

Economic Commission for Europe

Inland Transport Committee

Working Party on the Transport of Dangerous Goods

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Item 5 (b) of the provisional agenda

**Proposals for amendments to annexes A and B of ADR:
miscellaneous proposals**

10 May 2017

Amendments to SP 363 (ECE/TRANS/WP.15/2017/2)

Transmitted by the Government of Switzerland

Introduction

The following Text reproduces the changes in SP363 adopted in April by Ad hoc Working Group on the Harmonization of RID/ADR/AND with the UN Recommendations on the Transport of Dangerous Goods.

Changes not in bold are those of the WG, changes in **bold and underlined** in letter (l) are those proposed in relation with tunnel regulations.

Proposals

Proposal 1 in document 2017/3 as amended

Amend special provision 363 to read as follows:

“363 This entry may only be used when the conditions of this special provision are met. No other requirements of RID/ADR/ADN apply.

- (a) This entry applies to engines or machinery, powered by fuels classified as dangerous goods via internal combustion systems or fuel cells (e.g. combustion engines, generators, compressors, turbines, heating units, etc.), in quantities above those specified in column (7a) of Table A of Chapter 3.2, except vehicle equipment assigned to UN No. 3166 referred to in special provision 666.

***NOTE:** This entry does not apply to equipment referred to in 1.1.3.2 (a), (d) and (e), 1.1.3.3 and 1.1.3.7.*

- (b) Engines or machinery which are empty of liquid or gaseous fuels and which do not contain other dangerous goods, are not subject to ADR.

***NOTE 1:** An engine or machinery is considered to be empty of liquid fuel when the liquid fuel tank has been drained and the engine or machinery cannot be operated due to a lack of fuel. Engine or machinery components such as fuel lines, fuel filters and injectors do not need to be cleaned, drained or purged to be considered empty of liquid fuels. In addition, the liquid fuel tank does not need to be cleaned or purged.*

***NOTE 2:** An engine or machinery is considered to be empty of gaseous fuels when the gaseous fuel tanks are empty of liquid (for liquefied gases), the pressure in the tanks does not exceed 2 bar and the fuel shut-off or isolation valve is closed and secured.*

- (c) Engines and machinery containing fuels meeting the classification criteria of Class 3, shall be assigned to the entries UN No. 3528 ENGINE, INTERNAL COMBUSTION, FLAMMABLE LIQUID POWERED or UN No. 3528 ENGINE, FUEL CELL, FLAMMABLE LIQUID POWERED or UN No. 3528 MACHINERY, INTERNAL COMBUSTION, FLAMMABLE LIQUID POWERED or UN No. 3528 MACHINERY, FUEL CELL, FLAMMABLE LIQUID POWERED, as appropriate.
- (d) Engines and machinery containing fuels meeting the classification criteria of flammable gases of Class 2, shall be assigned to the entries UN No. 3529 ENGINE, INTERNAL COMBUSTION, FLAMMABLE GAS POWERED or UN No. 3529 ENGINE, FUEL CELL, FLAMMABLE GAS POWERED or UN No. 3529 MACHINERY, INTERNAL COMBUSTION, FLAMMABLE GAS POWERED or UN No. 3529 MACHINERY, FUEL CELL, FLAMMABLE GAS POWERED, as appropriate.

Engines and machinery powered by both a flammable gas and a flammable liquid shall be assigned to the appropriate UN No. 3529 entry.

- (e) Engines and machinery containing liquid fuels meeting the classification criteria of 2.2.9.1.10 for environmentally hazardous substances and not meeting the classification criteria of any other class shall be assigned to the entries UN No. 3530 ENGINE, INTERNAL COMBUSTION or UN No. 3530 MACHINERY, INTERNAL COMBUSTION, as appropriate.
- (f) Engines or machinery may contain other dangerous goods than fuels (e.g. batteries, fire extinguishers, compressed gas accumulators or safety devices) required for their functioning or safe operation without being subject to any additional requirements for these other dangerous goods, unless otherwise specified in ADR. However, lithium batteries shall meet the requirements-provisions of 2.2.9.1.7, except as provided for in special provision 667.

~~(g) The engines or machinery are not subject to any other requirements of ADR if the following requirements are met:~~

- (ig) The engine or machinery, including the means of containment containing dangerous goods, shall be in compliance with the construction requirements specified by the competent authority of the country of manufacture²;
- (i#h) Any valves or openings (e.g. venting devices) shall be closed during carriage;
- (iii) The engines or machinery shall be oriented to prevent inadvertent leakage of dangerous goods and secured by means capable of restraining the engines or machinery to prevent any movement during carriage which would change the orientation or cause them to be damaged;
- (ivj) For UN No. 3528 and UN No. 3530:

Where the engine or machinery contains more than 60 l of liquid fuel and has a capacity of more than 450 l but not more than 3 000 l, it shall be labelled on two opposite sides in accordance with 5.2.2.

² For example, compliance with the relevant provisions of Directive 2006/42/EC of the European Parliament and of the Council of 17 May 2006 on machinery, and amending Directive 95/16/EC (Official Journal of the European Union No. L 157 of 9 June 2006, pp. 0024-0086).

Where the engine or machinery contains more than 60 l of liquid fuel and has a capacity of more than 3 000 l, it shall be placarded on two opposite sides. Placards shall correspond to the labels required in Column (5) of Table A of Chapter 3.2 and shall conform to the specifications given in 5.3.1.7. Placards shall be displayed on a background of contrasting colour, or shall have either a dotted or solid outer boundary line.

(~~iv~~) For UN No. 3529:

Where the fuel tank of the engine or machinery has a water capacity of more than 450 l but not more than 1 000 l, it shall be labelled on two opposite sides in accordance with 5.2.2.

Where the fuel tank of the engine or machinery has a water capacity of more than 1 000 l, it shall be placarded on two opposite sides. Placards shall correspond to the labels required in Column (5) of Table A of Chapter 3.2 and shall conform to the specifications given in 5.3.1.7. Placards shall be displayed on a background of contrasting colour, or shall have either a dotted or solid outer boundary line.

(~~vi~~) ~~A transport document in accordance with 5.4.1 is required only~~ When the engine or machinery contains more than 1 000 l of liquid fuels, for UN 3528 and UN 3530, or the fuel tank has a water capacity of more than 1 000 l, for UN 3529:

- A transport document in accordance with 5.4.1 is required. This transport document shall contain the following additional statement "Transport in accordance with special provision 363":

- The transport unit shall display orange-coloured plates according to 5.3.2 and the restrictions for passage through tunnels according to 8.6.4 shall apply to these transport units. This does not apply where the carriage is known beforehand not to pass through a tunnel with restrictions for carriage of dangerous goods.

(~~m~~) The requirements specified in packing instruction P005 of 4.1.4.1 shall be met."

Proposal 2 in document 2017/3

For entries under UN Nos. 3528, 3529 and 3530, add the following tunnel restriction codes to Chapter 3.2, Table A, column (15):

- (D) for UN No. 3528;
- (B) for UN No. 3529;
- (E) for UN No. 3530.