

**COMMITTEE OF EXPERTS ON THE TRANSPORT OF
DANGEROUS GOODS AND ON THE GLOBALLY
HARMONIZED SYSTEM OF CLASSIFICATION
AND LABELLING OF CHEMICALS**

Sub-Committee of Experts on the
Transport of Dangerous Goods

Twenty-seventh session
Geneva, 4-8 July 2005
Item 8 of the provisional agenda

HARMONIZATION WITH THE INTERNATIONAL ATOMIC ENERGY AGENCY (IAEA)
REGULATIONS FOR THE SAFE TRANSPORT OF RADIOACTIVE MATERIAL

Transmitted by the International Atomic Energy Agency (IAEA)

The document GOV/2005/31 “Measures to Strengthen International Cooperation in Nuclear, Radiation and Transport Safety and Waste Management” is reproduced hereafter for your information.

Board of Governors

GOV/2005/31

Date: 18 May 2005

Restricted Distribution

Original: English

For official use only

Item 6 of the provisional agenda
(GOV/2005/28)

Measures to Strengthen International Cooperation in Nuclear, Radiation and Transport Safety and Waste Management

Policy for reviewing and revising the Agency's Regulations for the Safe Transport of Radioactive Material

Report by the Director General

Summary

- The purpose of this document is to obtain the Board's approval of a proposed policy for reviewing and revising the Agency's Regulations for the Safe Transport of Radioactive Material (the Transport Regulations)¹, in order that the review and revision process may, while remaining consistent with the processes for reviewing and revising the related regulations of other organizations belonging to the United Nations system, be efficient and sustainable. The policy and its background are described in this document.

Recommended Action

- It is recommended that the Board approve the policy for reviewing and revising the Transport Regulations contained herein and request the Director General to implement it.

¹ The 1996 Edition (Revised) of the Transport Regulations was published in the IAEA Safety Standards Series, as No. TS-R-1, 1996 Edition (As Amended 2003)

Policy for reviewing and revising the Agency's Regulations for the Safe Transport of Radioactive Material

A. Background

1. The Agency issues the Transport Regulations pursuant to its statutory functions and to a resolution of the United Nations Economic and Social Council (ECOSOC) on the Agency's responsibility for the safety of transport of radioactive material.¹ The Transport Regulations serve as the basis for part of the United Nations Recommendations on the Transport of Dangerous Goods: Model Regulations (the UN Model Regulations)², which in turn serve as the basis for the international 'modal' regulations for transport – i.e. the regulations covering specific 'modes' of transport that are issued by international organizations such as the International Civil Aviation Organization, the International Maritime Organization, the United Nations Economic Commission for Europe and the Universal Postal Union. Also, many Member States have adopted provisions compatible with the Transport Regulations in their domestic requirements.
2. Since the Transport Regulations were first published, in 1961, revised editions or amendments have been published in 1964, 1967, 1973, 1985, 1996, 2000 and 2004; the latest version was approved by the Board of Governors in November 2004 to be published in 2005.
3. The Transport Regulations are part of the corpus of Agency safety standards, which consists of safety fundamentals, safety requirements and safety guides. All Agency safety standards are reviewed and approved by the relevant safety standards committees³ and endorsed by the Commission on Safety Standards (the CSS) and the Board of Governors as appropriate. The Transport Safety Standards Committee (TRANSSC) approves the Transport Regulations for submission to the CSS. The Transport Regulations, being safety requirements, require Board approval.
4. In March 2004, the Board approved an Action Plan for the Safety of Transport of Radioactive Material, which included the following actions: "The Secretariat to publish the 2003 English edition of the [Transport] Regulations forthwith and a revised or amended edition, as necessary, every two years thereafter..." and "The Secretariat to continue the current Agency process for the review and, if necessary, revision of the [Transport] Regulations".
5. In September 2004, the General Conference, in resolution GC(48)/RES/10.C, expressed satisfaction with "the progress that has been made in establishing a schedule for regular reviews of the Agency's Transport Regulations with a view to issuing a revised or amended version, as necessary,

¹ In resolution 724 (XXVIII).C.3(g) ECOSOC expressed the desire that the Agency be entrusted with the drafting of recommendations on the transport of radioactive substances within the general principles of the Subcommittee of Experts on the Transport of Dangerous Goods and in consultation with the specialized agencies concerned.

² The UN Model Regulations cover the transport of nine classes of dangerous goods; Class 1 - explosives; Class 2 - gases; Class 3 - flammable liquids; Class 4 - flammable solids; substances liable to spontaneous combustion; substances which, on contact with water, emit flammable gases; Class 5 - oxidizing substances and organic peroxides; Class 6 - toxic and infectious substances; Class 7 - radioactive material; Class 8 - corrosive substances; Class 9 - miscellaneous dangerous substances and articles.

³ The Nuclear Safety Standards Committee, the Radiation Safety Standards Committee, the Waste Safety Standards Committee and the Transport Safety Standards Committee.

every two years, consistent with the schedules of the United Nations Subcommittee of Experts on the Transport of Dangerous Goods and of the relevant international modal organizations”.

6. At the November 2004 session of the Board, the Deputy Director General for Nuclear Safety and Security stated “A number of Member States had informally expressed doubts regarding the suitability of the two-year review/revision cycle because it was often difficult to make changes in national transport regulations at the same pace.”⁴ Summing up the Board’s discussion of the subject, the Chairman of the Board said “Revision of the Transport Regulations had been seen as a significant step in the implementation of the Action Plan for the Safety of Transport of Radioactive Material” and “Several [Board] members had emphasized that the [Transport Regulations] revision cycle should harmonize the Agency’s activities with those of other international regulatory bodies and looked forward to receiving the Secretariat’s report on the policy of revision of those standards at the meetings of the Board of Governors in March 2005.”⁵

7. The Secretariat has discussed the suitability of the two-year cycle with TRANSSC, in which all Member States and relevant International Organizations including the United Nations are invited to participate, and with the CSS on a number of occasions over the last few years, most recently during the March 2005 meeting of TRANSSC. These discussions, along with the background given above, have been instrumental in the development of the proposed policy for reviewing and revising the Transport Regulation.

B. Proposed policy

8. Pursuant to the Action Plan, the Secretariat will continue to review the Transport Regulations at intervals consistent with the schedules of the United Nations Subcommittee of Experts on the Transport of Dangerous Goods and of the relevant international modal organizations in order to remain in step with the review cycles of the other relevant international bodies. Subsequently, it will submit its findings to TRANSSC for review. If TRANSSC considers that a proposal for change stemming from a review cycle is sufficiently important for safety to necessitate publication as soon as possible, the Secretariat will initiate the revision process for the Transport Regulations and will submit all of the changes approved by TRANSSC to the CSS for endorsement.

9. The CSS will, in turn, consider the changes approved by TRANSSC and recommend to the Director General that he submit a new edition of the Transport Regulations incorporating the proposed changes to the Board for approval and for publication.

10. In any event, the United Nations Committee of Experts on the Transport of Dangerous Goods and on the Globally Harmonized System of Classification and Labelling of Chemicals, as well as the International Civil Aviation Organization, the International Maritime Organization, the United Nations Economic Commission for Europe and the Universal Postal Union will be advised of the Agency decision about revising the Regulations for the Safe Transport of Radioactive Material.

⁴ See GOV/OR.1111, para. 52.

⁵ See GOV/OR.1111, paras 79 and 81.

11. To sum up, in the present policy the Transport Regulations are reviewed every two years and revised for publication also every two years without any consideration whether the changes proposed in the review process have safety significance or not. In the proposed policy, while the Transport Regulations will continue to be reviewed every two years (the current review cycle of the relevant international bodies), the decision on the revision and publication will be made based on the assessment of TRANSSC/CSS.

12. The proposed policy will be implemented following Board approval.