

Radioactive materials: system for registration of carriers

2011/0225(NLE) - 28/09/2012 - Legislative proposal

PURPOSE: to establish a Community system for registration of carriers of radioactive materials.

PROPOSED ACT: Council Regulation.

BACKGROUND: Article 33 of the Treaty requires Member States to lay down the appropriate provisions to ensure compliance with the basic safety standards for the protection of the health of workers and the general public against the dangers arising from ionising radiation.

Council Directive 96/29/Euratom lays down basic safety standards for the protection of the health of workers and the general public against the dangers arising from ionising radiation. These basic standards mean: (i) maximum permissible doses compatible with adequate safety; (ii) maximum permissible levels of exposure and contamination; (iii) the fundamental principles governing the health surveillance of workers.

In order to ensure compliance with the basic safety standards persons, organisations or undertakings are subject to regulatory control by authorities of Member States. For that purpose Directive 96/29/Euratom requires Member States to submit certain practices involving a hazard from ionising radiation to a system of reporting and prior authorisation or to prohibit certain practices.

Transport being the only practice of a frequent cross-border nature, carriers of radioactive materials may be required to comply with requirements related to reporting and authorisation systems in several Member States. Member States have implemented these procedures in different ways, thereby adding to the complexity of transport operations.

Replacing these national reporting and authorisation procedures with a single registration system for conducting transport will therefore contribute to simplifying the procedure, reduce the administrative burden and do away with barriers to entry, while the high radiation protection levels reached will be maintained.

IMPACT ASSESSMENT: an impact assessment report accompanies this proposal.

LEGAL BASIS: the second paragraph of Article 31 and Article 32 of the Treaty establishing the European Atomic Energy Community.

CONTENT: this Regulation **replaces the reporting and authorisation systems in Member States** for the purpose of implementing Council Directive 96/29/Euratom with a single registration.

The Regulation **establishes a European System for Carrier Registration**. Carriers should apply through a central web interface. These applications will be screened by the respective national competent authority, which will issue the registration if the applicant fulfils the basic safety standards.

The Regulation adopts a **graded approach** by exempting carriers who transport exclusively 'excepted packages' from the need to register. On the other hand, it **leaves it up to Member States** to add additional registration requirements for carriers of fissile and highly radioactive materials.

Other Community law and international rules regarding physical protection, safeguards, and third-party liability continue to apply. This is true, in particular, for Directive 2008/68/EC.

BUDGETARY IMPLICATIONS:

- developing the registration system, whose website will also include links to the competent authorities in Member States, will cost roughly **EUR 1 million** in operational appropriations followed by annual running costs of EUR 0.18 million;
- supervising the development process of existing human resources will cost **EUR 0.7 million**, following which the assistance will cost EUR 0.1 million annually.

For the Advisory Committee established under the Regulation, no additional budgetary implications would be incurred if Member States agreed to make use of the existing Standing Working Group on the safe transport of radioactive materials. The financing for covering meetings of the Committee (less than EUR 30 000 per year) will be provided through redeployment of existing resources. No additional costs above the allocation in the budget line will be incurred.