
MANUAL CHAPTER 1330

RESPONSE TO TRANSPORTATION ACCIDENTS INVOLVING RADIOACTIVE MATERIALS

1330-01 PURPOSE

This Chapter serves as a means for transmitting the Commission's Statement of Policy concerning the NRC's response to transportation accidents involving radioactive materials (see enclosure). In addition, it provides supplemental information and guidance regarding the carrying out of that Policy.

1330-02 OBJECTIVES

The Commission's Policy Statement pertains only to radioactive materials in transit. It does not deal with packaged materials that have not yet been delivered to a carrier nor to packaged materials that have already been delivered to the receiver.

1330-03 DEFINITIONS

1330-04 RESPONSIBILITIES AND AUTHORITIES

04.01 The Department of Transportation and the States. Transportation accidents for which the Department of Transportation (DOT) and states have responsibility are those that take place after delivery of radioactive materials to a carrier for transport and before delivery of radioactive materials to a consignee, that is, if the accident occurs in transit. This is spelled out in the Memorandum of Understanding (MOU) between DOT and the Nuclear Regulatory Commission (NRC) dated June 8, 1979.

Under 49 CFR of the Transportation Regulations, Sections 171.15 and 171.16, reporting of accidents to DOT and DOT's response is limited to, "fire, breakage, spillage or suspected radioactive contamination." While reporting accidents involving the above to DOT is required by the carrier, responding to the scene by DOT is rarely done.

Police departments usually are the first to respond to transportation accidents and know by the shipping papers and/or the vehicle placarding that radioactive material is involved. If fire is involved, the police will notify fire departments. The states will also be notified by the police. State representatives in almost all cases respond; in most cases the consignor of the shipment also responds. The State Government is responsible for assuring control of the accident scene to protect the health and safety of the public.

04.02 Role of the NRC. Because carriers are exempt from NRC regulations in most cases, there is no obligation for the NRC regional offices to respond and assist in the aspects of radioactive materials control following transportation accidents that occur in transit, except as provided below. However, if it is known that an accident may be a serious health hazard to members of the general public, it is expected that the NRC will respond and work with state representatives.

The NRC will:

- a. Call the agency designated by the affected state to respond to transportation accidents involving radioactive materials as soon as practicable to ensure that the agency has been informed of the incident.
- b. Offer NRC technical assistance in the form of information, advice, and evaluations to the state at the time the initial notification is made to the appropriate state agency.
- c. Assure awareness of the incident by Department of Energy (DOE) and other affected agencies specifically designated by Federal Emergency Management Agency (FEMA).
- d. Maintain awareness of the situation until normal conditions are restored at the scene of the accident.
- e. Provide information on packaging characteristics in response to any query regarding NRC-approved packages.
- f. Respond to requests for information on NRC activities in connection with the event. Request for specific information on an accident normally will be referred to the appropriate state agency, or to the DOE if the situation relates to DOE activities.
- g. If the shipper is an NRC licensee, ensure that the shipper provides complete and accurate information concerning the radioactive materials and details of the shipment to emergency response personnel.
- h. In accordance with the NRC-DOT MOU, act as the lead agency for investigating all accidents, incidents, and instances of actual or suspected leakage involving packages of radioactive materials regulated by the NRC. Any NRC personnel at the scene of a transportation accident will notify the on-scene coordinator of his or her presence and make clear that, unless NRC assistance is requested by the on-scene coordinator, NRC activities will be primarily limited to information collection.
- i. Provide recommendations to emergency response personnel on radiological issues, if NRC assistance should be requested by the on-scene coordinator and/or if a need is recognized by NRC personnel.

1330-05 GENERAL REQUIREMENTS

05-01 Emergency Preparedness Procedures NRC Headquarters and regional offices should modify their emergency preparedness procedures to include the establishment of Commission policy in the area of transportation accidents.

1330-06 SPECIAL INSTRUCTIONS

In accordance with established practice and procedure, the regional office will conduct a special inspection of the incident when this is judged necessary in order to obtain the facts concerning (1) a possible significant violation of NRC requirements or (2) a situation that indicates the possible need to revise an NRC regulatory requirement. Such a special inspection is equivalent to the word "investigation" in the DOT-NRC MOU. (The Office of Investigation alone uses the term "investigations.")

END

Enclosure

GENERAL STATEMENT OF POLICY

NRC RESPONSE TO ACCIDENTS OCCURRING DURING TRANSPORTATION OF RADIOACTIVE MATERIAL

In any accident or incident occurring in connection with the transportation of radioactive material in which a report is required to be sent to the National Response Center by DOT regulations in 49 CFR 171.15, NRC radiation safety assessment actions will consist of the following.

- Call the agency designated by the affected State to respond to transportation accidents involving radioactive materials as soon as practicable to ensure that agency has been informed of the incident. (The State government is responsible for assuming control of the accident scene to protect the health and safety of the public.)
- Offer NRC technical assistance in the form of information, advice, and evaluations to the State at the time the initial notification is made to the appropriate State agency.
- Assure awareness of the incident by the DOE and other affected agencies, including any agencies specifically designated by the Federal Emergency Management Agency.
- Maintain awareness of the situation until normal conditions are restored at the scene of the accident.
- Provide information on packaging characteristics in response to any query regarding NRC approved packages.
- Respond to requests for information on NRC activities in connection with the event. Requests for specific information on an accident normally will be referred to the appropriate State agency, or to the DOE if the situation relates to DOE activities.
- If the shipper is an NRC licensee, ensure that the shipper provides complete and accurate information concerning the radioactive material and details of the shipment to emergency response personnel.
- In accordance with the NRC-DOT Memorandum of Understanding, act as lead agency for investigating all accidents, incidents, and instances of actual or suspected leakage involving packages of radioactive material regulated by the NRC. Any NRC personnel at the scene of a transportation accident will notify the on-scene coordinator of his or her presence and make clear that, unless NRC assistance is requested by the on-scene coordinator, NRC activities will be primarily limited to information collection.

- Provide recommendations to emergency response personnel on radiological issues if NRC assistance should be requested by the on-scene coordinator or if a need is recognized by NRC personnel.

The policy here set forth relates solely to radiological concerns. Responding to any attempt to steal or sabotage a shipment of nuclear material is a responsibility of the Federal Bureau of Investigation (FBI) as delineated in the NRC/FBI Memorandum of Understanding dated April 27, 1979, and published December 20, 1979, at 44 FR 75535.

Dated at Washington, D.C., this

(23rd) day of (March), 1984.

For the Nuclear Regulatory Commission.

(Original signed by Samuel J. Chilk)

Samuel J. Chilk,
Secretary of the Commission.