

ECONOMIC COMMISSION FOR EUROPE

INLAND TRANSPORT COMMITTEE

Working Party on the Transport of Dangerous Goods

Joint Meeting of the RID Safety Committee and the
Working Party on the Transport of Dangerous Goods

Geneva, 11-15 September 2006
Agenda item 5

PROPOSALS OF AMENDMENTS TO RID/ADR/ADN */

Carriage prior to or following maritime or air carriage
Amended provisions of 1.1.4.2.1

Proposal submitted by the Government of Switzerland

Summary: Proposal of a text for a transitional provisions for the application of the amended provisions in 1.1.4.2.1 until 01.01.2009, when the GHS criteria for the classification of aquatic pollutants will have been adopted by all modal transport regulations.
Related documents: ECE/TRANS/WP.15/AC.1/2006/24 TRANS/WP.15/AC.1/2005/68 TRANS/WP.15/AC.1/100 (para.13-17).

(* / Circulated by the Central Office for International Carriage by Rail (OCTI) under the symbol OCTI/RID/GT-III/2006/24).

Introduction

The CEFIC in the document ECE/TRANS/WP.15/AC.1/2006/24 presents a proposal in order to foresee transitional measures until 2009 for the provision in 1.1.4.2.1 for class 9. No proposal of a text is however presented. Supposing the proposal would be accepted in principle and in order to find a quick solution, Switzerland presents a proposal of a text for transitional measures which could also be adopted by the Joint Meeting.

Proposal

Introduce transitional measures as follows:

ADR

1.6.1.13 The requirements of paragraph 1.1.4.2.1 are applicable to dangerous goods of class 9 as from 1st of January 2009.

RID

1.6.1.11 The requirements of paragraph 1.1.4.2.1 are applicable to dangerous goods of class 9 as from 1st of January 2009.

Justification

CEFIC proposes a multilateral agreement. Although Switzerland is not against this option, the following circumstances should be kept in mind: The preparation of such agreement is bind with procedures in each state which don't allow the issue of texts before several months. The procedures of consultation in each of the more than 40 Member States or Contracting Parties again requires different times so that it is not very likely that a multilateral agreement could be concluded between to States in 6 months. Furthermore, at least for ADR, it doesn't seam the best solution to wait the results of the procedures for a multilateral agreement because the texts in 1.1.4.2.1 are going to enter in force by the 1st of July 2007 already. On the other hand the procedure of adoption after notification to New-York in the case of the ADR only lasts 6 months; in case of RID 1 year. Although it is longer for the railway, the adoption of these texts by the Committee of Experts of the RID and by the Working Party on the transport or dangerous goods (WP.15) offers the advantage of a simultaneous enforcement for all the States, not only for those who have ratified the agreement. It also makes easier the process of adoption in each State. A text adopted by both international authorities is better perceived by the national administration and the concerned people as a specific proposal put forward by a single State in form of a multilateral agreement.

For these reasons we would be in favour to submit already in October the proposed text for a transitional measure to the two groups, the Committee of Experts of the RID and the WP.15.