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Inland Transport Committee

Working Party on the Transport of Dangerous Goods

Joint Meeting of the RID Committee of Experts and the Working Party on the Transport of Dangerous Goods

Bern, 19–23 March 2012

Item 4 of the provisional agenda

Interpretation of RID/ADR/ADN

Physical and administrative inspections in container terminals in accordance with 7.5.1

Transmitted by the Government of Belgium^{1,2}

Summary

Executive summary: Question for clarification on the duties of the loader/unloader regarding the inspections in container terminals in accordance with 7.5.1.

Decision to be taken: Provide clarification/interpretation on the scope of the actual 7.5.1.2.

Related documents: Informal document INF.9, seventy-fourth session of the Working Party on the Transport of Dangerous Goods (WP.15) (May 2003) and report of that session TRANS/WP.15/174, paras. 22-26;

TRANS/WP.15/AC.1/2003/70 and TRANS/WP.15/AC.1/96, paras. 15-16

Informal document INF.12, seventy-seventh session of WP.15 (October 2004) and report of that session ECE/TRANS/WP.15/181, paras. 30-32

TRANS/WP.15/2005/1 and informal document INF.37, seventy-eighth session of WP.15 (May 2005) and report of that session TRANS/WP.15/183, para. 29 and Annex

OTIF/RID/CE/2011/1 and informal document INF.9 presented at the RID Committee of Experts in November 2011

¹ In accordance with the programme of work of the Inland Transport Committee for 2010–2014 (ECE/TRANS/208, para. 106, ECE/TRANS/2010/8, programme activity 02.7 (c)).

² Circulated by the Intergovernmental Organisation for International Carriage by Rail (OTIF) under the symbol OTIF/RID/RC/2012/12.

Introduction

1. In the period 2003-2005 there was a discussion headed by Belgium on the scope of the provisions set out in Chapter 7.5 and their applicability to container terminals. This led to a series of documents at the WP.15 and Joint-Meeting level ultimately resulting in the current wording of section 7.5.1, in force since the ADR version of 2007 and since the RID version of 2009 for both road and rail transport (see referenced documents).
2. The RID/ADR versions of 2011 saw a further evolution on this subject through the adopted definitions of the loader and unloader in Chapter 1.2 and their safety obligations set out in Chapter 1.4, specifically targeting loading and unloading of containers onto or from vehicles or wagons.
3. This gave rise to a discussion with container terminal operators as to how the obligations of RID/ADR 7.5.1.2 should be interpreted in light of their safety obligations. It was argued that these obligations are regarded differently in different Member States/Contracting Parties. Furthermore it proved to pose practical planning and operational problems and financial consequences to operators when imposing administrative and physical inspections on each container, given the large amount of containers passing through terminals on a daily basis and it was argued that a representative sampled inspection regime was desirable and could meet the requirements of 7.5.1.2.
4. Recently the RID Expert Committee reviewed documents OTIF/RID/CE/2011/1 and informal document INF.9 at its fiftieth session at least clarifying the position of the authors of those papers that the current wording in 7.5.1.2 does impose a 100% inspection of each container.
5. To avoid differing interpretations in different Member States/Contracting Parties and given the important impact of container terminals on the daily flow of dangerous goods via road and rail both nationally and internationally, Belgium seeks additional clarification on this issue.

Proposal

6. The Joint-Meeting is invited to clarify:
 - (a) The scope and implementation of the actual RID/ADR 7.5.1.2 when imposing physical and administrative inspections in container terminals (both deep-sea and ro-ro and multimodal).
 - (b) If the actual text of RID/ADR 7.5.1.2 needs additional clarification and possible elaboration in that sense.
 - (c) How the above said requirements are met in practice in the different Member States/Contracting Parties.
 7. Depending on the outcome of the discussion, Belgium is prepared to pursue the further elaboration of this issue as deemed necessary.
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