



DANGEROUS GOODS PANEL (DGP) MEETING OF THE WORKING GROUP OF THE WHOLE

Memphis, 30 April to 4 May 2007

Agenda Item 6: Discussion of miscellaneous dangerous goods issues

REPORT TO ICAO ON ACTIVITIES OF THE INTERNATIONAL ATOMIC ENERGY AGENCY'S SAFETY OF TRANSPORT OF RADIOACTIVE MATERIAL PROGRAMME

(Presented by the IAEA)

Beyond the action plan for the development and application of International Atomic Energy Agency's (IAEA) safety standards: Overall structure of safety standards

There has been much development with respect to the safety standards from 1996 to 2006. The Fundamental Safety Principles, which were published in 2006, identifies thematic standards and facility-specific standards. In the new policy the number of standards appropriate for each thematic area would be limited. The Agency is proposing to look beyond the Action Plan and propose new actions that will not only improve the quality of the safety standards but also try to identify a comprehensive, but controlled and manageable set of standards documents.

Current intention is to present the structure of the set of Safety Requirements to be established in the future after harmonisation and integration of present set of thematic requirements and after harmonisation of all and integration of some of the facilities and activities specific requirements. The intention is to publish by 2013 in a single volume generic safety requirements for all thematic areas. This generic document will consist of a set of 8 chapters, which is envisaged to include the Legal and Regulatory System, Leadership and Management of Safety, Nuclear and Radiation Safety Technical (Provisions and Criteria), Integrated Safety Assessment, Radioactive Waste and Spent Fuel Management, Decommissioning and Termination of Activities, Remediation for Existing Situations, Emergency Preparedness and Response

The General Safety Requirements will be complemented by a set of seven facilities and activities specific Safety Requirements which is planned to be published by 2015. The General Safety Requirements apply everywhere, whereas others apply for specific facilities or activities, such as transport. The Transport

Safety Standards Committee (TRANSSC) was asked to comment on the current option for advancing the safety standards.

Consideration of development of a better distinction between what is a requirement and what is considered as guidance and propose a unified format for the safety requirements. Any new safety guide would need to be justified. The Safety Guides on thematic areas would be generic and those on specific areas should be comprehensive

International Basic Safety Standards for Protection against Ionizing Radiation and for the Safety of Radiation Sources (BSS)

Following the endorsement by the Commission on Safety Standards of the Document Preparation Profile for revision of the BSS in November 2006, the process of revision is now underway. The BSS Secretariat comprising organisations such as Food And Agriculture Organization, International Labour Organisation, Nuclear Energy Agency (Organisation for Economic Co-operation and Development), Pan-American Health Organisation, World Health Organisation and the IAEA coordinates the revision of the BSS. A meeting involving the co-sponsoring organizations was held in January 2007. The interaction and coordination arrangements of the organizations were discussed. An initial schedule of drafting meetings was developed. The first round of drafting meetings is intended to develop, in small-group consultations, initial proposals for text in specific areas. These will be assembled by the IAEA Secretariat into a periodically updated complete draft.

Progress reports will be made to each Safety Standards Committee meeting, based on information available at the time. A key Technical Meeting (TM) is scheduled for 16-20 July 2007, at which it is anticipated that a reasonably complete first draft could be discussed by participants. Letters of invitation to the TM have been sent to Member-State Mission. Subsequently, after the TM the Agency Secretariat, in consultation with the Secretariat to Coordinate the Revision of the BSS will continue to develop the draft prior its first review at the October 2007 meetings of the Safety Standards Committees.

The Agency Secretariat has established a web-site resource to support the revision process. It can be found at: <http://www-ns.iaea.org/committees/bss/> and materials will be posted there, as they become available, for the information of interested parties.

Reconstruction of the Package Testing Facility in Litomerice (Czech Republic)

At our TRANSSC meetings representatives are invited to provide information of any new developments with respect to transport in their specific countries. At the March 2007 meeting Mr. V. Ducháček presented information on the reconstruction of the package testing facility at Litomerice in Czech Republic. He described the changes that had been made to bring the facility to IAEA standards to qualify as a Class 7 testing facility. The meeting was informed that the facility is able to perform tests such as the water spray, the free drop, stacking, penetration, mechanical, thermal, immersion, impact, percussion, bending and heat tests for Type IP-2, Type IP-3, Type A, Type B packages and special form radioactive material.

Several TRANSSC members felt that it was good to see such facilities reopened and expressed an interest in touring the facility.

Legal Liability

The exclusion of small quantities of nuclear material from the scope of application of a number of conventions on civil liability for nuclear damage that have been adopted under IAEA auspices was an

agenda item. This matter was before TRANSSEC on a recommendation by the International Expert Group on Nuclear Liability (INLEX) that the technical and scientific acceptability of the proposed exclusion should be considered by TRANSSEC and the Radiation Safety Standards Committee (RASSC) as the relevant Agency bodies that could provide advice and comments thereon. In particular, INLEX sought to ensure the compatibility of the technical provisions of past exclusions established by the Board of Governors. After a brief discussion, the TRANSSEC endorsed the new maximum limits for the exclusion of small quantities of nuclear material, as proposed by the Secretariat in its document. These approved limits were submitted and endorsed by RASSC in April 2007. The new limits are to be submitted, under cover of a Report by the Director General, for the approval of the Board of Governors as foreseen by the relevant conventions.

Harmonising the Transport Regulations with the UN Orange Book

Resolution GC(50)/RES/10B from the 50th General Conference in September 2006 addressed harmonisation and requested that the Secretariat develop a dialogue with the United Nations leading to the establishment of a process in which language differences between IAEA and UN Model Regulations are reconciled.

In accordance with this resolution the harmonization process by which IAEA and UN Model Regulations could continuously move to a fully harmonized structure was another important agenda item.

Because changes to the documents of the UN Subcommittee of Experts on the Transport of Dangerous Goods may impact the Transport Regulations, the Secretariat had already initiated this dialog with the UN. Mechanisms are in place to ensure that the Agency's interests and competencies for all matters with respect to the transport of radioactive material are being undertaken.

Consistent with this resolution TRANSSEC reviewed and provided recommendations on harmonisation of the Transport Regulations with the regulations in the UN's Recommendations for the Safe Transport of Dangerous Goods: Model Regulations, as reflected in the 2009 Edition of the Regulations

Denials of Shipments of Radioactive Material

Instances of denial of shipments are continuing to be focussed upon and a universally accepted approach to solving the problem has been recognized by the Director General, the Board of Governors and the General Conference. In order to increase transparency, seek effective solutions and permit participation of interested parties, the Agency has appointed an International Steering Committee on Denials of Shipments of Radioactive Material. This Committee coordinates international efforts at determining a solution of the issues related to the denial of shipments. The Committee serves as a mechanism to facilitate the coordination of a comprehensive international work plan of activities conducted by the organisations of the Committee membership related to delays and denials of shipments of radioactive material.

In November 2007 the Steering Committee developed an International Action Plan to resolve issues of denials. The Action Plan is intended to reach out to the concerned organisations and to increase the awareness about the uses of radioactive material and the safety standards that have been developed and implemented by the International Organisations. The Steering Committee will monitor the Action Plan and IAEA will coordinate the actions taken by the Steering Committee Members. Telephone conference calls will be held between meetings and next full meeting of the Steering Committee is scheduled for in June 2007. Activities will include Regional workshops conducted by the Agency; two of which have been scheduled for Latin America and Asia in summer 2007, training courses, publication of information

brochures and other mechanisms for public awareness of the issue. The Committee will also work with regulatory authorities and industry to minimize the number of denials caused by excessive or duplicative regulations and other burdensome requirements.

Transport Safety Standards and Supporting Documents

TS-R-1, 2011 Edition

The Secretariat outlined a proposal of the process for review of the Regulations TS-R-1 for the production of the 2011 edition of the Transport Regulation. It was agreed that a 120 day call for issues and proposals in April is acceptable and the Secretariat intends to action this as soon as possible.

TS-R-1, 2009 Edition: Harmonization with the UN

Draft 2009 Edition of the IAEA Transport Regulations, containing changes from the harmonization process in addition to issues that arose from the 2004-2005 revision cycle was discussed. Plenary examined paragraph by paragraph all the proposals stemming from the harmonization process.

After much deliberation it was agreed that the Secretariat will incorporate the changes as presented in the working paper. Once this is completed this will be submitted to the other Safety Standards Committee for approval to be sent for 120 day Member State comment. This will be conducted in October 2007.

TS-G-1.1: Advisory Material for the Transport Regulations

The history of developments with respect to the advisory material was presented to TRANSSC 14. A consultants meeting in November 2006 reviewed and provided recommendations to be considered. These recommendations were addressed in plenary. The draft TS-G-1.1 and the document with changes marked were discussed. Plenary reviewed all editorial changes from the CM and accepted most of them. TRANSSC approved deletion of Appendix IV related to quality assurance and to keep Appendix VI on safe package design with respect to brittle fracture. The final text was approved subject to few editorial corrections as recommended by Germany, United Kingdom and Israel. Draft DS 346 was approved to be forwarded to RASSC and WASSC and then to the CSS. The other safety standards committees approved this in April. TRANSSC 14 requested that every effort be made to have this published as soon as possible.

Draft Safety Guide on Management Systems for the Safe Transport of Radioactive Material, TS-G-1.3

TRANSSC 13 recommended that TS-G-1.3 be forwarded to CSS for endorsement for 120-day Member State comment. The CCS chairperson took the decision that the document would only be reviewed once the final edited draft is available. The meeting was made aware of the proposed changes made by the editors. TRANSSC 14 suggested that the edited draft be submitted to Mr Pecover from the UK (an expert on quality assurance and chairperson of the meeting) for a technical review. Members are to provide comments to the Secretariat after receiving advice from Mr Pecover.

Draft Safety Guide on Compliance Assurance for the Safe Transport of Radioactive Material, TS-G-1.4.

A technical meeting is scheduled in May 2007. The aim of this meeting is to resolve the 200 comments received by the Secretariat following the 120-day comment period by Member States.

Draft Safety Guide on Radiation Protection during Transport, TS-G-1.5

This draft standard is with publication undergoing editing. The document should be printed and made available within the next two months.

Draft Safety Guide on Schedules related to (TS-G-1.6)

A consultants meeting in January 2007 reviewed the last set of schedules and determined that they need to be restructured. They concluded that 25 schedules, one for each UN number, are needed to reflect how the Regulations will be applied. The Transport Regulations are very complex even for limited quantities of radioactive material in excepted packages. The Consultants did not have sufficient time for the production of the full set of schedules. They recommended that TRANSSC delay approval of the schedules for Members States comments until all schedules can be thoroughly reviewed and revised. It was acknowledged that an additional meeting or two will be needed for the complete set of schedules. TRANSSC recommended that an additional Consultants meeting be convened, with input from the UK to complete the set of schedules and present the new set to TRANSSC 15.

Guidance on security during transport of radioactive material

Guidance on security had been submitted to Member States for 120 days comments in December 2006. Comments from MS are being compiled. A Technical Meeting may be called to assist the staff in addressing the comments. The guide will be sent for publication as soon as possible after that. After the comments have been resolved the UN will be informed for possible revision of its transport security requirements.

The Agency is developing a pilot national training course that will be held in China May 2007. A consultants meeting to review training course material and the lessons learned from the China course will be held in Vienna June 2007. Subsequent to that meeting a second pilot regional training course will be held in Member State in Europe in November 2007 with the publication of course module end 2007.

The Agency will also convene a consultants meeting to develop an assessment methodology. In house preparation will begin shortly. It is anticipated that the Agency will test the assessment module in INSSERV missions during 2007.

Finally, a TM is planned for December 2007 to develop a transport security survey document. And a TM on Security of Nuclear Material during Transport is planned for September 2007.

Report from UNECE: Globally Harmonized System of Classification and Labelling of Chemicals

TRANSSC was informed that the UN Committee of Experts on the Transport of Dangerous Goods and on the Globally Harmonized System of Classification and Labelling of Chemicals had adopted, at its third session in December 2006, a new lay-out for the provisions concerning transport of radioactive material in the UN Model Regulations on the Transport of Dangerous Goods, on the basis of proposals made by the consultants meeting convened by IAEA in February 2006 (see ST/SG/AC.10/34/Add.1, available on the UNECE website (www.unece.org/trans/danger/danger.htm)). The Committee had also prepared a draft resolution for adoption by the UN Economic and Social Council at its 2007 substantive session, which would, inter alia, draw attention to the problems caused by denial of shipments of radioactive material and invite organizations concerned to cooperate with IAEA to solve these problems (ST/SG/AC.10/34, annex 4).

The European Agreement concerning the International Carriage of Dangerous Goods by Road (ADR, 42 Contracting Parties) and the Regulations concerning the International Carriage of Dangerous Goods by Rail (RID, annex C of the COTIF, 42 Contracting Parties) had been amended on 1 January 2007 to reflect the provisions of the 14th revised edition of the UN Recommendations on the Transport of Dangerous Goods, Model Regulations, which correspond, as far as transport of radioactive material is concerned, to those of the 2005 edition of TS-R-1. In accordance with European directives 2006/89/EC and 2006/90/EC, Member States of the European Union and of the European Economic Area should make the same provisions applicable to domestic traffic at the latest by 1 July 2007.

The amended provisions have also been reflected in the 2007 version of the Regulations annexed to the European Agreement concerning the International Carriage of Dangerous Goods by Inland Waterways (ADN) which, with five Contracting Parties, has not yet entered into force but which is likely to enter into force in 2007 due to expected ratifications by France and Germany.

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