

MINNEAPOLIS-SAINT PAUL METROPOLITAN AIRPORTS COMMISSION**ORDINANCE NO. 44**

An Ordinance relating to the management and operation of its airports, adopted to promote the public health and welfare; providing for the monitoring and control of both incoming and outgoing air shipments of potentially radioactive materials and radioactive exposure resulting therefrom; providing for the charges to be made against shippers or recipients of such materials to finance such program; and prescribing the penalties for violation thereof.

WHEREAS, The Minneapolis-Saint Paul Metropolitan Airports Commission has determined that the transportation of radioactive packages via air transportation causes all air passenger flight crews and air freight ground personnel to be exposed to the radiation generated by these packages; and

WHEREAS, The Department of Transportation of the United States in promulgating regulations restricting the level of radiation which may be generated by radioactive cargos, has recognized the dangers to the public safety of cumulative radiation overexposure, and by the enactment of said regulations has sought to prevent such overexposure; and

WHEREAS, The number of radioactive packages being transported by air carriers is increasing significantly each year, thereby creating an increased level of radiation exposure to those either handling or proximate to these packages; and

WHEREAS, There is no current system or program to closely monitor the actual cumulative radiation levels in either the physical areas used for the transportation of radioactive packages or as absorbed by individuals whose employment necessitates the frequent and recurring handling of radioactive packages; and

WHEREAS, To ensure the present and future health and well-being of air passengers, and employees in the air commerce industry, there is an immediate and pressing need for a system to monitor the levels of cumulative radiation created by the shipment of radioactive packages;

The Minneapolis-Saint Paul Metropolitan Airports Commission hereby ordains:

I. DEFINITIONS

- (a) Airport means each public airport operating under the jurisdiction of the Commission.
- (b) Commission means the Minneapolis-Saint Paul Metropolitan Airports Commission.
- (c) Director means the Commission's Director of Noise Abatement and Environment Control, or his office, or such subordinates as he may from time to time designate.
- (d) Radioactive White I, Yellow II and Yellow III shall carry the meaning ascribed to them by 49 C.F.R. §173.399(a).

- (e) Monitoring Equipment shall mean any and/or all of the following:
- (1) Fixed radiation devices which measure either the present radiation levels or cumulative radiation doses in a physical space or area.
 - (2) Geiger-Muller Counters, or other similar devices.
 - (3) Film badges or other indicators which measure cumulative radiation doses and are suitable to be worn on the person of those agents handling radioactive materials.

II **PACKAGE REGISTRATION**

- (a) Before acceptance for shipment, each outgoing Radioactive White I, Yellow II or Yellow III package shall be registered at the freight-receiving desk of the carrier or Freight Forwarder receiving the package. Each incoming Radioactive White I, Yellow II or Yellow III package shall, when off-loaded from the airplane, be brought immediately by the freight handling personnel to the freight-receiving desk of the carrier on which the package arrived and registered.
- (b) Registration shall consist of:
- (1) A Geiger-Muller Counter examination for Radioactive Yellow II or Yellow III packages by a person trained to conduct such examination. Such examination shall be conducted at the package surface for all Radioactive Yellow II and Yellow III packages and also at three (3) feet from the package surface for all Radioactive Yellow III packages. For all purposes of this requirement the Director shall train at least one cargo agent for each shift during which cargo is accepted for shipment. The Director shall be responsible for providing a training program in Geiger Counter operation in conjunction with the State Board of Health for those individuals designated to conduct Geiger Counter examinations.
 - (2) A wipe test to determine external package contamination. Such test may be performed by the Director at such frequency as he in his discretion may determine. If such test is performed and the result indicates surface contamination, a second wipe test shall be performed. If such second test also indicates surface contamination the package shall be detained and dealt with according to Section II (d) hereunder.
 - (3) The completion of a registration form, containing the following information, by the agent conducting the Geiger-Muller Counter examination:
 - (A) The name and address of the Company, organization or individual shipping and receiving a Radioactive White I, Yellow II or Yellow III package.

- (B) The Transport Index as listed on the package label.
 - (C) The surface radiation level of the package as measured during the examination of the package with the Geiger Counter.
 - (D) The radiation level at three feet from the package surface if such examination was conducted.
 - (E) The results of the wipe test for external package contamination if conducted.
- (c) No Radioactive White I, Yellow II or Yellow III packages shall be accepted for shipment or released to the addressee until all of the above information is recorded on the registration form.
- (d) Upon being examined by a Geiger-Muller Counter, any Radioactive Yellow II or Yellow III package exceeding the measured level of millirem per hour permitted by 49 C.F.R. §173.399(2), or as the same may be from time to time amended or, after undergoing tests pursuant to Section II(b) (2) hereunder which indicate surface contamination shall, in the case of outgoing packages, be refused shipment or, in the case of incoming packages, be detained. In either case, the person performing the tests shall immediately notify the Director and the State Board of Health. The Director shall permit the State Board of Health to conduct whatever examinations or tests of the package that the State Board of Health shall deem advisable. In the event the State Board of Health determines that the package is not in violation the Director shall release the package from detainment. In the event the State Board of Health determines that the package is in violation, the Director shall release the package to the State Board of Health and shall notify the appropriate administration of the Department of Transportation. In the event the State Board of Health makes no determination within a reasonable period of time or refuses to accept packages in apparent violation, the Director shall notify the Federal Aviation Administration and shall release the package from detainment to the Federal Aviation Administration. In the event neither the State Board of Health nor the Federal Aviation Administration accepts a package in apparent violation the Director shall, in the case of incoming packages, release it to the addressee, informing him of the apparent violation, and in the case of an outgoing package, return it to the sender informing him of the apparent violation.
- (e) Unless the shipper or addressee has been granted a waiver or an exemption or the shipment is made under the supervision of the United States Atomic Energy Commission or the Department of Defense, any Radioactive Yellow II or Yellow III package with a label exceeding the Transport Index permitted by 49 C.F.R. §173.399(a), or as it may be from time to time amended, shall, in the case of outgoing packages, be refused for shipment and, in the case of incoming packages, be detained. In either case, the Director shall be immediately notified, whereupon the Director shall verify the accuracy of the mislabeling violation. Outgoing packages detained under this Section shall be returned to the shipper for relabeling and the Federal Aviation Administrator shall be notified of the full particulars of this action. Incoming packages detained under this Section shall be released to the

addressee with the consent and concurrence of the Federal Aviation Administration.

- (f) All Geiger Counter or other radioactivity measurements on which a package detainment is based shall be corrected to account for the possibility of error inherent in the particular machine or other monitoring device used to perform the measurement.

III. **MONITORING**

- (a) The placement and reading of monitoring equipment shall be the responsibility of the Director. The Director shall determine appropriate detection devices for monitoring cumulative radiation levels.
- (b) Each freight worker whose employment causes him to handle radioactive packages shall wear a film badge or other indicator during all on-duty hours. It shall be the responsibility of the Director to provide film badges or other indicator for each employee required by this Ordinance to wear such monitoring equipment.
- (c) The Director shall determine appropriate time intervals for reading all monitoring equipment.
- (d) The Director shall be responsible for obtaining accurate readings of all monitoring equipment and his office shall keep a cumulative record of all such readings of all monitoring equipment at each airport. To accomplish this purpose the Director is authorized to obtain the service of appropriate persons possessing the radiological equipment and technical qualifications necessary for the accurate reading of the monitoring devices. All such records of readings shall be made available for public inspection at the office of the Director during regular office hours.

IV. **SYSTEM COSTS**

Cost for this system shall be recovered in the following manner:

- (a) The Director shall determine the total cost of the monitoring system, including all administrative costs, after installation of the system is completed.
- (b) The Director shall determine and assess to local shippers and receivers a standard, per package fee sufficient to recover the total costs of the monitoring system.
- (c) The Director shall bill the local shippers and receivers at such frequency and in such manner as he shall determine.
- (d) Fees charged by the Director pursuant to this ordinance shall be paid by the person, company or organization so charged within a reasonable time.

V. PENALTIES

Violation of any of the provisions of this ordinance is a misdemeanor and is punishable by a fine of up to \$300.00 and/or imprisonment of not more than 90 days.

Adopted by the Minneapolis-Saint Paul Metropolitan Airports Commission on the 20th day of May, 1974.

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