



Economic and Social Council

Distr.: General
14 June 2017

Original: English

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

Geneva, 19–29 September 2017

Item 4 of the provisional agenda

Harmonization with the United Nations

Recommendations on the Transport of Dangerous Goods

Assignment of obligations of the participants

Transmitted by the Government of Romania^{*}, ^{**}

Summary

- Executive summary:** During the analysis on the use of the terms “hazard/danger” and “risk” a particular case was observed. This proposal intends to solve this issue.
- Action to be taken:** Amend paragraph 1.4.1.1.
- Related documents:** Document ST/SG/AC.10/C.3/2016/16 submitted at the forty-ninth session of the United Nations Sub-Committee of Experts on the Transport of Dangerous Goods (Summer 2016), Informal document INF.33 submitted at the September 2016 session of the Joint Meeting, and report ECE/TRANS/WP.15/AC.1/144, paragraph 39.

* In accordance with the programme of work of the Inland Transport Committee for 2016-2017, (ECE/TRANS/2016/28/Add.1 (9.2)).

** Circulated by the Intergovernmental Organisation for International Carriage by Rail (OTIF) under the symbol OTIF/RID/RC/2016/25.

Introduction

1. In the broad context of the harmonisation of the different language versions of the RID/ADR/ADN modal regulations, of the use of the terms “hazard/danger” and “risk”, the Government of Romania would like to use the opportunity of discussing the text of 1.4.1.1 to clarify it.
2. In the spirit of the Globally Harmonized System of Classification and Labelling of Chemicals (GHS), paragraph 1.1.2.6.2, the Government of Romania proposes a change for the first paragraph of 1.4.1.1 of RID/ADR/ADN.
3. Therefore the Government of Romania presents below two alternative proposals, with preference for proposal 1.

Proposal 1

4. Amend the text of 1.4.1.1 as follows (new text is underlined and deleted text ~~stricken~~ through):
 - 1.4.1.1 The participants in the carriage of dangerous goods shall take appropriate measures according to the nature and the extent ~~of foreseeable of the~~ dangers and of foreseeable risks, so as to avoid damage or injury and, if necessary, to minimize their effects. They shall, in all events, comply with the requirements of RID/ADR/ADN in their respective field. [...].

Proposal 2

5. Amend the text of 1.4.1.1 as follows (new text is underlined and deleted text ~~stricken~~ through):
 - 1.4.1.1 The participants in the carriage of dangerous goods shall take appropriate measures according to the nature and the ~~extent of foreseeable~~ degree of the dangers and of foreseeable risks, so as to avoid damage or injury and, if necessary, to minimize their effects. They shall, in all events, comply with the requirements of RID/ADR/ADN in their respective field. [...].

Justification

6. The accurate meaning of the term “*danger*” is to be found in the text of 2.1.3.1:
 - 2.1.3.1 Substances including solutions and mixtures not mentioned by name shall be classified according to their degree of danger on the basis of the criteria mentioned in subsection 2.2.x.1 of the various classes. The danger(s) presented by a substance shall be determined on the basis of its physical and chemical characteristics and physiological properties. [...].
7. The appropriate use of the term “*risk*” is the one in sections 1.3.2.3 and 1.4.1.2:

1.3.2.3 Safety training

Commensurate with the degree of risk of injury or exposure arising from an incident involving the carriage of dangerous goods, including loading and unloading, personnel shall be trained [...].

1.4.1.2 When there is an immediate risk that public safety may be jeopardized, the participants shall immediately notify the emergency services and shall make available to them the information they require to take action.