



Our ref: EN00333
Your ref: 0090610/iv, 10th June 2009

Mr/Mrs Dowding

E-mail sent to: request-13193-xxxxxxx@xxxxxxxxxxxxxxxx.xxx

7 July 2009

Dear Mr/Mrs Dowding

REQUEST FOR INFORMATION

We refer to your request dated 10 June under the Freedom of Information Act (FOIA) requesting the following information:

Any ODA directive or similar requiring specific amendments to the risk assessments undertaken (including for fire, flooding, explosion and similar disruptive events that might result in uncontrolled dispersion of on-site radioactive materials) in accordance with the Construction (Design and Management) Regulations 2007 for existing and new contracts committed to on the Olympic Park Development Site.

We note that you have requested the above information under Section 1 of the Freedom of Information Act (FOIA); however, considering the nature of the information which you have requested, we believe that the information is environmental information as defined by the Environmental Information Regulations 2004 (EIR). As such, we have interpreted your request in terms of the EIR and not the FOIA.



MAYOR OF LONDON

The Olympic Delivery Authority is a statutory authority established under the London Olympic Games and Paralympic Games Act 2006.

We do not hold information of the description specified in your request. The ODA has issued no directives to cover on site operations with regard to radiological materials. All work with regard to radiological contamination has been undertaken in accordance with the prevailing legislation and guidance. Accordingly, we regret that we are therefore unable to communicate the information to you.

However, we can advise you of the legislation which the ODA has complied with in relation to the radioactive material found on the Olympic Park.

The **Ionising Radiation Regulations 1999**: These regulations were invoked whenever radioactive contamination was discovered or suspected. Risk assessments and method statements intended primarily to ensure that workers and members of the public were not affected during the course of the works were prepared and enacted and the relevant regulator (the Health and Safety Executive) were kept informed in accordance with the legislative requirements.

The **Radioactive Contaminated Land Regulations 2006** require that if certain radiation dose thresholds are likely to be exceeded because of radioactively contamination then remediation ('intervention') of the affected area must be carried out by an owner or developer. To date, no discoveries of contamination on the Olympic Park have led to calculated radiation doses at or above the relevant thresholds; in fact, calculated and measured doses have both been significantly lower than the relevant thresholds for these regulations.

The **Radioactive Substances Act 1993** requires that the 'keeping and use' and the 'accumulation and disposal' of radioactive materials and waste respectively be permitted under the Act. The Act is not concerned with the 'presence' of radioactive contamination in circumstances encountered at the site, so in the context of the Olympic Park the Act is only invoked when radioactive waste is accumulated or disposed of. ODA contractors hold a permit under this Act for the accumulation and disposal of a small quantity of radioactive waste which is destined for disposal off-site.

Exemptions of material made by Statutory Instruments (Exemption Orders) under the terms of this Act are to the effect that radiochemical concentrations below certain thresholds, although defined as radioactive, do not require

permitting. The radiological consequences of these 'exempt' materials in terms of radiation doses to members of the public have been calculated to be trivial. However, we can inform you that the ODA, with the necessary permit from the Environment Agency, will dispose of a small amount of discrete non-exempt material to the licensed Low Level Radioactive Waste Repository near Drigg in West Cumbria.

The **Town and Country Planning Acts (Various Dates)** under these Acts, in terms of radiological protection definitions, activities at the Olympic Park constitute a 'practice'. For the types of 'practice' in question (land redevelopment) the Acts are invoked to ensure that post works (development) the radiation doses to a member of the public are below certain thresholds. The Planning Authority and the local Environmental Health Officers have been routinely updated on the progress of works, via plans and risk assessments such that they could be satisfied that this condition would be met. Specifically, the ODA (through its contractors) have submitted a number of Site Remediation Strategies (SRM) and Remediation Methodology Statements (RMS) to the ODA's Planning Decisions Team (PDT) for their approval. All of these submissions are publicly available on the ODA PDT website (www.london2012.com/planning). You can also contact the ODA PDT directly for assistance to find these documents on the published register maintained by ODA PDT.

<http://www.london2012.com/planning/contact-us.php>

We trust this you find this information useful, however if you are not satisfied with the response to your request and wish to make a complaint, you should write to The Information Officer, Olympic Delivery Authority, One Churchill Place, Canary Wharf, London, E14 5LN. Please state detailed grounds for your complaint.

If you are not satisfied with the outcome of your complaint, you may apply directly to the Information Commissioner for a decision. Generally, the Information Commissioner will not make a decision unless you have exhausted the complaint procedure provided by the ODA. The Information Commissioner can be contacted at: The Information Commissioner's Office, Wycliffe House, Water Lane, Wilmslow, Cheshire SK9 5AF.

Yours faithfully

A handwritten signature in black ink, appearing to read 'A. Jami'. The signature is written in a cursive style with a large initial 'A' and a long horizontal stroke extending to the right.

Information Officer
Olympic Delivery Authority

