



**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****Fifty-fourth session**

Geneva, 26 November-4 December 2018

Item 8 of the provisional agenda

Programme of work for the biennium 2019-2020**Harmonization with the International Atomic Energy Agency
Regulation for the Safe Transport of Radioactive Material****Transmitted by International Atomic Energy Agency (IAEA)*****Introduction**

1. An excerpt of the main issues raised when considering harmonization with the IAEA Regulations for the Safe transport of Radioactive Material at the fifty-third session of the Sub-Committee is copied below from the report ST/SG/AC.10/C.3/106 for easy reference.

“Document : ST/SG/AC.10/C.3/2018/54 (IAEA)

Informal document : INF.8 (IAEA)

150. The representative of IATA raised concern about the consequences of the new wording of paragraph 1.5.2.5 for consignors and carriers. He considered that it was not realistic to require them to establish arrangements for preparedness and response for each shipment, as these arrangements were the responsibility of national competent authorities and differed from one country to another. He felt that, if implemented, the new provision would increase the number of denial of shipments for transport of radioactive material. The representative of IAEA explained that the intent of 1.5.2.5 was to ensure that carriers and consignors included arrangements for preparedness and response consistent with those existing at national or international level and reiterated that

* In accordance with the programme of work of the Sub-Committee for 2017–2018 approved by the Committee at its eighth session (see ST/SG/AC.10/C.3/100, para. 98 and ST/SG/AC.10/44, para. 14).

it was not expected from them to develop additional arrangements to replace, or in addition to, those established at national or international level.

151. *Having considered the concerns expressed by the representative of IATA, the Sub-Committee decided to defer the decision on the adoption of paragraph 1.5.2.5 and the related references in 1.5.2.6 to the next session, to allow experts enough time to consider the implications of its implementation. The representative of IAEA said that he would submit an official document for the next session with additional background on this proposal to help the Sub-Committee take an informed decision.”.*

Discussion

2. The proposed text for paragraph 1.5.2.5 in the twenty-first revised edition of the Model Regulations (paragraph 304 in SSR-6 (Rev. 1) states:

“In the event of a nuclear or radiological emergency during the transport of radioactive material, provisions as established by relevant national and/or international organizations, shall be observed to protect people, property and the environment. Consignors and carriers shall establish, in advance, arrangements for preparedness and response in accordance with the national and/or international requirements and in a consistent and coordinated manner with the national and/or international emergency arrangements.”.

3. While the text for the same paragraph 1.5.2.5 in the twentieth revised edition of the Model Regulations was:

In the event of accidents or incidents during the transport of radioactive material, emergency provisions, as established by relevant national and/or international organizations, shall be observed to protect persons, property and the environment. Appropriate guidelines for such provisions are contained in “Planning and Preparing for Emergency Response to Transport Accidents Involving Radioactive Material”, IAEA Safety Standards Series No. TS-G-1.2 (ST-3), IAEA, Vienna (2002).”.

4. There are essentially two differences in the wording:

- (a) “*a nuclear or radiological emergency*” replaces “*accidents or incidents*”. The justification for this replacement is that “accidents or incidents” would include any type of event during transport even without radiological or nuclear consequences. It would be impossible to consider emergency provisions for such a wide range of events and, definitively, they are not the focus for the IAEA Transport Regulations. The range of events was limited to the ones that can produce radiological or nuclear emergencies. This terminology is consistent with the IAEA Safety Standard for emergency response (GSR Part7) published since SSR-6 was last published in 2012. This difference did not raise any comment during the fifty-third session.
- (b) “*Appropriate guidelines for such provisions are contained in “Planning and Preparing for Emergency Response to Transport Accidents Involving Radioactive Material”, IAEA Safety Standards Series No. TS-G-1.2 (ST-3), IAEA, Vienna (2002)”* was replaced by “*Consignors and carriers shall establish, in advance, arrangements for preparedness and response in accordance with the national and/or international requirements and in a consistent and coordinated manner with the national and/or international emergency arrangements*”. The publication referred to (TS-G-1.2) is an IAEA Safety Guide under revision. It became out of date when the General Safety Requirement “Preparedness and Response for a Nuclear or Radiological

Emergency”, IAEA Safety Standards Series No. GSR Part 7 was published in 2015. When preparing the text for SSR-6 (Rev. 1) there was a need to replace the reference to TS-G-1.2 by up-to-date text. To analyse the text proposed to be included in 1.5.2.5, it will be useful to assess the guidance provided in the twentieth revised edition of the Model Regulations by reference to TS-G-1.2, which is copied below:

“RESPONSIBILITIES FOR PLANNING AND PREPARING FOR RESPONSE TO ACCIDENTS IN THE TRANSPORT OF RADIOACTIVE MATERIAL

RESPONSIBILITIES OF CONSIGNORS AND CARRIERS

3.10. *The primary responsibility for ensuring preparedness for a given shipment of radioactive material in principle should rest with the consignor. The consignor should ensure that, before undertaking the transport of radioactive material, carriers are fully aware of the procedures to be followed in the event of a transport accident. An example of guidance that was provided to a carrier prior to undertaking the transport of radioactive material is provided in Annex I.*

3.11. *Although the prime responsibility for safe shipping is with the consignor, the carrier also has responsibilities both for safety during transport and for the proper reaction in the event of an accident. In general, both the carrier and the consignor should be prepared to respond to an accident and provide the appropriate technical assistance to emergency responders.*

3.12. *The consignor should ensure that adequate arrangements are available to deal effectively with transport accidents involving radioactive material. These arrangements could include being prepared to provide information about the shipment, knowing how to deal with such an accident and providing emergency and/or technical assistance to an accident site, when requested or required.*

3.13. *In addition, the consignor should make available to the carrier the appropriate emergency instructions and other information concerning emergency responses.*

3.14. *The carrier should ensure that proper emergency instructions are carried on board the transport unit. All efforts should be made by the carrier to ensure that applicable emergency information will be available to the first on the scene personnel, even in the event that the carrier personnel are incapacitated.*

3.15. *Carrier personnel should be instructed that immediately after an accident, if they are able to do so, they should inform the police (or another appropriate emergency agency), the consignor and other appropriate authorities of the event.*

They should also be instructed to act according to the relevant emergency procedures.

PLANNING FOR RESPONSE TO ACCIDENTS IN THE TRANSPORT OF RADIOACTIVE MATERIAL

4.1. *Radioactive material is transported by land (road and rail), inland waterways, sea and air. The Transport Regulations [3], summarized briefly in Appendix I, are applied to these shipments throughout the world, either directly by national regulations or by way of the requirements of relevant international modal organizations. The Transport Regulations [3] require that*

emergency provisions, as established by the relevant national or international organizations, shall be observed to protect persons, property and the environment.

4.2. A minimum level of planning for emergency response arising from transport accidents involving radioactive material is appropriate in every State [4]. As noted in Section 3, emergency response planning for transport accidents involving radioactive material is a responsibility that should be discharged by the responsible government authorities, consignors (shippers) and carriers.”

Conclusion

5. Reference to TS-G-1.2 has been withdrawn. The text in the proposal for 1.5.2.5 in the twenty-first revised edition of the Model Regulations is a reworded version of TS-G-1.2. There is no new requirement or provision in the proposed text.
