

## INLAND TRANSPORT COMMITTEE

Working Party on the Transport of Dangerous Goods

Eighty-first session

Geneva, 25-27 October 2006

Item 4 of the provisional agenda

## PROPOSALS OF AMENDMENTS TO ANNEXES A AND B OF ADR

Part 8 of ADRChapter 8.5 S1(6) Supervision of vehiclesTransmitted by the Government of Switzerland

## SUMMARY

Executive Summary:	Comments on document ECE/TRANS/WP.15/2006/16
Action to be taken:	Solve the contradiction between rules of chapters 1.10 and 8.4
Related documents:	ECE/TRANS/WP.15/2006/16 ECE/TRANS/WP.15/2006/2

**Introduction**

In document ECE/TRANS/WP.15/2006/2 Norway raises the question of the contradiction between the quantities and products of table 1.10.5 in chapter 1.10 and those in chapter 8.5 concerning the supervision of vehicles. The Norwegian proposal tries to align the quantities of the special provisions in chapter 8.5 with the quantities in table 1.105.5. We are not convinced of the necessity to change anything in chapters 8.4 and 8.5 for the following reasons:

- Security measures following chapter 1.10, including eventually supervision of the vehicle, are applying not only for high consequence dangerous goods but for each kind of dangerous goods. They shall apply, including eventually supervision of the vehicle, already over the limits in quantities laid down in 1.1.3.6.3 and for any dangerous goods, not only for high consequences ones.
- Security measures are not supposed to be applied in all circumstances. Only if there is a need. This decision has to be taken at the level of the intervening parties.
- The supervision of the vehicle may or may not be part of the supervision measures
- The supervision requirements in Part 8 are not introduced to guarantee the security in each case. They only achieve that supervision of the vehicle is harmonized throughout the continent at least for the concerned dangerous goods. The responsibility for this decision is not to be taken by the intervening parties as this is the case in chapter 1.10. They shall be applied at every time independently of the possible need of security measures.
- Only the provisions of chapter 1.10 are supposed to guarantee the security in each case. this is not the case of the rules of chapters 8.4 and 8.5
- Until no new data are brought to the WP.15 justifying changes in chapter 8.5 no changes are necessary. The need to align the different values is not demonstrate

### **Consequences of the Norwegian approach in document ECE/TRANS/WP.15/2006/16**

Looking at the limits over which chapter 1.10. applies, that is the limits of table 1.1.3.6.3, demonstrates alone the incoherence by trying to bring in line limits for supervision of vehicles with security rules of chapter 1.10. Products which are not subject to the actual supervision rules of Part 8 are subject at any time to the security rules of chapter 1.10. So that for example flammable liquids of PG III are eventually concerned by security rules over 1000 l. It may then be possible to organize supervision of the vehicle for security reasons already over 1000 l for PG III flammable liquids. Instead of that, Norway proposes to fix limits for Flammable liquids of PG I to 5000 kg in packages. This is 5 times more than the actual limit in chapter 1.10 for PG III (always taking account in the limits in 1.1.3.6.2) and 250 times more than the actual limit of 20 l in table 1.1.3.6.3 for PG I flammable liquids. Many other examples of this kind can be shown. This demonstrates enough that the link between chapter 1.10 and Part 8 is not possible.

The proposals of Norway don't solve the apparent contradiction between chapter 1.10 and chapters 8.4 and 8.5. It only introduces new parameters (values) without explaining why such measures are now necessary. At the end the system is more complicated as before.

We agree however there is a need of clarification of the different rules in ADR.

### **Proposal**

If the wish of the majority of the group is however to clarify the relationship between chapter 1.10 and chapters 8.4 and 8.5, we think this could be achieved by introducing a new paragraph in chapter 1.10. For example with the following text:

"1.1.10.6 When security measures are necessary, the requirements concerning the supervision of vehicles can be applied not only to the dangerous goods and for the quantities mentioned in chapters 8.4 and 8.5 but for all dangerous goods and for lower quantities.