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Economic Commission for Europe**Inland Transport Committee****Working Party on the Transport of Dangerous Goods****108th session**

Geneva, 11–15 May 2020

Item 5 (b) of the provisional agenda

Proposals for amendments to annexes A and B of ADR:**Miscellaneous proposals****Dangerous goods exempted from tunnel restrictions****Transmitted by the Government of Switzerland****Summary*

Executive summary:	Entries with the mention “(–)” in Chapter 3.2, Table A, column (15) should not be taken into account in the calculation in 1.1.3.6.4, so as to ensure safety and facilitate decisions about passage through tunnels subject to restrictions.
Action to be taken:	Amend the wording of 1.1.3.6.4.
Related documents:	ECE/TRANS/WP.15/2019/8, ECE/TRANS/WP.15/246, ECE/TRANS/WP.15/2019/19 and ECE/TRANS/WP.15/248.

Introduction

1. During the 106th and 107th sessions, various comments were made to documents ECE/TRANS/WP.15/2019/8 and ECE/TRANS/WP.15/2019/19 proposing to clarify how to deal with mixed loading of dangerous goods for which “(–)” is marked in Column (15) of Table A of Chapter 3.2 together with other dangerous goods for which a tunnel restriction code different from “(–)” has been assigned.
2. It was suggested at previous sessions that provisions should be introduced not only at 5.4.1.1.1 (k), as proposed in the original document, but also in 1.9.5 or in Chapter 8.6. Some representatives also suggested a mention should be included in 1.1.3.6.

* Subprogramme 2 of the programme budget for 2020 (A/74/6 (Sect. 20) and additional information).



3. During the consultations, one point raised was that the concept of 1.1.3.6 concerns the whole load in a transport unit: either 1.1.3.6 is applicable to the unit as a whole or it is not. A comparison was made with explosives.

4. It seems to us that mixed loading of UN Nos. 3077 and 3082 with other dangerous goods cannot be compared with the risks arising from mixed loading with explosives. If the two entries are assigned to tunnel restriction “(–)”, it must be possible to consider that they do not present a danger such that their mixed loading with other dangerous goods would lead to such an increased risk that it would have to be taken into account in the calculation for applying the exemptions provided for in 1.1.3.6. One suggestion made in November 2019 was that the transport category should be changed for the two entries concerned, UN Nos. 3077 and 3082. However, a change from transport category 3 to transport category 4 would have consequences on other applicable provisions, such as the obligation to have a safety adviser or the obligation to have an ADR certificate for the driver. That was why we did not take up that idea.

5. We note that the provisions for calculating a mixed load apply when 1.1.3.6.4 applies. Our intention is that tunnel restrictions should not apply when other dangerous goods are carried together with one of UN No. 3077 or UN No. 3082, as long as the value calculated according to 1.1.3.6.4 for the other dangerous goods alone does not exceed 1,000. In order to avoid taking UN Nos. 3077 and 3082 into account when calculating according to 1.1.3.6.4, one approach could be to simply amend the scope defined in 1.1.3.6.4, as proposed below. As long as an entry with tunnel code “(–)” (and transport category 3) carried alone does not exceed 1,000, the exemptions in 1.1.3.6.2 apply. If this quantity of dangerous goods is carried together with other dangerous goods, it is only when the calculated value exceeds 1,000 according to 1.1.3.6.4 for the other entries that the exemptions in 1.1.3.6 are no longer applicable.

6. That would make the conditions for UN Nos. 3077 and 3082 less onerous than is the case at the moment. We are of the view that the additional risk would have minimal consequences for safety, given the type of dangers that the entries in question represent. This solution brings back a certain degree of unfairness with regard to traffic restrictions in tunnels where loads of thousands of tonnes of UN Nos. 3077 or 3082 are not restricted, but minimal quantities of the same substances in the presence of other dangerous goods are prohibited due to the addition of quantities according to 1.1.3.6.4. For example, there could be extreme cases where the simple mixed loading of 1,000 l of goods of UN No. 3082 with a small quantity of any other dangerous goods of transport categories 1 to 3 attracts the immediate application of all the provisions of ADR, including the prohibition of passage through tunnels.

Proposal

7. Amend the first paragraph of 1.1.3.6.4 to read as follows (new added text in bold and underlined):

“1.1.3.6.4 Where dangerous goods of different transport categories **for which the tunnel restriction code is not “(–)”** are carried in the same transport unit, the sum of:...”