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Joint Meeting of Experts on the Regulations annexed to the European Agreement concerning the International Carriage of Dangerous Goods by Inland Waterways (ADN) (ADN Safety Committee)

Twenty-eighth session

Geneva, 25-29 January 2016

Report of the Joint Meeting of Experts on the Regulations annexed to the European Agreement concerning the International Carriage of Dangerous Goods by Inland Waterways (ADN Safety Committee) on its twenty-eighth session¹

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² For practical reasons, annex I has been published as an addendum with the symbol ECE/TRANS/WP.15/AC.2/58/Add.1

I. Attendance

1. The Joint Meeting of Experts on the Regulations annexed to the European Agreement concerning the International Carriage of Dangerous Goods by Inland Waterways (ADN) (ADN Safety Committee) held its twenty-eighth session in Geneva from 25 to 29 January 2016. Representatives of the following countries took part in the work of the session: Austria, Belgium, Croatia, France, Germany, Luxembourg, Netherlands, Romania, Russian Federation, Slovakia, Switzerland and Ukraine. The following intergovernmental organizations were represented: Central Commission for the Navigation of the Rhine (CCNR), Danube Commission (CD) and European Union. The following non-governmental organizations were also represented: European Barge Union (EBU), European Bulk Oil Traders' Association (EBOTA), European Chemical Industry Council (CEFIC), European-River-Sea Transport Union (ERSTU), European Skippers Organisation (ESO), FuelsEurope, International Committee for the Prevention of Work Accidents in Inland Navigation (CIPA), and Recommended ADN Classification Societies.

II. Adoption of the agenda (agenda item 1)

Documents: ECE/TRANS/WP.15/AC.2/57 and Add.1

Informal document: INF.1/Rev.1 (Secretariat)

2. The Safety Committee adopted the agenda prepared by the secretariat, as amended by informal document INF.1/Rev.1 to take account of informal documents INF.1 to INF.31.

III. Election of officers for 2016 (agenda item 2)

3. On the proposal of the representative of the Netherlands, Mr. H. Rein (Germany) and Mr. B. Birkhüber (Austria) were respectively elected Chair and Vice-Chair for 2016.

IV. Matters arising from the work of United Nations bodies or other organizations (agenda item 3)

4. A member of the secretariat thanked the Safety Committee's participants who had replied to the questionnaire on the evaluation of the global and regional impact of UNECE regulations and UN recommendations on the transport of dangerous goods. The assessment report would be made available as soon as it was finalized.

5. The Safety Committee was also informed that the United Nations General Assembly had decided to remove a post of secretary from the staff assigned to the Transport Division for the 2016/17 budget year. The staff cutback would affect the programme of the Inland Transport Committee and, depending how it was eventually implemented, could also affect the programmes of bodies dealing with the transport of dangerous goods. The subject would be taken up at the forthcoming session of the Inland Transport Committee (23-26 February 2016).

6. The Chair said that in the light of the required adjustments and the questions of interpretation to be handled during the period of implementation of an ADN agreement that was still relatively new, 2016 and 2017 would remain a busy time. The level of activity should not begin to decline before 2019.

V. Implementation of the European Agreement concerning the International Carriage of Dangerous Goods by Inland Waterways (ADN) (agenda item 4)

A. Status of ADN

7. The Safety Committee noted that there were no new contracting parties to ADN and that their number remained unchanged at 18.

B. Special authorizations, derogations and equivalents

1. Special authorizations for UN No. 2187 and UN No. 3295

Informal document: INF.2 (Netherlands)

8. The Safety Committee noted that the two special authorizations granted to Chemgas shipping and Shell Chemicals Europe B.V for carriage of these substances in tank vessels were no longer necessary as the carriage conditions were now covered by table C. They could thus be removed from the ECE website.

2. Temporary derogation for the tank vessel Chemgas 851 (Sirocco) for the use of a dry aerosol generating fire extinguishing system

Informal document: INF.3 (Netherlands)

9. The Safety Committee recommended that the Administrative Committee should adopt a decision on a derogation for the vessel Chemgas 851 (Sirocco), as presented in annex 1 to informal document INF.3, subject to verification of the vessel identification number.

C. Interpretation of the Regulations annexed to ADN

10. As no document had been submitted under this agenda sub-item, no discussion took place on this subject.

D. Training of experts

1. Approval of training courses

Document: ECE/TRANS/WP.15/AC.2/2016/19 (Germany)

11. The Safety Committee noted that the training courses approved in Germany were published at the indicated Internet address.

2. Amendments to the directive drawn up by the Administrative Committee on the use of the catalogue of questions for the examination of ADN experts

Document: ECE/TRANS/WP.15/AC.2/2016/27 (Belgium)

12. The proposed amendments would be considered on 14 and 15 March 2016 by the informal working group on the training of experts, in Strasbourg.

3. Examination statistics, sample experts' certificates

Informal documents: INF.21 (Netherlands)
INF.29 (Romania)

13. The Safety Committee took note of the statistics on the number of experts trained in the Netherlands and Romania and of the sample of expert certificates issued in Romania.

E. Matters related to classification societies

1. Quality management systems

Informal document: INF.7 (Germany)

14. The proposal to amend 1.15.3.8 and consequently to add a transitional provision 1.6.9.1 taking into account the new EN ISO 9001:2015 standard was adopted (see annex I).

2. Wording of 1.15.3.8 in relation with the terminology of standard ISO/IEC 17020:2012

Informal document: INF.20 (Recommended ADN Classification Societies)

15. Several delegations supported the idea of revisiting the wording of 1.15.3.8, and the Safety Committee noted that the Recommended ADN Classification Societies would submit a proposal at the next session.

3. Compliance with standard ISO/IEC 17020:2012

Informal documents: INF.12 (Lloyd's Register)
INF.22 (Bureau Veritas)
INF.28 (DNV GL SE)

16. The Safety Committee considered that DNV GL SE had submitted relevant evidence of compliance with the standard.

17. Lloyd's Register should submit additional elements after a new audit, which would be carried out by the British Standards Institution (BSI), of the United Kingdom.

18. Bureau Veritas should provide additional information explaining how its Inland Navigation Management Division operated within the company and indicating to which headquarters reference should be made for ADN-related activities (the central headquarters in Paris, or the subsidiary headquarters, in Antwerp).

4. Report of the 10th meeting of the Recommended ADN Classification Societies

Informal document: INF.14 (Recommended ADN Classification Societies)

19. The Safety Committee took note of the report. The following points gave rise to specific comments.

20. Under item (3), the representative of the Netherlands indicated that consideration was being given to dropping the concept of safe haven on board vessels.

21. Under item (16), the representatives of Lloyd's Register, Bureau Veritas and DNV GL SE provided detailed information on the status of certificates issued for vessels' loading calculators on board.

22. Under item (20), it was proposed to amend the Regulations to take into account the remarks made in the report. A proposal should be drawn up for the next session.

23. The Safety Committee considered that it was not necessary to send the question to the informal working group on substances, as the vessels were in any case exposed to the water in which they navigated, to rain and possibly also to spraying, in the event of fire.

24. The Safety Committee noted in section 4.4 that the Recommended ADN Classification Societies were not in favour of inviting inspection bodies to their meetings. Some delegations found that regrettable.

25. The Safety Committee noted that the next session of the meeting of the Recommended ADN Classification Societies would take place in Antwerp on 17 March 2016.

5. References to ADN in the class rules

Informal document: INF.24 (Recommended ADN Classification Societies)

26. The Safety Committee invited the Recommended ADN Classification Societies to submit a new document identifying more specifically the parts of their rules corresponding with the requirements under the Regulations annexed to ADN and explaining any gaps (negative replies or blanks in the columns).

VI. Proposals for amendments to the Regulations annexed to ADN (agenda item 5)

A. Work of the RID/ADR/ADN Joint Meeting

Documents: ECE/TRANS/WP.15/AC.2/2016/1 (Secretariat)
ECE/TRANS/WP.15/AC.2/2016/16 (Secretariat)

Informal documents: INF.6 (Secretariat)
INF.8 (Secretariat)
INF.15, first part (Austria)

27. The Safety Committee adopted the amendments and corrections proposed by the secretariat to take into account the work of the RID/ADR/ADN Joint Meeting, the Working Party on the Transport of Dangerous Goods (WP.15) and the United Nations Sub-Committee of Experts on the Transport of Dangerous Goods, with some amendments (see annex I, II and III). The proposal by Austria was also adopted; it addressed only the German version.

28. The Committee noted the opinion of the United Nations Sub-Committee of Experts according to which the term “boiling point” related to pure substances or azeotropic mixtures, while the term “initial boiling point” related to zeotropic mixtures. The representative of Germany would check the entire text of ADN to ensure that the terminology used was consistent with that explanation.

B. New proposals

1. Proposals to amend and add to Table C

Documents: ECE/TRANS/WP.15/AC.2/2016/2 and -/Corr.1 (CCNR)
ECE/TRANS/WP.15/AC.2/2016/6 (CCNR)

29. The proposals produced by the informal working group on substances were adopted (see annex I).

2. New note (43) concerning the classification of “floaters”

Document: ECE/TRANS/WP.15/AC.2/2016/3 (CCNR)

30. The proposal of the informal working group on substances concerning a new remark 43 and its assignment to entries in table C in accordance with option 2 was adopted (see annex I).

3. Intact stability of tank vessels of type G

Document: ECE/TRANS/WP.15/AC.2/2016/5 (Austria)

31. The proposals for the amendment of 9.3.1.14 were adopted (see annex I).

4. Explanations concerning Table C in 3.2.3.1 and explanations in column (5) for the use of codes in brackets

Document: ECE/TRANS/WP.15/AC.2/2016/7 (CCNR)

32. The proposals of the informal working group on substances were adopted, with an editorial change (see annex I).

5. Wording and assignment of remarks 35 and 36 in Table C

Document: ECE/TRANS/WP.15/AC.2/2016/8 (CCNR)

33. The proposals of the informal working group on substances were adopted, with some amendments (see annex I).

6. Updating of the criterion of vapour pressure for group N1 environmentally hazardous substances

Document: ECE/TRANS/WP.15/AC.2/2016/9 (CCNR)

34. The amendments to 3.2.4.3 proposed by the informal working group were adopted (see annex I).

7. Transitional periods provided under Table 2 of 1.6.7.4.2

Document: ECE/TRANS/WP.15/AC.2/2016/13 (CCNR)

35. The Safety Committee noted that the transitional periods provided under Table 2 of 1.6.7.4.2 had lapsed on 31 December 2015 and that the table could thus be deleted from the 2017 version of ADN.

8. Special provisions on the training of experts

Document: ECE/TRANS/WP.15/AC.2/2016/17 (Germany)

36. The proposals aimed at introducing the possibility of electronic examinations were adopted, with some amendments (see annex I).

9. Proposals to amend Chapter 1.16 and 9.3.X.8.1 and consequential amendments

Document: ECE/TRANS/WP.15/AC.2/2016/20 (France, on behalf of a correspondence working group)

Informal document: INF.10 (Germany)

37. The representatives of the industry and of the Netherlands were not convinced of the value of a vessel record. Nevertheless, the proposals submitted by France on behalf of the correspondence working group were adopted, with some amendments (see annex I).

38. For the transitional provisions in 1.6.7.2.1.4 and 1.6.7.2.2.5, it was specified that the retention of files for the vessel record concerned only existing documents if available, and all future documents.

39. For the provisional certificate of approval provided under 1.16.1.3.1, it was specified that the document could be issued only once.

40. For the definition of “barge” in annex 2, it was noted that some barges could be pushed, some towed, and some both pushed and towed, and that the proposed definition thus had to be revised. The Recommended ADN Classification Societies were invited to consider an appropriate definition, taking into account the requirements applicable to barges within the framework of the Regulations annexed to ADN.

41. The Safety Committee also adopted the proposals put forward by Germany in informal document INF.10 with the exception of paragraph 5, which was withdrawn, and paragraphs 4 and 6, where the proposed text was amended (see annex I).

10. Assignment of subgroups in explosion group II B

Document: ECE/TRANS/WP.15/AC.2/2016/4 (CCNR)

Informal document: INF.27 (EBU, ESO and ERSTU)

42. The proposal transmitted by CCNR on behalf of the informal working group on substances to take account of subgroups II B1, II B2 and II B3 was discussed at length, as the industry representatives considered that the consequent fitting of all tank vessels would be a costly exercise or would necessitate limiting the number of substances that could be carried in a given tank vessel.

43. The representative of the recommended ADN classification societies quoted informal document INF.32 submitted to the twenty-second session in 2013, which stated that protection in conformity with explosion group II B3 could be used for the overwhelming majority of substances carried.

44. The proposal was finally put to the vote and adopted by a large majority. It was noted that consequential amendments would need to be made. A proposal would also need to be submitted to the next session to solve the situation with existing vessels using proper protection in full conformity with explosion group II B. EBU, ESO and ERSTU would make a proposal.

11. Persons authorized to be on board

Document: ECE/TRANS/WP.15/AC.2/2016/10 (Germany)

45. The proposed amendment to 8.3.1.1 was adopted but the secretariat was asked to check the consistency of the French and English versions of subparagraph (c). 7.1.4.14.7.1.3 was also amended to include reference to persons on board for duty reasons (see annex I).

12. Obligations of the carrier under 1.4.2.2.1 (c)

Document: ECE/TRANS/WP.15/AC.2/2016/12 (Germany)

46. The proposal to bring the German version into alignment with the French and English versions was adopted.

13. Paragraph 7.2.4.9 — Transhipment

Document: ECE/TRANS/WP.15/AC.2/2016/14 (Germany)

Informal document: INF.15 (Austria)

47. The Safety Committee confirmed that the transhipment covered by 7.2.4.9, like those covered by 7.1.4.9, were vessel-to-vessel transfers. For cargo transfers from vessels to means of transport of other modes, reference should be made to 7.1.4.7.1 and 7.1.4.7.2. Paragraphs 7.1.4.9 and 7.2.4.9 were clarified along those lines (see annex I).

14. Paragraph 7.2.4.16.9 (b) — Pressure relief of cargo tanks

Document: ECE/TRANS/WP.15/AC.2/2016/15 (Germany)

48. The proposals by Germany were adopted (see annex I).

15. Obligations of the filler and the unloader under 1.4.3

Document: ECE/TRANS/WP.15/AC.2/2016/18 (Germany)

Informal document: INF.23 (Recommended ADN Classification Societies)

49. The proposals under paragraphs 8, 9, 10 and 11 were adopted, with some editorial changes (see annex I). The proposal under paragraph 12 was withdrawn in the light of the explanations given in informal document INF.23.

50. The proposal by the Recommended ADN Classification Societies to align the last sentence of the English, French and Russian versions of 9.3.2.25.9 and 9.3.3.25.9 with the German version was adopted (replacement of “pressure” with “flows”) (see annex I).

16. Construction materials

Document: ECE/TRANS/WP.15/AC.2/2016/22 (EBU, ERSTU and ESO)

Informal document: INF.19 (EBU, ERSTU and ESO)

51. The Safety Committee agreed in principle to present in the form of a table the various cases where wood, aluminium alloys, plastics or rubber could be used, but considered that some of the suggested additions concerned movable items of equipment and thus came under Part 7, rather than Part 9, of the Regulations.

52. The authors were invited to draw up a new proposal that would cover both parts adequately, taking account of the comments made.

17. Compressed air installation on deck

Document: ECE/TRANS/WP.15/AC.2/2015/25/Rev.1
(Recommended ADN classification societies)

53. The proposal to add paragraphs 9.3.X.25.10 was adopted with the addition of the wheelhouse as a space into which gas must not escape and a consequential amendment to 9.3.X.40.1 (see annex I).

18. Special Provision 803

Document: ECE/TRANS/WP.15/AC.2/2016/23 (Netherlands)

54. The proposed amendment to Special Provision 803 was adopted with some editorial changes (see annex I).

19. Amendments to 7.2.4.25.5

Document: ECE/TRANS/WP.15/AC.2/2016/24 (Netherlands and France)

55. The proposal followed the adoption of an interpretation at the previous session and the Safety Committee's wish to see that interpretation reflected in an amendment to the Regulations (see ECE/TRANS/WP.15/AC.2/2016/18 and ECE/TRANS/WP.15/AC.2/56, paras. 16 and 17).

56. The representative of CEFIC mentioned the problems that would arise if shore facilities were not equipped to take the residual gas from tanks before a new cargo was loaded, as the tanks would in that case have to be completely degassed first of all.

57. After lengthy discussions, the representative of the Netherlands agreed to submit a new proposal that would take account of the problems encountered in practice.

20. Exemption from the requirement of 7.2.4.25.5 to return the gas/air mixtures ashore during loading operations of heavy heating oils (UN No. 3082)

Document: ECE/TRANS/WP.15/AC.2/2016/26 (FuelsEurope)

Informal documents: INF.18 (Netherlands)
INF.25 (FuelsEurope)

58. The representative of the Netherlands expressed reservations about the conclusions of the CONCAWE risk assessment report regarding the risks associated with emissions produced during barge loading with heavy heating oil.

59. Other delegations said that they recognised the scientific quality of the assessment and consequently supported the proposal for an exemption. However, some of them did consider that certain aspects of the risks, such as dermal contact with the vapour emissions and whether specific protective equipment should be provided during loading and unloading, had not been adequately addressed.

60. The representative of FuelsEurope said that a study on skin exposure had been published in 2011 and he did not see what any further analyses or research could add to the discussions. He pointed out that no study had so far produced any evidence that would invalidate or call into question the conclusions his organization had reached, and that years of experience of loading and unloading the substances concerned using the protective equipment provided for UN No. 3082 had produced nothing that might challenge current practices or raise suspicions of unproven health hazards.

61. Several delegations said that they were not in a position to decide on the proposal at the current session and the Chair therefore asked the representative of FuelsEurope to draw up a further document with clear explanations of why emissions during loading could not justify an additional requirement concerning protective equipment.

21. Various corrections

Informal document: INF.4/Rev.1 (France)

62. The typographic corrections in paragraph 2 were adopted. The other corrections were also adopted but would have to be notified as proposed amendments (see annexes I and II).

22. Liquefied Natural Gas (LNG) as fuel for the propulsion of vessels

Informal documents: INF.9 (Netherlands and Switzerland)
INF.17 (CCNR)

63. The Safety Committee noted that the use of LNG as fuel for the propulsion of vessels was already included in the European Standard of Technical Requirements for Inland Navigation (ESTRIN), the Rhine Vessel Inspection Regulations (RVIR) and the Police Regulations for the Navigation of the Rhine (RPR). The question thus arose of whether the provisions should be included in the Regulations annexed to ADN, as a follow on from the exemptions granted on the matter, entailing the risk of duplication of the requirements, or whether reference should be made to the standards and regulations, even though they were not applicable in all the Contracting Parties to ADN. A third option would be to delete the current ban on the use of fuels with a flash-point below 55 °C, but some delegations considered that excessive.

64. The Safety Committee noted that the representative of the Netherlands wished to organize a session of an informal group to discuss the matter, and the representatives of CCNR, Austria, Belgium, France, Germany, Luxembourg, Switzerland, EBU, ESO and ERSTU expressed their interest in taking part.

23. Berthing (7.1.5.4 and 7.2.5.4)

Informal document: INF.11 (Germany)

65. The Safety Committee noted that there were discrepancies between the language versions but, as some had not been identified or involved questions of interpretation, the representative of Germany was asked to prepare another document for the next session.

24. Corrections to 9.3.X.11.3 (a)

Informal document: INF.26 (Recommended ADN classification societies)

66. The Safety Committee adopted the proposed amendments (see annex I).

67. Other inconsistencies in the references to bulkheads with insulation of Class “A-60” according to SOLAS 74 were highlighted (e.g., in paragraphs 9.3.X.11.3 (a), 9.3.X.17.5 and 9.3.X.17.6) and the representative of the recommended ADN classification societies was asked to study the matter.

25. Assistance in the issuance of certificates of approval

Document: ECE/TRANS/WP.15/AC.2/2016/11 (Germany)

Informal document: INF.30 (CCNR)

68. The Safety Committee took note of the details of the German authority with competence to issue certificates of approval.

69. Since few of the Contracting Parties had notified the secretariat of the details of their competent authorities, it was decided to add to 1.16.2.1 a specific requirement that they do so (see annex I).

VII. Reports of informal working groups (agenda item 6)

A. Informal working group on explosion protection on tank vessels

Document: ECE/TRANS/WP.15/AC.2/2016/21 and Corr.1 and Corr.2 (CCNR)

Informal documents: INF.13 (CCNR)
INF.16 (Austria)

70. The Safety Committee welcomed the work done by the informal working group. It considered all the texts proposed to improve safety on board tank vessels item by item, specifically taking into consideration the development of various standards applicable to the use of equipment in a potentially explosive atmosphere.

71. The Safety Committee considered in particular the comments made and questions raised by Austria in informal document INF.16, along with other comments made orally during the session.

72. The informal working group was requested to take into account the results of the discussion and to prepare a new, complete proposal for the next session, when it would have to be decided whether the new version would be sufficiently finalized so that amendments could enter into force in 2017 or if it would be necessary to wait until 2019 to apply them.

B. Informal working group on degassing of cargo tanks

Document: ECE/TRANS/WP.15/AC.2/2016/25 (Netherlands)

73. The Safety Committee considered the proposals submitted by the group up to paragraph 7.2.3.7.3, and adopted them except for the addition of a sentence to 1.1.2.5 and subject to some minor amendments.

74. The group should be convened again once before the next session to discuss some questions raised during the session and to prepare draft amendments in their final form.

C. CEFIC working group on sampling

75. The representative of CEFIC presented orally information on CEFIC work on sampling. A more complete report would be submitted at the next session.

VIII. Programme of work and calendar of meetings (agenda item 7)

76. The Safety Committee noted that its next session would be held in Geneva from 22 to 26 August 2016, and that the deadline for the submission of documents is 27 May 2016.

IX. Any other business (agenda item 8)

Request for consultative status from the European Bulk Oil Traders (EBOTA)

Informal document: INF.5 (EBOTA)

77. The Safety Committee agreed to grant consultative status to EBOTA.

X. Adoption of the report (agenda item 9)

78. The Safety Committee adopted the report on its twenty-eighth session and its annexes on the basis of a draft prepared by the secretariat.

Annex I

Proposed amendments to the Regulations annexed to ADN for entry into force on 1 January 2015

(see document ECE/TRANS/WP.15/AC.2/50/Add.1)

Annex II

Corrections to the Regulations annexed to ADN (ADN 2015)

Corrections to the publication (not requiring acceptance by Contracting Parties)

Chapter 2.2, Table 2.2.41.4

Not applicable to English

(Reference document: informal document INF.4/Rev.1)

Annex III

Corrections to the Regulations annexed to ADN (ADN 2015)

Corrections to the official text (requiring acceptance by Contracting Parties)

Chapter 2.2, 2.2.7.2.4.1.3 (c)

Not applicable to English

(Reference document: ECE/TRANS/WP.15/226, Annex I)

Chapter 5.2, 5.2.1.7.5

For 5.1.5.2.1 of these Regulations, 6.4.22.1 to 6.4.22.4, 6.4.23.4 to 6.4.23.7 and 6.4.24.2 of ADR read 5.1.5.2.1 of these Regulations, and 1.6.6.2.1, 6.4.22.1 to 6.4.22.4 and 6.4.23.4 to 6.4.23.7 of ADR

- *(Reference document: ECE/TRANS/WP.15/226, Annex I)*

Chapter 5.3, 5.3.1.7.1

Not applicable to English

(Reference document: ECE/TRANS/WP.15/226, Annex I)

Chapter 5.5, 5.5.3.7.1

Not applicable to English

(Reference document: ECE/TRANS/WP.15/226, Annex I)
