



# Economic and Social Council

Distr.: General  
19 June 2015

Original: English

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## Economic Commission for Europe

### Inland Transport Committee

#### Working Party on the Transport of Dangerous Goods

##### Joint Meeting of the RID Committee of Experts and the Working Party on the Transport of Dangerous Goods

Geneva, 15–25 September 2015

Item 6 of the provisional agenda

##### Tanks

### **Carriage of tanks, battery-wagons / battery-vehicles and MEGC following the expiry of deadlines for periodic and intermediate inspections**

**Proposal transmitted by the International Union of Railways (UIC)<sup>1, 2</sup>**

#### **Introduction**

1. In document ECE/TRANS/WP.15/AC.1/2015/19 submitted to the RID/ADR/ADN Joint Meeting in March 2015, UIC proposed to extend the provisions that currently apply to portable tanks and IBCs to tank-wagons, demountable tanks, battery-wagons/battery-vehicles, etc. According to these provisions, such tanks and IBCs may be carried for a further three months beyond the date of expiry of the last periodic test or inspection (5-yearly or 2.5-yearly test/inspection), if they were filled prior to the date of expiry of the last periodic test or inspection.

2. However, the proposal was not adopted, as the working group on tanks did not see the need for such a provision in view of the shorter transport times in RID/ADR land transport compared with maritime transport.

3. Using examples, UIC would like to make clear why such a provision also seems necessary and appropriate in terms of actual practice in land transport, and submits a new proposal.

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<sup>1</sup> In accordance with the programme of work of the Inland Transport Committee for 2014–2015 (ECE/TRANS/240, para. 100, ECE/TRANS/2014/23, cluster 9, para.9.2).

<sup>2</sup> Circulated by the Intergovernmental Organisation for International Carriage by Rail (OTIF) under the symbol OTIF/RID/RC/2015/27.

### **Example 1**

4. A tank-wagon showing the date of "4/2015" for the next test on both sides of the tank is filled on 29 April 2015 in accordance with the provisions of 1.4.3.3 (b) and is handed over for carriage in full load traffic from Poland to France.

On 30 April 2015, the carrier at the point of departure collects the wagon from the consignor's siding and, in accordance with 1.4.2.2.1 (d), checks that the deadline for the next tank test has not been exceeded.

On 1 May 2015, the tank-wagon is moved in a freight train from the first handling station in Poland to the next Polish marshalling yard.

The tank-wagon arrives at this marshalling yard on 2 May 2015 and is placed in a freight train going to Germany. This freight train departs on 4 May 2015.

During an official dangerous goods check in accordance with RID 1.8.1 at the German border station, it is ascertained on 6 May 2015 that the deadline for the next tank test has been exceeded. The tank-wagon is therefore halted in accordance with RID 1.4.2.2.4 and is not allowed to continue its journey.

### **Example 2**

5. A tank-container showing the date of "7/2012 P" on the tank plate (i.e. latest date of the next intermediate test 7/2012 + 2.5 years + 3 months) is filled on 28 April 2015 in accordance with the provisions of 1.4.3.3 (b) and is handed over for carriage in combined transport from Denmark to Italy. The road carrier collects the tank-container from the consignor on 29 April 2015. The road carrier makes sure that the deadline for the next tank test in accordance with 1.4.2.2.1 (d) has not been exceeded.

Still on 29 April 2015, the tank-container arrives at the combined transport terminal. Following subsequent transshipment of the tank-container onto a container carrying wagon, the carrier carries out the acceptance checks according to 1.4.2.2.1 and also ascertains that the deadline for the next tank test has not been exceeded.

The train with the tank-container concerned reaches the next handling station in Germany on 1 May 2015.

On the same day, the carrying wagon is transferred at this station to a train going to Italy. This train leaves the handling station in Germany on 2 May 2015.

During an official dangerous goods check in accordance with RID 1.8.1 at the Italian border station, it is ascertained on 4 May 2015 that the deadline for the next tank test has been exceeded. The carrying wagon with the tank-container is therefore halted in accordance with RID 1.4.2.2.4 and is not allowed to continue its journey.

### **Proposal**

6. Bearing in mind the fact that transport times in land transport are indeed shorter than in maritime transport, UIC has revised its proposal and has now proposed considerably shorter time periods than for portable tanks.

7. For portable tanks, sections 6.7.2.19.6 and 6.7.3.15.6 (portable tanks for non-refrigerated liquefied gases) and 6.7.4.14.6 (portable tanks for refrigerated liquefied gases) stipulate that such tanks may be carried for a further three months beyond the date of expiry

of the last periodic test or inspection (5-yearly or 2.5-yearly test/inspection), if they were filled prior to the date of expiry of the last periodic test or inspection.

8. They may also be carried beyond the date of expiry:

(a) after emptying but before cleaning, for the purpose of performing the next required test or inspection prior to refilling, and

(b) unless stipulated otherwise by the competent authority, for a period not to exceed six months beyond the date of expiry, in order to allow the return of dangerous goods for proper disposal or recycling. Reference to this exemption shall be mentioned in the transport document.

9. Comparable provisions also exist for IBCs (see 4.1.2.2).

10. In RID/ADR, only for uncleaned empty tanks is there a rule that such tanks may be carried after the expiry of the test/inspection periods mentioned in 6.8.2.4.2 (periodic test or inspection) and 6.8.2.4.3 (intermediate inspection), for the specific purpose of taking them for testing/inspection (see 4.3.2.4.4).

11. However, as examples 1 and 2 show, in practice loaded tanks filled and accepted for carriage before expiry of the test/inspection period can no longer be carried because the test/inspection period has expired during carriage. Therefore, means of containment other than portable tanks and IBCs that are filled and accepted for carriage before expiry of the test/inspection period should also be given the possibility of being carried at least to the consignee, even of the test/inspection period is exceeded during carriage. In addition, 6.7.2.19.6, 6.7.3.15.6 and 6.7.4.14.6 should be amended editorially to make clear that these means of containment may only be carried after expiry of the test/inspection period if they were filled and handed over for carriage **and accepted by the carrier for carriage** before expiry of the period.

12. In revising this proposal, we noticed that the German version of 6.7.2.19.6, 6.7.3.15.6 and 6.7.4.14.6 is slightly different to the English and French versions. In the first sentence of each of these paragraphs, "weder befüllt noch zur Beförderung aufgegeben werden" should be replaced by "nicht befüllt und zur Beförderung aufgegeben werden" (does not affect the English and French versions). As in 6.7.2.19.6 and 6.7.3.15.6, in 6.7.4.14.6, "2,5-Jahres- oder 5-Jahres-Prüfung" should be replaced by "5-Jahres- oder 2,5-Jahres-Prüfung" (does not affect the English and French versions). These amendments, which only concern the German version, have been taken into account in the following proposals.

13. Add the following new 4.3.2.3.7:

**"4.3.2.3.7** Once the deadlines for the periodic tests or inspections provided for in 6.8.2.4.2 and 6.8.2.4.3 have passed, <(RID:) tank-wagons, demountable tanks, battery-wagons,> / <(ADR:) fixed tanks (tank-vehicles), demountable tanks, battery-vehicles,> tank-containers, tank swap bodies and MEGCs may not be filled and offered for carriage. However, <(RID:) tank-wagons, demountable tanks, battery-wagons,> / <(ADR:) fixed tanks (tank-vehicles), demountable tanks, battery-vehicles,> tank-containers, tank swap bodies and MEGCs filled and offered for carriage and accepted for carriage by the carrier before expiry of the periods in accordance with 6.8.2.4.2 and 6.8.2.4.3 may still be carried to the consignee."

14. Add the following new 4.3.2.3.8:

**"4.3.2.3.8** Additionally, unless stipulated otherwise by the competent authority, <(RID:) tank-wagons, demountable tanks, battery-wagons, /<(ADR:) fixed tanks (tank-vehicles), demountable tanks, battery-vehicles,> tank-containers, tank

swap bodies and MEGCs may be carried for a period not to exceed three months after the expiry of this deadline, in order to allow the return of dangerous goods for proper disposal or recycling. Reference to this exemption shall be mentioned in the transport document."

### Consequential amendments

15. Amend 5.4.1.1.11 to read as follows (changes are underlined):

**5.4.1.1.11 Special provisions for the carriage of IBCs, tanks, battery-wagons/battery-vehicles, portable tanks and MEGCs after the date of expiry of the last periodic test or intermediate test or inspection.**

For carriage in accordance with 4.1.2.2 (b), 4.3.2.3.8, 6.7.2.19.6 (b), 6.7.3.15.6 (b) or 6.7.4.14.6 (b), a statement to this effect shall be included in the transport document, as follows:

"CARRIAGE IN ACCORDANCE WITH 4.1.2.2 (b)",

"CARRIAGE IN ACCORDANCE WITH 4.3.2.3.8",

"CARRIAGE IN ACCORDANCE WITH 6.7.2.19.6 (b)",

"CARRIAGE IN ACCORDANCE WITH 6.7.3.15.6 (b)" or

"CARRIAGE IN ACCORDANCE WITH 6.7.4.14.6 (b)".

16. In the NOTE for 1.4.2.2.1 (d), before "4.3.2.4.4," insert:

"4.3.2.3.8,".

17. Amend the first sentence of 6.7.2.19.6 to read as follows (changes are underlined):

"A portable tank may not be filled and offered for carriage after the date of expiry of the last 5 year or 2.5 year periodic inspection and test as required by 6.7.2.19.2. However, a portable tank filled and offered for carriage and accepted for carriage by the carrier prior to the date of expiry of the last periodic inspection and test may be carried for a period not to exceed three months beyond the date of expiry of the last periodic test or inspection."

18. Amend the first sentence of 6.7.3.15.6 to read as follows (changes are underlined):

"A portable tank may not be filled and offered for carriage after the date of expiry of the last 5 year or 2.5 year periodic inspection and test as required by 6.7.3.15.2. However, a portable tank filled and offered for carriage and accepted for carriage by the carrier prior to the date of expiry of the last periodic inspection and test may be carried for a period not to exceed three months beyond the date of expiry of the last periodic test or inspection."

19. Amend the first sentence of 6.7.4.14.6 to read as follows (changes are underlined):

"A portable tank may not be filled and offered for carriage after the date of expiry of the last 5 year or 2.5 year periodic inspection and test as required by 6.7.4.14.2. However, a portable tank filled and offered for carriage and accepted for carriage by the carrier prior to the date of expiry of the last periodic inspection and test may be carried for a period not to exceed three months beyond the date of expiry of the last periodic test or inspection."

## Justification

20. In line with the provisions for portable tanks, the rule being proposed would also introduce a rule for RID/ADR tanks which would be suitable for practices in land transport.

21. Safety would not be compromised, because although the tank period would be slightly exceeded, transport delays could be avoided as the consignment could still be carried to the consignee. This would thus minimise the risks that currently arise as a result of consignments and means of containment not moving for several days because of the involvement of the competent authorities that is required (possibly the competent authorities of several States). In future also, any risk that exists can be avoided by transferring the load into another tank.

22. Running under load cannot take place after means of containment have been emptied at the consignee's place of business, because filling is no longer permitted once the tank period has expired.

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