



## Economic and Social Council

Distr.: General  
27 December 2018

Original: English

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### 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, 18–22 March 2019

Item 6 of the provisional agenda

##### Reports of informal working groups

### Carriage of pressure receptacles approved by the Department of Transportation of the United States of America (DOT)

Transmitted by the European Industrial Gases Association (EIGA)\*, \*\*

#### *Summary*

**Executive summary:** The report of the meeting of the informal working group of 20 September 2018 is summarised and a new draft text is presented.

**Action to be taken:** To note the progress to date and proposed further actions.

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\* In accordance with the programme of work of the Inland Transport Committee for 2018-2019, (ECE/TRANS/WP.15/237, annexe V, (9.2)).

\*\* Circulated by the Intergovernmental Organisation for International Carriage by Rail (OTIF) under the symbol OTIF/RID/RC/2019/14.

## Introduction

1. At the Autumn 2018 Joint Meeting, an informal meeting was held to discuss the carriage of pressure receptacles approved by the Department of Transportation of the United States of America (DOT).
2. The intent of the meeting was to review text developed to cover both the import and export of gases in pressure receptacles constructed in accordance with standards listed in Title 49, *Transportation*, of the Code of Federal Regulations.
3. This meeting was based on ECE/TRANS/WP.15/AC.1/2018/22, and the supporting documents referred to within that document.
4. The informal meeting identified the principles for both the import and export of gases in pressure receptacles constructed in accordance with standards listed in Title 49, *Transportation*, of the Code of Federal Regulations. Informal document INF.32 summarising the results of the informal meeting was submitted to the Joint Meeting at its Autumn 2018 session.

5. The principle identified were:

### **Import of gases in DOT pressure receptacles**

- a. The text should allow land carriage from the end of a transport chain according to 1.1.4.2 to the user of the gas.
- b. Pressure receptacles shall be constructed in accordance with standards listed in Title 49, *Transportation*, of the Code of Federal Regulations.
- c. Periodic inspection and filling shall be in accordance with the requirements of Title 49.
- d. The RID/ADR text needs to include the reference to the relevant section of Title 49 of CFR.

### **Export of gases in DOT pressure receptacles**

- e. The text allows land carriage from the point of filling to the consignor of carriage according to 1.1.4.2 to countries which are not contracting states/parties of RID/ADR/ADN.
  - f. 5b, 5c, and 5d shall apply.
6. The text proposed has been slightly amended to include reference to the specific sections of the United States Code of Federal Regulations (CFR), that lists the authorized standards. The referencing of a section of CFR takes account of comments not to include "Special Permit" cylinders. Temporary storage is mentioned to reflect what is already in multilateral agreement M299.

## Proposal

7. Based on paragraphs 5 and 6, the draft text proposed is, (new text in italics):

***"1.1.4.7 Refillable pressure receptacles authorized by the United States of America Department of Transportation***

***1.1.4.7.1 Import of gases***

*Refillable pressure receptacles authorized by the United States of America Department of Transportation and constructed in accordance with standards*

*listed in Part 178, Specifications for Packagings of Title 49, Transportation, of the Code of Federal Regulations accepted for carriage in a transport chain in accordance with 1.1.4.2 may be carried from the location of the temporary storage at the end point of the transport chain to the end user.*

*The consignor for the RID/ADR/ADN carriage shall include the following entry in the transport document:*

*“Carriage in accordance with 1.1.4.7”.*”

**1.1.4.7.2 Export of gases**

*Refillable pressure receptacles authorized by the United States of America Department of Transportation and constructed in accordance with standards listed in Part 178, Specifications for Packagings of Title 49, Transportation, of the Code of Federal Regulations may be filled and carried only for the purpose of exporting gases to countries which are not Contracting States/Parties of RID/ADR/ADN provided the following provisions are met:*

- (a) The pressure receptacle is filled in accordance with the relevant requirements of Code of Federal Regulations of the United States of America.*
- (b) The pressure receptacles shall be marked and labelled in accordance with Chapter 5.2 of RID/ADR/ADN.*
- (c) The consignor for the RID/ADR/ADN carriage shall include the following entry in the transport document:*

*“Carriage in accordance with 1.1.4.7”*

## **Further Actions**

8. EIGA continues to work with both the United States Department of Transportation and the Compressed Gas Association of the United States to progress the “Petition for Rule Making” to amend the Code of Federal Regulations to permit similar carriage conditions to European cylinders to enter the United States. It is recognised that delegates to the Joint Meeting may wish to see the proposed text placed in square brackets until the Code of Federal Regulations are amended.

9. As the present multilateral agreement M299 expires on 1 June 2019, EIGA shall work with the experts from the United Kingdom who have offered to draft a new multilateral agreement to cover the period until the regulatory text changes are made.