

**REPORTS OF INFORMAL WORKING GROUPS**

**Report of the informal working group on the revision of Chapter 6.2**

**Transmitted by the European Industrial Gases Association (EIGA)**

**Introduction**

The following is the outcome of the deliberations of the informal working group acting on the instructions in TRANS/WP.15/AC.1/96 paras 39 to 41 and TRANS/WP.15/AC.1/98 paras 63 to 66, amended by TRANS/WP.15/AC.1/100, para. 100.

**Report from the Working Group**

1. The working group met on 7<sup>th</sup> and 8<sup>th</sup> of February 2006 and representatives of Belgium, Finland, France, Germany, the Netherlands, Poland, Switzerland, the United Kingdom, the European Commission, the European Liquefied Petroleum Gas Association (AEGPL), the Independent Controllers Association (ACI) and the European Industrial Gases Association (EIGA) participated.
2. As a reminder and considering the revised remit from the Joint Meeting, it was decided previously to split the work into two phases. The first phase would restructure the chapter into the format agreed by the Joint Meeting and the second would be to develop a complete proposal for incorporating European Directive 99/36/EC on Transportable Pressure Equipment (TPED). During the first phase, technical changes would be considered as necessary, but procedural requirements for conformity assessment would be unchanged. The rationalisation of the procedural parts and the incorporation of the procedures of the TPED were deferred to a second phase.
3. It was agreed at the last Joint Meeting that it would be premature to bring the outcome of the restructuring phase into force on 1 January 2007 and that it would be preferable to continue working to incorporate the principles of the European Transportable Pressure Equipment Directive ("TPED Directive") into RID and ADR. The working group on Chapter 6.2, while conserving the gains of the work already achieved, should consider arrangements for evaluating conformity bearing the Directive in mind. Since the TPED Directive also concerned gas tanks, the working group on tanks should at the same time consider the same issues in cooperation with the informal working group on Chapter 6.2; a consistent consolidated proposal should be submitted to the Joint Meeting in order to ensure the entry into force of these provisions on 1 January 2009.
4. The working group decided at their meeting on 18<sup>th</sup> of October 2005 to set up task forces to deal with the various provisions of the eventual proposal.

5. Gregor Oberreuter from Germany presented a new draft for the section 6.xx.1 on competent authorities. Many members did not see the need to have provisions for “Competent Authorities” in this chapter. If these provisions are deemed necessary, some members suggested putting the general requirements in Part 1 under the definition of Competent Authority. On the other hand, it was felt that there was a need to define more completely the requirements for the bodies (notified/designated/approved/etc.) to which the Competent Authorities could delegate their responsibilities. Those requirements should include as far as necessary the requirements of Annexes I, II and III of the TPED. As the requirements for the Bodies are not specific to the type of packagings/receptacles or tanks, some members suggested these provisions could be placed in Part 1 instead of Part 6, other members preferred they could stay in a separate chapter of Part 6 as planned because the provisions for construction of equipments are all in Part 6 and the requirements for the Bodies apply to bodies involved in conformity assessment for manufacturing of transportable equipment. **The working group requests the Joint Meeting to discuss and decide.** The task force will present a revised draft taking into account the discussion of the working group for the next meeting.

6. Alain Leclerc presented the work done by his group to analyse the “modules” in use for receptacles and tanks in ADR/RID compared to those of the TPED and the conclusions the group reached so far including the structure for section 6.XX.2 He emphasised that the scope of the group covers only the conformity assessment procedures but not the requirements for the bodies. The substructure was accepted in principle by the working group and the task force was asked to draft the text based on UN taking into account TPED for the next meeting.

7. Gregor Oberreuter presented the section 6.xx.3 of his document (see above) on mutual recognition. There was general agreement on the way mutual recognition is introduced. B is of the opinion that mutual recognition of the bodies should be automatic (“will” instead of “may”). CH suggests to resolve it the way it has been dealt with in the RID for tank-wagons; consequential amendments will be necessary. Placing on the market and free use in the EU countries will be dealt with in the revised combined Framework Directive. Same for national transport that is excluded from the scope of ADR/RID. Same for connections and colour codes dealt with in Art.7.1 of the TPED and outside the scope of ADR/RID. Same for the requirements for materials resistant to low temperature in certain countries as per Art.7.2 of the TPED. The task force will present a draft at the next meeting.

8. Provisions for “Monitoring compliance” will be drafted by the TF lead by G. Oberreuter and circulated before the next meeting.

9. The tabulation of competent authority actions will be reviewed by all task forces to propose what actions should be transferred in the new chapter.

10. It was agreed that only a progress report will be sent by the chairman of the WG highlighting the main achievements. The report will not present any status of the consolidated text for 6.2 or for 6.XX until the TF’s have completed their work and reported to the next meeting of the WG.

11. EIGA reiterates its request to relinquish the chair to an other body now that chapter 6.7 , 6.8 and the TPED have been added to the original workload of chapter 6.2.