

## **Economic Commission for Europe**

### **Inland Transport Committee**

#### **Working Party on the Transport of Dangerous Goods**

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**Interpretation of ADR**

### **8.1.5 Miscellaneous equipment and equipment for personal protection**

#### **Transmitted by the Government of Sweden**

#### **Summary**

The Government of Sweden receives questions regularly concerning the list of equipment required on a transport unit according to section 8.1.5. In addition to the explanations in the text below, some pictures have been included in this document to illustrate some of the problems further.

#### **Background**

The provisions in section 8.1.5 are not very detailed which cause problems for the enforcement bodies during road side checks. E.g., it is not clear what the size or the material of a collecting container should be to fulfil the requirements. The same problem arises for the shovel and the drain seal.

The current provisions could be interpreted in a number of different ways, which is also a problem for the drivers and carriers. Usually, drivers are under a constant pressure of time. In order to rationalize, many carriers buy ready-made “ADR-bags” sold by private companies. Irrespective of how the equipment is selected, piece by piece or by investing in a ready-made ADR-bag, some items may not be considered sufficient by the enforcement bodies. Their interpretation could be, for example, that the collecting container is made of a material not suitable for the goods, or that the drain seal is too small or thin.

Another aspect to consider is that some of the equipment required in section 8.1.5 is intended to be used in case of an accident or emergency. The instructions in writing clearly states that the vehicle crew shall act where safe and practicable to do so. The decision to act or not is taken under a more or less stressful situation. However, while the driver can be penalised for not carrying the right equipment, it would be very difficult to penalise the driver for not taking actions and using the equipment. In our opinion, such a requirement does not seem to be proportionate to its expected usefulness.

During these discussions, we have been in contact with the Swedish Work Environment Authority concerning the intention with the provisions in section 8.1.5. According to their information, there is working environment legislation that already regulates what actions a company should take in different situations, including incidents or accidents during transport, and also what kind of protective equipment to wear or use. Many of the ADR member states probably have similar legislation.

#### **Reflections**

There are many factors to consider when choosing the equipment required in section 8.1.5. A number of questions and reflections arise:

- Could a bottle of fresh water serve as eye rinsing liquid, or must it be a pharmaceutical product (with an end date that have not yet passed)?
- Does a load that consists of several hazards require e.g. two shovels and collecting containers of different materials?
- During winter the ground is usually frozen and uneven. This makes it difficult, and sometimes impossible, to make use of a drain seal or to dig.
- Should the drain seal cover any kind of drain (see pictures below)?
- The shovel, collecting container and drain seal are only required for solids and liquids with danger label numbers 3, 4.1, 4.3, 8 and 9, but this goods might be loaded together with other classes. Considering the risk of sparks – is it appropriate to use a shovel made of e.g. steel where you have a leaking tank or packaging?

*Note: According to section 8.3.4, the portable lighting apparatus used shall not exhibit any metal surface liable to produce sparks.*

- Are any pair of gloves acceptable or what is considered to be “protective”?
- Should the collecting container be compatible with the substances carried and what capacity should be required (as a minimum)?

Some questions might seem hypothetical, but all of them have been addressed to us in different situations.

### **Discussion**

1. How are these provisions interpreted in your country? Have you faced similar problems concerning different applications?
2. Would it be appropriate to analyse the list in 8.1.5 further in order to either specify or delete parts of the listed equipment?

The Government of Sweden would like to hear the view of the Working Party.

Examples:

Drains



Drain seals



**INF.5**

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Protective gloves



Collecting containers

