

The FORATOM Nuclear Transport Working Group

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GENERAL BACKGROUND

The Nuclear industry in Western Europe is the largest in the world with more than 150 operational units and with a total installed capacity of 126,000 MW(e).

FORATOM is a non-governmental European organization founded in 1961 and dedicated to the development of the peaceful uses of nuclear energy. It is an association of eleven national nuclear forums (Belgium, Czech Republic, France, Germany, The Netherlands, Spain, Sweden, Switzerland, United Kingdom, Austria, and Italy). Its members include the major electricity-generating utilities, manufacturers of plant and components, suppliers of fuel services, research establishments, and consultancies.

FORATOM has four main objectives which are :

- to promote the nuclear industry proactively and to improve the perceptions of the industry in the European Commission, the European Council, the European Parliament, in a number of other international forums, and in the press,
- to act as a voice of the nuclear industry in the various European policy debates and initiatives which affect the industry,
- to collect and distribute relevant information from the European Institutions to the membership, and
- to be a technical adviser to the International Atomic Energy Agency and other institutions and serves as a means of consolidating and channeling industry expertise on technical issues.

Seven main FORATOM working groups are currently active and have been involved in a number of major policy initiatives of the European Commission, the European Parliament, and other Institutions with direct implications for the nuclear industry.

The Civil Liability Group has given the Commission detailed advice on improvement of the commercial conditions under which European Companies are able to carry out assistance programs in Central Eastern Europe and in the NIS (New Independent States). A Memorandum of Understanding was signed with Russia by the European Commission in February 1995, and also another one with the Ukraine very recently. FORATOM had talks with the Commission on the ways of clarifying these texts, so that they can be effectively used by the industry. The real, definitive solution would be the signature by these countries of the Vienna Convention on Civil Liability (applicable also to transport operations).

The U.S./Euratom Treaty Group was established at the request of the Commission to provide detailed technical help to their negotiators. The agreement was finally signed on 7 November in Brussels by the Council of Ministers and the U.S. Ambassador to the E.U. This signature will permit trade in U.S.-origin nuclear materials under an advanced, long-term approval of the American Government with, of course, full reciprocity as regards European origin materials. There will be nevertheless a lapse of several months at the beginning of 1996 during which this trade and associated transports could be impossible: this stems from the necessary approval of this agreement by the U.S. Congress.

The Nuclear Strategy Working Group has been deeply involved in the preparation of the Green Paper on Energy Policy, which was issued by the European Commission at the beginning of 1995. A report on this document was voted by the European Parliament in October, which recognizes the role of nuclear energy regarding CO₂ and the need to increase R & D in fields such as "new advanced nuclear reactors," the processing of waste, and the use of MOX fuel.

This group is also looking at proposals that have been made for revision of the European Treaty structure: this will be discussed during the Intergovernmental Conference in 1996. FORATOM is aiming to ensure that no modification of these treaties could have negative consequences on nuclear industry, and nuclear transports in particular.

The Quality Management Working Group exists to help the IAEA and others in the development of Quality Assurance Standards. It has a wider industrial representation than other FORATOM Working Groups and includes observers from a number of Central and Eastern European Countries and from Russia.

The Public Affairs Committee exists as a forum to assess the efficacy of public and political relations initiatives, to plan initiatives at a regional level, and to oversee the various publications of the FORATOM Secretariat.

The Radiological Protection Working Group recently set up was aimed at creating a frame by which the European Industry could give its advice on the implementation of ICRP recommendations in the European Union.

The last group is **the Nuclear Transport Working Group**, established at the request of DG XVII in 1993, to stress the needs for harmonization of the transport of radioactive materials in Europe, to make proposals to the Commission's Standing Working Group on Safe Transport of Radioactive Materials, and to provide information on current transportation issues.

EXAMPLE OF FORATOM ASSISTANCE TO THE EUROPEAN COMMISSION

FORATOM by different studies at the request of the E.C. and in cooperation with the representatives of the Members States has formulated proposals of improvement to national regulations in the framework of the open market in force since January 1993.

Although all Member States conform to regulations of ADR/RID, the way in which each Member State has applied the legislation with respect to certifications and licensing is different. In the longer term the aim, as with the whole concept of the European Union, is to have regulations interpreted and applied in a uniform way by all Member States. This should lead *in time* to the recognition by Member States of package and shipment approvals issued by other Member States.

Moreover, the consignment documents, international documents, forms to be filled, etc., should be uniform in the spirit of the Internal Market. Such a pattern could possibly serve also as a model for other States (e.g., Central and Eastern Europe) in view of further enlargement.

On studies already performed, three sensitive areas (see Table 1) were identified as partially responsible of difficulties and time in the administrative preparation of intra-Community nuclear transports.

TABLE 1

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|----------------------|---|------------------------|--|
| <p>Area 1</p> | <p>National Regulations covering the transport of radioactive materials</p> | <p>Action 1</p> | <p>Reduce the time taken for the multilateral reapproval of type B(U)F package designs</p> <p>Reduce the time taken for the multilateral reapproval of shipments</p> |
| <p>Area 2</p> | <p>National Regulations covering nuclear third party insurance</p> | <p>Action 2</p> | <p>Standardize the amounts of financial security currently applied in the Member States for the transport of nuclear materials</p> <p>Guarantee repair of damage to means of transport in all the Member States</p> <p>Standardize the period of limitation for compensation for damages</p> <p>Reduce the major differences in insurance premiums for transport</p> |
| <p>Area 3</p> | <p>National Physical Protection Regulations</p> | <p>Action 3</p> | <p>Categorization of nuclear materials : standardize the limits per category</p> <p>Physical protection of materials in transit : harmonize the concepts of physical protection (static and dynamic)</p> |

The European Commission (DG XVII) decided to give the priority to the first item translated by the following objectives:

- **European model of nuclear transport package approval;**
- **Standardized form and procedures for international consignment of radioactive material.**

A new contract has been signed between Foratom and the Commission of the European Community, represented by the Transport Division (DG VII) to develop :

- **a proposal for harmonization within the European Union of the Safety Analysis report for a package design and of the approval certificate for B(U) and B(U)F package design.**
- **a proposal for harmonization of forms, procedures, and notifications for consignments required by the ADR/RID regulations in the Member States of the European Union.**

This study will be conducted as follows:

- collect and compare the current practices in the Members States having an important nuclear industry with regard to transport procedures (France, Germany, and United Kingdom). Practices of other countries will also be considered whenever felt useful.

All elements which have been included in the regulations of the Countries coming out of the IAEA recommendations will be duly taken into consideration in order to identify commonalities.

- take into account the above-mentioned reports on practical data obtained from each country's legislation and on practical interviews with the authorities of each country;
- establish how the different guidelines of each Member State could be included in a model document; and
- after discussion with the respective Authorities of the Member States, produce a Synthesis Report for presentation to the Commission with recommendations on methods of development by the Competent Authorities in the future.

CONCLUSION

The nuclear industry is more and more involved in transport activities and it is important for them to follow the evolution and the implementation of the European common regulations. Through Foratom the industrials are willing to participate and cooperate with the Commission to the success of the new common transport rules within the European Community and to its extension to Eastern European countries.

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