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## 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, 12–16 March 2018

Item 6 of the provisional agenda

##### Reports of informal working groups

### Carriage of pressure receptacles approved by the Department of Transportation of the United States of America (DOT)

Transmitted by the European Industrial Gases Association (EIGA)\*

#### Introduction

1. At the Joint Meeting in September 2017 the representative of EIGA submitted informal document INF.40 and the United States submitted informal document INF.51. Both documents continued the process of updating the Joint Meeting on the progress being made on the submission of a “*petition for rule making*” to permit certain European pressure receptacles to be temporarily imported into the United States of America. As a reminder, this submission is to request for suitable amendments to be made to 49 CFR to create in the United States, use and freedom of carriage for cylinders conforming to RID/ADR similar to that conferred on DOT cylinders under Multilateral agreement M299.
2. Progress continues to be made on the “*petition for rule making*” in the United States. The comment stage of the “*petition for rule making*” has closed with only one comment being received.
3. The comment related to Packing Instruction P208. Packing instruction P208 applies to Class 2 adsorbed gases. The comment made on the “*petition for rule making*” was to include Class 2 adsorbed gases of P208 into the petition. In parallel, a request was made to EIGA if the proposed text for RID/ADR could include Class 2 adsorbed gases of P208. As a consequence, this proposal has incorporated this request. EIGA is of the view that this is an

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\* In accordance with the draft programme of work of the Inland Transport Committee for 2018-2019, (ECE/TRANS/WP.15/237, annex V, (9.2)).

omission that should have been included in M299. This is a relatively new technology and not widely used which may explain why adsorbed gases were not included.

4. The petition from the Compressed Gas Association (CGA) included the option of importing empty European cylinders into the United States and filling them for export. This proposal includes the ability to be able to import empty DOT cylinders for export to countries which allow the use of such cylinders.

5. As substantial progress has been made with the submission of the “*petition for rule making*”, EIGA would now like to make a formal proposal to amend the RID/ADR/ADN.

## Draft Proposal

6. The text is based on the ADR multilateral agreement M299 with a new provision in paragraph e) and the inclusion of Class 2 gases of Packing Instruction P208.

7. The proposal has been drafted for inclusion in ADN as well as RID and ADR. EIGA is not aware of any need to transport of DOT cylinders by waterway, but has included this option for the sake of keeping the different modes aligned.

8. EIGA Suggests that the most appropriate place for this text is in section 1.1.4 – *Applicability of other regulations* of RID/ADR/ADN as follows.

“1.1.4.6 (Reserved) (ADR only)

1.1.4.7 Notwithstanding 6.2.3.4, 6.2.3.5, 6.2.3.6, 6.2.3.7, 6.2.3.8 and 6.2.3.9 of ADR/RID gases and liquids listed in the tables of 4.1.4.1 P200 and P208 of ADR/RID imported in accordance with 1.1.4.2 in refillable pressure receptacles approved by the United States of America Department of Transportation may be carried from the location of the temporary storage to the end-user under the following conditions:

- a) When imported from a non-ADR contracting party/non-RID member state/non-ADN contracting party, the conformity of the pressure receptacles to this sub-section shall be verified and recorded by the consignor. The verification record shall be kept for five years to allow for inspection by the competent authority and shall include the identification of the pressure receptacles, the name of the person making the verification and the date.
- b) The pressure receptacles shall be marked and labelled in accordance with Chapter 5.2 of RID/ADR/ADN.
- c) All relevant requirements of RID/ADR/ADN with regard to filling ratios and periodic testing frequency shall be fulfilled.
- d) When the pressure receptacles are empty or when the end-user has no further use for the gas or liquid, the pressure receptacles shall not be refilled and shall be returned to the country from which they were imported.
- e) Empty imported pressure receptacles approved by the United States of America Department of Transportation may be filled with gases and liquids listed in the tables of 4.1.4.1 P200 of ADR/RID provided they are exported to countries which are not member states of RID/ADR contracting parties/ADN contracting parties. All relevant requirements of RID/ADR with regard to filling ratios and periodic testing frequency

shall be fulfilled. The pressure receptacles shall be marked and labelled in accordance with Chapter 5.2 of RID/ADR/ADN.

- f) The consignor for the ADR/RID/ADN journey shall include the following entry in the transport document:

“Carriage in accordance with 1.1.4.7”.

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