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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 2 of the provisional agenda

Tanks

Carriage of tanks, battery-wagons/battery-vehicles and MEGCs following the expiry of deadlines for intermediate inspections

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

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

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Summary

Executive summary:	The aim of this proposal is to introduce into the RID/ADR the provisions concerning carriage of the load in the tank-wagons, demountable tanks, battery-wagons (RID)/fixed tanks (tank-vehicles), demountable tanks, battery-vehicles (ADR), tank-containers, tank swap bodies and MEGCs after the date of expiry of the last intermediate inspection
Action to be taken:	Amend the text in 4.3.2.3.7 of RID/ADR to allow carriage of tanks, battery-wagons/battery-vehicles and MEGCs following the date of expiry of deadlines for intermediate inspections
Related documents:	ECE/TRANS/WP.15/AC.1/2015/19 (UIC) ECE/TRANS/WP.15/AC.1/2015/27 (UIC) Informal document INF.21 (UIC/CEFIC) - (Spring 2016 Session) ECE/TRANS/WP.15/AC.1/142/Add.1 (Item 8) Informal document INF.20 (Poland) - (Autumn 2018 Session) ECE/TRANS/WP.15/AC.1/152/Add.1 (Item 10)

Introduction

1. Poland submitted informal document INF.20 to the Joint Meeting of the RID Committee of Experts and the Working Group on the Carriage of Dangerous Goods (Geneva, 17 – 21 September 2018). The document was dealt with by the Working Group on Tanks. Poland was invited by Working Group on Tanks to submit an official document on this issue for a future session of the Joint Meeting (see the report of the Working Group on Tanks - document ECE/TRANS/WP.15/AC.1/152/Add.1, Item 10).

2. The International Union of Railways (UIC) has attempted to regulate the transport of dangerous goods in tank wagons, demountable tanks, tank swap bodies, battery-wagons and MEGCs (RID), as well as in fixed tanks (tank-vehicles), demountable tanks, tank swap bodies, battery-vehicles, and MEGCs (ADR), after the date of expiry of the last periodic and intermediate inspection.

3. Applications in this matter were presented in the following documents:

- ECE/TRANS/WP.15/AC.1/2015/19 presented during the Joint Meeting in March 2015;
- ECE/TRANS/WP.15/AC.1/2015/27 presented during the Joint Meeting in September 2015;
- Informal document INF.21 presented during the Joint Meeting in March 2016.

Each of these documents was discussed during the work of the Working Group on Tanks, which was appointed by the Joint Meeting.

4. On the final note, the Working Group on Tanks during the meeting in Bern in March 2016, in a report compiled in document ECE/TRANS/WP.15/AC.1/142/Add.1 in Item 8,

proposed that tanks filled before the end of the periodic inspection could transport the goods to the consignee within one month after the date of expiry of the last periodic inspection.

5. In addition, a proposal was made regarding the possibility of carriage of the load for a period not exceeding three months after the date of expiry of periodic inspection in order to allow the return of dangerous goods for proper disposal or recycling. This is presented in Proposal 8, Proposal 9 and Proposal 10 in document ECE/TRANS/WP.15/AC.1/142/Add.1.

6. At the same time, the Working Group on Tanks concluded that due to the possibility of conducting intermediate inspection within three months before or after the date of the intermediate inspection specified in 6.8.2.4.3, it allows the carriage of the load within three months after the date of expiry of the intermediate inspection.

7. The position of the Working Group on Tanks on this matter has not been introduced into the RID/ADR provisions.

8. Poland does not intend to question such an interpretation regarding the carriage of the load in the tanks after the date of expiry of the last intermediate inspection.

9. Poland proposes that this interpretation should be recorded in RID/ADR and that no doubts arise as to the participants of the transport of dangerous goods who, in accordance with 1.4.1, should comply with all applicable RID/ADR regulations.

10. In this case, Poland submitted informal document INF.20 at the Autumn 2018 session of the Joint Meeting.

11. Poland is of the opinion that the provisions concerning carriage of the load in the tank-wagons, demountable tanks, battery-wagons (RID)/fixed tanks (tank-vehicles), demountable tanks, battery-vehicles (ADR), tank-containers, tank swap bodies and MEGCs after the date of expiry of the last intermediate inspection required in 6.8.2.4.3 should be introduced into RID/ADR.

Proposal

12. Amend 4.3.2.3.7 to read as follows (new wording shown bold and underlined, deleted wording stricken through):

“4.3.2.3.7 Tank-wagons, demountable tanks, battery-wagons (RID)/fixed tanks (tank-vehicles), demountable tanks, battery-vehicles (ADR), tank-containers, tank swap bodies and MEGCs may not be filled or offered for carriage after the deadline for the test or inspection required by 6.8.2.4.2, **6.8.2.4.3**, 6.8.3.4.6 and 6.8.3.4.12 has expired.

However, tank-wagons, demountable tanks, battery-wagons (RID)/fixed tanks (tank-vehicles), demountable tanks, battery-vehicles (ADR), tank-containers, tank swap bodies and MEGCs filled prior to the date of expiry of the last ~~periodic~~ inspection may be carried:

(a) for a period not to exceed one month after the **date of** expiry of ~~these deadlines~~ **the last periodic inspection**;

(b) unless otherwise approved by the competent authority, for a period not to exceed three months after the **date of** expiry of ~~these deadlines~~ **the last periodic inspection** in order to allow the return of dangerous goods for proper disposal or recycling. Reference to this exemption shall be mentioned in the transport document;

(c) for a period not to exceed three months after the date of expiry of the last intermediate inspection.”

Consequential amendments

13. There is no need to modify the entries in 5.4.1.1.11 or 1.4.2.2.1 (d) in RID/ADR.

Justification

14. The proposed modification aims to achieve a uniform approach to the carriage of dangerous goods in tank-wagons, demountable tanks, battery-wagons (RID)/fixed tanks (tank-vehicles), demountable tanks, battery-vehicles (ADR), tank-containers, tank swap bodies and MEGCs after the date of expiry of the last intermediate inspection.

15. We will avoid divergent positions in this matter.

16. Adopted in 6.8.2.4.3 the possibility of performing an intermediate inspection with a tolerance of three months before or after the date of intermediate inspection lead to a different approach regarding the possibility of transporting goods within three months after the date of expiry of the intermediate inspection.

17. The introduction of the proposed amendment to RID/ADR will allow the adoption of an unified position on carriage of the tank-wagons, demountable tanks, battery-wagons (RID)/fixed tanks (tank-vehicles), demountable tanks, battery-vehicles (ADR), tank-containers, tank swap bodies and MEGCs following the date of expiry of the last intermediate inspection.
