

GOVERNMENT REGULATION OF THE REPUBLIC OF INDONESIA
No. 26/2002

ON
SAFETY IN THE TRANSPORTATION OF RADIOACTIVE
SUBSTANCES

THE PRESIDENT OF THE REPUBLIC OF INDONESIA,

Considering :

that in order to enforce Article 16 of Law No. 10/ 1997 on nuclear power, it is necessary to stipulate a government regulation regarding safety in the transportation of radioactive substances.

In view of :

1. Article 5 paragraph (2) of the 1945 Constitution, which has been amended by the third amendment to the 1945 Constitution;
2. Law No. 10/1997 on nuclear power (Statute Book 1997 No. 23, Supplement to Statute Book No. 3676);
3. Government regulation No. 63/2000 on safety and health in the utilization of ionic radiation (Statute Book 2000 No. 136, Supplement to Statute Book No. 3992);
4. Government regulation No. 64/2000 on permit for the utilization of nuclear power (Statute Book 2000 No. 137, Supplement to Statute Book No. 3993).

DECIDES:

To stipulate :

THE GOVERNMENT REGULATION ON SAFETY IN THE TRANSPORTATION OF
RADIOACTIVE SUBSTANCES.

CHAPTER I
GENERAL PROVISIONS

Article 1

The definitions in this regulation shall have the meanings as follows :

1. Transportation of radioactive substances is the removal of radioactive substances from one place to another through public traffic networking (land, air, or water transportation facilities);
2. Carrier is an individual or corporation transporting radioactive substances;
3. Wrapping is a set of components needed to fully close the radioactive substances. It may comprises of one or more containers, absorbing materials, frames, radiation absorbers, filling and emptying equipment, ventilation and pressure regulators, coolers, shock absorbers, transporters and bracers, heat absorbers, and equipment;

4. Package is a package containing radioactive substances, which is ready to be transported;
5. Sender is an individual or corporation preparing the transportation of radioactive substances, and it is set forth in the transportation document;
6. Receiver is an individual or corporation receiving radioactive substances from the sender, and it is set forth in the transportation document;
7. Accident due to radiation is an event occurring beyond knowledge. It includes errors in operation, damage or failure in the function of equipment, or other events that lead to the effect of radiation, and/or safety-exceeding contamination;
8. Tank is a container, portable tank, tank car, tank train, or container with a capacity of less than four hundred fifty (450) litres, and is used for accommodating liquid, powder, grains, porridge, or solid substances, which are previously contained in the form of gas or water; with a capacity of one thousand (1000) liters (for gas), which is contained and emptied without opening the container, has stabilizer and bracer on the outer part, and is able to be lifted even though it is full in content;
9. Supervisory agency is a corporation that has the duty to watch over any utilization of the nuclear power.

CHAPTER II SCOPE AND PURPOSE

Article 2

- (1) This regulation rules about safety in the transportation of radioactive substances, which includes permit, obligations and responsibilities, wrappings, radiation protection program, quality guarantee program, type and limit of radioactive substance activity, radioactive substances with other dangerous characteristics, and the prevention of emergency situations.
- (2) This regulation shall also be applicable for the transportation of nuclear materials.

Article 3

- (1) The provisions of this regulation shall not be applicable for :
 - a. The removal of radioactive substance in an installation;
 - b. Radioactive substances, which are installed or put into the human body or living animals for diagnostic and therapeutic purposes;
 - c. Radioactive substances, which become an integral part of transportation facilities;
 - d. Radioactive substances in the form of consumer goods or products; and
 - e. Radioactive substances, which are derived from nature, in certain sizes.
- (2) The provisions of paragraph (1) shall be further stipulated in the decision of head of the supervisory agency.

Article 4

This regulation is intended to guarantee safety, security, peacefulness, and health of the workers and the public, and protection of property and the environment during transportation of radioactive substances.

Article 5

- (1) To achieve safety in the transportation of radioactive substances, the sender and the receiver must apply the following principles :
 - a. The radioactive substances will not be leaking from the containers, in usual transportation or in accidents;
 - b. Radiation on the outer part of the wrappings is still within safe limits;
 - c. During transportation, nuclear materials must be in a sub-critical condition;
 - d. The heat yielded by radioactive substances can be perfectly released.
- (2) The provisions of paragraph (1) will be further stipulated under decision of head of the supervisory agency.

CHAPTER III PERMIT

Article 6

- (1) The transportation of radioactive substances may be done if the sender and receiver of the said radioactive substances have obtained a permit to utilize nuclear power, issued by the supervisory agency.
- (2) Before transportation of the radioactive substances, other than the permit set forth in paragraph (1), the sender must first obtain the approval of the supervisory agency, regarding delivery.
- (3) The approval set forth in paragraph (2) will be further stipulated under decision of head of the supervisory agency.

CHAPTER IV OBLIGATIONS AND RESPONSIBILITIES

Article 7

- (1) Prior to transportation of the substances, the sender must :
 - a. Provide comprehensive and correct information, in writing, to the carrier, with regard to the wrappings, the danger of radiation and other dangerous characteristics that may occur, and the steps for preventing such danger;
 - b. Attach signs, labels, and/or posters on road and railroad transportation vehicles;
 - c. Give guides, in writing, to the carrier, if the packages are impossible to be delivered to the receiver; and
 - d. Provide physical protection during transportation of nuclear substances.
- (2) The guide as set forth in paragraph (1) clause c comprises of, at least :
 - a. Notice to the sender and the supervisory agency;
 - b. Storage of the packages in a safe place; and
 - c. Return of the packages to the sender.

Article 8

The sender is responsible for any losses suffered by the carrier and/or other parties as a result of non-compliance with the provision of Article 7 paragraph (1) clause a.

Article 9

The sender must give an opportunity to the supervisory agency to examine the transportation.

Article 10

The sender must immediately inform the receiver on the arrival of the packages at the place of destination.

Article 11

- (1) The carrier is responsible for the safety of the transported packages since date of receipt from the sender until delivery to the receiver, except it is provided otherwise in the transportation agreement.
- (2) In case of damage during transportation, the carrier must inform the supervisory agency and the sender, and supervise access to the packages.
- (3) In case of seizure by authorities or loss of the packages, the carrier must report to the supervisory agency and the sender.

Article 12

- (1) Upon receipt of the packages from the carrier, the receiver must examine the packages to detect any possible damage or leakage.
- (2) In case of damage and/or leakage of the packages, the receiver must immediately measure the dose of radiation and/or contamination.
- (3) Results of the measurement as set forth in paragraph (2) must be reported to the supervisory agency and the sender not later than five (5) days after accomplishment of the measuring activity.
- (4) In case the damage and/or leakage set forth in paragraph (2) may result in radiation and/or contamination, the receiver must take security actions according to the prevention steps set forth in the transportation document.
- (5) The securing activity as set forth in paragraph (4) must be reported to the supervisory agency and the sender not later than five (5) days after accomplishment of such activity.
- (6) The provisions of paragraphs (2) to (5) will be further stipulated under decision of head of the supervisory agency.

Article 13

- (1) The supervisory agency must follow-up the report as set forth in Article 12 paragraphs (3) and (5).
- (2) The follow-up action, as set forth in paragraph (1), may be in the form of guide, which needs to be performed by the receiver, and/or in the form of on-the-site directions.
- (3) In performing the action set forth in paragraph (2), the supervisory agency may

request the assistance of the performing agencies and/or other related institutions.

CHAPTER V WRAPPINGS

Article 14

- (1) The sender must wrap according to type and category of packages.
- (2) Type of the packages, as set forth in paragraph (1), must comply with the conditions for the examination of packages.
- (3) Examination of the packages, as set forth in paragraph (2), must be performed by accredited laboratories chosen by the supervisory agency.
- (4) The packages, as set forth in paragraph (3), which have passed the examination, shall be granted a passing certificate.
- (5) The provisions of paragraph (1) to (4) will be further stipulated under decision of head of the supervisory agency.

Article 15

The examination as set forth in Article 14 shall not be performed on certain packages, which are free from examination.

Article 16

- (1) Any packages, which are imported into the Indonesian territory, must be completed with a package certificate issued by the authorized institution of the country of origin.
- (2) The supervisory agency may validate the certificate set forth in paragraph (1).
- (3) The provision on validation, as set forth in paragraph (2), will be further stipulated under decision of head of the supervisory agency.

Article 17

Each of the packages shall not contain other goods, except the documents required for transportation and equipment for handling the radioactive substances.

Article 18

The wrappings of radioactive substances possessing other dangerous characteristics must comply with any characteristics of the said substances.

Article 19

- (1) Any packages, which will be transported, must be completed with transportation document, and must be attached with signs, labels, and/or plates.
- (2) The transportation document must be placed on the outer part of the packages and must become an integral part of the packages.

The transportation document, signs, labels, and/or plates on the transported packages, as set forth in paragraph (1), will be further stipulated under decision of head of the

supervisory agency.

Article 20

Any package, which will be transported, shall not be having a contamination beyond the level designated by the supervisory agency.

CHAPTER VI RADIATION PROTECTION PROGRAM

Article 21

Any transportation of radioactive substances must comply with radiation protection principles.

Article 22

- (1) In transporting nuclear substances, the sender must comply with the conditions for physical protection.
- (2) The provision of paragraph (1) will be further stipulated under decision of the supervisory agency.

Article 23

- (1) The carrier must place the packages separately in a safe distance from the implementing officer, from place of workers and the public, from photographic films that have not yet been processed, and/or dangerous and poisonous substances, during transportation, storage during transit, and temporary storage before and after transportation.
- (2) The safe distance, as set forth in paragraph (1), will be further stipulated under decision of head of the supervisory agency.

Article 24

- (1) The supervision over radiation level on transportation officers must be performed according to transportation conditions.
- (2) The provision on dose of radiation, as set forth in paragraph (1), will be further stipulated under decision of head of the supervisory agency.

Article 25

- (1) The tanks, which have been used for transporting radioactive substances, shall not be used to store or transport other goods before they are declared safe or free from contamination.
- (2) The transportation vehicles and the equipment, which are constantly used to transport radioactive substances, must be watched periodically to decide the level of contamination.

Article 26

- (1) Examination into content of the packages during transportation by the authorized institution, shall only be performed using certain equipment, and shall be attended by

or upon direction of the radiation protecting officer.

- (2) The packages examined by the authorized institution, as set forth in paragraph (1), must be returned to the original condition before being forwarded to the receiver.

CHAPTER VII TRAININGS

Article 27

- (1) Workers, who are periodically involved in the transportation of radioactive substances, must have attended trainings on transportation of radioactive substances.
- (2) The trainings set forth in paragraph (1) are the responsibility of the carrier.
- (3) Provisions regarding trainings, as set forth in paragraph (1), will be further stipulated under decision of head of the supervisory agency.

CHAPTER VIII QUALITY GUARANTEE PROGRAM

Article 28

- (1) In the transportation of radioactive substances and nuclear materials, the sender must arrange a quality guarantee program.
- (2) The program, as set forth in paragraph (1), shall be furnished to the supervisory agency for approval.
- (3) The quality guarantee program, which has obtained the approval, as set forth in paragraph (2), shall be implemented by :
 - a. The sender, during delivery preparation stage prior to delivery to the carrier; and
 - b. The carrier, during transportation, storage during transit, and temporary storage before and after transportation, prior to delivery to the receiver.
- (4) The quality guarantee program, as set forth in paragraph (1), will be further stipulated under decision of head of the supervisory agency.

CHAPTER IX TYPE AND LIMIT OF RADIOACTIVE SUBSTANCE ACTIVITY

Article 29

- (1) Type and activity of the radioactive substances in a package shall not exceed the level designated for type of packages.
- (2) Type and activity of the radioactive substances, as set forth in paragraph (1), will be further stipulated under decision of head of the supervisory agency.

CHAPTER X RADIOACTIVE SUBSTANCES WITH OTHER

DANGEROUS CHARACTERISTICS

Article 30

The transportation of radioactive substances having other dangerous characteristics, must comply with the provisions of this regulation and rules on transportation of dangerous and poisonous substances (B3).

CHAPTER XI PREVENTION OF EMERGENCY SITUATIONS

Article 31

In case of accidents due to radiation, the carrier must report this matter to the supervisory agency, the sender, other relevant authorities, and the receiver.

Article 32

- (1) If, there is an accident during transportation, which results in the broken, leaking, or damaged packages, the transporting officer must isolate the site using fence and giving clear signs.
- (2) The carrier must report the accident, as set forth in paragraph (1), to the supervisory agency, the sender, and/or the receiver.
- (3) The sender or the receiver must send the radiation protecting officer soonest possible after occurrence of the accident to examine and lead the preventive actions and declare that the area has been free from the danger of radiation.
- (4) The packages with level of leakage due to accident, as set forth in paragraph (1), which is beyond the limit designated by the supervisory agency, shall not be forwarded before being repaired and decontaminated.

Article 33

Based on the report specified in Article 31 and Article 32 paragraph (2), the supervisory agency, if necessary, may coordinate or lead the preventive actions.

CHAPTER XII ADMINISTRATIVE SANCTIONS

Article 34

- (1) The supervisory agency will deliver a written reminder to holders of permit for the utilization of nuclear power, which violate the provisions of Article 6 paragraph (2), Articles 7, 9, 10, Article 12 paragraph (1) to (5), Article 14 paragraph (1) to (3), Article 16 paragraph (1), Article 17, Article 19 paragraph (1), Articles 20, 22, 25, Article 28 paragraph (1), (3) clause a, Article 29 paragraph (1), Article 30, and Article 32 paragraph (3) and (4) of this regulation.
- (2) The written reminder, as set forth in paragraph (1), is issued fourteen (14) days from date of the reminder.
- (3) If the written reminder, as set forth in paragraph (2) is not complied with, a final

reminder will be issued within fourteen (14) days from the expiration of the first reminder.

- (4) If, the written reminder, as set forth in paragraph (3) is not complied with, the supervisory agency will freeze the permit within thirty (30) days from the issuance of the freezing order.
- (5) If, holder of the permit does not comply with the reminder regarding the freeze of permit, as set forth in paragraph (4), the permit may be revoked by the supervisory agency.

Article 35

- (1) The supervisory agency may directly freeze the permit for the utilization of nuclear power if, there are violations as set forth in Article 7, 8, Article 12 paragraph (1), (2), and (4), Article 14 paragraphs (1) to 93), Articles 17, 20, Article 29 paragraph (1), Article 30, Article 32 paragraph (3) and (4), during transportation of radioactive substances, which cause danger of radiation on the workers, the public, and the environment.
- (2) If, within thirty (30) days from the freeze of the permit, holder of the permit still does not comply with the provisions regarding reasons of freeze of permit, as set forth in paragraph (1), the supervisory agency may revoke the said permit.

CHAPTER XIII CRIMINAL PROVISION

Article 36

Any individual or corporation which violates the provision of Article 6 paragraph (1) shall be subject to the punishment set forth in Article 43 of Law No. 10/1997 on nuclear power.

CHAPTER XIV CLOSING PROVISIONS

Article 37

With the effectiveness of this regulation, all enforcing regulations subordinate to this regulation, which rule about safety in the transportation of radioactive substances, shall be continue to be in effect as long as they are not in violation with or have not been replaced by new regulations based on this government regulation.

Article 38

This regulation supersedes Government Regulation No. 13/1975 (Statute Book 1975 No. 17, Supplement to Statute Book No. 3053).

Article 39

This regulation comes into full force and effect from the date of promulgation.

For public cognizance, this government regulation shall be published by promulgating it in Statute Book of the Republic of Indonesia.

Stipulated in Jakarta
On May 13, 2002

THE PRESIDENT OF THE REPUBLIC OF INDONESIA
sgd
MEGAWATI SOEKARNOPUTRI

Promulgated in Jakarta
On May 13, 2002

THE SECRETARY OF STATE OF THE REPUBLIC OF INDONESIA
sgd
BAMBANG KESOWO
