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

Sub-Committee of Experts on the
Transport of Dangerous Goods
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Note on Delay and Denial of Shipment of Radioactive Material

Transmitted by the IAEA

Background

Radioactive material is used in medical diagnosis, therapy, industrial applications, production of nuclear power and research purposes. Every day a few million diagnostic procedures are carried out all round the world using radioactive material. Nearly 50% of all surgical disposables are sterilized using radiation. Many medical isotopes have short half-lives and therefore have to be transported by air. Any delay or denial of shipment may render the isotopes useless for their intended application. Although delay and denial of shipments of radioactive material occur in all modes of transport; the most common occurrences are in the air mode.

Denial is not necessarily a situation where the radioactive material arrives at the airport and the airline carrier will not accept the shipment. There are different levels to the denial: a) the carrier refuses on a case-by-case (i.e. on-off) basis to accept the radioactive material; b) carrier policy dictates that radioactive material is not accepted; and c) policy of the carrier ports and States not to allow radioactive shipments. Speaking to carriers can prevent some denials of shipment but some carriers refuse to change their 'no-radioactives' policies. Airline policy, and not decisions of individual pilots, is the more significant reason for denials.

Common reported reasons for denial of shipment:

- Perceived training needs of cargo handlers.
- Multiple regulations and authorities with different levels of knowledge concerning radioactive material;
- Dynamic regulations — frequent changes to regulations;
- Security requirements increasing and becoming more restrictive;
- Increasing public perception that any radioactive material is dangerous;
- Concerns about insurance in the event of a mishap during transport/storage;

IAEA Action

IAEA acted as soon as denial of shipments was first brought to its attention. Three specific action items concerning denials were included in the Safety of Transport of Radioactive Material Five-Year Action Plan. In response to these three items, the IAEA hosted a Fact Finding Discussion Forum and a Consultants Meeting and has been reporting on the developments to the annual General Conference. The IAEA also participated at the International Maritime Organization (IMO), the International Civil Aviation Organization (ICAO) and International Cargo Handling Coordination Association (ICHCA) meetings where denials were discussed.

Training was identified as one area that should be strengthened so that there would be fewer denials. The IAEA devised short training courses for cargo personnel and for public authorities other than the competent authority for transport of radioactive material.

A resolution at the IAEA General Conference 2005 required the IAEA to create a steering committee to oversee the resolution of the denial issue. A Technical Meeting was organized by the IAEA during 8–12 May 2006. The objectives of the meeting were to identify the path forward to resolve the issue of denials and recommend the roles, responsibilities and composition of the steering committee.

The meeting identified the following actions:

- Coordination among all the UN agencies
- Harmonization of national regulations with international regulations
- Training programmes
- World Trade Organization (WTO) intervention to minimize barriers in Member States.

The meeting recommended that a steering committee — to be constituted as soon as possible — should coordinate with appropriate organizations for resolution of individual issues. As part of the Technical Meeting, separate briefings for the press and representatives from the Permanent Missions were held to provide information on the issue.

International Organizations

At the December 2005 IMO General Assembly a resolution was passed that encouraged all member states to facilitate transport of all radioactive material (including cobalt-60 and medical applications).

ICAO brought the issue of denial of radioactive shipments to the notice of its members.

IFALPA has issued an advisory that radioactive material presented for transport in compliance with the applicable regulations is safe for transport.

Steering Committee — Strategy and Action Plan

In response to the General Conference resolution, the IAEA Director General created a senior level Steering Committee including representatives from international organizations. The Steering Committee has a global representation and the necessary reach and therefore would be in a position to address the issue effectively.

The first meeting of the Steering Committee took place at IAEA Headquarters from 14 to 16 November 2006. A strategy and an action plan were developed to significantly reduce cases of denial of shipment and alleviate the hardships due to denial and delay by:

- reaching out to the concerned organizations and increasing awareness about the:
 - uses of radioactive material in public health, industry and power production;

- safety standards developed by international organizations with participation by national governments and practiced in transport of radioactive material;
- implications and consequences of denial in the light of the estimated increase in medical and industrial use as well as in the bulk transport of radioactive material and the future needs of such transport;
- harmonizing national and international regulations;
- ensuring coordination among regulators within a State to minimize duplicative, overlapping and sometimes contradictory requirements;
- providing training and other educational programmes for cargo handlers and public officials on safety of transport of radioactive material.

A strategy for how the steering committee is to operate has been determined and includes the principles:

- Promote education; it plays a key role.
- Make a collective effort to share information and experience.
- Concentrate on facilitation as the safety record is well established.
- Report denials — a key factor of success; if denials are not reported, the Committee cannot go forward.
- Record the evidence in a database to enable proper analysis.
- Look at real experience at how measures produced specific results.
- Take small steps where these can be identified; learn from them and good practice and consolidate success by building on the positive outcomes.
- Use existing structures and activities where possible.

The strategy embraces notification, investigation, facilitation/mediation and reporting cases of delays and denials. In this connection, each interested UN Agency is invited to establish a point of contact, with backup, to whom reports are to be submitted.

The action plan includes:

AWARENESS: Establish a method of recording sustainability problems in transport of radioactive material in order to make international organizations and Member States aware of the events, their consequences, the underlying issues and their resolution.

TRAINING: Improve the understanding of service providers and other major stakeholders so that they find it easier to comply with class 7 regulations and their concerns may be allayed.

COMMUNICATION: Educate service providers.

LOBBYING: Marketing, outreach, promotion of industries requiring transport of radioactive material. Promote positive image of use of radioactive material.

ECONOMY: Identify and reduce economic burdens causing sustainability problems.

HARMONIZATION: Notify the relevant UN Agency (Industry should do so in the form of a ‘generic denials report’) about where disharmonization, differences of interpretation, or additional requirements result in denial, with a view to encouraging discussion amongst Member States.

Specific tasks were assigned to the members of the Steering Committee and progresses are to be measured in the next meeting, scheduled to June 2007.

INF.66

Page 4

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