



Economic and Social Council

Distr.: General
23 June 2011

Original: English

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, 13–23 September 2011

Item 6(b) of the provisional agenda

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

Modification of 1.1.3.1(c) of RID/ADR/ADN

Transmitted by the Government of Sweden^{1,2}

Summary

Executive summary:	Limit the number of substances and articles allowed to be carried in accordance with paragraph 1.1.3.1 (c) and decrease the amount per packaging.
Action to be taken:	Amend the exemption in 1.1.3.1(c).
Related documents:	ECE/TRANS/WP.15/AC.1/2009/49

Background

1. Paragraph 1.1.3.1 (c) in RID/ADR/ADN states an exemption from the provisions for the carriage undertaken by enterprises which is ancillary to their main activity in quantities of not more than 450 litres per packaging and within the maximum quantities specified in 1.1.3.6. This exemption can not be used for enterprises for their supply or external or internal distribution.

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/2011/33.

2. The Government of Sweden believes this exception is useful and practical for companies with employees such as welders and construction workers. These workers carry for example oxygen, acetylene or diesel fuel with them to be able to perform their work.
3. However, from a safety point of view, Sweden is of the opinion that the quantities allowed under this exemption ought to be decreased. It might also be appropriate to limit the type of substances/articles allowed to be carried under this exemption.
4. Furthermore, it is well known that this exemption has raised several questions regarding interpretation and, moreover, it has come to our knowledge that this exemption tends to be misused. There are now companies that produce and promote a different type of means of containment with a resemblance to IBCs, but which does not comply with the provisions for IBCs. The means of containments often hold a volume of 430-450 litres and are sometime marked "ADR 1.1.3.1(c)". In the annex to this document, pictures of such containment systems can be seen.
5. To further justify amendments of the text in 1.1.3.1 (c), it is proposed in the report of the ad hoc Working Group on the Harmonization of RID/ADR/ADN with the UN Recommendations on the Transport of Dangerous Goods (ECE/TRANS/WP.15/AC.1/30, para.29), to introduce provisions (special provision 363 in the UN Recommendations) for fuel carried in machinery in subsection 1.1.3.3 that limits the scope of existing paragraph 1.1.3.1(b) for flammable liquids. According to the proposed text (TRANS/WP.15/AC.1/2011/30/Add.1) the labelling requirement of 5.2.2 shall apply for machinery that contains fuel of not more than 450 litres. Therefore, we believe it is justified to decrease the quantities allowed in 1.1.3.1(c) as well.
6. Sweden proposes to limit the exemption in 1.1.3.1 (c) to substances and articles where transport category 2, 3 and 4 are assigned and to allow a maximum of 240 litres per packaging, but we are open for other suggestions as well and would be grateful to hear the views of other countries on this issue.
7. Sweden proposes 240 litres to align with the total quantity that is permitted by private individuals to carry in a transport unit according to subsection 1.1.3.1(a).
8. To apply sub-section 1.1.3.1(c), the user must be aware of the specific quantity limits for the different substances. Therefore, Sweden believes it is not unreasonable to also insert some general requirements for the packagings. We propose that the packagings should meet the provisions of 4.1.1.1, 4.1.1.2 and 4.1.6.8.

Proposal

9. Amend paragraph 1.1.3.1(c) to read as follows (new text in bold):

"(c) The carriage undertaken by enterprises which is ancillary to their main activity, such as deliveries to or returns from building or civil engineering sites, or in relation to surveying, repairs and maintenance, in quantities of not more than **[240] 450** litres per packaging and within the maximum quantities specified in 1.1.3.6 **for transport category 2, 3 and 4**. Measures shall be taken to prevent any leakage of contents in normal conditions of carriage. These exemptions do not apply to Class 7 **[or to substances or articles assigned to transport category 0 and 1]**. **[The packagings shall meet the provisions of 4.1.1.1 and 4.1.1.2, and 4.1.6.8 for goods of Class 2]**.

Carriage undertaken by such enterprises for their supply or external or internal distribution does not fall within the scope of this exemption;"

Justification

10. The proposal is justified from a safety point of view.

Annex

