

## Economic Commission for Europe

### Inland Transport Committee

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

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### Comments on INF.9 SP363

#### Transmitted by the Government of Switzerland

1. SP363

At the end of the first paragraph in SP363 appears a NOTE:

*NOTE: This entry does not apply to equipment referred to in 1.1.3.3.*

But what about equipment referred to in 1.1.3.2 and in 1.1.3.7 (SP363 (f) refers to the lithium batteries)? Should we not also specify that this is topic does not apply to those equipment referred to in 1.1.3.2 and in 1.1.3.7?

2. What about the internal combustion engines for liquids (and gas) which are no longer included in the entry UN3166 but in UN 3528, 3529 and 3530

They are subject to the SP363 of Chapter 3.3 if they are empty according to NOTE 1 DS363 (b). If they are full they can be exempted according to SP363 (g). Motors containing more than 60 l of more than 450 litres capacity shall bear a label affixed on both sides and beyond 3000 l placards on two opposing sides. For gas engines these capacities are 450 l and 1000 l without lower limit of fuel. Otherwise a transport document is required for quantities of more than 1000 l of liquid fuel (how this quantity should be verified is not indicated) or a capacity of more than 1000 l for gases. Garages carrying out the transport of only engines should thus avoid to carry these engines together with their tank otherwise they will have to apply all these things mentioned before. Are these provisions really applicable by the final users of them?

3. For machinery the current limit in SP363 of 1500 l of capacity is replaced with 1000 l of content. Besides the fact that this content is not possible to verify, concerning the restrictions for tunnels, in column (15) of table A of Chapter 3.2 there is nothing for UN 3166, 3171, 3528, 3529 and 3530 implying e.g.. machinery containing 10000 l of fuel would be exempted from the restrictions in tunnels. Although this interpretation is already currently possible, one is entitled to wonder if such an eventuality should not be simply forbidden.

4. Until now the wording in SP363 was exactly the same as in 1.1.3.1 (b) “machinery and “equipment” so that SP363 for liquid fuels substituted the exemption 1.1.3.1 (b) for machinery and equipment. With the new provisions this relationship between 1.1.3.1 (b) will be lost because SP363 and the entries UN3528, 3529 and 3530 refers to machinery only and not to equipment. The question will arise if somebody defines his object as an “equipment” and not as a machinery. Is he entitled to exempt this “equipment” like it was before the introduction of SP363 under the exemption in 1.1.3.1 (b)?

We believe the wording of 1.1.3.1 (b) “machinery and equipment” should replace the term “machinery” in the SP363.

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