



INF. 5

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RID/ADR/ADN

Joint Meeting of the RID Committee of Experts and the Working Party on the Transport of Dangerous Goods (Berne, 14 - 18 March 2016)

Agenda item 5 a) Proposals for amendments to RID/ADR/ADN – Pending issues

Results of the 5th session of the RID Committee of Experts' standing working group (Zagreb, 23 – 27 November 2015)

Information from the Secretariat of OTIF

1. The 5th session of the RID Committee of Experts' standing working group (Zagreb, 23 – 27 November 2015) dealt with various problems that might also concern the provisions of ADR and ADN. The Secretariat was asked to submit these issues to the next RID/ADR/ADN Joint Meeting.
2. The relevant paragraphs of the draft report ([OTIF/RID/CE/GTP/2015-A]) are reproduced below.

Consolidated texts adopted by the Joint Meeting in 2014 and 2015 and by the RID Committee of Experts' standing working group in November 2014

Document: OTIF/RID/CE/GTP/2015/12 (Secretariat)

4. As a first step, document 2015/12 prepared by the Secretariat was adopted, which contained the texts adopted by the Joint Meeting in 2014 and 2015 and by the standing working group in November 2014.

5. At the Secretariat's suggestion, the wording of 1.4.2.2.1 (f) was aligned with the text adopted for ADR. In 2.2.9.1.14, the new line before the Note was amended by adding the term "vehicles". As the latter amendment might also concern ADR, the Secretariat was asked to inform the Joint Meeting of this amendment.

2.2.9.1.14 Amend the first amendment to read as follows:

"In the list before the Note, after "Electric double layer capacitors (with an energy storage capacity greater than 0.3 Wh)" add a new line to read:

"Vehicles, engines and machinery, internal combustion."

Amendments adopted by the 99th session of WP.15 (Geneva, 9 - 13 November 2015)

Informal documents: INF.3 (Secretariat)
INF.12 (Spain/United Kingdom)

8. Some delegates thought 5.4.2 was illogical, because on the one hand it talks about "container or vehicle packing certificate", and on the other it only sets out requirements for containers.
9. The representative of the United Kingdom reminded the meeting that when provisions concerning the packing certificate were taken over in RID/ADR, it had specifically been decided not to adopt any further-reaching requirements for wagons and vehicles. The reasons for this were that as a rule, RID/ADR did not set out the provisions of another mode and that in the case of wagons and vehicles, they might still be loaded on the way to a port, so only the last loader would be in a position to issue a packing certificate.
10. The working group adopted informal document INF.12 prepared by Spain and the United Kingdom in principle, but the amended texts, except the Note, which only concerns RID, were placed in square brackets for the time being until the Joint Meeting endorsed them.

The full text of 5.4.2 is reproduced below (amended and new text is underlined, texts proposed by the RID Committee of Experts' standing working group are in square brackets):

5.4.2 **[Container/vehicle packing certificate]**

If the carriage of dangerous goods in a container precedes a voyage by sea, a container/vehicle packing certificate conforming to section 5.4.2 of the IMDG Code¹¹ shall be provided with the transport document¹². [If the carriage of dangerous goods in a vehicle precedes a voyage by sea, a container/vehicle packing certificate conforming to section 5.4.2 of the IMDG Code¹¹ may be provided with the transport document¹².]

The functions of the transport document required under 5.4.1 and of the container/vehicle packing certificate as provided above may be incorporated into a single document; if not, these documents shall be attached one to the other. If these functions are incorporated into a single document, the inclusion in the transport document of a statement that the loading of the container [or vehicle] has been carried out in accordance with the applicable modal regulations together with the identification of the person responsible for the container/vehicle packing certificate shall be sufficient.

NOTE 1: The container/vehicle packing certificate is not required for portable tanks, tankcontainers and MEGCs.

2. For the purposes of this section the term "vehicle" includes wagon.

Other comments

Informal document: INF.2 (United Kingdom)

11. With the exception of the proposals in paragraphs 2 and 6, the amendments requested by the representative of the United Kingdom in informal document INF.2 were adopted.
12. With regard to the proposal in paragraph 2, it was noted that in principle, the carriage on railway vehicles of vehicles containing elevated temperature substances for the purpose of road marking could not be ruled out, and that the allocation of special provision 668 to UN number 3257 should also be maintained for RID.
13. The representative of the United Kingdom was asked to submit his proposal in paragraph 6 to the Joint Meeting, as it also concerned ADR.

Addition by the secretariat:

In order to simplify matters, the United Kingdom's proposal from paragraph 6 of informal document INF.2 is reproduced here:

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As these additional entries for UN 0015, UN 0016, and UN 0303 also require the 6.1 label, the question arises as to whether special provision "CW28" needs to be added in column (18), as for other Class 1 entries attracting the additional 6.1 label. This is also applicable to ADR via CV 28.

Entity in Charge of Maintenance (ECM)

Document: OTIF/RID/CE/GTP/2015/2 (UIP)

Informal documents: INF.14 (ERA)
INF.15 (UIP)

30. Based on the discussion at the last session of the working group (see report OTIF/RID/CE/GTP/2014-B, paragraphs 9 to 11), the representative of UIP submitted document 2015/2, in which he proposed to divide obligations between the tank-wagon operator and the entity in charge of maintenance (ECM).
31. The representative of ERA explained that the version of UIP's proposal submitted could not be adopted in this biennium, as it contradicted the ECM Regulation.
32. Those national representatives who expressed a view on this issue supported the division of obligations proposed by ERA in informal document INF.14. Informal document INF.14 was therefore adopted with a few editorial amendments. In addition, UIP's proposals on the definition of ECM in 1.2.1, the inclusion of a new 1.4.2.2.7 under the carrier's obligations and to amend 4.3.2.1.7, were adopted.
33. In the second sub-paragraph of 4.3.2.1.7, the Joint Meeting is also recommended to insert "without delay" for tank-vehicles and tank-containers as well ("Should a change of owner or operator occur during the life of the tank the tank record shall be transferred without delay to the new owner or operator"), in order to make clear that the tank record cannot just be transferred as and when.

Carrier's checks of the marking of dangerous goods packed in limited quantities in accordance with Chapter 3.4

Document: OTIF/RID/CE/GTP/2015/9 (UIC)

Informal document: INF.5 (Sweden)

48. In document 2015/9, the representative of UIC pointed out that based on the transport document, the carrier checks that the prescribed placards and marks have been affixed to wagons and containers. Such checks were not possible for limited quantity consignments in accordance with Chapter 3.4, as RID did not contain any documentation requirements for this type of transport. Therefore, as in the case of exempted quantities, he proposed that as a minimum, the transport document should contain information on the presence of dangerous goods in limited quantities and the total gross mass.
49. In informal document INF.5, the representative of Sweden illustrated how wagons carrying dangerous goods in limited quantities might be marked, depending on the total gross mass and on whether the wagon contains other dangerous goods not being carried in limited quantities.
50. Several delegations requested that UIC's proposal be dealt with in the Joint Meeting. However, some delegations did not think there would be much success in dealing with this in the Joint Meeting, as the conditions for road transport were not comparable. Unlike RID, there was no obligation to provide the infrastructure manager with information and the consignment was accompanied by the vehicle driver, who had an overview of his load. They proposed that in this context, it would be more useful to harmonise the provisions of RID with those of the IMDG Code.
51. The chairman explained that one solution at Joint Meeting level could be to standardise the information already required for the carrier under 3.4.12 concerning the gross mass of dangerous goods in limited quantities, as in Chapter 3.5, in order to facilitate electronic procedures. However, as in 3.5.6, a transport document in accordance with Chapter 5.4 should not be made mandatory.
52. The representative of UIC said he would obtain the views of the railway undertakings on how to proceed and, if necessary, prepare a new document for the Joint Meeting in March 2016, which would take account of the comments made by various delegations.

5.4.1.2.2 – Documentation – Additional provisions for Class 2

67. The secretariat drew the working group's attention to a difference between the provisions of 5.4.1.2.2 in SMGS Annex 2 and RID. For the carriage of empty tank-wagons that have contained liquefied gases of certain classification codes, an additional provision in SMGS Annex 2 prescribes that the residual pressure in the tank after unloading has to be indicated in the transport document.
68. The representative of the Russian Federation explained that this additional information was required by the authorities in the SMGS Contracting States in order, among other things, to prevent internal negative pressure in the tank, which had already occurred several times in Siberia.
69. The chairman reminded the meeting that in the past, incidents in which tanks had become deformed as a result of internal negative pressure had led to the inclusion of 4.3.3.3.4 and 6.8.2.1.7 in the regulations, which contained measures designed to prevent the formation of internal negative pressure.
70. The working group was of the view that this issue should be submitted to the RID/ADR/ADN Joint Meeting's working group on tanks for further investigation.