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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

Bern, 8-11 September 2009

Geneva, 14-18 September 2009

Adopted texts

The secretariat reproduces hereafter the consolidated text of the amendments adopted by the Joint Meeting as regards the inclusion of provisions concerning the period of retention of documents, additional inspection requirements and conformity assessment procedures for gas cartridges (see ECE/TRANS/WP.15/AC.1/2009/CRP.4/Add.3).

PART 1

1.6.2 Add the following new transitional provisions:

"1.6.2.11 Member States/Contracting Parties need not apply the requirements of 1.8.6, 1.8.7 or 1.8.8 for the conformity assessment of gas cartridges before 1 January 2013.

1.6.2.12 Gas cartridges constructed and prepared for carriage before 1 January 2013 may still be carried, provided the applicable provisions of RID/ADR are met."

[Reference documents: 2009/39 + INF.46]

1.8.6 Amend to read as follows:

"1.8.6 **Administrative controls for application of the conformity assessments, periodic inspections, and exceptional checks described in 1.8.7**

1.8.6.1 **Approval of inspection bodies**

The competent authority may approve inspection bodies for conformity assessments, periodic inspections, exceptional checks and surveillance of the in-house inspection service as specified in 1.8.7.

1.8.6.2 **Operational obligations for the competent authority, its delegate or inspection body**

1.8.6.2.1 The competent authority, its delegate or inspection body shall carry out conformity assessments, periodic inspections and exceptional checks in a proportionate manner, avoiding unnecessary burdens. The competent authority, its delegate or inspection body shall perform its activities taking into consideration the size, the sector and the structure of the undertakings involved, the relative complexity of the technology and the serial character of production.

1.8.6.2.2 Nevertheless the competent authority, its delegate or inspection body shall respect the degree of rigour and the level of protection required for the compliance of the transportable pressure equipment by the provisions of Parts 4 and 6 as applicable.

1.8.6.2.3 Where a competent authority, its delegate or inspection body finds out that requirements laid down in Parts 4 or 6 have not been met by the manufacturer, it shall require the manufacturer to take appropriate corrective measures and it shall not issue any type approval certificate or certificate of conformity.

1.8.6.3 Information obligation

OTIF Member States/Contracting parties to ADR or ADN shall publish their national procedures for the assessment, appointment and monitoring of inspection bodies and of any changes to that information.

1.8.6.4 Delegation of inspection tasks

NOTE: In-house inspection services according to 1.8.7.6 are not covered by 1.8.6.4.

1.8.6.4.1 Where an inspection body uses the services of any other entity (e.g. subcontractor, subsidiary), to carry out specific tasks connected with the conformity assessment, periodic inspection or exceptional check, this entity shall be included in the accreditation of the inspection body, or it shall be accredited separately. The inspection body shall ensure that this entity meets the requirements set out for the tasks given to it with the same level of competence and safety as laid down for inspection bodies (see 1.8.6.8) and it shall monitor it. The inspection body shall inform the competent authority about the above mentioned arrangements.

1.8.6.4.2 The inspection body shall take full responsibility for the tasks performed by such entities wherever the tasks are performed by them.

1.8.6.4.3 The inspection body shall not delegate the whole task of conformity assessment, periodic inspection or exceptional checks. In any case, the assessment and the issue of certificates shall be carried out by the inspection body itself.

1.8.6.4.4 Activities shall not be delegated without the agreement of the applicant.

1.8.6.4.5 The inspection body shall keep at the disposal of the competent authority the relevant documents concerning the assessment of the qualifications and the work carried out by the above mentioned entities.

1.8.6.5 Information obligations for inspection bodies

Any inspection body shall inform the competent authority, which had approved it, of the following:

- (a) – except when the provisions of 1.8.7.2.4 apply – any refusal, restriction, suspension or withdrawal of type approval certificates;
- (b) any circumstance(s) affecting the scope of and conditions for the approval as granted by the competent authority;
- (c) any request for information on conformity assessment activities performed which they have received from competent authorities monitoring compliance according to 1.8.1 or 1.8.6.6;
- (d) on request, conformity assessment activities performed within the scope of their approval and any other activity performed, including delegation of tasks.

1.8.6.6 The competent authority shall ensure the monitoring of the inspection bodies and shall revoke or restrict the approval given, if it notes that an approved body is no longer in compliance with the approval and the requirements of 1.8.6.8 or does not follow the procedures specified in the provisions of RID/ADR.

1.8.6.7 If the approval of the inspection body is revoked or restricted or if the inspection body ceased activity, the competent authority shall take appropriate steps to ensure that the files are either processed by another inspection body or kept available.

1.8.6.8 The inspection body shall:

- (a) Have a staff with an organisation structure, capable, trained, competent and skilled, to satisfactorily perform its technical functions;
- (b) Have access to suitable and adequate facilities and equipment;
- (c) Operate in an impartial manner and be free from any influence which could prevent it from doing so;
- (d) Ensure commercial confidentiality of the commercial and proprietary activities of the manufacturer and other bodies;
- (e) Maintain clear demarcation between actual inspection body functions and unrelated functions;
- (f) Have a documented quality system;
- (g) Ensure that the tests and inspections specified in the relevant standard and in RID/ADR are performed; and
- (h) Maintain an effective and appropriate report and record system in accordance with 1.8.7 and 1.8.8.

The inspection body shall additionally be accredited according to the standard EN ISO/IEC 17020:2004, as specified in 6.2.2.9, 6.2.3.6 and TA4 and TT9 of 6.8.4.

An inspection body starting a new activity may be approved temporarily. Before temporary designation, the competent authority shall ensure that the inspection body meets the requirements of the standard EN ISO/IEC 17020:2004. The inspection body shall be accredited in its first year of activity to be able to continue this new activity.”

[Reference documents: 2009/39 + INF.18]

1.8.7.1.1 In the first sentence, delete:

"the Table in".

Add a new 1.8.7.1.5 and 1.8.7.1.6 to read as follows:

“1.8.7.1.5 Design type approval certificates and certificates of conformity – including the technical documentation – shall be retained by the manufacturer or by the applicant for the type approval, if he is not the manufacturer, and by the inspection body, who issued the certificate, for a period of at least 20 years starting from the last date of production of products of the same type.

1.8.7.1.6 When a manufacturer or owner intends to cease operation, he shall send the documentation to the competent authority. The competent authority shall then retain the documentation for the rest of the period specified in 1.8.7.1.5.”

[Reference document: 2009/39]

1.8.7.5 The existing text under the heading of 1.8.7.5 becomes 1.8.7.5.1. Add a new 1.8.7.5.2 to read:

“**1.8.7.5.2** Reports of periodic inspections and tests of pressure receptacles shall be retained by the applicant at least until the next periodic inspection.

NOTE: For tanks see provisions for tank records in 4.3.2.1.7.”

[Reference document: 2009/39]

Add a new 1.8.8 to read as follows:

“1.8.8 Procedures for conformity assessment of gas cartridges

When assessing the conformity of gas cartridges, one of the following procedures shall be applied:

- (a) the procedure in section 1.8.7 for non-UN pressure receptacles, with the exception of 1.8.7.5, or
- (b) the procedure in sub-sections 1.8.8.1 to 1.8.8.7.

1.8.8.1 General provisions

1.8.8.1.1 The supervision of manufacture shall be carried out by an Xa body and the tests as required in 6.2.6 shall be carried out either by that Xa body or by an IS-body approved by that Xa body; for definition of Xa and IS body see definitions in 6.2.3.6.1. Conformity assessment shall be carried out by the competent authority, its delegate or its approved inspection body of an OTIF Member State/Contracting Party to ADR.

1.8.8.1.2 By the application of 1.8.8, the applicant shall demonstrate, ensure and declare on his sole responsibility the conformity of gas cartridges with the provisions of 6.2.6 and all further applicable provisions of RID/ADR/ADN.

1.8.8.1.3 The applicant shall

- (a) carry out a design type examination of each type of gas cartridges (including materials to be used and variations of that type, e.g. volumes, pressures, drawings and closing and release devices) according to 1.8.8.2;
- (b) operate an approved quality system for design, manufacture, inspection and testing according to 1.8.8.3 ;
- (c) operate an approved testing regime according to 1.8.8.4 for the tests required in 6.2.6;
- (d) address for the approval of his quality system for supervision of manufacture and for testing to one Xa body of his choice of the Member State/Contracting Party; if the applicant is not established in a Member State/Contracting Party he shall address one Xa body of a Member State/Contracting Party prior to first transport into a Member State/ a Contracting Party;

- (e) if the gas cartridge is finally assembled from parts manufactured by the applicant by one or more other enterprise(s), he shall provide written instructions how to assemble and fill the gas cartridges to meet the provisions of his type examination certificate.

1.8.8.1.4 Where the applicant and enterprises assembling and/or filling gas cartridges according to the instructions of the applicant, can demonstrate to the satisfaction of the Xa body conformity with the provisions of 1.8.7.6 excluding 1.8.7.6.1 (d) and 1.8.7.6.2 (b), they may establish an in-house inspection service which may perform part or all of the inspections and tests specified in 6.2.6.

1.8.8.2 Design type examination

1.8.8.2.1 The applicant shall establish the technical documentation as specified in 1.8.8.1.3 (a) for each type of gas cartridges including the technical standard(s) applied. If he chooses to apply a standard not referenced in 6.2.6, he shall add the standard applied to the documentation.

1.8.8.2.2 The applicant shall retain the technical documentation together with samples of that type at the disposal of the Xa body during production and afterwards for a period of minimum 5 years starting from the last date of production of gas cartridges according to that type examination certificate.

1.8.8.2.3 The applicant shall after careful examination issue a design type certificate which shall be valid for a maximum period of ten years; he shall add this certificate to the documentation. This certificate authorises him to produce gas cartridges of that type for that period.

1.8.8.2.4 If within that period the relevant-technical requirements of RID/ADR (including referenced standards) have changed so that the design type is no longer in conformity with them, the applicant shall withdraw his design type certificate and inform the Xa body.

1.8.8.2.5 The applicant may after careful and complete review reissue the certificate for another period of maximum ten years.

1.8.8.3 Supervision of manufacture

1.8.8.3.1 The procedure of design type examination as well as the manufacturing process shall be subject to a survey by the Xa body to ensure the type certified by the applicant and the product as produced are in conformity with the provisions of the design type certificate and the applicable provisions of RID/ADR/ADN. If 1.8.8.1.3 (e) applies, the assembling and filling enterprises shall be included in that procedure.

1.8.8.3.2 The applicant shall take all the necessary measures to ensure that the manufacturing process complies with the applicable provisions of RID/ADR/ADN and of his design type certificate and its annexes. If 1.8.8.1.3 (e) applies, the assembling and filling enterprises shall be included in that procedure.

1.8.8.3.3 The Xa body shall:

- (a) verify the conformity of the design type examination of the applicant and conformity of the type of gas cartridges with the technical documentation specified in 1.8.8.2;
- (b) verify that the manufacturing process produces products in conformity with the requirements and the documentation which apply to it; if the gas cartridge is finally assembled from parts manufactured by the applicant by one or more enterprise(s), the Xa body shall also verify that the gas cartridges are in full conformity with all applicable provisions af-

ter final assembly and filling and that the instructions of the applicant are correctly applied;

- (c) verify that the personnel undertaking the permanent joining of parts and the tests are qualified or approved;
- (d) record the results of its surveys.

1.8.8.3.4 If the findings of the Xa body show non-conformity of the design type certificate of the applicant or the manufacturing process, he shall require appropriate corrective measures or withdrawal of the certificate from the applicant.

1.8.8.4 Leakproofness test

1.8.8.4.1 The applicant and enterprises finally assembling and filling gas cartridges according to the instructions of the applicant shall:

- (a) carry out the tests required in 6.2.6;
- (b) record the test results;
- (c) issue a certificate of conformity only for gas cartridges, which are in full compliance with the provisions of his design type examination and the applicable provisions of RID/ADR/ADN and have successfully passed the tests as required in 6.2.6;
- (d) retain the documentation as specified in 1.8.8.7 during production and afterwards for a period of minimum 5 years from the last date of production of gas cartridges belonging to one type approval for inspection by the Xa body at random intervals;
- (e) affix a durable and legible mark identifying the type of gas cartridge, the applicant and the date of production or batch number; where due to limited available space the mark cannot be fully applied to the body of the gas cartridge, he shall affix a durable tag with this information to the gas cartridge or place it together with a gas cartridge in an inner packaging.

1.8.8.4.2 The Xa body shall:

- (a) perform the necessary examinations and tests at random intervals, but at least shortly after starting of manufacture of a type of gas cartridges and thereafter at least once every three years, in order to verify that the procedure for design type examination of the applicant as well as that the manufacture and testing of the product are carried out in accordance with the design type certificate and the relevant provisions;
- (b) check the certificates supplied by the applicant;
- (c) carry out the tests as required in 6.2.6 or approve the program of testing and the in-house inspection service to carry out the tests.

1.8.8.4.3 The certificate shall contain as a minimum:

- (a) the name and address of the applicant and – when these are different – the enterprise(s) carrying out the final assembly in accordance with the written instructions of the applicant;
- (b) a reference to the version of RID/ADR/ADN and the standard(s) used for manufacture and tests;

- (c) the result of inspections and tests;
- (d) the data for the marking as required in 1.8.8.4.1 (e).

1.8.8.5 (Reserved)

1.8.8.6 Surveillance of the in-house inspection service

When the applicant or enterprise assembling and/or filling gas cartridges has established an in-house inspection service, the provisions of 1.8.7.6 excluding 1.8.7.6.1 (d) and 1.8.7.6.2 (b) shall be applied. The enterprise assembling and/or filling gas cartridges shall comply with the provisions relevant to the applicant.

1.8.8.7 Documents

The provisions of 1.8.7.7.1, 1.8.7.7.2, 1.8.7.7.3 and 1.8.7.7.5 shall be applied.

[Reference documents: 2009/39 + INF.18 + INF.27 + INF.46]

PART 4

4.1.6.14 becomes **4.1.6.15**.

Add a new 4.1.6.14 to read:

“4.1.6.14 Owners shall, on the basis of a reasoned request from the competent authority, provide it with all the information necessary to demonstrate the conformity of the pressure receptacle in a language easily understood by the competent authority. They shall cooperate with that authority, at its request, on any action taken to eliminate non-conformity of the pressure receptacles which they own.”

PART 6

6.2.2.9 Replace “1.8.6.4” with:
“1.8.6.2, 1.8.6.4, 1.8.6.5 and 1.8.6.8” (thrice).

6.2.3.6.1 Replace “1.8.6.4” with:
“1.8.6.2, 1.8.6.4, 1.8.6.5 and 1.8.6.8” (thrice).

6.8.4

TA 4 Replace “1.8.6.4” with:
“1.8.6.2, 1.8.6.4, 1.8.6.5 and 1.8.6.8”.

TT 9 Replace “1.8.6.4” with:
“1.8.6.2, 1.8.6.4, 1.8.6.5 and 1.8.6.8”.

[Reference document: 2009/39]
