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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 3(b) of the provisional agenda

##### Proposals for amendment to RID/ADR/ADN: new proposals

### **Amendments to the text of RID/ADR for the requirements of placarding and marking in Chapter 1.4**

**Transmitted by the Government of the United Kingdom<sup>1, 2</sup>**

#### **Introduction**

1. The United Kingdom highlighted inconsistencies within certain parts of Chapter 1.4 of ADR in the way that the text refers to placards and marks, in informal document 11 submitted to the last WP.15 meeting of May 2015. During discussions, the United Kingdom was invited to submit a formal document to the Joint Meeting at its September 2015 session, because any changes to Chapter 1.4 of ADR would also impact on RID.

2. The text within Chapter 1.4 of the 2015 edition of ADR not only refers to placards and marks inconsistently, but also incorrectly. The current wording within Chapter 1.4 of ADR is as follows:

- (a) 1.4.2.2.1 (f) "...placards and markings prescribed for the vehicles..."
- (b) 1.4.3.1.1 (d) "...danger markings conforming to Chapter 5.3."
- (c) 1.4.3.7.1 (f) "...danger markings conforming to Chapter 5.3."

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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/2015/32.

3. The use of “*danger markings*” is erroneous because the term is not defined within ADR and creates inconsistency with Chapter 5.3. This is not replicated within RID, although RID does not have consistent text in these three sub-sections. The current wording within Chapter 1.4 of RID is as follows:

(a) 1.4.2.2.1 (f) “...placards and markings prescribed for the wagons...”

(b) 1.4.3.1.1 (d) “...placarding on the wagon or large container or the orange plates on the wagon or large container.”

(c) 1.4.3.7.1 (f) “...placards and orange-coloured plate markings.”

4. The United Kingdom is concerned that the inaccuracies and inconsistencies contained within RID and ADR together with the differences between the two modal texts results in confusion amongst industry and those who are involved in the enforcement of the regulations.

5. For the purposes of clarity, the United Kingdom recommends amending parts of the text within Chapter 1.4 of both RID and ADR. This will also act to harmonize the text of RID and ADR, without removing the necessary modal differences.

6. The United Kingdom thinks that this will be a good opportunity for a general clear up of the rest of the text contained within Chapter 1.4 of both RID and ADR, that refers to placards and marks. These other sections are 1.4.2.1.1 (c), 1.4.2.1.1 (e) and 1.4.3.3 (h). The United Kingdom also thinks that the text in 1.4.2.1.1 (e) and 1.4.3.3 (h) should not refer to large and small bulk containers because these are not defined within the regulations. These changes are covered in detail in the proposal.

## Proposal

7. Delete the ~~crossed-out~~ text to the text contained in 1.4.2.1.1 (c).

1.4.2.1.1 (RID)

- (c) use only packagings, large packagings, intermediate bulk containers (IBCs) and tanks (tank-wagons, wagons with demountable tanks, battery-wagons, MEGCs, portable tanks and tank-containers) approved for and suited to the carriage of the substances concerned and bearing the ~~markings~~ prescribed in RID.

1.4.2.1.1 (ADR)

- (c) Use only packagings, large packagings, intermediate bulk containers (IBCs) and tanks (tank-vehicles, demountable tanks, battery-vehicles, MEGCs, portable tanks and tank-containers) approved for and suited to the carriage of the substances concerned and bearing the ~~markings~~ prescribed in ADR

8. Add the underlined text and delete the ~~crossed-out~~ text to the text contained in 1.4.2.1.1 (e).

1.4.2.1.1 (RID)

- (e) ensure that even empty uncleaned and not degassed tanks (tank-wagons, wagons with demountable tanks, battery-wagons, MEGCs, portable tanks and tank-containers) or empty uncleaned wagons and ~~large and small~~ bulk containers are appropriately placarded and marked and ~~labelled~~ in accordance with Chapter 5.3 and that empty

uncleaned tanks are closed and present the same degree of leakproofness if they were full.

1.4.2.1.1 (ADR)

- (e) Ensure that even empty uncleaned and not degassed tanks (tank-vehicles, demountable tanks, battery-vehicles, MEGCs, portable tanks and tank-containers) or empty uncleaned vehicles and ~~large and small~~ bulk containers are appropriately placarded and marked ~~and labelled in accordance with Chapter 5.3~~ and that empty uncleaned tanks are closed and present the same degree of leakproofness if they were full.

9. Add the underlined text and delete the ~~crossed-out~~ text to the text contained in 1.4.2.2.1 (f).

1.4.2.2.1 (RID)

- (f) ascertain that the placards and ~~markings~~ prescribed for the wagons in Chapter 5.3 have been affixed.

1.4.2.2.1 (ADR)

- (f) ascertain that the placards, ~~and markings~~ and orange-coloured plates prescribed for the vehicles in Chapter 5.3 have been affixed.

10. Add the underlined text and delete the ~~crossed-out~~ text to the text contained in 1.4.3.1.1 (d).

1.4.3.1.1 (RID)

- (d) he shall, when he hands dangerous goods over for carriage directly, comply with the requirements concerning placarding and marking on the wagon or large container or the orange plates ~~on the wagon or large container~~ conforming to Chapter 5.3.

1.4.3.1.1 (ADR)

- (d) He shall, after loading dangerous goods into a container comply with the requirements concerning ~~danger markings~~ placarding and marking conforming to Chapter 5.3.

11. Add the underlined text and delete the ~~crossed-out~~ text to the text contained in 1.4.3.3 (h).

1.4.3.3 (RID)

- (h) he shall, in preparing the dangerous goods for carriage, ensure that the ~~orange plates, labels or placards, marks for elevated temperature substances and environmentally hazardous substances~~ placards and marks as well as shunting labels ~~prescribed~~ are affixed on the tanks, on the wagons and on the ~~large and small~~ containers in accordance ~~with the requirements~~ with Chapter 5.3.

1.4.3.3 (ADR)

- (h) He shall, in preparing the dangerous goods for carriage, ensure that the ~~orange plates, labels or placards, as well as marks for elevated temperature substances and environmentally hazardous substances~~ placards and marks ~~prescribed~~ are affixed on the tanks, on the vehicles and on the ~~large and small~~ containers for carriage in bulk in accordance ~~with the requirements~~ Chapter 5.3.

12. Add the underlined text and delete the ~~crossed-out~~ text to the text contained in 1.4.3.7.1 (f).

1.4.3.7.1 (RID)

- (f) ensure that the wagons and containers once completely unloaded, cleaned, degassed and decontaminated, no longer display placards and ~~orange-coloured plate markings~~ that had been displayed in accordance with Chapter 5.3.

1.4.3.7.1 (ADR)

- (f) Ensure that the containers once completely unloaded, cleaned and decontaminated, no longer display ~~danger markings~~ the marks, placards and orange-coloured plates that had been displayed in accordance with Chapter 5.3.

## Justification

13. The current use of the term “*Danger markings*” is confusing because it is not defined in ADR. Chapter 5.3 deals with the requirements for placarding and marking of tanks, containers and vehicles and includes specific detail on the “*orange-coloured plate marking*”, “*elevated temperature substance mark*” and “*environmentally hazardous substance mark*”.

14. The reference to the requirements contained in Chapter 5.3, at the end of 1.4.2.2.1 (f) in ADR will act to ensure it is clear where the responsibilities for the carrier in this instance are set out. This will also ensure that there is consistency with 1.4.3.1.1 (d) and 1.4.3.7.1 (f) of ADR. The proposed changes to 1.4.2.1.1 (e) and 1.4.3.3 (h) of ADR will extend certainty throughout Chapter 1.4 as to the requirements for placarding and marking.

15. Replicating the changes to ADR within RID will add read across between the two texts and result in greater clarity of the requirements within Chapter 1.4. The proposed changes will also maintain the necessary modal differences.

16. These amendments will facilitate the enforceability of RID and ADR by making it clear what the obligations are in relation to the placarding and marking of containers, wagons, vehicles and tanks where the requirements can be found.

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