

Abstract: New Spanish regulation for the management of wastes generated within activities using materials with natural radioactivity content.

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Radionuclides of natural origin are ubiquitous in both working and public environments, although their activity concentrations may vary considerably. Exposures to natural sources are in most cases not a matter for regulatory concern. However, there are situations where exposures to natural sources may warrant consideration as to whether controls should be applied.

More and more countries are now including provisions in their national legislation and regulations for the control of exposures to natural sources, and the body of radiological data on such exposures is growing rapidly.

In the case of Spain, the Nuclear Energy Act, approved in 1964, is the first piece of legislation to define the concept of radioactive waste. More specific regulations concerning NORM are defined later: in the Royal Decree 738/2001, which approves the Regulation on Sanitary Protection against Ionising Radiations, it is established that all activities which involve natural radioactive sources must be declared. Additionally, studies aimed at determining whether the exposition to radiation may be significant are to be carried. However, no quantitative criteria were given to this purpose, which is precisely why this *Ministerial Order regulating the management of the waste generated in the activities that use materials containing natural radionuclides* was indispensable.

The Order contains nine articles, preceded by a Preamble and followed by two final provisions. It is aimed to regulate the management of NORM, dividing the procedure into two sequential steps. The first one consists of determining whether a radiological impact study is needed: guidance for this is provided in the Annex of the Order where the thresholds for the radionuclide content of the waste are given. After this has been discerned, NORM which undergoes the radiological impact study must eventually be treated as either conventional or radioactive, depending on whether the activity measured exceeds or not 1mSv for the general public or 6mSv for workers involved. In the first case, NORM must be managed as radioactive waste and ENRESA becomes responsible for its treatment, whereas in the second, conventional management suffices.

Other aspects worth mentioning, such as the importance of technical documents which contained the methods followed, or of a solid Quality Control System aimed at guaranteeing the detection of possible deviations, are also reflected in this Order.

As for its processing, it was initiated in April 2012. After the first draft was produced, an allegation period took place involving numerous stakeholders as well as Ministries and regions. Additionally, a public consultation through our Ministry's webpage was performed. Another version of the Order was produced bearing in mind all the comments sent, which was eventually addressed to the Environmental Advisory Committee for further comments. Afterwards, these comments were analysed by the CSN (Council of Nuclear Safety) and a final version was written. The Ministerial Order has already been signed by the Minister of Industry, Energy and Tourism and its entry in force will take place one day after its publication in the Official Gazette.