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REPORTS OF INFORMAL WORKING GROUPS

Comments of Belgium on document ECE/TRANS/WP.15/AC.1/2009/39

The proposals in ECE/TRANS/WP.15/AC.1/2009/39, transmitted by the Government of Germany on behalf of an informal working group give rise to the following questions and remarks :

Annex I

1. Why is “*its delegate*” systematically included after “*the competent authority*” in 1.8.6.2, when in 1.8.6.1 only inspection bodies may be approved ?
2. Editorial corrections in 1.8.6.2.1 : “... *or inspection body shall perform its activities taking into consideration the size, the sector and the structure of ...*”.
3. Are the subsidiaries and subcontractors mentioned in 1.8.6.4.1 two synonyms or two different entities ? (the words “... *has recourse to a subsidiary, it shall ensure that the subcontractor or the subsidiary ...*” seem to indicate that it are synonyms)
4. The second indication of 1.8.6.4.1 is to be deleted.
5. The NOTE in 1.8.6.4.1 specifies that “*a subsidiary shall be part of the organisation of the inspection body*”. Why then is it necessary to mention it separately ?
6. According to 4.1.6.14, owners have to demonstrate the conformity of their pressure receptacle “*in a language easily understood by the competent authority*”. This provision leaves the door wide open for interpretation. Why has been derogated from the usual choice between French, English and German ?

Annex II

The conformity of gas cartridges can be assessed by applying the procedure in section 1.8.7 for gas receptacles, with the exception of 1.8.7.5 [cfr. the proposed 1.8.8.1.1 (a)]. This ought to be

sufficient and there is no real need to develop the parallel procedure of 1.8.8. What are the imperative reasons why this has nevertheless been done ?

If the meeting decides to maintain two procedures for the conformity assessment of gas cartridges, the proposed text of 1.8.8 gives rise to the following questions and remarks :

1. In the note under the heading of 1.8.8, the words “*type A body*” have to be replaced by “*type Xa body*” (as defined in 6.2.3.6.1).
2. The text of 1.8.8.1.1 can be simplified. In the introductory sentence, the reference made to “*according to the table in 6.2.3.6.1*” is superfluous : for possibility (a), it is already given in 1.8.7.1.1, and for possibility (b) the relevant bodies are being dealt with in the note under the heading of 1.8.8.

Notes : There is a contradiction between the note under the heading of 1.8.8 and 1.8.8.1.1 : applying the table in 6.2.3.6.1 to the procedure in section 1.8.8 means that the relevant body for the supervision of manufacture is an type Xa or IS body, whilst in the note only a type Xa body is indicated.

Paragraph 1.8.7.1.1 also contains “*according to the table in 6.2.3.6.1*”, but here the additional reference to 6.2.3.6.2 is missing. It is proposed to change the reference there to “*according to 6.2.3.6*”.

3. The structure of 1.8.8.1 is not optimal. According to 1.8.8.1.2, the applicant shall demonstrate the conformity “*by the application of 1.8.8*”. But 1.8.8 itself contains an escape to 1.8.7 [in 1.8.8.1.1 (a)], which is a rather confusing situation.

It is proposed to adapt 1.8.8 as follows :

“1.8.8 *Procedures for conformity assessment of gas cartridges*

When assessing the conformity of gas cartridges, one of the following procedures shall be applied :

- (a) the procedure in section 1.8.7 for gas receptacles, with the exception of 1.8.7.5, or
- (b) the procedure in sections 1.8.8.1 to 1.8.8.7.

1.8.8.1 General provisions

1.8.8.1.1 The supervision of manufacture shall be carried out by a type Xa body and the tests as required in 6.2.6 shall be carried out either by that type Xa body or by an IS-body approved by that type Xa body ; for definition of type Xa and type IS body see definitions in 6.2.3.6.1. The provisions of 6.2.3.6.2 shall be applied.

[from 1.8.8.1.2 unchanged]
