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NUCLEAR SAFETY COUNCIL

7562 *Nuclear Safety Council Instruction IS-38, of June 10th 2015, on the training of persons involved in the transport of radioactive material by road.*

Article 2.a) of Law 15/1980, of April 22nd, creating the Nuclear Safety Council (CSN), empowers this public body to «draw up and approve technical instructions, circulars and guidelines relating to nuclear and radioactive facilities and activities relating to nuclear safety and radiological protection ».

The transport of radioactive material is an activity whose performance demands compliance with requirements ensuring nuclear safety and radiological protection. In Spain, the transport of radioactive material by road is regulated by Royal Decree 97/2014, of February 14th, which regulates road transport operations involving dangerous goods in the Spanish territory, and refers to compliance with the European Agreement on the international carriage of dangerous goods by road (ADR). Within such dangerous goods, radioactive material is identified as class 7.

Furthermore, article 78.1 of the Regulation on nuclear and radioactive facilities, approved by Royal Decree 1836/1999, of December 3rd, establishes that the shippers of radioactive materials in non-exempted packages shall declare such activity and be entered on a register set up for this purpose by the Directorate General for Energy Policy and Mines and known as the «Register of Radioactive Materials Transport Companies».

In addition, Royal Decree 783/2001, of July 6th, approving the Regulation on the protection of health against ionising radiations (RPHIR), establishes the standards for the protection of workers and members of the public against the risks posed by these radiations and is, therefore, applicable to the transport of radioactive material.

The successful application of the aforementioned regulations and the achievement of their objectives depend largely on all those involved duly understanding the risks implied in the transport of radioactive material and the details of the applicable regulations. This can only be achieved by organising duly designed and updated initial and refresher training programmes for all those intervening in this activity.

Chapter 1.3 of the ADR includes provisions relating to the training of persons involved in the transport of dangerous goods, establishing that such persons shall be trained by the licensees of the activity such that they be able to meet the demands of their field of activity and responsibilities during transport. This chapter provides that the workers shall receive initial training depending on the responsibilities and functions that they perform, but does not detail the contents of such training. This same chapter of the ADR establishes that this training shall be carried out periodically by means of refresher courses, in order to take into account changes in the regulations, and requires that the employer keep records of the training provided for the period of time established by the competent authority, but in this case also the ADR does not specify the contents or frequency of this refresher training nor the characteristics of the records of the training delivered.

As regards training in relation to radioactive material, chapter 1.3 of the ADR specifically refers to its paragraph 1.7.2.5, which generally indicates that the workers are to be trained on protection against radiations, this being in line with the provisions of article 21 of the RPHIR.

The provisions included in chapter 1.3 of the ADR are applicable to the training of all persons involved in the transport of dangerous goods at shipping, transport, loading and unloading and addressee companies, with the exception of the crews of the vehicles, to whom the provisions of chapter 8.2 of the ADR are specifically applicable, these defining initial training to obtain the training certificate issued by the corresponding Provincial Traffic Authority, and refresher training for renewal of this certificate every 5 years. Chapter 8.2 does explain what this training should be like; however, bearing in mind that for radioactive material the ADR refers specifically to paragraph 1.7.2.5, and considering what the RPHIR defines as regards the periodic training to be received by persons running the risk of exposure to ionising radiations, the Nuclear Safety Council (CSN) considers that in the case of drivers involved in the transport of radioactive material it is necessary to specify periodic or refresher training to be delivered by the companies themselves at shorter intervals than those applicable for renewal of the training certificate defined by the ADR, the basic objective being to take into account changes to the regulations and the operating experience acquired during the period.

Furthermore, in the case of radioactive materials with United Nations number UN 2915 and UN 3332, special provision 812 of chapter 8.5 of the ADR contemplates drivers being exempted from the need to possess the said training certificate if certain conditions are met, but in this case the drivers must have received appropriate training in keeping with their responsibilities, this to be accredited by means of a certificate issued by the employer. However, the ADR does not specify the contents of this training.

In accordance with the above, the CSN considers that in certain cases, and as regards the transport of radioactive material, the ADR does not provide sufficient details of the contents of the initial and refresher training of the personnel involved and does not specify either the frequency of this training or the contents of the records to be kept of the training delivered. Likewise, in exercising its radioactive material transport activity inspection and monitoring functions, the CSN has detected a high degree of variation among the different shipping installations and the companies involved in the transport of radioactive material by road in the training programmes developed to comply with the provisions of chapter 1.3 of the ADR and article 21 of the RPHIR, as regards both their contents and the frequency of the refresher training, and considers that this variability is due precisely to the lack of specification of the aforementioned aspects of training in the standards.

In short, this Instruction arises as a result of the need to specify in certain cases the contents of the initial and periodic training programmes of the Spanish companies involved in the transport of radioactive material by road, as well as the records of this training, the aim being to improve the conditions of nuclear safety and radiological protection in their operations.

Pursuant to the above and in compliance with the legal entitlement contemplated in article 2.a) of Law 15/1980, of April 22nd, creating the Nuclear Safety Council, following consultation with the affected sectors and in the wake of the corresponding technical reports.

This Council agreed as follows during its meeting of June 10th 2015:

One. Objective and scope of application.

The objective of the present Nuclear Safety Council Instruction is to specify, for the transport of radioactive material by road, the training required in chapters 1.3 and 1.7.2.5 of the European Agreement on the international carriage of dangerous good by road (ADR) and in article 21 of Royal Decree 783/2001, of July 6th, approving the Regulation on the Protection of Health against Ionising Radiations (RPHIR), as regards the minimum contents of both initial and refresher training, the minimum frequency for the delivery of refresher training and the characteristics of the training records.

1.1 This Instruction is applicable to persons performing activities relating to the transport of radioactive material belonging to any entity acting in Spain as the shipper, loader, unloader, receiver or registered transport company and having its business address in Spain, as well as to the licensees of the said companies, who are responsible for the training being delivered to their personnel.

1.2 This Instruction is not applicable to the training of the crews of transport vehicles regulated in chapter 8.2. of the ADR for the acquisition and renewal of the driver training certificate issued by the Provincial Traffic Authority (from hereon the «ADR training certificate»). It is, however, applicable to the following:

a. The training of the drivers affected by the exemption contemplated in supplementary provision 512 of chapter 8.5 of the ADR, which must be accredited by a certificate issued by the employer.

b. The training of any driver in relation to the provisions of section 1.7.2.5 of the ADR and article 21 of the RPHIR, with respect to protection against ionising radiations.

Two. Definitions.

The definitions of the terms and concepts used in the present CSN Instruction correspond to those contained in the following standards:

The Nuclear Energy Act, Law 25/1964, of April 29th.

Royal Decree 783/2001, of July 6th, approving the Regulation on the Protection of Health against Ionising Radiations.

Royal Decree 97/2014, of February 14th, regulating the transport of dangerous goods by road in the Spanish territory.

The European Agreement on the international carriage of dangerous goods by road (ADR) in force.

Furthermore, the following definitions are applicable within the exclusive context of this Instruction:

Registered transport company: Road transport company entered on the legally established «Register of radioactive material transport companies».

Radiological Protection Programme: Set of systematic provisions aimed at allowing for the suitable consideration of radiological protection measures. This refers to the radiological protection programme required by the regulations on the transport of dangerous goods for all activities relating to the transport of radioactive material.

Three. Minimum contents of training courses.

1.3 Initial training

This training will be aimed at all persons who are to carry out activities relating to the transport of radioactive material for the first time.

The training shall include a general awareness part, a specific training part and a part on safety.

The personnel shall also be trained on the operational procedures in force at the company implementing the application of the regulatory requirements.

3.1.1 General awareness.

Familiarisation with the general provisions of the regulations applicable to the transport of radioactive materials. This training shall be delivered to all personnel intervening in activities affecting safety in the transport of radioactive material, regardless of the specific task performed, and shall cover at least the following:

- Information on the national and international regulations in force applicable to the transport of radioactive material.
- Fundamentals and objectives of the requirements applicable to the transport of radioactive material.
- Exemptions included in the ADR affecting the transport of radioactive material.
- Multi-mode transport.
  Definitions relating to the transport of radioactive material.
- Personnel training requirements.
- Responsibilities of the different participants in the transport of radioactive material.
- Transitory provisions of the regulation on the transport of dangerous goods applicable to radioactive material.
- Security measures relating to chapter 1.10 of the ADR.

3.1.2 Specific training

This training on the provisions of the regulation on the transport of dangerous goods applicable to radioactive materials shall be adapted to the tasks and responsibilities of the personnel performing activities affecting safety in transport: preparation for shipping, loading and unloading of vehicles, reception of packages and drivers.

The aspects that are at least to be covered by this specific training, depending on the activity performed, are indicated in the appendix to this Instruction.

3.1.3 Training on safety.

Training aimed at informing the workers of the risks of radioactive material and relating to protection against ionising radiations, in accordance with the provisions of section 1.7.2.5 of the ADR and article 21 of the RPHIR. This training shall include at least the following information:

- Information on the regulations applicable to protection against ionising radiations.
- Concepts of radioactivity, exposure and dose. Radiological protection programme.
- Radiological risks.
- Basic radiological protection measures: time, distance and shielding. Measurement of levels of radiation and contamination.
- Dose limits.
- Dose optimisation. ALARA criterion. Dose reduction procedures.
- Personal radiological surveillance (classification of personnel and dosimetry).
- Emergency response procedures.

3.1.4 Periodic training.

Periodic training shall be received by all the company personnel carrying out activities relating to the transport of radioactive material, such that they be kept updated as regards know-how affecting their tasks and responsibilities and changes to the regulations on the transport of dangerous goods affecting radioactive material and protection against ionising radiations.

3.1.5 Minimum contents.

a) An overview of general knowledge, introducing whatever changes might have taken place in the regulations.

b) An overview of specific and safety-related training considering the following:

Whatever changes might have taken place in the regulations, along with those that, as a result, have taken place in the work procedures.

An analysis of the problems, deficiencies or deviations observed during this period in performance of the activity and the corrective measures applied.

An analysis of events occurring in the transport of radioactive material, with details of the lessons learned.

3.1.6 Frequency.

The company's training programme shall define the frequency with which the periodic training courses are to be delivered, which will depend on the responsibilities and tasks carried out by the personnel and on whether or not there have been important changes in the regulations during a specific period, the maximum time between two consecutive courses being 24 months.

Four *Documentation and filing*

4.1 Company training programme

The training programme dealing with the subjects covered by this Instruction shall be contained or referenced in the Radiological Protection Programme of the transport company or be included in the radiological protection training programme referred to in article 21 of the RPHIR, at the dispatching and receiving installations and shall be available to the competent authority whenever requested.

4.1.1 Record of training received

A record of the training received shall be kept, including at least the following data:

a) Name of the person and task performed.
b) Date of training course completed.
c) Name of the person or entity delivering the training course.
d) Duration and description of training received.
e) Signature of the worker, confirming reception of the training indicated.
I) Signature of company representative.

The licensee of the company shall keep records of the training delivered for a minimum period of 36 months as from the date of completion of the course. These records shall be available to the employee, when requested, and to the Nuclear Safety Council.

Five. *Infringements and sanctions*

The present Nuclear Safety Council Instruction is binding, in accordance with the provisions of article 2.a) of Law 15/1980, of April 22nd, creating the said Nuclear Safety Council, for which reason any case of non-compliance shall be penalised as established in Chapter XIV (articles 85 to 93) of the Nuclear Energy Act, Law 25/1964, of April 29th.

Single transitory provision

Entities issuing, performing loading or unloading operations, receiving or transporting radioactive material within the scope of application of this Instruction shall, within a maximum period of one year as from its entry into force, carry out an analysis of the suitability of the initial training already received by their workers with respect to aspects defined in article 3.1 of this Instruction. If, following this analysis, it is concluded that in order to comply with the scope contemplated in the Instruction there is a need to provide complementary training, this shall be delivered within the aforementioned period. The results of the analysis and the complementary training delivered shall be documented and filed in such a way as to be available to the Nuclear Safety Council.

Single provision of repeal

All standards of equal or lower standing that oppose the present resolution are hereby made null and void.

Single final provision

The present Instruction shall enter into force on the day following its publication in the «Official State Gazette».

Madrid, June 10th 2015.- The President of the Nuclear Safety Council, Fernando Marti Scharfhausen.

APPENDIX

Specific training

Subjects	**Personnel preparing packages** (1)	**Personnel loading/ unloading** (2)	**Drivers** (3)	**Personnel receiving packages** (4)
General concepts regarding types of materials and packages	X	X	X	X
Content limits by package type. .	X			X
UN numbers and description of material	X	X	X	X
Marking of packages.	X	X	X	X
Maximum levels of radiation and contamination on packages and vehicles and their measurement	X		X	X
Concept and determination of transport index and index of safety. against criticality.	X		X	X
Package category and labelling.	X	X	X	X
Requirements prior to shipping, authorisations and notifications . . .	X			
Transport documentation	X		X	X
Stowage in vehicle.		X	X	
Storage in transit.			X	
Limits on contents per vehicle		X	X	
Vehicle and equipment requirements			X	
Signposting of vehicles.			X	
Segregation of packages from persons and other dangerous goods	X	X	X	X
Surveillance of vehicles			X	
Restrictions regarding tunnels	X		X	
Provisions relating to security (Chapter 1.1O of the ADR).	X	X	X	X

(1) This personnel includes those preparing the transport documentation, configuring the package, determining the IT and signposting and labelling the package.

(2) Personnel performing package loading and unloading operation in vehicles and containers.

(3) Drivers of vehicles who, in view of the transport operations they perform, do not require the ADR training certificate.

(4) Personnel performing reception checks on and opening packages.