

## **Opinion of the Group of Experts referred to in Article 31 of the EURATOM Treaty**

### **On the**

### **Draft proposal for a Council Regulation (Euratom) establishing a Community system for Registration of carriers of radioactive material**

The Group of Experts examined the proposal for a Council Regulation on this subject at their meeting on 3-5 November 2009.

The Group of Experts noted:

- The IAEA Regulations for the Safe Transport of Radioactive Material (TS-R-1) and the modal regulations based on them as transposed directly or via EU Directives into Member States Law have for many years established the standards of safety which provide an appropriate level of control of the radiation, criticality and thermal hazards to persons, property and the environment that are associated with the transport of radioactive material. The IAEA regulations apply a graded approach in specifying the performance standards.
- Council Directive 96/29/Euratom laying down the basic safety standards for the health protection of the general public and workers against the dangers of ionising radiation requires reporting or authorisation for the transport of radioactive materials as a practise. Member States has implemented this requirement in different ways resulting in very different approaches in the 27 Member States without any significant impact on the level of transport safety or incidents experience.
- The European Commission proposes a common approach to the administrative procedures relating to carriers of radioactive materials by the establishment of a Community system for Registration of carriers allowing for a reduction of the administrative burden on carriers and competent authorities and a strengthening of the functioning of the common market.
- In the proposal the Commission applies a graded approach in line with the IAEA regulations by excluding excepted packages from the regulation and by allowing for additional national requirements for the transport of fissile material and high activity materials.
- The proposal also ensures that the competent authorities have access to all data regarding carriers operating in their country.

The Group of Experts endorses the principles of a graded approach to transport regulation and transparency between competent authorities in the solution proposed by the Commission. The Group of Experts is aware of the very detailed administrative provisions in the proposal and therefore recommends that the competent authorities in the Member States and other affected parties are consulted before a final proposal is submitted, including through the Standing Working Group on the Safe Transport of Radioactive Materials. The Group of Experts stresses the need for coordinating at the European level the regulatory control of transport of radioactive material.

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