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Agenda item 6 () of the provisional agenda

Proposals for amendments to annexes A and B of ADR: new proposals

Paragraph 5.4.1.1.6.2.1

Transmitted by the Government of Sweden*

Summary

Executive summary: According to 5.4.1.1.6.2.1, the dangerous goods description in the transport document shall include the tunnel restriction code.

Action to be taken: Amend the text in 5.4.1.1.6.2.1 so as to exempt such carriage from having to add the tunnel restriction code in the transport document.

Related documents: Document ECE/TRANS/WP.15/195
Informal document INF.4 (Sweden), eighty-second session.

Introduction

1. The decision to introduce the tunnel restriction code in the dangerous goods description was based on a Swedish proposal (Informal document INF.4, eighty-second session) and introduced in ADR 2009. In that proposal, one consequential amendment was overlooked.

* The present document is submitted in accordance with paragraph 1(c) of the terms of reference of the Working Party, as contained in document ECE/TRANS/WP.15/190/Add.1, which provides a mandate to “Develop and update the European Agreement concerning the International Carriage of Dangerous Goods by Road (ADR)”.

2. In 5.4.1.1.6 there are special provisions for the documentation of empty means of containment, uncleaned. In 5.4.1.1.6.2.1 it is stated that the particulars according to 5.4.1.1.1 (a), (b), (c), (d), (e) and (f) are replaced with “EMPTY PACKAGING” etc. as appropriate, followed by the information of the goods last loaded, as described in 5.4.1.1.1 (c). Thus, it seems that the tunnel restriction code as described in 5.4.1.1.1 (k) shall be included in the description. However, the tunnel restriction code is not included in the example.
3. The Government of Sweden is not convinced that a restriction code for tunnels is relevant for carriage of empty and uncleaned packagings for the following reasons:
 - (a) Empty, uncleaned packagings may be carried in unlimited quantities in accordance with sub-section 1.1.3.6, which means that it is possible to drive through any tunnel with a fully loaded motor vehicle and trailer without having to apply the provisions concerning tunnel restrictions (see 8.6.3.3).
 - (b) Empty, uncleaned packagings could only exceed the maximum total quantities allowed in accordance with 1.1.3.6 if other goods are loaded on the same transport unit and the sum of the load exceeds “1000”. In such a case, the transport shall apply to the provisions concerning restrictions for tunnels, and, according to 8.6.3.2, the most restrictive tunnel restriction code shall be assigned to the whole load. This means that if the empty uncleaned packagings had a more restrictive code than the other goods loaded on the same transport unit, this code would be allocated to the whole load – even if the load consisted of only a single empty and uncleaned package.
4. Putting this in relation to the situation described in 3 (a) above, where these empty and uncleaned packagings may be carried in unlimited quantities through any tunnel, The government of Sweden cannot see the need for requiring a tunnel restriction code for empty uncleaned packagings.
5. For the aforementioned reasons, the government of Sweden propose to amend the text in 5.4.1.1.6.2.1 so as to exempt such carriage from having to add the tunnel restriction code in the transport document.

Proposal

6. Amend the text in 5.4.1.1.6.2.1 to read as follows (change stricken out or underlined):

“5.4.1.1.6.2.1 For empty packagings, uncleaned, which contain the residue of dangerous goods of classes other than Class 7, including empty uncleaned receptacles for gases with a capacity of not more than 1000 litres, the particulars according to 5.4.1.1.1 (a), (b), (c), (d), (e), ~~and (f)~~ and (k) are replaced with...”.