



Office for
Nuclear Regulation

When a transport inspector calls





What to expect when
we visit your business



About this leaflet

This leaflet explains what to expect when an Office for Nuclear Regulation (ONR) inspector visits your business to inspect your transport compliance arrangements.

ONR's regulation of the transport of Class 7 dangerous goods (radioactive material)

ONR is the competent and enforcing authority for the civil transport of Class 7 dangerous goods in Great Britain by road,

rail and inland waterway. These are statutory duties and functions given to us in law through The Carriage of Dangerous Goods and Use of Transportable Pressure Equipment Regulations (CDG) 2009 (as amended).

These regulations transpose into UK law the Agreement concerning the International Carriage of Dangerous Goods by Road (ADR) and the Regulations concerning the International Carriage of Dangerous Goods by Rail (RID).

ONR is also the enforcing authority for the Ionising Radiations Regulations 2017 (IRR17) for the civil transport of Class 7 dangerous goods in Great Britain.

Our transport remit covers a wide range of activities including approving certain types of transport packages, approving some types of transport movements and carrying out compliance inspections. This leaflet provides information about transport compliance inspections.

A transport compliance inspection is when an inspector visits a business and samples the arrangements that are in place to comply with the requirements of CDG and IRR17.

The businesses that are visited are determined by a number of factors. It could be that you are a business that has never been inspected previously by ONR; a period of time has passed since you were last inspected; there has been an incident; a concern has been raised or a follow up inspection is required to ensure that actions identified at a previous inspection have been implemented. The inspections are targeted, not random.

Before an inspection

You will receive a pre-inspection questionnaire to complete to capture information about your business and its transport activities. It is important to be as accurate as possible in your responses, as it is an offence to deliberately mislead an inspector.

You will be asked to provide certain documents prior to the inspection to demonstrate compliance with CDG and IRR17. These documents allow the inspector to prepare prior to the inspection to make the time spent at your business as effective and efficient as possible. Depending on the inspector's review of these documents, you may be asked to provide further information.

During an inspection

You should allow approximately three hours for the inspection. It is up to you as the dutyholder to decide who is present during the inspection. Appointed Safety Advisers such as Radiation Protection Advisers (RPA) and Dangerous Goods Safety Advisers (DGSA) can be present, but the inspection is of your business and it is our expectation that, as the dutyholder, you are able to demonstrate knowledge of your legal responsibilities and how you comply with the law.



The inspector will typically be looking at areas that are important for the purposes of CDG and IRR17, which are:

- awareness of road/rail regulations that apply during the transport of Class 7 dangerous goods
- understanding of your roles and responsibilities as a transport dutyholder
- your company management system for transport activities
- demonstration of transport package compliance, including maintenance and storage
- IRR17 transport radiation risk assessment(s)
- IRR17 local rules
- radiation doses accrued during transport
- training
- transport interfaces
- transport documentation
- emergency arrangements and
- transport security provisions.

To help assess compliance within these areas, the inspector will want to see records such as dose reports, your transport procedures, RPA and DGSA appointments, the most recent annual report from your DGSA, security plans and training records.

The inspector may want to speak to members of your business who hold information relevant to the transport of Class 7 dangerous goods and also to assess their knowledge and competency.



For Class 7 dangerous goods carriers, the inspector may want to see a vehicle and speak to a driver.

The inspector will be looking for evidence of consistent compliance and will provide you with feedback at the end of the inspection.

This feedback will be in the form of a 'RAG' rating (red, amber, green), along with the reasons for that conclusion. Detailed information about ONR's RAG rating process can be found on our website onr.org.uk/operational/tech_insp_guides/onr-insp-gd-064.pdf.

Green means there is no need to take formal action, amber means there is a need to seek improvement through formal action, and red means there is a need to demand improvement through formal action. Note that even when inspection areas are awarded green ratings, it may not mean that you are fully compliant with the law; action could still be required to address identified minor non-compliances.

The inspector will inform you of the actions you are required to take to address identified non-compliances and agree the associated timescales for completion.

We recognise that an inspection can cause some people to be nervous and so the inspector will do their best to put people at ease. Dialogue during an inspection can help to achieve this and while the inspector cannot provide advice (this should be obtained from your RPA/DGSA) we encourage questions and challenge.

After an inspection

After the inspection, you will receive a written inspection record summarising the findings, the actions required and the agreed completion dates.

Where the RAG rating indicates the need for formal action, there are a number of options available to ONR inspectors, depending on the nature of the non-compliance. They are:

- enforcement letters
- improvement notices
- prohibition notices and
- prosecution

Enforcement letters

Enforcement letters are used to seek improvement and bring dutyholders back into compliance. While non-compliance with an enforcement letter is not in itself an offence, unresponsive dutyholders are likely to face escalation to enforcement notices which, if not complied with, is a criminal offence.

Improvement notices

An improvement notice is used to require compliance with the law. It will tell you:

- what is wrong
- the changes you need to make to put things right and
- how long you have to make those changes

The length of time to make changes will be discussed and agreed with you. However, you commit a criminal offence if you do not make the changes in the given timeframe.

Prohibition notices

You may be issued with a prohibition notice if there is a risk of serious personal injury now, or in the future.

A prohibition notice orders you to stop doing something until you have made it safe to continue, for example by demonstrating that you have adequate controls in place to safely transport Class 7 dangerous goods. Failure to comply with a prohibition notice is also a criminal offence.

Prosecution

Where the failures found are particularly serious, or if there is a failure to comply with an improvement notice or a prohibition

notice, then ONR can bring a prosecution in England and Wales, or in Scotland recommend to the Crown Office and Procurator Fiscal Service that a prosecution should be considered. The courts can fine you, and in some cases send you to prison.

Disagreements

There may occasionally be disagreements between a dutyholder and a visiting ONR inspector. If you have a complaint, please contact that inspector or their manager. We also have a procedure for making complaints which can be found on our website onr.org.uk/complaints-concerns-whistleblowing.htm.

Further Information

Further information about the civil transport of Class 7 dangerous goods can be found on our website onr.org.uk/transport.



