

Joint Meeting of the RID Safety Committee  
and the Working Party on the Transport of  
Dangerous Goods

(Geneva, 13-24 September 1999)



**Economic and Social  
Council**

**UNITED  
NATIONS**

**Distr.  
GENERAL**

**TRANS/WP.15/1999/47  
19 August 1999**

**Original: ENGLISH**

**ECONOMIC COMMISSION FOR EUROPE**

**INLAND TRANSPORT COMMITTEE**

**Working Party on the Transport  
of Dangerous Goods  
(Sixty-seventh session,  
Geneva, 8-12 November 1999)**

**MARGINAL 3755 "TRANSITIONAL ARRANGEMENTS"**

**Transmitted by the Government of France**

***Analytical summary*** : for packages meeting the requirements of the 1967, 1973 or 1973 (as amended) Editions of the IAEA regulations, the consignor is required to obtain approval of shipments under special arrangement by the competent authority, in order to guarantee an appropriate level of safety.

***Action to be taken*** : modify the marginal ADR 3755 "Transitional Arrangements" in order to have a safety case.

***Related documents*** : 1) IAEA Safety Series N°6 " Regulations for the safe transport of Radioactive Materials 1985 Editions"  
2) ST-1 1996 Edition

**Introduction**

*The competent authority of France for the safe transport of radioactive material proposes to have different transitional arrangements for packages meeting requirement of 1967, 1973 or 1973 (as amended) Edition of the IAEA regulations on one hand, and for packages meeting 1985 or 1985 (as amended 1990) Edition on the other hand.*

**Proposition for the ADR marginal 3755**

*“Packages manufactured according to a package design approved by the competent authority under provisions of the 1967, 1973 or 1973 (as amended) Editions of the IAEA regulations may continue to be used, subject to approval of shipments under special arrangement by the competent authority.*

*Packages manufactured to a package design approved by the competent authority under the provision of the 1985 or 1985 (as amended 1990) Edition of the IAEA regulation may continue to be used until 31 December 2003 subject to mandatory programme of quality assurance in accordance with the requirements of para. 310 of IAEA ST-1 1996 Edition and the activity limits and materials restrictions of Section IV of IAEA ST-1 1996 Edition. After this date use may continue subject, additionally, to multilateral approval of package design. Changes in the design of the packaging or in the nature or quantity of the authorised radioactive contents which, as determined by the competent authority, would significantly affect safety, shall require that the provisions of this appendix be met in full. All packagings for which manufacture begins after 31 December 2006 shall meet the provisions of this appendix in full.*

*Packages that did not require approval of design by the competent authority and which meet the requirements of the 1985 or the 1985 (an amended 1990) Edition of the IAEA regulation may continue to be used subject to the mandatory programme of quality assurance in accordance with the requirements of para. 310 of IAEA ST-1 1996 Edition and the activity limits and materials restrictions of Section IV of IAEA ST-1 1996 Edition. Any packaging modified, unless to improve safety, or manufactured after 31 December 2003, shall meet the provisions of this appendix in full. Packages prepared for transport not later than 31 December 2003 under the 1985 or 1985 (as amended 1990) Editions of the IAEA regulations may continue in transport. Packages prepared for transport after this date shall meet the provisions of this appendix in full.”*

**Justification**

The proposed change intends to limit the transport of packages meeting the provisions of the 1967, 1973 a 1973 (as amended) Editions of the IAEA regulations.

**Safety**

Many changes were adopted since the 1967, 1973 and 1973 (as amended) Editions of the IAEA regulations. Furthermore experience feedback system has led to change some old designs by new ones.

**Feasibility**

The applicant shall give statement of special precautions or operational controls which are to be employed during the transport to compensate the gap between the provisions of 1967, 1973 a 1973 (as amended) and the ones of ST1 of IAEA regulation.

**Advantage**

Increase the safety margins of transport.

**Disadvantage**

Increase the safety demonstration by applicants.

**Transition period**

Not relevant.

**Enforceability**

The competent authority shall inform applicants to enable them to prepare safety cases for packages meeting requirements of the 1967, 1973 or 1973 (as amended) provisions of the IAEA regulations.

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