

**Proceedings of the 19<sup>th</sup> International Symposium on the  
Packaging and Transportation of Radioactive Materials  
PATRAM 2019  
August 4-9, 2019, New Orleans, LA, USA**

**Council Directive 2006/117/Euratom of 20 November 2006 on the supervision and control of shipments of radioactive waste and spent fuel: Impact on EU and non-EU countries**

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**Abstract**

Council Directive 2006/117/Euratom covers shipments of radioactive waste and all shipments of spent fuel, whether intended for disposal or reprocessing. The former Council Directive 92/3/Euratom of 3 February 1992 covered shipments of radioactive waste and shipments of spent fuel for disposal, though not for reprocessing.

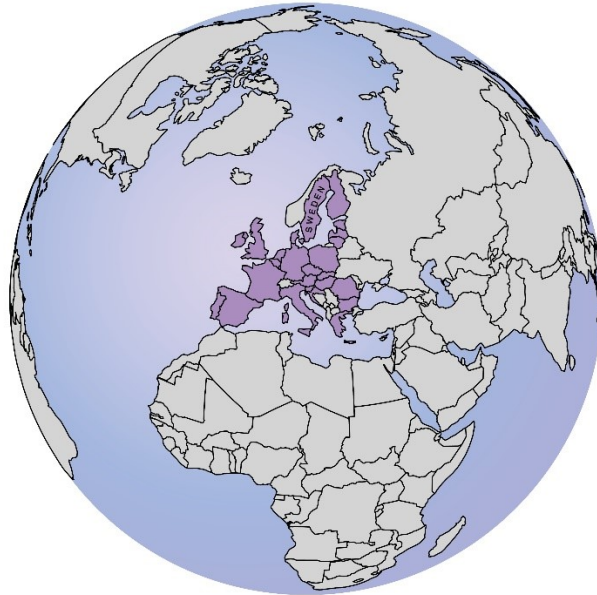
The purpose of this Directive is to simplify the existing procedure for shipping radioactive waste and spent fuel between Member States and to and from the Community to guarantee consistency with other Community and international provisions and, in particular, with the Joint Convention on the Safety of Spent Fuel Management and on the Safety of Radioactive Waste Management, to which the Community acceded on 2 January 2006. The main purpose is to establish a Community system of strict control and prior authorization for shipments of radioactive waste. This system has proved to be satisfactory and implies several advantages for all parties.

The aim of the information from Sweden on the poster at PATRAM is to communicate to countries outside the EU and raise their awareness about a regulatory framework that may be applicable to them when shipping to the EU, and even when receiving standard documents according to the Directive from any of the Member States. It is of importance for the Member States to be informed about third countries' awareness of the Directive.

## **Introduction**

The main purpose of this Directive is to simplify the existing procedure for shipping radioactive waste and spent fuel between EU Member States, and to and from the European Community. Through its control mechanism, the procedure is intended to guarantee adequate protection of human health and the environment.

Implementation of the Directive by the Member States' national legislation has lightened the administrative burden on competent authorities (CAs) and applicants alike. The standardized forms have the same format and structure regardless of the country or language, to facilitate safe shipment.



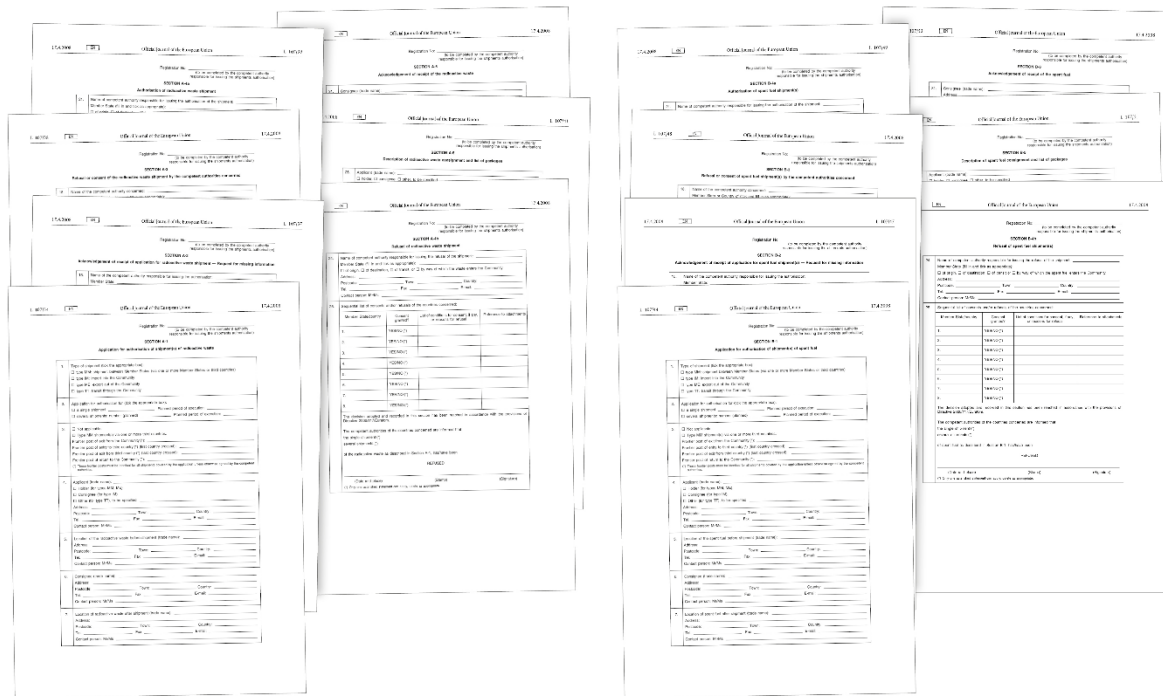
*The above countries shaded in violet are the Member States of the European Union.*

## **The regulatory framework**

Council Directive 2006/117/Euratom covers shipments of radioactive waste and all shipments of spent fuel, whether intended for disposal or reprocessing. The former Council Directive 92/3/Euratom of 3 February 1992 covered shipments of radioactive waste and shipments of spent fuel for disposal, though not for reprocessing.

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## Forms and documents

- Applicants and CAs alike deal with standard document sections A-1, A-5 and A-6, and B-1, B-5 and B-6.
- Mainly the CAs deal with standard document sections A-2, A-3 and A-4a, or A-4b and B-2, B-3, B-4a or B-4b.

Sections A-1 to A-6 need to be completed for shipments of radioactive waste.

Sections B-1 to B-6 need to be completed for shipments of spent fuel (including spent fuel destined for final disposal and as such categorized as waste).

For initial questions and information regarding shipments, turn to your national regulator. For example, before using sections A-1 and B-1.

Applicants start by completing these sections of the standardized documentation:  
A-1 or B-1 (Application for authorization of shipments).

These are to be completed by the applicant, i.e. the following depending on the type of shipment:

- The holder in the case of a shipment between Member States (type MM) or an export from the Community to a third country (type ME)
- The consignee in the case of an import into the Community from a third country (type IM)
- The person responsible for the shipment in the Member State through whom the radioactive waste or spent fuel enters the Community in the case of a transit through the Community (type TT).

CAs complete these sections of the standardized documentation:  
A-2 or B-2 (Acknowledgement of receipt of application).

These are to be completed by the relevant competent authorities, which depending on the type of shipment are:

- The competent authorities of origin in the case of shipment type MM or ME
- The competent authorities of destination in the case of shipment type IM
- The competent authority where the shipment first enters the Community in the case of shipment type TT, and all competent authorities of the Member States of transit, if any.

Sections completed by CAs:  
A-3 or B-3 (Refusal or consent).

These are to be completed by all competent authorities concerned.

A-4a/A-4b or B-4a/B-4b (Authorization or refusal of shipment).

These are to be completed by the competent authority responsible for issuing the authorization, which depending on the type of the shipment is:

- The competent authority of the Member State of origin in the case of shipments of types MM and ME,
- The competent authority of the Member State of destination in the case of type IM shipments, or
- The competent authority of the first Member State of transit, where the shipment enters the Community in the case of type TT shipments.

Applicants complete these sections of the standardized documentation:

A-5 or B-5 (Description of consignment/List of packages)

These are to be completed by the applicant as referred to in Section A-1 or B-1.

Applicants also complete these sections:

A-6 or B-6 (Acknowledgement of receipt of shipment).

These are to be completed by the consignee (in the case of MM and IM shipments) or by the holder (in the case of ME shipments), or alternatively, by the person responsible for the shipment (in the case of TT shipments).

### **Additional legal aspects**

Failure to complete and return the standard documentation in due time shall be deemed to comprise consent to the shipment application, subject to Article 9(2) of Directive 2006/117/Euratom.

In addition to national permits required in connection with transboundary shipments, and if you have classified your radioactive material as radioactive waste or as spent fuel, and the quantities and concentration of the consignment exceed the levels laid down in Article 26 of Council Directive 2013/59/Euratom, you will also need prior authorization as per Council Directive 2006/117/Euratom. Each Member State of the EU has implemented this Directive in their own national legislation.

According to Council Directive 2011/70 Article 4.4, “Radioactive waste shall be disposed of in the Member State in which it was generated, unless at the time of shipment an agreement, taking into account the criteria established by the Commission in accordance with Article 16(2) of Directive 2006/117/Euratom, has entered into force between the Member State concerned and another Member State or a third country to use a disposal facility in one of them.”

Prior to initiating a shipment to a third country, the exporting Member State shall inform the Commission of the content of any such agreement.

If a former Member State has left the EU without any agreements concluded and is defined as a third country, then all ongoing authorizations according to the Directive must be decided again while applying the new conditions.

### **Conclusions**

A functioning system is in place for transboundary shipments concerning radioactive waste and spent nuclear fuel between Member States and into and out of the Community.

Implementation of the Directive in the Member States’ national legislation has lightened the administrative burden on CAs and applicants alike.

### **Acknowledgments**

Ms. Karin Bärudde, Mr. Anders Moxness and Mr. Helmuth Zika, all staff members of the Swedish Radiation Safety Authority, for their valuable contributions.

### **References**

Joint Convention on the Safety of Spent Fuel Management and on the Safety of Radioactive Waste Management

Council Directive 2006/117/Euratom

Commission Decision 2008/312/Euratom

Council Directive 2013/59/Euratom

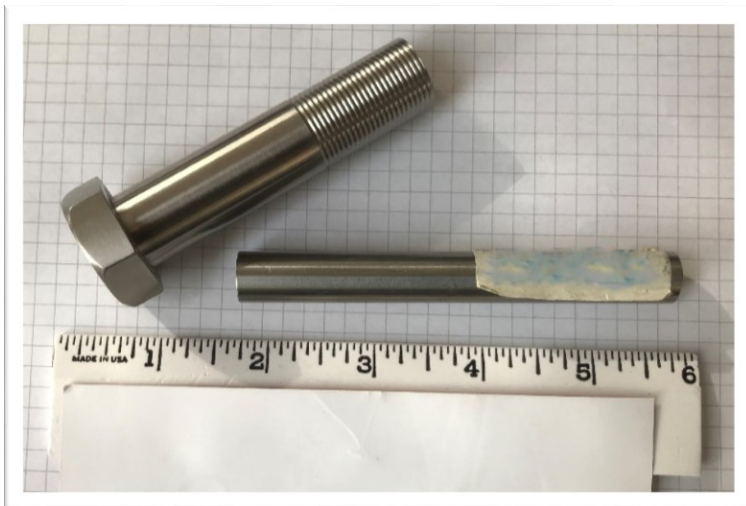
Council Directive 2011/70/Euratom

### **Further information (links)**

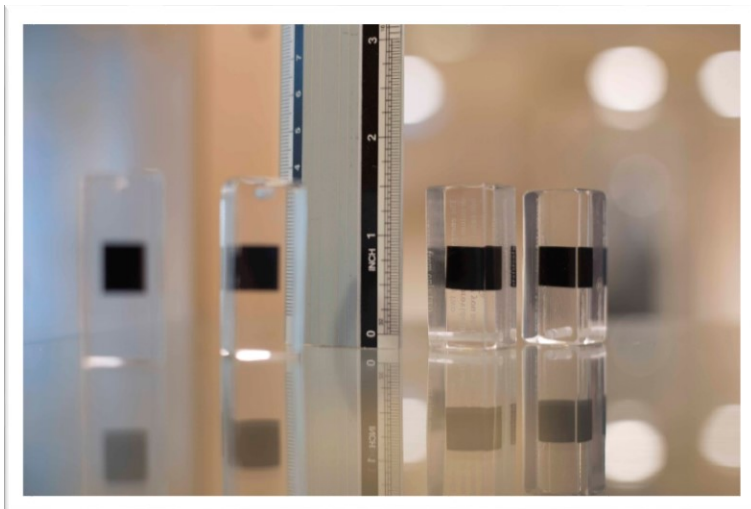
EURLEX home page (<http://eur-lex.europa.eu/homepage.html?locale=en>)



Example of radioactive waste, a discarded PWR steam generator under transport to conditioning facility (large items). Use “A” documents.



Example of radioactive waste (small items). Use “A” documents.



Example of spent nuclear fuel pellets (research). Use “B” documents.