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RID/ADR/ADN

Joint Meeting of the RID Committee of Experts and the Working Party on the Transport of Dangerous Goods (Berne, 14 - 18 March 2016)

Agenda item 2: Tanks

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

Transmitted by the International Union of Railways (UIC) and the European Chemical Industry Council (CEFIC)

Introduction

1. UIC submitted document ECE/TRANS/WP.15/AC.1/2015/27 to the Joint Meeting of the RID Committee of Experts and the Working Group on the Carriage of Dangerous Goods (Geneva, 15 – 27 September 2015). The document was dealt with by the working group on tanks. UIC was asked to submit a revised proposal taking account of the remarks made (see the minutes of the working group on tanks, item 3 – document ECE/TRANS/WP.15/AC.1/140/Add.2).
2. UIC and CEFIC have examined the matter afresh and now submit the following revised proposal.

Proposal

3. Insert the following new section 4.3.2.3.7:

"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 MEGC 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 6.8.3.4.10 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 MEGC filled prior to these deadlines may be carried:

- (a) for a period not to exceed one month after the expiry of these deadlines; and
- (b) unless otherwise approved by the competent authority, for a period not to exceed three months after the expiry of these deadlines 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."

Consequential amendments

4. Amend 5.4.1.1.11 to read as follows (changes shown underlined):

"5.4.1.1.11 Special provisions for the carriage of IBCs, tanks, battery-wagons (RID) / battery-vehicles (ADR), portable tanks and MEGC after the date of expiry of the last periodic test, intermediate test or inspection

For carriage in accordance with 4.1.2.2 (b), 4.3.2.3.7 (b), 6.7.2.19.6 (b), 6.7.3.15.6 (b) or 6.7.4.14.6 (b), a statement to this effect shall be included in the transport document, as follows:

"CARRIAGE IN ACCORDANCE WITH 4.1.2.2 (b)",
"CARRIAGE IN ACCORDANCE WITH 4.3.2.3.7 (b)",
"CARRIAGE IN ACCORDANCE WITH 6.7.2.19.6 (b)",
"CARRIAGE IN ACCORDANCE WITH 6.7.3.15.6 (b)" or
"CARRIAGE IN ACCORDANCE WITH 6.7.4.14.6 (b)" as appropriate.

5. In the Note to 1.4.2.2.1 (d), before "4.3.2.4.4", insert:

"4.3.2.3.7 (b)".

Justification

6. For the issues of substance pertaining to the matter at hand, see document ECE/TRANS/WP.15/AC.1/2015/19 and ECE/TRANS/WP.15/AC.1/2015/27.
7. As well as the above, it is worth noting that in practice, planned transport arrangements regularly become infeasible for various reasons. For example, as part of a running production campaign, tanks are filled and prepared for dispatch in anticipation of a customer order; however, the customer later changes or cancels the order or instructs the goods to be delivered somewhere different or later than expected. In such cases, the original transit time – planned, inter alia, to tie in with tank deadlines – is no longer viable, meaning that the tank inspection deadline may be missed during the "new" carriage.

8. It is also possible that irregularities arising during transit or delays incurred for operational reasons (and the ensuing immobilisation of the train) make it impossible to maintain the initial schedule, especially over long distances in Europe, but also when using the recently opened Trans-Eurasia link. In this case, it is also possible that the tank inspection deadlines – though initially sufficient – will expire before the tanks reach their final destination.
 9. In exceptional circumstances, it may even be impossible to consign the tank – which has been filled with the customer's original order in mind – for carriage, since the order has been cancelled, the deadline has been missed, and the goods cannot be delivered any other way. Therefore, the rule currently applying only to UN tanks, namely that loaded tanks may also be carried after expiry of the deadline for the purposes of proper disposal or recycling of the dangerous goods contained, should be extended to encompass RID/ADR tanks. Such a clause is essential in order to provide the prerequisites for further use of the tanks, e.g. to apply 4.3.2.4.4 for the tanks to be conveyed empty and uncleaned to their next required inspection.
 10. The proposed alignment of the tank regulations would not compromise safety, and would avoid additional delays to transport, since the consignment would still reach the consignee or at least the place for proper and safe recovery. It would also minimise the additional risks currently arising by having to interrupt transport, sometimes for several days, whilst contact is made with the competent authorities (sometimes in several countries), or because of having to transfer the load from the overdue tank to a due tank.
 11. Further harmonisation of the regulatory frameworks applicable to tanks in land transport is a key prerequisite for operating modern and efficient logistics solutions as well as in supporting the work of regulatory authorities – not least because an increasing number of the tanks used in multimodal transport have dual approval.
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