

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

Bern, 22–26 March 2010

Item 5 (b) of the provisional agenda

Proposals for amendments to RID/ADR/ADN: new proposals

Comments on papers

ECE/TRANS/WP/15/AC.1/2010/12 (France) and

ECE/TRANS/WP/15/AC.1/2010/28 (France)

Transmitted by the Government of the United Kingdom

Document ECE/TRANS/WP/15/AC.1/2010/12

1. In the opinion of the Government of the United Kingdom this proposal from France is unnecessary since when section 1.8.7 is considered as a whole, the requirements for surveillance of the production of pressure receptacles are already satisfactory.
2. The relevant body is required by 1.8.7.4.2 (a) to “Perform the necessary examinations and test in order to verify that the product is manufactured in accordance with the type approval and the relevant provisions;”. This means that production of pressure receptacles cannot be carried out in the absence of the relevant body except in the case that the manufacturer (applicant) has, in accordance with 1.8.7.1.4, satisfied the competent authority or its delegated inspection body that its in-house inspection service can carry out part or all of the inspections required in conformity with 1.8.7.6.
3. In-house inspection services can only operate with a quality system under the surveillance of an inspection body in accordance with 1.8.7.6. It can be seen that 1.8.7.6.3 requires that “The inspection body shall carry out periodic audits... to make sure that the applicant applies the quality system.” Furthermore “A minimum of two audits shall be carried out in a 12 month period.” Therefore the text of 1.8.7 already caters for two audits per year which exceeds the requirement for one annual audit proposed by France in paragraph 5 of their paper. 1.8.7.6.3 also details the steps required in case shortcomings are detected.
4. Sub section 1.8.7.3 covers supervision of manufacture and applies to manufacture of products either with or without quality assurance. It is quite common for pressure receptacles such as pressure drums, tubes and cryogenic receptacles to be made in small numbers where setting up a quality assurance scheme would be uneconomic. Therefore, surveillance of manufacture continues only for the short time that production is in progress. In these cases it would be inappropriate for annual unannounced audits to be required.

Document ECE/TRANS/WP.15/AC.1/2010/28

5. The Government of the United Kingdom fully supports this proposal from France and would like to suggest three further places where it is appropriate to add “intermediate inspections”. These amendments are shown below with the additional text underlined.

6. Amend the definition of applicant in 1.2.1 to include intermediate inspection and change ‘periodic testing’ to align with the normal usage of ‘periodic inspection’.

"Applicant" means, in the case of conformity assessment, the manufacturer or its authorised representative in a Member State/country Contracting Party. In the case of periodic ~~testing~~ inspection, intermediate inspection and exceptional checks, *applicant* means the testing facility, the operator or their authorised representative in a Member State/country Contracting Party;

Amend 1.8.7.2.4 as shown:

1.8.7.2.4 The type approval shall be valid for a maximum of ten years. If within that period the relevant technical requirements of ADR (including referenced standards) have changed so that the approved type is no longer in conformity with them, the relevant body which issued the type approval shall withdraw it and inform the holder of the type approval.

NOTE: For the ultimate dates for withdrawal of existing type approvals, see column (5) of the tables in 6.2.4 and 6.8.2.6 or 6.8.3.6 as appropriate.

If a type approval has expired or has been withdrawn, the manufacture of the pressure receptacles, tanks, battery-vehicles or MEGCs according to that type approval is no longer authorised.

In such a case, the relevant provisions concerning the use, and periodic inspection and intermediate inspection of pressure receptacles, tanks, battery-vehicles or MEGCs contained in the type approval which has expired or has been withdrawn shall continue to apply to these pressure receptacles, tanks, battery-vehicles or MEGCs constructed before the expiry or the withdrawal if they may continue to be used.

6.8.2.3.3 expresses the same ideas as 1.8.7.2.4, but for tanks not intended for the carriage of Class 2 substances. Its fifth paragraph should also be amended.

In such a case, the relevant provisions concerning the use, ~~and~~ periodic inspection and intermediate inspection of tanks, battery-vehicles or MEGCs contained in the type approval which has expired or has been withdrawn shall continue to apply to these tanks, battery-vehicles or MEGCs constructed before the expiry or the withdrawal if they may continue to be used.