



Changes to *Radiation Control Act* affecting mining related activities

The *Radiation Control Act 1990* (RCA) has been amended to include 'radioactive ores' and the new legislation commenced on 1 July 2013. The change gives jurisdiction to the Mine Safety regulator over exploration, mining and processing of radioactive ores in NSW.

Background

The RCA was amended in 2010 to regulate 'radioactive ores' at mining workplaces in NSW, including exploration, mining and related processing activities. The changes were not commenced at that time, pending finalisation of a new, supporting regulation. The NSW Environmental Protection Authority (EPA) consulted on the proposed regulation during 2012.

The EPA will continue to regulate sealed source devices at mines - these devices may require licensing from the EPA.

The *national* regulatory authority for radiation sources is the Australian Radiation Protection and Nuclear Safety Agency (ARPANSA). At present, all operators with activities involving radioactive ores must refer to ARPANSA's [Code of Practice for Radiation Protection and Radioactive Waste management in Mining and Mineral Processing](#)

Naturally occurring radioactive materials

The Mine Safety regulator initiated a study to confirm the generally recognised science behind naturally occurring radioactive materials (NORM's) in NSW mines. The study was undertaken by ARPANSA and the results of the study are contained in the publication, [A Survey of Naturally Occurring Radioactive Material Associated with Mining](#).

The ARPANSA report shows that no sites studied involved recorded results above the trigger for regulatory action; however, mining operators should continue to undertake their own inquiries to ensure they are aware of potential hazards in order to fulfil their work health and safety duties.

Changes for the NSW mining industry

The change to the RCA affects industry as follows:

- In the future, mining workplaces may be required to have a radiation management plan if the minerals on site contain a level of radioactivity which could pose a health hazard. This is determined by exposure thresholds established in the legislation and codes of practice.
- If a plan is required, it will contain procedures for monitoring and minimising radiation exposure to workers and managing risks to the public and visitors to mining workplaces.

The department is developing specific guidance for uranium exploration that will be available online prior to commencement of field uranium exploration in NSW.

Compliance

NSW Mine Safety inspectors have the power to assess, monitor and enforce compliance with health and safety legislation governing mining related activities. The Radiation Control Act has been added to the list of legislation applying to mining related activities at: www.resources.nsw.gov.au/safety/legislation.