PROVISIONAL TERMS OF REFERENCE
Working Group 2
Review of Guidance Document TS-G-1.5
A. Background:
Following the recommendation of TRANSSC 33 that TS-G-1.5 should be revised, a consultants meeting will be convened in 2018 to begin the process of preparing a draft of the revised document and an update will be provided to TRANSSC 36 in mid-2018.

The purpose of this working group in TRANSSC 35 is to provide proposed edits to TS-G-1.5 text and concepts for the revised document using the output from TRANSSC 33 working group 3 (see Appendix 1) as a stimulus for the development of proposed changes. These proposals will be provided as input to the CSM in 2018 to stimulate discussion and begin the detailed development of revised text.

The findings of the regional capacity building programmes conducted by the TSU in recent years in Africa and the Asia and Pacific Island regions is that there is a need to target the developing Member States with guidance material that addresses their needs in an appropriate and understandable way.

This guidance material should be such that a Member States can readily identify how they can define the scope of the regulator activities to align with the transport safety related activities of the various sectors over which the regulatory body has duties and responsibilities for regulator oversight. As such the guidance provided should reflect the range of size and complexity of the operators involved, with consideration given to the revised document providing examples of documented systems that may apply.

The approach developed for this document should provide the necessary assurances that the guidance is concise, easy to understand and applicable, and therefore effective for a range from developing to mature regulator bodies in Member States.

B. Work to be done

*Members of TRANSSC will be notified of this working group and if they intend to participate in Working Group 2 they are requested to bring to the meeting their initial proposals of revised text to facilitate discussion.*

The review of TS-G-1.5 will be in the context of current day knowledge and practices and be cognisant of the range of the different stages of development that exists for regulator bodies in Member States. The scope, structure and content of the document should be considered and any initial proposals for proposed revised text and improvements are to be noted by the Working Group in a tracked change version of TS-G-1.5.

Due to the time limitations of the working groups a complete detailed set of proposals for changes to the technical content is not expected but examples of some proposed changes will be welcomed to set the scene for the formal document review process which will begin in 2018.

The output from TRANSSC 33 Working Group 3 (Appendix 1) is provided to stimulate discussion and a basis upon which to build further elaboration and additional ideas.

C. Expected Output

A working group report will be drafted including:

a) Initial considerations on the scope, content and format of the guidance document which would improve the effectiveness of the document for the target audience involved in the transport of radioactive material.
b) A short presentation for TRANSSC plenary to provide feedback to TRANSSC which summarizes (a) and includes initial considerations and examples of proposed changes to be considered.

c) A draft schedule for the production of the draft document.
The working group members introduced themselves and their role in the safe transport of radioactive material. The working group appointed a Chair (Friedrich Kirchnawy - Austria) and a Secretary (Jon Hursthouse – UK/ ONR).

**Discussion points:**

1. **Background to the IAEA safety standards:** There was discussion about the phrase ‘Regulating safety is a national responsibility’, with the suggestion that it was an international responsibility instead, particularly in respect of sea and air, as the regulations are developed by international bodies.

2. **Should the guide include more information on transport security as well as safety?** Paragraphs 1.7 and 3.14 were considered to adequately address this by making clear security was dealt with elsewhere in the regulatory framework. Security is also referenced in the Introduction to the book.

3. **Para 1.2 – still refers to 2005 edition of the Transport Regulations. This should refer to the latest issue of SSR-6.** (This occurs frequently throughout).

4. **Paragraph 2.1 – Means to assure this include..... Not all activities are applicable to all MS and these comments should be amended to state ‘where applicable’. There may also be different competent authorities for these various activities. Does this need to be reflected in SSR-6?**
Terms of Reference for Working Group 2
Appendix 1

5 Paragraph 2.3 – list of those who have duties omits ‘consignee’ – is this from 2005 regulations, and should the consignee be included from the latest SSR-6?

6 Paragraph 2.6 b) – should this include a comment to ensure that appropriate training has been received?

7 Paragraph 2.12 - should this include ‘(including shielding)’ as per 4.32 (c).

8 Paragraph 2.14 – does this text give the necessary consideration of events with possible cross-border implications, e.g. events at sea.

9 Paragraph 2.15 – list of CAs – this is now done, but can be difficult to locate. IAEA to encourage MS to keep list updated.

10 Paragraph 3.4 – query over terminology: legislation vs regulations, and different legal frameworks between member states.

11 Paragraph 3.9 – should this paragraph be extended to give greater detail of the international regulatory frameworks? E.g inclusion of UN Model Regulations?

12 3.10 (c) – ADNR  ADN!

13 Paragraph 3.11 – How do MS communicate deviations from IAEA regs to IAEA and other MS? Some formal communications in place – e.g. TRANSSC. Is this enough? Do we need to do more? Should this higher standard be more clearly defined in this guidance material (TS-G-1.5)?


15 Paragraph 4.10 – does not include CA-approved fissile exceptions introduced in 2012 regulations. May also need to include Large objects etc.

16 Paragraph 4.56 – should the CA issue an approval certificate for a management system (or just the for the design being requested?) The CA should be allowed sufficient freedom to cater for different approaches in different member states. The group noted the use of ‘may’ rather than ‘should’ which a less strong word.

17 Paragraph 5.10 – CA issued certificates should be provided to IAEA to be published in Ref 22. This list does not appear to be routinely updated, nor is the necessary information being provided by every CA. There is strong interest in such a list being available. Perhaps link to individual CA websites that state current approvals? This could make it easier to keep the list current.

18 Paragraph 5.18 – applicable to sea vessels; should this/ does this apply to air transport also? How does the state of the operator get involved? Should ‘can’ be ‘may’ or ‘shall’? The departure/ arrival states in practice have to be involved in the multilateral approval – ‘shall’ not ‘may’! If this is a mandatory requirement, it should be in SSR-6, not TS-G-1.5.

19 Annex II – This is probably still required, but could it be linked or better aligned to the IAEA PDSR Guide? (Linked from 4.14, 4.19 etc.) Is the structure of this annex correct?

20 Annex V – could this section be revised to incorporate the recent output of EACA for Inspection Guides?

Changes made in revised document shown in blue
21 Although certain examples were identified where TS-G-1.5 was inconsistent with SSR-6 latest edition, this list is unlikely to be complete and there are likely to be other inconsistencies that would be picked up from a thorough review.

22 Review of this document is quite high priority, as this document forms the basis of IRRS missions, and the initial questionnaire etc. The review should ensure the revised edition is published or otherwise made available as soon after the 20xx edition of SSR6 is published (and no more than 2 years from this date).

23 Use of checklists is helpful, but needs to be used by competent and trained staff (‘Yes/ No’ answers can be overly simplistic and give misleading outputs).

24 Has the transport of orphaned sources in respect of Compliance Assurance been considered in TS-G-1.5?

Outcomes from the Working Group:
A. Initial considerations on scope, content, format of the guidance document: the comments above constitute the working group’s thoughts on the scope, content and format of the guidance document.

B. Recommendation: That TS-G-1.5 shall be revised by TRANSSC.

C. A presentation to TRANSSC plenary: this report constitutes the presentation.