

Economic Commission for Europe

Inland Transport Committee

Working Party on the Transport of Dangerous Goods

102nd session

Geneva, 8-12 May 2017

Item 5 (b) of the provisional agenda

**Proposals for amendments to annexes A and B of ADR:
miscellaneous proposals**

19 April 2017

Increase in Amount of Explosives Per Transport Unit

Transmitted by the Government of Ireland

Summary

Executive summary:	To provide textual clarification on the security provisions relating to carriage of explosives.
Action to be taken:	To propose and present clarification on text of ADR 1.10.3.3 and ADR 7.5.5.2.1 as proposed by Spain
Related documents:	INF 13 (Spain) WP 15 November 2016 (Increase in amount of explosives per transport unit) ECE/Trans/WP.15/2017/8 (Spain) May 2017 (Increase in amount of explosives per transport unit)

Introduction

At the 101st session Spain submitted an informal document (INF. 13) on the possibility of an increase in the amount of explosives per transport unit and following on from the discussions there has submitted a formal document (ECE/TRANS/WP.15/2017/8) to this 102nd session on the same subject. Both of these documents provide comprehensive analysis of the benefits of increasing the amount of explosives per transport unit and Ireland concurs with this analysis.

Ireland would like to propose some textual changes to the proposal as put forward by Spain as this has implications for the security measures that a contracting party can enforce on its own territory.

Justification

While the ADR is not primarily about security, ADR 1.10.3.3 states that “devices, equipment or arrangements to prevent the theft of the vehicle carrying high consequence dangerous goods (see Table 1.10.3.1.2) or high consequence radioactive material (see 1.10.3.1.3) and its cargo, shall be applied and measures taken to ensure that these are operational and effective at all times”. Security risks can vary from one country to another,

and even within the same country, and also can vary at different times as the threat level is constantly being evaluated. Consequently different contracting parties implement the provision above in different ways by requiring different “devices, equipment or arrangements” depending on the nature and the quantity of the explosives being transported and the route being travelled.

For example, in Ireland under normal security conditions and when transporting small quantities of explosives, such as those routinely transported on mobile explosives manufacturing units (MEMUs), the vehicle is satellite tracked while when transporting larger quantities of explosives, such as on an EX vehicle for packaged explosives, the vehicle must be escorted by armed members of the national security force. However under certain security conditions and depending on the threat assessment it may be a requirement of the security forces that satellite tracking of explosives vehicles is not considered adequate and so all vehicles transporting explosives will require an armed escort. In this way the level of security can be enhanced or reduced depending on the perceived security risks at the time of the transport. This constant review and updating of security is provided for in the operation of the security plan in ADR 1.10.3.2.2

In order to be able to vary the level of security and protection required in response to the threat assessment while transporting explosives contracting parties require flexibility as to what “devices, equipment or arrangements” are required at any particular time.

Proposal

The proposed amending text as currently presented by Spain (ECE/TRANS/WP.15/2017/8) prescribes that tracking devices must be used for vehicles transporting in excess of 16 tons of explosives but it removes the flexibility for different contracting parties to increase this if they feel the security risks warrant such a course of action.

On this basis and considering the justification provided above it is proposed to alter the suggested amending text by the addition of text that will allow the level of security to be increased depending on the threat assessment.

Therefore, it is proposed to make the following amendments to the current edition of the ADR:

- At the end of Note 1 to paragraph 1.10.3.3 the following wording:

“... Nevertheless, in the case of vehicles type EX/III for explosives, carrying more than 16 tons of explosives, the previously mentioned telemetry or tracking devices must be used or the vehicle must meet the security arrangements as required by the national security authorities in the countries of use. (see Note b to table in 7.5.5.2.1)”

- Modify the table in paragraph 7.5.5.2.1 as follows (editorial change from “will” to “can” in Note b):

Maximum permissible net mass in kg of explosives in Class 1 goods per transport unit

Transport Unit	Division	1.1		1.2	1.3	1.4		1.5 and 1.6	Empty uncleaned packagings
		Compatibility group	1.1A	Other than 1.1.A		Other than 1.4.S	1.4.S		
EX/II ^a		6.25	1000	3000	5000	15000	Unlimited	5000	Unlimited
EX/III ^a		18.75	16000 ^b	16000 ^b	16000 ^b	16000 ^b	Unlimited	16000 ^b	Unlimited

- ^a *For the description of EX/II and EX/III vehicles see Part 9*
- ^b *For the transport of UN 0027, 0081, 0082, 0083, 0084, 0241, 0331 and 0332, and the mixed loading of these UN numbers in between them, the maximum permissible net mass per transport unit can be 20.000 kg, provided that the provisions set out in the Note to the point 1.10.3.3 are met.*
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