

**Not Validated translation of the Regulation issued by the Federal Agency for Nuclear Control on 01/07/2020 concerning Chapter 4 of the Royal Decree of 22 October 2017 on the transport of Class 7 dangerous goods, amended on 3 July 2019.**

Federal Agency for Nuclear Control

Having regard to the Royal Decree of 22 October 2017 on the transport of Class 7 dangerous goods, Articles 20, 21, 22, 27, 32, 37, 38, 39, 57 and 58;

Having regard to the Regulation issued by the Federal Agency for Nuclear Control on 13 December 2017 concerning Chapter 4 of the Royal Decree of 22 October 2017 on the transport of Class 7 dangerous goods.

**Hereby decrees:**

Article 1. Definitions

For the purposes of the present regulation, the definitions given in Article 5 of the Royal Decree of 22 October 2017 on the transport of Class 7 dangerous goods shall apply. In addition to these definitions, the following shall apply for the purposes of this regulation:

- 1° RD on Transport: Royal Decree of 22 October 2017 on the transport of Class 7 dangerous goods, amended on 3 July 2019;
- 2° RD on Nuclear Documents: Royal Decree of 17 October 2011 on the classification and protection of nuclear documents;
- 3° Transport index (TI): transport index as defined in the applicable international agreements and regulations governing the transport of dangerous goods;
- 4° Criticality safety index (CSI): criticality safety index as defined in the applicable international agreements and regulations governing the transport of dangerous goods;

Art. 2. Classification of UN numbers in UN groups (Article 20, RD on Transport)

UN-Group 1 covers Class 7 dangerous goods with the following UN numbers: UN2908, UN2909, UN2910, UN2911 and UN3507, and any other UN identification number for which Class 7 is regarded as a subsidiary risk;

UN-Group 2 covers Class 7 dangerous goods with the following UN numbers: UN2912, UN3321, UN3322, UN2913, UN2915, UN3332, UN2916, UN2917, UN3323 and UN2919;

UN-Group 3 covers Class 7 dangerous goods with the following UN numbers: UN3324, UN3325, UN3326, UN3327, UN3333, UN3328, UN3329, UN3330 and UN3331;

UN-Group 4 covers Class 7 dangerous goods with the following UN numbers: UN2977 and UN2978.

Art. 3. Carrier recognition application (Articles 20-22, RD on Transport)

The application shall be submitted electronically - using the form in attachment 1 - to the following address: transport@fanc.fgov.be.

If this submission contravenes the provisions relating to information protection as described in the RD on Nuclear Documents, the application shall be made in accordance with the provisions of the RD on Nuclear Documents.

The application shall be signed by the carrier's legal representative and their head of the health physics department (HPD).

The application shall also be signed by the recognised health physics expert, who shall certify that:

- 1° health physics controls will be ensured;
- 2° the information specified in the application has been verified and deemed correct by the recognised health physics expert.

If the application is submitted electronically:

- 1° the application shall be sent by e-mail with the following information in the e-mail subject line: "Carrier recognition application" – "Applicant name";
- 2° the form and the attachments shall be attached to the e-mail as separate documents in pdf format.

Art. 4. Amendments to the enacting terms of the recognition decree (Article 27, RD on Transport)

Applications for amendments to the enacting terms of the recognition decree shall be submitted using the same form and using the same modalities as the initial application. This application shall specify any amendments with respect to the information included in the previous recognition decree.

Art. 5. Amendments to information and/or data submitted in the application for recognition and which do not change the enacting terms of the recognition decree (Article 32, RD on Transport)

The following changes to information submitted in the recognition application shall be notified in writing to the Agency without delay:

- 1° changes to the organisation of the responsible functions;
- 2° changes to the organisation of the Health Physics Department;
- 3° changes to the radiation protection programme;
- 4° changes to the emergency procedures;
- 5° changes to the organisation(s) involved in multimodal transport of Class 7 dangerous goods as specified in the application.

Art. 6. Monthly reporting procedure (Article 37, RD on Transport)

The monthly report shall be submitted using the form in Attachment 2.  
These reports shall be sent by e-mail to the following address: [trimp@fanc.fgov.be](mailto:trimp@fanc.fgov.be).

If this submission contravenes the provisions relating to information protection as described in the RD on Nuclear Documents, the monthly report shall be submitted in accordance with the provisions of the RD on Nuclear Documents.

Art. 7. Transports of Class 7 dangerous goods which are subject to shipment approval in accordance with the applicable international agreements and regulations governing the transport of dangerous goods (Article 38, RD on Transport)

The following transports of Class 7 dangerous goods shall be subject to shipment approval in accordance with the applicable international agreements and regulations governing the transport of dangerous goods:

- 1°. the transport of type B(M) packages with an activity per package in excess of 3000 A1 or 3000 A2 as applicable, or 1000 TBq;
- 2°. the transport of type B(M) packages with intermittent ventilation;
- 3°. the transport of type B(M) packages designed outside a temperature range of -40°C to 70°C;
- 4°. the transport of packages of fissile material with an overall criticality safety index (CSI) per means of transport or container in excess of 50 with the exception of transport by sea for which the CSI value shall not exceed 50 per hold, compartment or defined deck area and for which a distance of 6 m between groups of packages or containers shall be observed;
- 5°. the transport of Class 7 dangerous goods transported under special arrangement;
- 6°. the transport requiring a radiation protection programme for a "special use vessel";
- 7°. Other compulsory shipment approvals as required under international agreements and regulations governing the transport of dangerous goods and which are not specified in this Regulation.

Art. 8. The transports of Class 7 dangerous goods posing a specific risk in terms of radiation protection, transport safety or security and requiring prior licence (Article 38, RD on Transport)

The following transports of Class 7 dangerous goods pose a specific risk in terms of radiation protection, transport safety or security and thus require prior licence:

- 1°. the transport of nuclear material belonging to physical protection group A and spent fuel in physical protection group B as defined in the Royal Decree of 17 October 2011 on the classification and definition of security zones in nuclear installations and nuclear transport companies;
- 2°. the transport of radioactive waste and nuclear spent fuel pursuant to Chapter V of the Royal Decree of 24 March 2009 regulating import, transit and export of radioactive substances;
- 3°. the transport of packages other than type B(M) packages with an activity per package in excess of 3000 A1 or 3000 A2 as applicable, or 1000 TBq;
- 4°. the transport of packages containing Class 7 dangerous goods with an overall transport index in excess of 200 per transport operation;

5°. the transport by sea of large containers containing Class 7 dangerous goods with an overall criticality safety index in excess of 200 per vessel.

Art. 9. Licence application (with the exception of a licence for a single transport operation) or shipment approval application for the transport of Class 7 dangerous goods (Article 39, RD on Transport)

The application shall be submitted electronically - using the form in Attachment 3 - to the following address: transport@fanc.fgov.be.

If this submission contravenes the provisions relating to information protection as described in the RD on Nuclear Documents, the application shall be submitted in accordance with the provisions of the RD on Nuclear Documents.

The application shall be signed by the carrier's legal representative and their head of the health physics department (HDP).

The application shall also be signed by the recognised health physics expert, who shall certify that:

- 1° health physics controls will be ensured;
- 2° the information specified in the application has been verified and deemed correct by the recognised health physics expert.

If the application is submitted electronically:

- 1° the application shall be sent by e-mail with the following information in the e-mail subject line: "Licence application" – "Applicant name";
- 2° the form and the attachments shall be attached to the e-mail as separate documents in pdf format.

The applications for shipment approvals under special arrangement shall also be drawn up in accordance with the provisions set out in the regulations governing transport procedures in Chapters 7, 8 and 9 of the RD on Transport.

Art. 10. Application for a licence for single transport of Class 7 dangerous goods (Article 39, RD on Transport)

The application shall be submitted electronically - using the form in Attachment 4 - to the following address: transport@fanc.fgov.be.

If this submission contravenes the provisions relating to information protection as described in the RD on Nuclear Documents, the application shall be submitted in accordance with the provisions of the RD on Nuclear Documents.

The application shall be signed by the carrier's legal representative and their head of the health physics department (HPD).

The application shall also be signed by the recognised health physics expert, who shall certify that:

- 1° health physics controls will be ensured;
- 2° the information specified in the application has been verified and deemed correct by the recognised health physics expert.

If the application is submitted electronically:

- 1° the application shall be sent by e-mail with the following information in the e-mail subject line: "Single transport licence application" – "Applicant name";
- 2° the form and the attachments shall be attached as separate documents in pdf format.

Art. 11. Subcontracting procedure (Article 57, RD on Transport)

Carriers who subcontract the practical aspects of a transport operation to another carrier shall comply with the following provisions:

- 1°. all statutory requirements in relation to subcontracting which are not the responsibility of the Agency must be observed;
- 2°. the recognised carrier and the subcontractor must both be mentioned in the transport documents.

Art. 12. Transport requiring specific monitoring in terms of radiation protection, transport safety and/or security or depending on the nature of the risks associated with the goods (Article 58, RD on Transport)

The following transports requiring specific monitoring in terms of radiation protection, transport safety and/or security or depending on the nature of the risks associated with the goods, shall be notified to the Agency in advance by the recognised or licensed carrier:

- 1°. the transport of radioactive sources classified as Category 1 of the "Code of Conduct on the Safety and Security of Radioactive Sources" drawn up by the IAEA;
- 2°. the transport of at least one package containing Class 7 dangerous goods with a transport index (TI) per individual package in excess of 10;
- 3°. the transport of packages containing Class 7 dangerous goods where the sum of the transport indices (TI) of the packages in the vehicle is such that exclusive use is required;
- 4°. the transports of Class 7 dangerous goods belonging to UN-group 3 or 4;
- 5°. the transports licensed by the Agency;
- 6°. the transports for which the Agency has issued a shipment approval certificate;
- 7°. the transport of Type B(M) packages.

Art. 13. Prior notification procedure (Article 58, RD on Transport)

The transport operations specified in Article 12 of this regulation shall be notified to the Agency at least 48 hours (2 working days) before their scheduled departure or arrival time on Belgian territory.

In the case of transport operations subject to special arrangements, transport operations involving type B(M) packages and transport operations involving packages with an activity in excess of 3000 A1 or 3000 A2, as applicable, or 1000 TBq, this notification shall be sent at least 7 days in advance.

The notification shall be made using the form in attachment 5.

Notifications shall be sent by e-mail to the following address: [prementions@fanc.fgov.be](mailto:prementions@fanc.fgov.be).

These provisions may be waived in specific cases. These cases are identified in a separate document.

If this submission contravenes the provisions relating to information protection as described in the RD on Nuclear Documents, the notification shall be submitted in accordance with the provisions of the RD on Nuclear Documents.

Art. 14. The Regulation issued by the Federal Agency for Nuclear Control on 13 December 2017 concerning Chapter 4 of the Royal Decree of 22 October 2017 on the transport of Class 7 dangerous goods is hereby repealed.

Signed by the Director General in Brussels on 1 July 2020.  
Frank Hardeman