

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, 17–21 September 2018

Item 2 of the provisional agenda

Tanks

13 September 2018

Carriage of tanks, battery wagons/battery-vehicles and MEGC after the date of expiry of the last intermediate inspections

Transmitted by the Government of Poland

Introduction

1. UIC and CEFIC submitted document INF.21 to the Joint Meeting of the RID Committee of Experts and the Working Group on the Carriage of Dangerous Goods (Bern, 14 – 18 March 2016). The document was dealt with by the working group on tanks.

2. Point 3 of document INF.21 included following proposal:

Insert the following new Section 4.3.2.3.7:

"4.3.2.3.7 Tank-wagons, demountable tanks, battery-wagons (RID) / Fixed tanks (tank-vehicles), demountable tanks, battery-vehicles (ADR), tank-containers, tank swap bodies and MEGC may not be filled or offered for carriage after the deadline for the test or inspection required by 6.8.2.4.2, 6.8.2.4.3, 6.8.3.4.6 and 6.8.3.4.10 has expired.

However, tank-wagons, demountable tanks, battery-wagons (RID) / fixed tanks (tank-vehicles), demountable tanks, battery-vehicles (ADR), tank-containers, tank swap bodies and MEGC filled prior to these deadlines may be carried:

- (a) For a period not to exceed one month after the expiry of these deadlines; and
- (b) Unless otherwise approved by the competent authority, for a period not to exceed three months after the expiry of these deadlines 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."

3. The proposal by UIC and CEFIC was modified by the Working Group of Tanks. Unfortunately Section 6.8.2.4.3 was removed from the first paragraph of this proposal.

Proposal

4. Amend 4.3.2.3.7 as follows (new wording bold in *italic* script, deleted wording ~~stricken through~~):

4.3.2.3.7 Fixed tanks (tank-vehicles), demountable tanks, battery-vehicles, tank-containers, tank swap bodies and MEGCs may not be filled or offered for carriage after ~~the deadline for the test or inspection~~ ***the date of expiry of the last periodic***

inspection or intermediate inspection as required by 6.8.2.4.2, 6.8.2.4.3, 6.8.3.4.6 and 6.8.3.4.10 has expired.

However, fixed tanks (tank-vehicles), demountable tanks, battery-vehicles, tank-containers, tank swap bodies and MEGCs filled prior to the date of expiry of the last periodic inspection *or intermediate inspection* may be carried:

- (a) for a period not to exceed one month after the expiry of these ~~deadlines~~ *dates*;
- (b) unless otherwise approved by the competent authority, for a period not to exceed three months after the expiry of these ~~deadlines~~ *dates* 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.”.

Justification

5. **Regulation in 4.3.2.3.7 create conflicting interpretations concerning the filing and carriage after the date of expiry of the last intermediate inspection in 6.8.2.4.3.** The date of intermediate inspection is clearly indicated in the certificate by expert approved by competent authority who carry out initial inspection and periodic inspection. This date is deadline for filling and offer for carriage the tank. A copy of these certificate shall be attached to the tank record of each tank, battery-vehicle or MEGC tested (see 4.3.2.1.7).

6. In 4.3.2.3.7 no information that the tanks may be filled and offered for carriage before the date of expiry of the last intermediate inspection indicated in certificate and may be carried for a period not to exceed one month (either more (tree month?) or less) after the expiry of this date.

7. **For portable tanks we have unmistakable and legible provisions.**

Section 1.4.2.2.1 (d) includes note:

“NOTE: Tanks, battery-vehicles and MEGCs may however be carried after the expiry of this deadline under the conditions of 4.1.6.10 (in the case of battery-vehicles and MEGCs containing pressure receptacles as elements), 4.2.4.4, 4.3.2.3.7, 4.3.2.4.4, 6.7.2.19.6, 6.7.3.15.6 or 6.7.4.14.6.”.

Sections **6.7.2.19.6, 6.7.3.15.6** and **6.7.4.14.6** refer to portable tanks.

8. The contents of Sections **6.7.2.19.6, 6.7.3.15.6** and **6.7.4.14.6**:

“6.7.2.19.6 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 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.** In addition, a portable tank may be carried after the date of expiry of the last periodic test and inspection:

- (a) After emptying but before cleaning, for purposes of performing the next required test or inspection prior to refilling; and
- (b) Unless otherwise approved by the competent authority, for a period not to exceed six months beyond the date of expiry of the last periodic test or inspection, 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.”.

“6.7.3.15.6 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 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.** In addition, a portable tank may be carried after the date of expiry of the last periodic test and inspection:

- (a) After emptying but before cleaning, for purposes of performing the next required test or inspection prior to refilling; and
- (b) Unless otherwise approved by the competent authority, for a period not to exceed six months beyond the date of expiry of the last periodic test or inspection, 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.”.

“6.7.4.14.6 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 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.** In addition, a portable tank may be carried after the date of expiry of the last periodic test and inspection:

- (a) After emptying but before cleaning, for purposes of performing the next required test or inspection prior to refilling; and
- (b) Unless otherwise approved by the competent authority, for a period not to exceed six months beyond the date of expiry of the last periodic test or inspection, 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. For example the text of section 6.7.2.19.2 is following:

“6.7.2.19.2 The shell and items of equipment of each portable tank shall be inspected and tested before being put into service for the first time (initial inspection and test) and thereafter at not more than five-year intervals (5 year periodic inspection and test) with an intermediate periodic inspection and test (2.5 year periodic inspection and test) midway between the 5 year periodic inspections and tests. The 2.5 year inspection and test may be performed within 3 months of the specified date. An exceptional inspection and test shall be performed regardless of the date of the last periodic inspection and test when necessary according to 6.7.2.19.7.”.

10. Provisions for portable tanks allow to perform the 2.5 year inspection and test (intermediate inspection in 6.8) within 3 months of the specified date. This provisions are contained in Chapter 6.7 which concern “Requirements for the design, construction, inspection and testing of portable tanks and un multiple-element gas containers (MEGCs).”

11. The same situation occurs in Chapter 6.8 which includes “Requirements for the construction, equipment, type approval, inspections and tests, and marking of fixed tanks (tank-vehicles), demountable tanks and tank-containers and tank swap bodies, with shells made of metallic materials, and battery-vehicles and multiple element gas containers (MEGCs).”

This is in 6.8.2.4.3:

“6.8.2.4.3 Shells and their equipment shall undergo intermediate inspections at least every

three
years



two and a half
years

after the initial inspection and each periodic inspection. **These intermediate inspections may be performed within three months before or after the specified date.**

However, the intermediate inspection may be performed at any time before the specified date.

If an intermediate inspection is performed more than three months before the due date, another intermediate inspection shall be performed at the latest

three
years



two and a half
years

after this date.

.....”

12. Possibility to perform intermediate inspections within three months before or after the specified date in 6.8.2.4.3 was introduced into the RID/ADR regulations in 2009 as a result of discussions held in 2006 during the Joint Meeting of the RID/ADR/ADN in spring (Bern 2006 March) and the autumn session (Geneva September 2006). This subject was forwarded to the Tank Working Group established by the Joint Meeting dealing with topics related to tanks for the transport of dangerous goods.

13. The main purpose of these activities was to create clear provisions in 6.8.2.4.2 regarding periodic tests of tanks and in 6.8.2.4.3 regarding intermediate inspection of tanks. In the document ECE/TRANS/WP.15/AC.1/2006/20 (Belgium) and in INF.20 (Belgium) at the Joint Meeting in September 2006, were proposed that intermediate inspection could be carried out with a certain tolerance (three months) **similar to the regulations for portable tanks given in 6.7.2.19.2 RID/ADR.**

14. The results of these works were adopted by Tank Working Group in point 6 of the document ECE/TRANS/WP.15/AC.1/104/Add.1 (September 2006) and by the Joint Meeting of RID/ADR/ADN during the autumn session in Geneva in 2006 and recorded in Annex 1 to the document ECE/TRANS/WP.15/AC.1/104, as a modification of the entries in 6.8.2.4.2 and 6.8.2.4.3.

15. These provisions have been introduced into the RID/ADR 2009.

16. The changes introduced in 6.8.2.4.2 and 6.8.2.4.3 referred only to tank tests, while they did not affect the regulations in force regarding the use of tanks, which are contained in Part 4 of the RID/ADR.

17. In RID/ADR 2009 in Section 1.4.2.2.1 (d) has been introduced a following note:

“NOTE: Tanks, battery-vehicles and MEGCs may however be carried after the expiry of this deadline under the conditions of 4.1.6.10 (in the case of battery-vehicles and MEGCs containing pressure receptacles as elements), 4.2.4.4, 4.3.2.4.4, 6.7.2.19.6, 6.7.3.15.6 or 6.7.4.14.6.”

18. As it was indicated in paragraph 7 of this document, sections 6.7.2.19.6, 6.7.3.15.6 and 6.7.4.14.6 refer to portable tanks.
19. The provisions of sections 6.7.2.19.6, 6.7.3.15.6 and 6.7.4.14.6 allow to fill a portable tank prior to the date of expiry of the last periodic inspection and test and to carry for a period not to exceed three months beyond the date of expiry of the last periodic test or inspection.
20. The wording “periodic inspection” means 5 year or 2.5 year periodic inspection and test as required accordingly by 6.7.2.19.2, 6.7.3.15.2 or 6.7.4.14.2. (2,5 year periodic inspection and test is equal wording with “intermediate inspection” applied in 6.8).
21. In RID/ADR 2017 the note in Section 1.4.2.2.1 (d) has been modified as follows:
“NOTE: Tanks, battery-vehicles and MEGCs may however be carried after the expiry of this deadline under the conditions of 4.1.6.10 (in the case of battery-vehicles and MEGCs containing pressure receptacles as elements), 4.2.4.4, 4.3.2.3.7, 4.3.2.4.4, 6.7.2.19.6, 6.7.3.15.6 or 6.7.4.14.6.”
22. In RID/ADR 2017 was introduced a new section 4.3.2.3.7 enabling the carriage of tank-wagons/tank-vehicle, demountable tanks, battery-wagons/battery-vehicles, tank-containers, swap bodies - tanks and MEGC after the expiration of the periodic inspection, provided that they will be filled and transferred for transport before the dates of tests or inspections required in 6.8.2.4.2, 6.8.3.4.6 and 6.8.3.4.12.
23. The provisions given in 6.8.2.4.2, 6.8.3.4.6 and 6.8.3.4.12 refer only to periodic inspections.
24. As indicated in paragraph 6 of this document, **no information in 4.3.2.3.7 that the tank may be filled and offered for carriage before the date of expiry of the last intermediate inspection and may be carried for a period not to exceed one month (either more (tree month?) or less) after the expiry of this date.**
25. **If the Joint Meeting accepts this proposal we will achieve identical rule concerning a filling and offering for carriage before the date of expiry of the last intermediate inspection for tanks covered by provisions in Chapter 6.8 and for portable tanks covered by provisions in Chapter 6.7.**

Safety implications

26. No problem.

Feasibility

27. No problem.

Enforcement

28. This amendment is needed to avoid problems of interpretation.
-