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STATUTORY INSTRUMENTS

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**2002 No. 2099**

**The Packaging, Labelling and Carriage of  
Radioactive Material by Rail Regulations 2002**

**PART II  
GENERAL**

**Determination of radioactive material**

**6.—(1)** Before a consignor of radioactive material consigns the radioactive material for carriage, he shall determine whether the radioactive material is either—

- (a) LSA-I;
- (b) LSA-II;
- (c) LSA-III, applying the test specified in RID paragraph 2.2.7.3;
- (d) special form radioactive material, using the criteria contained in, and applying the tests and assessments specified in, RID paragraph 2.2.7.4;
- (e) SCO-I; or
- (f) SCO-II,

and, if it is, the consignor shall then determine which type of package shall be used in accordance with the provisions of RID Section 2.2.7 for the carriage of that radioactive material.

**(2)** If a consignor of radioactive material determines that the radioactive material for carriage—

- (a) is neither LSA-I, LSA-II nor LSA-III;
- (b) is not special form radioactive material; and
- (c) is neither SCO-I nor SCO-II,

then he shall ascertain the activity level of the radioactive material in accordance with the table, and other requirements specified, in RID sub-paragraph 2.2.7.7.2 in order to determine which type of package described in RID sub-paragraph 2.2.7.7.1 shall be used for the carriage of that radioactive material.

**Determination of the transport index**

**7.—(1)** Before a consignor of radioactive material consigns—

- (a) radioactive material contained in an overpack, a container, a wagon or a tank;
- (b) a package;
- (c) unpackaged LSA-I; or
- (d) unpackaged SCO-I,

he shall determine the transport index for the overpack, the container, the wagon, the tank, the package, the unpackaged LSA-I or the unpackaged SCO-I, as the case may be, in accordance with the procedure contained in RID sub-paragraph 2.2.7.6.1.

- (2) In this regulation, “transport index” means a number which is—
- (a) used to provide control over radiation exposure; and
  - (b) assigned to a package, an overpack, a wagon, a tank or a container, or unpackaged LSA-I or SCO-I.

#### **Determination of the criticality safety index**

**8.** Before a consignor of radioactive material consigns a consignment containing fissile material, he shall determine the criticality safety index for that consignment in accordance with RID sub-paragraph 2.2.7.6.2.

#### **Duties of a consignor of radioactive material**

**9.—(1)** A consignor shall ensure that the radioactive material is prepared for carriage in accordance with RID.

(2) A consignor shall ensure that the operator of the train which is used for the carriage of the radioactive material and the operator of any wagon, container, tank container, portable tank or tank wagon which is used for such carriage are furnished with—

- (a) information and data; and
- (b) the consignment notes and accompanying documents,

relating to the carriage and consignment in question, taking into account the requirements contained in RID Chapter 5.4 and the tables contained in RID Part 3.

(3) A consignor shall ensure that, in relation to the consignment in question, there are used only packagings—

- (a) the design of which have been approved in accordance with these Regulations and RID; and
- (b) which bear the appropriate markings in accordance with RID.

(4) A consignor shall ensure that, in relation to the consignment in question, the requirements specified in RID concerning—

- (a) the means of despatch; and
- (b) the restrictions on forwarding,

are complied with.

(5) A consignor shall ensure that a tank which is empty and uncleaned—

- (a) shall be closed; and
- (b) shall be as leakproof as it would be if the tank were full.

(6) A consignor shall ensure that—

- (a) no radioactive material is handed over for carriage unless that radioactive material is authorised for such carriage in accordance with the requirements of RID;
- (b) no package, nor empty packaging, which is not leakproof or otherwise damaged is handed over for carriage;
- (c) when the radioactive material is loaded in a wagon or a large container, the requirements of RID relating to loading and handling are complied with;

- (d) when radioactive material contained in a wagon or large container is handed over for carriage, the requirements of RID relating to—
  - (i) the placarding of, or
  - (ii) the affixing of orange plates to,that wagon or large container are complied with;
- (e) when packages are loaded, the mixed packing requirements of RID relating to the radioactive material are complied with.
- (7) A consignor shall ensure that the requirements specified in RID relating to—
  - (a) the packing of the radioactive material; and
  - (b) the marking and labelling of the package in question,are complied with.
- (8) A consignor shall ensure that—
  - (a) prior to the filling of a tank with radioactive material, that tank and its equipment are in a condition fit for carrying the radioactive material in question;
  - (b) the amount of radioactive material which may be carried in the tank in question does not exceed the limits specified in RID;
  - (c) once a tank has been filled with the radioactive material, the closing devices on that tank are leakproof;
  - (d) no dangerous residues adhere to the outside of a tank after that tank has been filled with the radioactive material.
- (9) Prior to handing over a package for carriage, a consignor shall ensure that the requirements specified in RID paragraph 4.1.9.1.2 relating to the permissible levels of non-fixed contamination on the external surfaces of a package are complied with.
- (10) Without prejudice to the generality of paragraphs (1) to (8), a consignor shall ensure that the requirements contained in—
  - (a) RID Section 1.7.5;
  - (b) RID paragraph 2.1.3.5;
  - (c) RID paragraphs 2.2.7.7 to 2.2.7.9;
  - (d) RID Part 3;
  - (e) RID Section 4.1.9; and
  - (f) RID Chapters 5.1, 5.2 and 5.4,so far as they relate to the radioactive material and the consignment in question, are complied with.
- (11) In this regulation—
  - (a) “consignor” means a consignor of radioactive material; and
  - (b) “empty packaging” means a packaging which contained radioactive material but which—
    - (i) is empty, and
    - (ii) has not been cleaned in accordance with the requirements specified in RID since it contained radioactive material.

#### **Duties of a train operator**

- 10.—**(1) A train operator shall not carry a consignment until he has ensured that—
  - (a) the radioactive material has been accepted for carriage in accordance with RID;

- (b) the documentation prescribed in accordance with RID is attached to the consignment note;
- (c) the containers and wagons, which carry the radioactive material, have been inspected to ascertain that they have no obvious defects, leakages, cracks, missing equipment or other faults;
- (d) the containers and wagons, which carry the radioactive material, are not overloaded; and
- (e) the placards and markings prescribed in RID have been affixed to the containers and wagons.

(2) If, during the carriage of radioactive material, a train operator is of the opinion that there has been a breach of any of the provisions of these Regulations or RID such that the safety of the carriage has been, is or could be at risk, the train operator shall stop the carriage as soon as possible, taking account of—

- (a) the requirements of railway safety;
- (b) the safe immobilisation of the consignment; and
- (c) public safety.

(3) Where a train operator has stopped the carriage of radioactive material in accordance with paragraph (2), the train operator may continue the carriage—

- (a) only when he is satisfied that the provisions of RID and these Regulations relating to the consignment have been complied with; or
- (b) where the Secretary of State authorises that the carriage may continue.

(4) A train operator shall ensure that—

- (a) the consignee of radioactive material; and
- (b) the infrastructure controller on whose railway the radioactive material is to be carried,

are furnished prior to carriage with the information and data and consignment notes and accompanying documents relating to the carriage and consignment in question which are furnished to that train operator by the consignor of radioactive material in accordance with regulation 9(2).

(5) A train operator shall ensure that—

- (a) empty tanks;
- (b) empty wagons; and
- (c) empty large and small containers,

which have not been cleaned are marked and placarded in accordance with the requirements specified in RID Chapter 5.3.

(6) Without prejudice to the generality of paragraphs (1) to (4), the operator of a train which carries radioactive material shall ensure that the requirements specified in RID paragraph 2.2.7.9 and RID Chapters 7.5 and 7.6 relating to the carriage in question are complied with.

### **Duties of a consignee**

**11.**—(1) A consignee of radioactive material shall ensure that—

- (a) subject to paragraph (2), the acceptance of the radioactive material is not refused;
- (b) the wagons and containers, in which the radioactive material in question was carried, are—
  - (i) cleaned and decontaminated in accordance with the requirements specified in paragraph (5.4) of entry CW33 in RID Section 7.5.11, and
  - (ii) not returned or re-used until such cleaning and decontamination have been carried out;

- (c) such wagons and containers do not bear placards, markings or orange plates after they have been cleaned and decontaminated.
- (2) A person may refuse to accept a consignment if acceptance—
  - (a) would create a danger to the health and safety of any person; or
  - (b) would be likely to harm the environment.

**Duties of the operator of a wagon, a container, a tank container, a portable tank and a tank wagon**

**12.**—(1) The operator of a wagon, a container, a tank container, a portable tank or a tank wagon which is used for the carriage of radioactive material shall ensure that—

- (a) the wagon, the container, the tank container, the portable tank or the tank wagon, as the case may be, is maintained so that, under normal operating conditions, it satisfies the requirements of RID; and
- (b) an inspection is carried out on the wagon, the container, the tank container, the portable tank or the tank wagon, as the case may be, if its integrity could have been impaired by reason of a repair, an alteration or an accident.

(2) Without prejudice to the generality of paragraph (1), the operator of a wagon which is used for the carriage of radioactive material shall ensure that the requirements contained in the RID provisions relating to that wagon are complied with.

(3) Without prejudice to the generality of paragraph (1), the operator of a container which is used for the carriage of radioactive material shall ensure that the requirements contained in the RID provisions relating to that container are complied with.

(4) Without prejudice to the generality of paragraph (1), the operator of a tank container which is used for the carriage of radioactive material shall ensure that the requirements contained in the RID provisions relating to that tank container are complied with.

(5) Without prejudice to the generality of paragraph (1), the operator of a portable tank which is used for the carriage of radioactive material shall ensure that the requirements contained in the RID provisions relating to that portable tank are complied with.

(6) Without prejudice to the generality of paragraph (1), the operator of a tank wagon which is used for the carriage of radioactive material shall ensure that the requirements contained in the RID provisions relating to that tank wagon are complied with.

(7) The operator of a wagon, a container, a tank container, a portable tank or a tank wagon shall ensure that orange plates, labels and placards are affixed on the wagon, the container, the tank container, the portable tank or the tank wagon, as the case may be, in accordance with RID Chapter 5.3.

(8) During the carriage of the radioactive material in question, the operator of the wagon, the container, the tank container, the portable tank or the tank wagon, as the case may be, which is used for the carriage of the radioactive material shall ensure that the requirements specified in RID sub-paragraph 4.1.9.1.2 and RID sub-paragraph 4.1.9.1.4 are complied with.

(9) In this regulation, “the RID provisions” means RID Sections 4.2.1, 4.2.4, 4.3.1, 4.3.2, 4.3.4 and 4.3.5 and RID Part 7, except RID Chapter 7.7.

**Duties of the designers of packages and manufacturers of packagings**

**13.** The designer of a package and the manufacturer of a packaging to be used in the carriage of radioactive material shall ensure that the requirements contained in RID Sections 6.4.2 to 6.4.21 relating to the design of the package, or, as the case may be, the manufacture of the packaging, are complied with.