

ECONOMIC COMMISSION FOR EUROPE

INLAND TRANSPORT COMMITTEE

JOINT MEETING OF THE RID SAFETY COMMITTEE AND THE
WORKING PARTY ON THE TRANSPORT OF DANGEROUS GOODS

(Geneva, 13-23 September 2005)

Comments on document TRANS/WP.15/AC.1/2005/32 (definition of the safety obligations of unloaders)

Transmitted by the Government of the United Kingdom

The United Kingdom understands the rationale behind Spain submitting a proposal to assign duties to the unloader. However, the United Kingdom was opposed to the introduction of and subsequent extension of chapter 1.4. The United Kingdom therefore is opposed on principle to the introduction of this new participant with specific obligations into this chapter which is designed to list only the main participants, not all participants.

However if the meeting decides that it wishes to adopt the Spanish proposal, below are some of the specific concerns that the United Kingdom has on the proposed text:

- only some, not all of the relevant obligations are listed, perhaps a more comprehensive approach would be to have a general requirement for compliance with the relevant unloading/discharging provisions in Part 7 and 8 and then highlight other obligations that are not covered in Part 7 and 8. For example sub-paragraph (a) should say "he shall ensure that the relevant requirements of Part 7 and 8 of ADR/ Part 7 of RID are complied with".
- in sub-paragraph (b) it may be appropriate to mention the more stringent requirements for Class 7 for example see 7.5.11 CW33 (5) in RID, CV33 (5) in ADR.
- the proposed duties do not include the unloading of containers for carriage in bulk and bulk-containers.
- it is unreasonable to prohibit unloading because of a damaged package, this could delay the driver for some considerable time. It should be sufficient to require suitable measures to be taken to prevent further spillage. The use of UN tested salvage packagings for goods that have reached their final destination is unreasonable. The United Kingdom would therefore suggest the following wording for sub paragraph (b):

"when unloading the packed dangerous goods or uncleaned empty packagings, the unloader shall check whether the packagings are leaking, or have been

damaged in transit to an extent which would endanger the unloading operation. In these instances the package(s) should not be unloaded until the appropriate emergency measures have been taken"

- The obligation applying to empty uncleaned packages seems unnecessary - the risk of leakage is minimal if they are already empty but uncleaned. There is a contradiction in that they are allowed for carriage but not for unloading until they are put into salvage packagings?
- The duties in sub-paragraph (c) should be required "immediately following the discharge of dangerous goods from the tank, wagon, MEGC or vehicle:" not "prior to the departure of the... vehicle". In sub-paragraph (c) there needs to be a reference to the various discharging duties in Chapter 4.3.
- The reference in sub-paragraph (c) (i) should say "clean any dangerous residues from the outside of the tank, wagon, MEGC, container or vehicle;" to be consistent with the wording in 4.3.2.3.5

Proposals:

Sub-paragraph (a) should be replaced with "he shall ensure that the relevant requirements of Part 7 and 8 of ADR/ Part 7 of RID are complied with".

In **sub paragraph (b)** replace text with: "when unloading the packed dangerous goods or uncleaned empty packagings, the unloader shall check whether the packagings are leaking, or have been damaged in transit to an extent which would endanger the unloading operation. In these instances the package(s) should not be unloaded until the appropriate emergency measures have been taken"

In **sub-paragraph (c)** replace "prior to the departure of the... Vehicle" with "immediately following the discharge of dangerous goods from the tank, wagon, MEGC, container or vehicle:"

In **sub-paragraph (c) (i)**: "clean any dangerous residues from the outside of the tank, wagon, MEGC, container or vehicle";

In **sub-paragraph (c) (ii)**: "take note of" should be changed to "ensure".
