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Item 5(b) of the provisional agenda

Proposals for amendments to RID/ADR/ADN: new proposals

Proposal of harmonization for the transport of dangerous goods by sea and by road^{1, 2}

Transmitted by the Government of Spain

Introduction

1. Current chapter 7.1.4 (General Provisions) of RID/ADR defines “structurally serviceable” for a large container. The same definition is used in paragraph 7.4.6.4.2 of the International Maritime Dangerous Goods (IMDG) code for freight containers. These definitions, however, differ from one another in the scope and in some words – underlined in the text.

Current paragraph 7.4.6.4.2 in the IMDG code says:

“.2 "Structurally serviceable" means the freight container or vehicle shall not have major defects in its structural components, e.g. top and bottom side rails, door sill and header, floor cross members, corner posts, and corner fittings in a freight container. Major defects are dents or bends in structural members greater than 19 mm in depth, regardless of length: cracks or breaks in structural members; more than one splice (e.g. a lapped splice) in top or bottom end rail or door headers; more than two splices in any one top or bottom side rail or any splice in a door sill

¹ In accordance with the programme of work of the Inland Transport Committee for 2010-2014 (ECE/TRANS/208, para.106, ECE/TRANS/2010/8, programme activity 02.7(c)).

² Circulated by the Intergovernmental Organisation for International Carriage by Rail (OTIF) under the symbol OTIF/RID/RC/2012/5.

or corner post; door hinges and hardware that are seized, twisted, broken, missing or otherwise inoperative; gaskets and seals that do not seal; or, for freight containers any distortion of the overall configuration great enough to prevent proper alignment of handling equipment, mounting and securing on a chassis or vehicle, or insertion into ship's cells.

.3 In addition, deterioration in any component of the freight container or vehicle, regardless of the material of construction, such as rusted metal in sidewalls or disintegrated fibreglass, is unacceptable. Normal wear, however including oxidization (rust), slight dents and scratches and other damage that does not affect serviceability or the weather tight integrity of the unit are, however, acceptable."

2. These requirements in RID/ADR shall be applied to large containers transporting all kinds of dangerous goods but, in the IMDG Code, these requirements apply to freight container or vehicle but addressed only to the goods of Class 1.

3. In both cases, RID/ADR (for all classes of dangerous goods) and the IMDG code (for Class 1), it is required that if the freight container (RID/ADR) or the freight container or vehicle (IMDG) is not "structurally serviceable", it shall not be offered or presented for carriage or transport.

Proposal

4. We propose to incorporate to current 7.1.4 of RID/ADR the current definition of what is structural serviceable in the IMDG Code referred above, with the exception of the last wording of the paragraph: "or insertion into ships cells" and changing the word "freight-container" by "large container".

5. Also we propose to change the second paragraph "major defects are dents or bends in structural members greater than 19 mm in depth..." by "major defects are dents or bends in structural members greater than 35 mm in depth for the transport of all classes of dangerous goods excepting Classes 1, and 19 mm in depth for the transport of dangerous goods of Classes 1 (...)."

Consequently the new paragraph of RID/ADR, will read as follows (changes underlined):

"7.1.4 A large container and vehicle/wagon may be presented for carriage only if it is structurally serviceable.

"Structurally serviceable" means that the large container or vehicle/wagon is free from major defects in its structural components, e.g. top and bottom side rails, doorsill and header, floor cross members, corner posts, and corner fittings in a large container. "Major defects" are dents or bends in structural members greater than 35 mm in depth, for large containers of all classes of dangerous goods excepting Classes 1, and 19 mm in depth for large containers goods of Class 1 regardless of length; cracks or breaks in structural members; more than one splice or an improper splice (e.g. a lapped splice) in top or bottom end rails or door headers or more than two splices in any one top or bottom side rail or any splice in a door headers or any splice in a door sill or corner post; door hinges and hardware that are seized, twisted, broken, missing or otherwise inoperative; gaskets and seals that do not seal; or, for large containers, any distortion of the overall configuration great enough to prevent proper alignment of handling equipment, mounting and securing on a chassis or vehicle/wagon." (two last paragraphs unchanged).

Justification

6. It is not possible, in our opinion, to accept differences that can affect the transport of freight containers or vehicles loaded with dangerous goods, depending on the regulation used for the mode of transport.

Potential impact of proposed changes

7. This amendment will make it possible to harmonize practices between road and maritime transport.

Technical impact

8. The proposed rules will make it possible to ensure the same level of safety for freight containers and vehicles during the transport of dangerous goods by road and by sea and gives a lower level of requirements more in accordance to the reality of the maintenance for this freight-container or vehicles.

9. This amendment includes sufficient safety margin for all kind of possible defects of the freight containers and vehicles, that will not compromise their handling and the transport.

10. Technical codes and criteria for defects of relevant international publications as IICL-5 and others have been considered.

Economic impact

11. This provision will increase the cost of the repair and maintenance of the freight containers and vehicles affected but however will give work to the industrial sector of transport that will make possible a longer and more rationalised and safe use of these units.
