Environmental Permitting (England and Wales) Regulations 2016] from the requirement for an environmental permit under regulation 12 of those regulations in respect of a radioactive substances activity;]

“radioactive waste” and “radioactive substances activity” have the meanings given in ^[F5]paragraphs 3 and 11] of Part 2 of Schedule 23 to ^[F3]the Environmental Permitting (England and Wales) Regulations 2016];

^{F6}
...

^[F4]“specified waste” means—

- (a) NORM waste (as that term is defined in ^[F3]Part 6] of Schedule 23 to ^[F3]the Environmental Permitting (England and Wales) Regulations 2016]; or
- (b) the waste described in the first, second or sixth row of column 1 of table 6 in ^[F3]Part 6] of Schedule 23 to ^[F3]the Environmental Permitting (England and Wales) Regulations 2016].]

Changes to legislation: There are outstanding changes not yet made by the legislation.gov.uk editorial team to *The Waste (England and Wales) Regulations 2011*. Any changes that have already been made by the team appear in the content and are referenced with annotations. (See end of Document for details) [View outstanding changes](#)

Textual Amendments

- F1** Reg. 47(1) substituted (1.10.2011) by [The Environmental Permitting \(England and Wales\) \(Amendment\) Regulations 2011](#) (S.I. 2011/2043), reg. 1(b), **Sch. 2 para. 6(2)**
- F2** Words in reg. 47(1)(b)(i) substituted (1.1.2017) by [The Environmental Permitting \(England and Wales\) Regulations 2016](#) (S.I. 2016/1154), reg. 1(1), **Sch. 29 para. 36(5)(a)** (with regs. 1(3), 77-79, Sch. 4)
- F3** Words in reg. 47(4) substituted (1.1.2017) by [The Environmental Permitting \(England and Wales\) Regulations 2016](#) (S.I. 2016/1154), reg. 1(1), Sch. 29 para. 36(5)(a)(b) (with regs. 1(3), 77-79, Sch. 4)
- F4** Words in reg. 47(4) inserted (1.10.2011) by [The Environmental Permitting \(England and Wales\) \(Amendment\) Regulations 2011](#) (S.I. 2011/2043), reg. 1(b), **Sch. 2 para. 6(3)(c)**
- F5** Words in reg. 47(4) substituted (1.10.2011) by [The Environmental Permitting \(England and Wales\) \(Amendment\) Regulations 2011](#) (S.I. 2011/2043), reg. 1(b), **Sch. 2 para. 6(3)(a)**
- F6** Words in reg. 47(4) omitted (1.10.2011) by virtue of [The Environmental Permitting \(England and Wales\) \(Amendment\) Regulations 2011](#) (S.I. 2011/2043), reg. 1(b), **Sch. 2 para. 6(3)(b)**

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Changes and effects yet to be applied to the whole Instrument associated Parts and Chapters:

Whole provisions yet to be inserted into this Instrument (including any effects on those provisions):

- reg. 13(1A) inserted by [S.I. 2023/1290 reg. 11](#)
- reg. 14(A1) inserted by [S.I. 2023/1290 reg. 12](#)
- reg. 15A inserted by [S.I. 2023/1290 reg. 13](#)
- reg. 16(3)(ba) substituted for reg. 16(3)(b) by [2023 c. 55 Sch. 8 para. 32](#)