



Epsom & Ewell Borough Council

Addendum Update to Contaminated Land Strategy, for the inclusion of Radioactive Contaminated Land

January 2008

ENVIRONMENTAL PROTECTION ACT 1990 – PART IIA
To be read as an update to the EEBS Contaminated Land Strategy document

Contents

1 – RADIOACTIVITY AND CONTAMINATED LAND.....	3
2 – RADIOACTIVE INDUSTRY PROFILE.....	3
3 – WHEN WOULD THE LA INVESTIGATE FOR RADIOACTIVITY?.....	3

1 – RADIOACTIVITY AND CONTAMINATED LAND

On 4th August 2006, The Part IIA Contaminated Land Regime was extended to cover radioactivity in England. For further information on this extension refer to guidance note CLAN5-06 :

www.defra.gov.uk/Environment/land/contaminated/pdf/clan5-06.pdf

A further modification has now been made which extends the regime to cover land contaminated with radioactivity originating from nuclear installations, though it is considered unlikely that any sites meeting the relevant criteria will be found.

Regulations implementing this further extension came into force on 10th December 2007 in England and Wales and are referred to as:

The Radioactive Contaminated Land (Modification of Enactments) (England) (Amendment) Regulations 2007

And can be read at:

www.opsi.gov.uk/si/si2007/pdf/uksi_20073245_en.pdf?lang=e

The original regulation of radioactive substances in the UK was introduced in 1960 by the Radioactive Substances Act, which controlled the use and disposal of radioactive substances, for example isotope based paint use. Such uses prior to regulation sometimes lead to radioactive contamination, such as spills, or poor disposal methods and records.

Since the Radioactive Substances Act came into force, activities are much less likely to become contamination sources.

Local authorities are the principal regulator for the inspection of potentially contaminated Sites from Radioactivity, with the Environment Agency playing a complementary role. The Environmental agency carries out inspection of land if the local authority asks them to and would carry out remediation if the LA determines and area as radioactive contaminated land.

2 – RADIOACTIVE INDUSTRY PROFILE

This DEFRA published document identifies activities which may contribute to radioactive contamination.

www.defra.gov.uk/environment/radioactivity/conland/pdf/industryprofile.pdf

3 – WHEN WOULD THE LA INVESTIGATE FOR RADIOACTIVITY?

Radioactivity is only considered a risk to human health receptors as there is no evidence that other receptors are affected in any way.

The Local Authority would need to establish reasonable grounds (B17A and B) of Part IIA, for example where there is information relating to:

A former historical land use, past practice, past work activity or radiological emergency, capable of causing lasting exposure giving rise to the radiation doses set out in paragraph A.41; or

Levels of contamination present on the land arising from a past practice work activity or radiological emergency, capable of causing lasting exposure giving rise to the radiation dose set out in paragraph A.41.

After investigation, which will be phased and may comprise desk studies, walkovers and sampling, the local authority may then identify an area as radioactive contaminated land. At this point the land will also be designated a special site. The land is then the responsibility of the Environment Agency to secure remediation.

EEBC do not currently have any grounds to suspect that any land within the Borough may be contaminated due to radioactivity.

All natural soils and base rocks are contain naturally occurring radioactive substances such as uranium, and radon gas. However the presence of radionuclide's on land from wether natural or though introductory sources doesn't necessary mean the land is radioactively contaminated under the extended Part IIA regime. For this to be applicable, a significant pollutant linkage must be present, as with standard contaminated land.

However the extended regime does not apply to:

- Radioactivity on land causing significant harm to the wider environmental of the pollution of controlled waters.
- Radon gas
- Risks arising from the changes in the way land contaminated with radioactivity is used. These risks are controlled und ether Town and Country Planning system
- Radioactivity on land within the boundary of a nuclear licences facility

Risk assessment follows the normal process of assessment models which EEBC will be relying on consultants to facilitate.

The Radioactively Contaminated Land Exposure Assessment (RCLEA) is the recommended model for radiation exposure assessments in connection with the Part 2A regime. It is based on the Contaminated Land Exposure Assessment (CLEA) methodology for non-radioactive contaminated land. RCLEA may be used to carry out initial screening assessments or as the sole modeling tool in determining land as radioactively contaminated provided that all the conditions in the Statutory Guidance are met. Work is still being carried out on the documentation, but the latest drafts can be found through the following link.

www.defra.gov.uk/environment/radioactivity/conland/index.htm

For more information on radioactive contaminated land please see the following links:

<http://www.environment-agency.gov.uk/business/sectors/36963.aspx>