

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, 23–27 March 2015

Item 2 of the provisional agenda

Tanks

02 March 2015

Tanks: UK experience with improperly manufactured and wrongly certificated road tank vehicles

Transmitted by the Government of the United Kingdom

Background

1. Working paper ECE/TRANS/WP.15/AC.1/2015/22 submitted by the Government of the United Kingdom proposes that the Tanks Working Group devote some time to a discussion of issues faced by Contracting Parties regarding the inspection and certification of tanks. The purpose of this information paper is to provide some possible topics for discussion.

Greater consistency in the arrangements for appointing inspection bodies

2. Paragraph 5 of ECE/TRANS/WP.15/AC.1/2015/22 describes some of the measures the UK is taking to prevent a recurrence of improperly manufactured and wrongly certificated road tank vehicles entering into service. One such measure in the UK has been to revise the appointment procedures for authorised inspection bodies. In doing so it has paid particular attention to the extra-territorial activities of such bodies. Its latest version of arrangements for the appointment of bodies for the inspection of tanks for the carriage of dangerous goods is published at <http://www.dft.gov.uk/vca/additional/files/dangerous-goods/conformity-assessment-bodies/uk-arrangements.pdf>. Annex C of these arrangements sets out the UK's preferred method for ensuring, in so far as is possible, that the inspection activities of subsidiary bodies are as rigorous as those of the parent (directly appointed) inspection body and that the directly appointed body is fully accountable in the event of a failure to meet required standards. Regrettably, this measure can be sidestepped by inspection bodies working under the appointment of another competent authority. The UK believes it is important for competent authorities to understand the extent to which extra-territorial activities are performed under their authority by inspection bodies, their subsidiaries and associates, and to be able to hold these bodies properly to account.

3. Contracting parties may wish to consider establishing consistent methods for controlling the extra-territorial inspection activities of subsidiary bodies. To this end, the UK would be interested to know whether there are like-minded contracting parties who would be willing to explore options for greater consistency in the conditions applying to the appointment of inspection bodies so that they may be held properly to account should they fail to meet required standards.

Harmonising the production of inspection certificates

4. Another of the measures taken by the Government of the UK has been to issue inspection certificates through a centrally operated database. Again, regrettably, this measure can be sidestepped by inspection bodies becoming appointed by a foreign competent authority. The £10 (c. €14) fee for each UK certificate issued through the centrally controlled database may motivate inspection bodies to operate under a foreign appointment because this fee can often represent around 10% of the inspection costs in the case of portable tanks. That implies that these inspections are being conducted for as little as £100 (c. €140) which begs the question: are they being done properly?

5. The Government of the UK believes that it is important for all competent authorities to monitor the performance of inspection bodies and that can only be achieved if each knows what is being done in its name, by who and where. Issuing certificates through a centrally operated database is now providing that oversight for inspection bodies applying for UK certificates. The database also records who owns and where a tank is located. This can be of assistance if an investigation is needed and can be used to answer queries from new owners of tanks wishing to contact the inspection body that issued the last certificate. Contracting parties may wish to give careful consideration to establishing similar controls and pooling resources. To this end, the UK would be interested to know whether there are like-minded contracting parties that would be willing to explore options for adopting a similar and harmonised approach to the production of inspection certificates.

Divergence between custom and practice and the requirements

6. The UK hopes that the entry into service of improperly manufactured and wrongly certificated road tank vehicles will be a one-off event. However, in investigating this matter it has become apparent that in the UK there is a divergence between the expectations of the competent authority in respect of the requirements laid down in Chapter 6.8 of ADR that are applicable to the activities of inspection bodies and the custom and practice of the inspection industry. As a consequence, a working group has been established at a national level to understand the issues and barriers to compliance.

7. UK wide experience shows that the practice of inspection bodies is not entirely consistent with regard to:

- (a) the need to fully enter a tank when conducting internal examinations as part of a periodic inspection,
- (b) the extent to which repairs or alterations to service equipment may (or may not) have impaired safety, necessitating an exceptional check to be performed
- (c) the need for and the extent of non-destructive testing of the tank following repair of damage that may have impaired safety, and
- (d) the extent to which pressure and leakproofness testing is performed as part of the exceptional check.

8. Furthermore, in the absence of appropriate guidance, tank records are maintained to a variable standard and do not always indicate the full repair and maintenance history of the tank.

9. The examination of radiographs of welds made by a world class tank repairer with an impressive record of making robust and durable repairs, revealed that the welds were unlikely to satisfy the requirements of the standard applicable to new construction. In

consultation with world renowned welding experts, a national working group on tank repairs has concluded that welding of aluminium tanks that have seen service is never likely to be accomplished to the standard referenced in ADR (EN 12972:2007), suggesting that it may be too prescriptive for certain well-made repairs.

10. The Government of the UK would welcome a discussion of these issues to:

- (a) establish whether they are unique to the UK,
- (b) understand if the requirements are being consistently interpreted by contracting parties, and
- (c) decide whether any issues should be referred to an inter sessional working group established under the auspices of the Joint Meeting for the purpose of conducting a review of Chapter 6.8 of RID/ADR and its referenced standards.

Conclusion

11. The UK would be willing to lead any inter sessional working group established to address the issues raised in this paper as well as those raised by others in the discussion held under this item.
