
STATUTORY INSTRUMENTS

2002 No. 1093

The Radioactive Material (Road Transport) Regulations 2002

PART XII

RADIOLOGICAL EMERGENCIES AND INTERVENTION ARRANGEMENTS

Interpretation of expressions used in this Part

66. In this Part—

“assist in the intervention” means the taking of such steps, as it is reasonable and practicable in the prevailing circumstances to take, in order to prevent or decrease exposure; the circumstances include, in particular—

- (a) the weather conditions;
- (b) the time of the occurrence of the emergency;
- (c) the distribution of the local population;
- (d) the nature and content of the package involved;
- (e) the stability of the radioactive material involved;
- (f) the nature of the local geography and ecology;
- (g) any other prevailing hazards; and
- (h) the relative importance of the emergency in relation to other calls that are being made upon the emergency services;

“emergency arrangements” means the documented plan drawn up by the consignor pursuant to regulation 68 (duties of consignor and carrier with regard to the preparation of emergency arrangements) for the purpose of providing for intervention in cases where a radiological emergency occurs during the course of transport of a consignment and which sets out the steps to be taken by those concerned with that transport to make an immediate provisional assessment of the circumstances and consequences of the emergency and to assist with intervention; and which contains provision, where the situation so requires, for intervention relating to—

- (a) the source (so as to reduce or stop the direct radiation and emission of radionuclides);
- (b) the environment (so as to reduce the transfer of radioactive material to individuals); and
- (c) individuals (so as to reduce their exposure or to organise the treatment of victims);

“exposure” means the process of being exposed to ionising radiation;

“initiate the emergency arrangements” means the taking of such steps, as it is reasonable and practicable to take, in order to put into effect the actions that have been planned for in the emergency arrangements;

“intervention” means any human activity taken to prevent or decrease the exposure of individuals to ionising radiation from a consignment involved in a radiological emergency

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by acting either upon that consignment or upon the transmission pathway giving rise to that exposure or upon the individuals so exposed;

“notifiable event” means any event where—

- (a) radioactive material is lost, escapes or is unlawfully removed from the vehicle carrying the material;
- (b) any package carried in or on a vehicle is opened or otherwise damaged (whether or not the package is still in or on the vehicle);
- (c) the vehicle carrying the radioactive material overturns (including being turned on its side) or suffers serious damage or is involved in a fire; or
- (d) a radiological emergency occurs; and

“radiological emergency” means a situation arising during the course of the transport of a consignment that requires urgent action in order to protect workers, members of the public or the population (either partially or as a whole) from exposure.

Duties with respect to the monitoring of particular persons

67. —

For the purposes of this regulation, the provisions of Part V of the Ionising Radiations Regulations 1999 ^{M1} (“the 1999 Regulations”) shall be applicable so that any person (including an employee of a carrier, consignor or consignee) who assists in an intervention and is liable to be subjected to emergency exposure shall be treated as being a person classified pursuant to regulation 20 of the 1999 Regulations and, accordingly, the carrier, consignor or consignee shall have the same duties with regard to the monitoring of such person as are imposed upon an “employer” in regulations 21 to 26 of the 1999 Regulations.

(2) In the exceptional circumstances of saving human lives, there may be an emergency exposure whereby the dose limit specified in paragraph 1, 2, 6, 7 and 8 (Workers over 18 and other persons) of Schedule 4 (dose limits) of the 1999 Regulations could be exceeded to such persons, but only where those persons are volunteers and have been informed of the risks involved in their intervention.

(3) “Employee” has the same meaning as in paragraph (1) of regulation 24 (radiation protection programme).

(4) “Emergency exposure” means an exposure of persons implementing the necessary rapid action to bring help to endangered persons or to prevent a large number of persons from being exposed to ionising radiation or to save valuable goods or a valuable installation, whereby the dose limit specified in paragraphs 1 and 2 of Schedule 4 (dose limits) of the 1999 Regulations could be exceeded.

Marginal Citations

M1 [S.I. 1999/3232](#).

Duties of consignor and carrier with regard to the preparation of emergency arrangements

68.—(1) Before the transport of a package begins, the consignor thereof must have drawn up a documented plan with regard to emergency arrangements for that package.

(2) The emergency arrangements made pursuant to paragraph (1) shall be prepared having regard to the following principles

- (a) intervention is to be undertaken only if the damage due to the radiation resulting from the radiation emergency is sufficient to justify the potential harm and the potential cost (including the social cost) of that intervention;
- (b) the form, scale and duration of the intervention is to be optimised so that the benefit to health will be greater than any harm that might be associated with the intervention itself;
- (c) the dose limits provided for in Schedule 4 of the Ionising Radiations Regulations 1999 and
- (d) the Emergency Reference Levels specified by the National Radiological Protection Board (NRPB) pursuant to a direction under section 1(7) of the Radiological Protection Act 1970^{M2}.

(3) In preparing the emergency arrangements under paragraph (1), the consignor may use or employ the services of any person (including a person who is a carrier) who has expertise in matters relating to the transport of radioactive material or of contamination.

(4) The consignor must review and, whenever necessary, revise his emergency arrangements and shall ensure that at suitable intervals they are tested.

(5) A carrier must not undertake the transport of, or cause the transport to be made of, any consignment unless he has in his possession a copy of the statement required to be given by the consignor pursuant to paragraph 23(c) of Schedule 6 of these Regulations (emergency arrangements appropriate to the consignment).

Marginal Citations

M2 1970 c.46.

Duties of drivers, carriers and consignors in the event of the occurrence of a radiological emergency

69.—(1) This regulation sets out the duties respectively of the driver, the carrier and the consignor in the event of the occurrence of a radiological emergency.

(2) The driver of the vehicle transporting radioactive material who discovers or has reason to believe that a notifiable event has occurred in relation to the vehicle he is driving must—

- (a) immediately notify the police and (where appropriate) the fire brigade and the consignor of that event;
- (b) initiate the emergency arrangements in respect of any radiological emergency and
- (c) assist in the intervention that is made in connection with that radiological emergency.

(3) A carrier of radioactive material who becomes aware of the occurrence of a notifiable event in relation to the material he is carrying must—

- (a) immediately notify the police (unless the driver of the vehicle has already done so) and the Secretary of State of that event;
- (b) assist in the intervention that is made in connection with any radiological emergency; and
- (c) as soon as is reasonable practicable, arrange for the examination of the load that is carried in or on the vehicle so as to determine whether contamination has arisen and, if it has, to arrange for the safe disposal of any part of the load that has been contaminated and for the decontamination of the vehicle.

(4) A consignor of radioactive material who becomes aware of the occurrence of a notifiable event in relation to his consignment must—

- (a) immediately notify the police and the Secretary of State of that event (unless either the driver or the carrier has already done so);

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- (b) assist in the intervention that is made in connection with any radiological emergency; and
 - (c) provide the Secretary of State with details of the incident that gave rise to that emergency.
- (5) Whenever a consignor becomes aware that emergency arrangements have been initiated in relation to his consignment he must notify the Secretary of State of the initiation of those arrangements even if, in the event, no intervention was made pursuant to those arrangements.

Packages involved in a radiological emergency

70. A package that has been involved in a radiological emergency shall not be transported or caused to be transported unless the consignor or his agent has examined it and the consignor is satisfied that it complies with the requirements of these Regulations and he issues a certificate to that effect.

Powers of inspectors and the Secretary of State in relation to emergency arrangements

71.—(1) When requested by an inspector, the carrier and the consignor must provide that inspector, within such reasonable time as the inspector may specify, with a copy of such documents relating to the emergency arrangements as may have been requested.

(2) The Secretary of State may review the emergency arrangements and may at any time by notice in writing to a carrier or consignee require—

- (a) that those arrangements be tested and, if thought appropriate by the Secretary of State, that a rehearsal be carried out of them; and
- (b) that a general or specific revision or improvement be made of those arrangements.

(3) A carrier or consignor upon whom a request is made under paragraph (1) or upon whom notice is served under paragraph (2) must comply with that request or with the requirements of that notice.

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Changes and effects yet to be applied to :

- Regulations revoked by [S.I. 2007/1573 Sch. 9](#)

Changes and effects yet to be applied to the whole Instrument associated Parts and Chapters:

Whole provisions yet to be inserted into this Instrument (including any effects on those provisions):

- reg. 68(2A) inserted by [S.I. 2005/525 Sch. para. 6\(b\)](#)