



**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****Forty-first session**

Geneva, 25 June – 4 July 2012

Item 3 (a) of the provisional agenda

Listing, classification and packing:**proposals of amendments to the list of dangerous goods of Chapter 3.2****Guiding Principles at Part 4.3 C – tank instruction
assignments for UN Portable tanks****Transmitted by the expert from the United Kingdom¹****Introduction**

1. At the fortieth session of the Sub-Committee the expert from the United Kingdom presented document ST/SG/AC.10/C.3/2011/37 regarding transitional periods for UN portable tanks intended for the transport of liquids. The paper presented two proposals. One to amend the guiding principles in relation to providing guidance on changing the assignment of one tank instruction to another and a second proposal to extend transitional periods already adopted.

2. The second proposal to extend the transitional periods already adopted was not supported by the Sub-Committee but there was support for the development of Guiding Principles. The extract from the official report ST/SG/AC.10/C.3/80 is reproduced below:

“63. Several experts supported the idea of establishing guiding principles for the amendment of portable tank transport codes assigned to specific substances, however they had some reservations about the proposed texts. For example, the reference in paragraph 9 to a catastrophic failure should be deleted, as it might give the impression that assigned codes were amended in reaction to accidents, when in actual fact amendments were introduced to anticipate and avoid accidents. Similarly,

¹ In accordance with the programme of work of the Sub-Committee for 2011-2012 approved by the Committee at its fifth session (refer to ST/SG/AC.10/C.3/76, para. 116 and ST/SG/AC.10/38, para. 16).

the transitional period of 15 years considered in paragraph 11 was excessively long. Some experts said that the transitional periods should be determined on a case-by-case basis, in the light of the safety requirements and actual economic repercussions.”

3. The United Kingdom expert has considered the comments received at the last meeting and has amended the proposal for the guiding principles.

Proposal

4. The following is proposed text for the Guiding Principles at Part 4.3 C. The text presented in square brackets is for discussion by the Sub-Committee based on the differing opinions expressed at the last meeting.

Insert the following text after section B and renumber existing sections C and D accordingly:

“C. Guidance on changing the assignment of one portable tank instruction to another for particular substances

The rationalized approach taken to portable tank instruction allocation should be followed. It should not be necessary to change an existing portable tank instruction allocation to a particular substance or group of substances to a higher specification portable tank unless:

- There is a demonstrable reason to believe that a failure might occur which is related to the construction of the tank thus requiring an upgrading of the portable tank instruction assignment;
- A demonstrable positive cost benefit case indicates an improvement for safety, environmental protection or operational reasons;
- Amendment is made to the guidance on portable tank instruction assignment in section 4.3 B of these Guiding Principles.

Any change in the portable tank instruction allocation should not be in contradiction with the rationalized approach.

Where a change of tank instruction is considered necessary having regard to the principles set out above, consideration should be given to the following points to help determine to which tank instruction should now be applicable/desirable to move to and whether this then modifies the original decision to change the tank instruction in the first place:

- Whether the change means that the existing portable tank cannot be modified for continued use because it requires a change of shell thickness, tank volume, such as a tank constructed for a high density substance or a change from openings below the level of the liquid to no openings below the liquid level (top discharge portable tanks);
- The impact on consignors and consignees in having to modify filling plant to accept top opening portable tanks in terms of the required capital expenditure and the time needed to modify the filling plant;
- The reduced possibility for owners and operators to fill the portable tanks on both the outbound and return journey when the portable tank instruction is changed from bottom opening to top discharge portable tanks including the complications which

ensue for cleaning the portable tanks. (Such portable tanks may, de facto, have to become dedicated to the transport of just one substance).

Where it is deemed necessary to re-assign a substance to a different specification portable tank instruction, consideration should be given to permitting the existing portable tank to continue in its existing use for the remainder of its useful life or the provision of a transitional period [of 10 years] [of 15 years] [to be determined on a case by case basis] is established. An appropriate Tank Provision (TP) shall be issued to specify the period of use.”
