

Committee of Experts on the Transport of Dangerous Goods and on the Globally Harmonized System of Classification and Labelling of Chemicals

Sub-Committee of Experts on the Transport of Dangerous Goods

30 April 2010

Thirty-seventh session

Geneva, 21–30 June 2010

Item 7 of the provisional agenda

Cooperation with the International Atomic Energy Agency (IAEA)

Comments on document ST/SG/AC.10/C.3/2010/3

Transmitted by AISE, CEFIC, CEPE, EIGA, FEA, FECC, FIATA, IRU and ITCO

1. Document ST/SG/AC.10/C.3/2010/3 submitted by the International Atomic Energy Agency (IAEA) proposes revisions and additions to Chapter 1.4 (Security Provisions) not only for radioactive material but also affecting dangerous goods of all other classes.
2. In paragraphs 10-121 IAEA makes reference to comments from industry and states that “no Member State provided any adverse comments”. Therefore IAEA decided to reject all arguments from industry.
3. As the above mentioned associations, representing a large part of industry, involved in the transport of dangerous goods in Europe, wonder whether their arguments have been brought to the attention of the delegates of this Sub-Committee, a copy of the message sent to IAEA has been copied in Annex.
4. This message lists all the arguments why industry does not support any changes to the current provisions in Chapter 1.4, as proposed by IAEA, exception made for new or amended provisions for radioactive material.

Annex

To: A.Eriksson@iaea.org

Monday, 1 February 2010

Dear Ms Eriksson,

Reference is made to Annex 2 of informal document INF.38 which was submitted by IAEA at the 36th meeting of United Nations Sub-Committee (UN/SCETDG) in December 2009. In this document IAEA suggested adding a number of paragraphs in Chapter 1.4 on Security Provisions in the United Nations Model Regulations.

Although these additional provisions may be appropriate for the transport of radioactive material, we do not think that these should be made applicable to all dangerous goods.

By including these additional requirements in section 1.4.1 "General provisions" these new requirements would apply not only to high consequence dangerous goods but to all dangerous goods e.g. even for those of Class 9.

Certain provisions that are being proposed such as advance notification and querying late deliveries are covered by normal commercial practices and do not need to be formalized in dangerous goods transport regulations. This formalisation would not only create an enormous administrative burden without any benefit but also raises the question on how competent authorities would monitor this.

The additional requirement that consignors would have to "provide written instructions on any required security measures, including how to respond to a security event during transport" is totally "over the top": neither consignors nor carriers are capable of complying as the expertise is with Security Authorities.

A recent study, carried out by the European Commission came to the conclusion that the "current regulations covering security during the transport of dangerous goods have provided the right level of protection to the public taking account of the factor that trade in dangerous goods must continue with the minimum of restrictions". This study concentrated on the provisions of Chapter 1.10 of RID/ADR/ADN (i.e. all transport by rail, road or inland waterway in Europe), which are directly derived from the provisions in Chapter 1.4 of the United Nations Model Regulations.

For all these reasons we cannot support your proposal and would recommend not tabling this proposal at the next United Nations Sub-Committee (UN/SCETDG) meeting.

Best regards

Lennox John, on behalf of **AISE** (International Association of Soap, Detergent and Maintenance Products)

Filip Jonckheere, on behalf of **CEFIC** (European Chemical Industry Council)

Janice Robinson, on behalf of **CEPE** (European Council of Paint, Printing Ink and Artists Colours Industry)

Andy Webb, on behalf of **EIGA** (European Industrial Gases Association)

Alain D'Haese, on behalf of **FEA** (European Aerosol Federation)

Roman Novak, on behalf of **FECC** (European Federation of Chemical Distributors)

Frank Hüster, on behalf of **FIATA** (International Federation of Freight Forwarders Associations)

Jacques Marny, on behalf of **IRU** (International Road Transport Union)

Andreas Huebner, on behalf of **ITCO** (International Tank Container Organisation)