Economic Commission for Europe

Inland Transport Committee

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Working Party on the Transport of Dangerous Goods

Joint Meeting of Experts on the Regulations annexed to the European Agreement concerning the International Carriage of Dangerous Goods by Inland Waterways (ADN)

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Implementation of the European Agreement concerning the International Carriage of Dangerous Goods by Inland Waterways (ADN)
interpretation of the Regulations annexed to ADN

Discussion paper on the correct way of ascertaining a correct and safe flow during loading and unloading of barges

Transmitted by FETSA, the Federation of European Tank Storage Associations

Summary

Executive summary: The way the Dutch industry has been ascertaining the (un)loading flow (1.4.3.3 s) or 1.4.3.7.1. J) for the Unloader) during the last decennia is being questioned by The Dutch Human Environment and Transport Inspectorate (ILT). In Belgium and Germany the industry has been ascertaining flows in line with the Dutch Industry

Actions to be taken: Discussion and request for interpretation by ADN Safety Committee on interpretation of 1.4.3.3 s) (or 1.4.3.7.1. J) for the Unloader)

Introduction

1. In 2017 the Dutch Human Environment and Transport Inspectorate (ILT), overseeing the safe transport of dangerous goods on inland waterways in The Netherlands, started to comment on the (un)loading practice at the different terminals in Dutch harbours. They are of the opinion that the flow of (un)loading is not ascertained correctly as required according to ADN.

2. The industry, used to the current practice for decennia and not doing anything different from at least Belgium and German industry points of view, is imposed now to administrative enforcement and penalty payments.

3. Terminals are of the opinion that the current manner of ascertaining the (un)loading flow is correct and safe. At least in Belgium and Germany the flow is being determined in the same way and has been determined like that, as in The Netherlands, for the last decennia.

ILT point of view

4. Dutch Human Environment and Transport Inspectorate is of the opinion that the Filler or unloader must ascertain that the (un)loading flow is not exceeded. This is in accordance with the obligation of the Filler as described in article 1.4.3.3. S) (or 1.4.3.7.1. J) for the Unloader) of the ADN.

1.4.3.3. S) regarding the Filler states as follows: “He shall ascertain that the loading flows conform to the loading and unloading instructions referred to in 9.3.2.25.9 or 9.3.3.25.9 ADN and that the pressure at the crossing-point of the gas discharge pipe or the compensation pipe is not greater than the opening pressure of the high velocity vent valve;”

5. The Dutch Inspectorate is of the opinion that it is the duty of the Filler (unloader) to do this in accordance to 1.4.3.3. S) (or 1.4.3.7.1. J) for the Unloader) of the ADN, via 9.3.2.25.9 or 9.3.3.25.9 of the ADN, and shall be calculated per load in conformation to paragraph 3 of the mentioned 9.3.2.25.9 or 9.3.3.25.9 of the ADN.

6. Chapter 9 of the ADN state the “Rules for construction”.

Article 9.3.2.25 of the ADN is about “Pumps and piping”.

Article 9.3.2.25.9 of the ADN is about “The permissible loading and unloading flows that shall be calculated”.

Paragraph 3 of article 9.3.2.25.9 of the ADN states that one of “the main factors to be considered” are among others "the density of the vapor mixture of the cargo based on 50 vol .-% vapor and 50 vol .-% air".

Terminals point of view

7. Terminals agree on the fact that terminals have to ascertain a safe flow of (un)loading.

8. Terminals are of the opinion that as Fillers or Unloaders they ascertain this by asking the Carrier for the relevant technical data of the Carriers ships at time of the completion of the ADN Checklist (7.2.4.10 ADN) by Filler and Carrier.

9. Dutch terminals are of the opinion that it is the Carrier who is able to ensure the calculations mentioned in 9.3.2.25.9 paragraph 3 of the ADN because they are part of the Carriers ships technical data; they are part of the information on its certificate of approval. This certificate of approval show for which products it is suitable and which key figures are involved.

As also mentioned at the end of article 9.3.2.25.9 of the ADN “the permissible maximum loading and unloading pressure for each cargo tank or for each group of cargo tanks shall be given in an on-board instruction”.

Follow-up

10. Terminals believe that the Dutch Inspectorate uses its own interpretation of the ADN, which is not in line with current practice in the Netherlands and at least in Belgium and Germany.

11. The ADN Safety Committee is asked to give its opinion on the way a correct flow of (un)loading has to be ascertained.