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**Compliance Inspections by the European Competent Authorities on the Transport of  
Radioactive Material - Technical Guide issued by the European Association of  
Competent Authorities for the Safe Transport of Radioactive Material (EurACA)**

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## **ABSTRACT**

After a first technical guide “Package Design Safety Reports for the Transport of Radioactive Material” published in June 2008, the European Competent Authorities and their support organizations (members from EACA) have decided to issue a second technical guide entitled “Compliance Inspections by the European Competent Authorities on the Transport of Radioactive Material”.

The EACA Association provides a forum and a network to exchange information obtained from the compliance inspections described in this document. The adoption of this guidance by the EACA members will enable each Member State to understand which en-route compliance checks are being carried out by other States so that duplication of work can be avoided and each Member State can identify which additional inspections should be carried out to cover any gaps in knowledge about the duty holder or the package being transported.

This Technical Guide is intended:

- To support the competent authorities in developing and implementing their compliance assurance programmes, including audits and inspections;
- To provide the competent authorities with a harmonised approach to perform their compliance audits and inspections.

This paper presents the content of the Technical Guide and some examples or experience in the initial use of the document (checklist) during compliance audits or inspections performed by some competent authorities.

## **INTRODUCTION**

According to the Regulations for the Safe Transport of Radioactive Material (SSR-6, IAEA), the competent authorities are responsible for assuring compliance with the applicable Member State regulations and international dangerous goods regulations and agreements relating to the safe transport of radioactive material.

The term ‘compliance assurance’ has a broad meaning which includes all of the measures applied by a competent authority that are intended to ensure that the provisions of the Transport Regulations are complied with in practice.

The competent authority should perform audits and inspections as part of its compliance assurance programme in order to confirm that the users are meeting all applicable requirements of the Transport Regulations and are implementing their management system. Inspections are also necessary to identify instances of non-compliance which may require either corrective action by the user or enforcement action by the competent authority.

Therefore, the European Competent Authorities and their support organizations (EACA members) decided in 2010 to develop a guide on Compliance Inspections by the Competent Authorities.

Indeed, the main objectives of the Association are:

- To develop networking between Competent Authorities for transport safety;
- To share knowledge and relevant good practices and, potentially, resources;
- To identify needs and participate in joint working groups with defined outputs;
- To develop common understanding and to promote more effective interaction between competent authorities at a working level.

This Technical Guide is intended:

- To support the competent authorities in developing and implementing their compliance assurance programmes, including audits and inspections;
- To provide the competent authorities with a harmonised approach to perform their compliance audits and inspections.

The draft version of the guide has been finalised and submitted to the Association’s members for final comments and approval. The final version of the “Compliance Inspections by the European Competent Authorities on the Transport of Radioactive Material” will be published by the end of 2013.

PATRAM 2013 is a good opportunity to present the work performed by the working group over the last 2 years and to present some examples or experience in the initial use of the document (checklist) during compliance audits or inspections performed by some competent authorities.

## **CONTENT OF THE GUIDE**

The Guide is subdivided in two parts.

The first one contains the main text and is structured in 6 chapters:

1. Introduction and Generalities;
2. Regulations;
3. Responsibilities of the Competent Authorities;
4. Preparation for Audit / Inspection;
5. Compliance Inspections and Audits;
6. References.

The second part includes the annexes with the practical checklists that can be used for audits and inspections.

### The first part: the main text

In the first chapter 'Introduction and Generalities', the objectives and the scope of the guide are detailed after a short introduction.

The second chapter 'Regulations' lists the legislation for the transport of radioactive material that is in force in Europe:

- The international Regulations for the Safe Transport of Radioactive Material (SSR-6) from IAEA;
- The European regulations (European directives and regulations);
- The modal regulations as ADR, RID, ADN, IMDG, ICAO.

This chapter points out that some countries have inserted references to the Transport Regulations into their own legislation while others have transposed them into their national regulations with possibly some minor variations. Therefore, it is important to consult national transport regulations as state variations may exist.

Chapter 3 'Responsibilities of the Competent Authorities' provides some information on the organisation of the competent authority at national level but also at international level due to the fact that transport is often an international activity. This chapter also highlights the training terms for employees of the Competent Authorities and their responsibilities, followed by the documentation and analyses of the inspection results, enforcement measures and penalties.

The fourth chapter deals with the preparation of audit/inspection activities and the practical aspects, more specifically with:

- The annual inspection plan;
- Unannounced inspections;
- Time taken for inspection;
- Inspection agenda;
- Preparation of an inspection;
- Inspection process.

Chapter 5 'Compliance Inspections and Audits' summarizes the items from each checklists detailed in the annexes.

The last chapter gathers the references used throughout the guide.

### The second part: the annexes with the practical checklist

The second part of the guide includes the 14 practical checklists dealing with the operations and conditions associated with, and involved in, the movement (transport) of radioactive material from package design to the receipt of a consignment by a consignee.

All the checklists have the same structure.

- Audit details;
- Company details and organisation;

- Name of the different people met;
- List of packages;
- Table with:
  - o Subject/inspection aspect;
  - o Provision from the applying regulation;
  - o Compliance: OK / NOK / NA (Not Applicable);
  - o Comments.

The following checklists will be available in the guide:

Annexe 1: Checklist for compliance audit of package design activities

Annexe 2: Checklist for compliance audit of a manufacturer of CA approved packages

Annexe 3: Checklist for compliance audit of a manufacturer of non-CA approved packages

Annexe 4: Checklist for compliance audit of maintenance, repair and service activities of packagings

Annexe 5: Checklist for compliance audit of a consignor

Annexe 6: Checklist for compliance audit of a carrier

Annexe 7.1: Checklist for routine inspections of transport by road

Annexe 7.2: Checklist for routine inspections of transport by rail

Annexe 7.3: Checklist for routine inspections of transport by sea

Annexe 7.4: Checklist for routine inspections of transport by inland waterway

Annexe 7.5: Checklist for routine inspections of transport by air

Annexe 8: Checklist for compliance audit of a consignee

Annexe 9: Checklist for inspection after an incident/accident and recovery

Annexe 10: Checklist for compliance audit of a management system

## **SOME EXAMPLES OR EXPERIENCES OF FIRST USES OF THE CHECKLISTS**

### Swedish experience

When the Swedish Authority developed documentation, guides and checklists, it chose to incorporate the European guide, in applicable parts, into the management system, so that this can be used for inspections of transport activities.

The guide was very helpful prior to the Swedish IRRS 2012 and is still nowadays, in particular the guides on compliance audits/inspections, the checklists for audits of a consignor, carrier and management system, and the checklists for routine inspections during transport.

The implemented guides and checklists have also successfully been used in audits of a consignor and in routine inspections during transport.

The Swedes think that the guide provides good coverage of all issues, that it is well balanced and that it also provides the comforting knowledge that inspections throughout Europe have come a long way towards harmonisation.

### Belgian experience

The Belgian inspectors have used the checklists for routine inspection during transport. The content of these documents is very extensive but also very helpful to verify that all the items are inspected and to serve as a reminder of some particular points or aspects from a specific modal regulation.

The checklists can also be used for the training of new inspectors or for refresh training of experienced staff.

## **CONCLUSIONS**

The technical guide “Compliance Inspections by the European Competent Authorities on the Transport of Radioactive Material” highlights how the transport safety regulatory community is collaborating and working more closely together on the practicalities of regulatory oversight. This is particularly important for transport as often the transport of radioactive material is a global process that can involve several countries.

This technical guide can help to achieve harmonization on the implementation of regulation on the safe transport of radioactive material throughout Europe, keeping the enviable safety record.

The European Association of Competent Authorities for the Safe Transport of Radioactive Material is an example that the regulatory community is continuing to develop its ways of working to ensure that safety remains the number one priority and the public have a basis to accept the societal need for the transports of radioactive material to continue.

## **ACKNOWLEDGMENTS**

We wish to thank all the working group members for their contributions and the EACA members for their comments on the different versions of the technical guide.

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- [9] Regulations concerning the international carriage of dangerous goods by rail (RID), appearing as Appendix C to the Convention concerning International Carriage by Rail (COTIF)

- [10] European Agreement concerning the International Carriage of Dangerous Goods by Inland Waterways (ADN)
- [11] International Maritime Dangerous Goods (IMDG) Code
- [12] Technical Instructions for the Safe Transport of Dangerous Goods by Air (ICAO)