

Your response

Question	Your response
<p>Do you agree with our proposal to take steps to mitigate risks related to EMF and be in a position to hold licensees, installers and users to account if issues are identified? Please explain the reasons for your response.</p>	<p>We agree in principle; we believe that it could help public perception in terms of health and safety. In addition, we believe it would help to ensure that this matter is considered by all; it would help to give greater emphasis to responsibilities regarding safety.</p> <p>However, there is a concern that it could lead to a significant increase in documentation requirements, even for companies already carrying out assessments on all changes. We believe that it is easy to underestimate the extra workload required. For example, where a licence holder is dependent on another company to manage and operate equipment, the licence holder will want the operator to provide proof of compliance.</p> <p>See also the related comments with regard to the question on the draft guidance.</p>
<p>Do you agree with our proposal (a) to include a condition in spectrum authorisations requiring compliance with the basic restrictions for general public exposure identified in the ICNIRP Guidelines; and (b) that this condition should apply to equipment operating at powers greater than 10 Watts?</p>	<p>(a)</p> <p>It would be helpful to include some limitation on where compliance is required. For example, “all areas legitimately accessible to the public”</p> <p><i>“2.8 from Tables 4 and 5 of the ICNIRP Guidelines.”</i></p> <p><i>“4.31 ...The reference levels for general public exposure identified in Table 7 of the IC-NIRP Guidelines”</i></p> <p><i>“A2.5 identified in Tables 4 and 5 of the IC-NIRP Guidelines. “</i></p> <p>“Draft Licence Condition</p> <p><i>.... the basic restrictions for general public exposure identified in Tables 4 and 5 of the ICNIRP Guidelines.”</i></p> <p>Is it not sufficient simply to refer to basic restrictions for the general public? Making reference to specific table numbers will increase the potential for confusion if the table</p>

numbering changes in future updates. Indeed, in the most recent guidance (2020), the basic restrictions are given in Tables 2, 3 and 4.

“2.6 compliance with the reference levels will ensure compliance with the basic Restrictions”

“4.31 Therefore, if the reference levels are met this should ensure compliance with the basic restrictions.”

“4.41 ... noting that if the reference levels for general public exposure ... are met, this should ensure compliance with the basic restrictions; “

“A2.7 ... Therefore, if the reference levels are met this should ensure compliance with the basic restrictions”

The text in 4.3.1, 4.41 and, most importantly, A2.7 appear to be less definitive than that in 2.6 with regard to the ability to use the reference levels to demonstrate compliance. It would be helpful if the licence condition explicitly included the option to use compliance with the relevant reference levels as an alternative route to conformity.

For example, perhaps the draft guidance text in A2.7 could be amended as follows,

It should be noted that the reference levels for general public exposure identified in Table 7 of the ICNIRP Guidelines ‘... are given for the condition of maximum coupling of the field to the exposed individual, thereby providing maximum protection’. Therefore, if the reference levels are met this ~~should ensure~~ **can be used to demonstrate** compliance with the basic restrictions

A1. *“ICNIRP Guidelines” means published in: Health Physics 74(4):494-522 dated April 1998, as they may be amended.⁴⁷*

If there are significant changes to ICNIRP during the lifetime of a licence, how will this be dealt with?

	<p>A1. <i>Draft Licence Condition</i> <i>... if the total EIRP is below the basic restrictions</i></p> <p>The ICNIRP guidance sets limits on human exposure rather than limits on antenna output power.</p> <p>Alternative wording instead could include a requirement that the cumulative exposure resulting from all emissions from the site is below the basic restrictions.</p> <p>(b) <i>“1.9 This condition would apply to all licences that authorise transmissions at powers above 10 Watts EIRP”</i></p> <p>It is common practice, within some industries, for services operating under different licences to be transmitted from a common antenna. For example, broadcast tv antennas transmit services for several different licence holders; similarly, for cellular licences.</p> <p>The statement in clause 1.9, quoted above, appears to suggest that, even if several transmissions are made from the same antenna (or site), no assessment is necessary if each individual licence is for no more than 10 W. It isn't clear how the 10 W limit applies in such cases.</p>
<p>Do you agree with our proposed guidance on EMF compliance and enforcement? Please explain the reasons for your response.</p>	<p><i>“A2.8 the total EMF levels from all radio equipment on the site “</i></p> <p>It would be useful to include the definition of the term “site”.</p> <p>There are many different examples of complex site arrangements where different parties may have different interpretations on what constitutes ‘the site’ and so a clear definition of the term would be helpful.</p> <p>For example, a definition that takes into account the situation where a landlord may have several lease arrangements for one rooftop; where there are towers close to each other (with the same or different operator); where the transmitters feeding the antennas could be considered to be on a different site etc.</p>

“A2.12 (c) Provide evidence that a site is compliant with the basic restrictions, including by providing, where appropriate, test measurements, calculation results and/or certificates of compliance. “

Further information on the level of detail would be helpful. For example, the text above suggests that provision of a certificate of compliance may be enough evidence for an individual site. (It is assumed that this is the case only if the processes outlined in a, b, d are suitable).

Is this interpretation correct? If not, it would be helpful to clarify the criteria for what is “appropriate” in terms of evidence.

A2.13 Shared Sites

The problem in obtaining all the required information for the assessment at shared sites should not be underestimated. It would be useful if some text could be added requiring Licence holders to share relevant information at shared sites.

“A2.14 For the avoidance of doubt, it is the party who makes the last change to a site that is responsible for ensuring the total EMF emissions from the site continue to comply with the basic restrictions. If they are unable to demonstrate the continued compliance of the site, they should not make any changes.”

It would be helpful to have additional clarification on who is responsible when multiple licence holders start new transmissions simultaneously?

Additionally, for sites with many different existing licences, at the point this proposed requirement is introduced, determining the order in which changes have been made historically will be non-trivial.

Finally, who will be deemed responsible if the last change is one within the surrounding environment? For example, if a site is compliant until a new multi-storey building is erected immediately adjacent to it?

Miscellaneous Comments

We note footnote 47 on p.30 and assume all references will be updated to refer to the latest 2020 guidance.