



**Economic and Social
Council**

Distr.
GENERAL

TRANS/WP.15/170
26 June 2002

ENGLISH
Original: FRENCH

ECONOMIC COMMISSION FOR EUROPE

INLAND TRANSPORT COMMITTEE

Working Party on the Transport
of Dangerous Goods

**REPORT OF THE WORKING PARTY ON ITS
SEVENTY-SECOND SESSION**

(13-17 May 2002)

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ATTENDANCE

1. The Working Party on the Transport of Dangerous Goods held its seventy-second session from 13 to 17 May 2002 with Mr. J. Franco (Portugal) as Chairman and Mrs. A. Roumier (France) as Vice-Chairman. Representatives of the following countries took part in its work: Austria; Belgium; Bulgaria; Czech Republic; Denmark; Estonia; Finland; France; Germany; Hungary; Ireland; Italy; Latvia; Liechtenstein; Netherlands; Norway; Poland; Portugal; Russian Federation; Slovakia; Slovenia; Spain; Sweden; Switzerland; United Kingdom; Yugoslavia. The European Commission was also represented, as was the following intergovernmental organization: International Organization for International Carriage by Rail (OTIF), along with the following non-governmental organizations: European Industrial Gases Association (EIGA); European Liquefied Petroleum Gas Association (AEGPL); International Association of the Soap, Detergent and Maintenance Products Industry; European Association of Automotive Suppliers (CLEPA); Liaison Committee of Coachwork and Trailer Builders (CLCCR); European Committee for Standardization (CEN); European Conference of Fuel Distributors (CENCC); European Chemical Industry Council (CEFIC); International Federation of Freight Forwarders Associations (FIATA); International Road Federation (IRF); International Organization of Motor Vehicle Manufacturers (OICA); International Road Transport Union (IRU).

OPENING OF THE SESSION

2. Mr. Capel Ferrer, Director of the Transport Division, welcomed the participants and informed them about administrative matters concerning the Dangerous Goods and Special Cargoes Section.

3. In particular, he drew the Working Party's attention to the second phase of the reform of the United Nations initiated by the Secretary-General in relation with the Millennium Declaration and the development objectives of the United Nations for the Millennium. In this context, the UN/ECE secretariat had been led to carry out a self-assessment of its activities and programmes in order to measure their consistency with the objectives in question (see INF.17) while proposals concerning the updating of ECE's mandate, the re-focusing of its activities, the identification of priorities, intergovernmental structure, redeployment of resources, etc. had already been submitted to the Commission at its annual session (see INF.17/Add.1). He said that for the time being there had been no suggestion of doing away with or modifying the Inland Transport Committee, but that the proposals were aimed in particular at giving greater importance to policy dialogue (rather than technical discussion) and the implementation of standards or conventions (rather than their development or updating). These proposals would be discussed with the member States of UN/ECE in the month of June, and the delegations of the Working Party might wish to contact their permanent missions for information in this regard.

ADOPTION OF THE AGENDA

Document: TRANS/WP.15/169

Informal documents: INF.1 and INF.2

4. The Working Party adopted the provisional agenda prepared by the secretariat, incorporating informal documents INF.1 to INF.28 as submitted in informal document INF.2 and the new informal documents submitted during the session (INF.29 to INF.38).

SIXTY-FOURTH SESSION OF THE INLAND TRANSPORT COMMITTEE

Document: ECE/TRANS/139 (Report of the Committee)

5. The Working Party took note of the Committee's conclusions concerning activities involving the transport of dangerous goods (paras. 95 to 111).

6. The Working Party noted with satisfaction that Slovenia and Croatia had succeeded in settling their dispute over the transit of dangerous goods on Croatian territory (see paras. 101 and 102). The Chairman said that he hoped that in future this type of problem would as far as possible be raised initially within the Working Party.

7. The Working Party decided to come back to the relevant points of the report (e.g. security of transport, road tunnels) when the corresponding agenda items were discussed.

8. The Chairman invited all delegations to contact their country representatives on the Inland Transport Committee to ensure that they were appropriately informed about the Working Party's activities before sessions of the Inland Transport Committee.

STATUS OF THE EUROPEAN AGREEMENT CONCERNING THE INTERNATIONAL CARRIAGE OF DANGEROUS GOODS BY ROAD (ADR) AND RELATED ISSUES

Status of the Agreement

Document: TRANS/WP.15/167/Add.1 (Secretariat)

Informal document: INF.25 (Secretariat)

9. Delegations were requested to inform the secretariat of any corrections to the list of competent authorities.

Protocol of amendment of 1993

10. The Working Party noted that Lithuania had acceded to the Protocol since the previous session, but that there were still 13 Contracting Parties which had not yet deposited the

appropriate legal instrument (Azerbaijan, Belarus, Belgium, Bosnia and Herzegovina, Croatia, Germany, Greece, Kazakhstan, Morocco, the former Yugoslav Republic of Macedonia, Republic of Moldova, Ukraine and Yugoslavia), thereby preventing the Protocol from entering into force.

11. The representatives of Germany and Belgium informed the Working Party of the state of progress of procedures in their respective countries, while the representative of Yugoslavia said that accession to the Protocol was also envisaged in his country.

12. The Working Party reiterated its request that all Contracting Parties should take all necessary steps for the accession of their countries to the Protocol.

Special agreements

Document: TRANS/WP.15/2002/2 (Secretariat)

Informal document: INF.10 (Secretariat)

13. The Working Party noted that a large number of multilateral agreements that were still valid derogated from the marginals of the 1999 ADR and would therefore no longer be relevant once the 1999 ADR could no longer be used (1 January 2003). In order to remedy this situation, the competent authorities which had initiated the agreements in question should provide the secretariat with a revised and corrected version by 15 June. The revised and corrected versions would be distributed to the Ministries of Foreign Affairs in accordance with the habitual procedure, and if there were no objections by the signatory countries within 90 days, the corrections would be deemed to have been accepted. The representatives of the countries concerned confirmed that they committed themselves to following this procedure.

14. The initiators of multilateral agreements were also requested to inform the secretariat if the amendments which would enter into force on 1 January 2003 rendered their agreements void. It would also be desirable for agreements which were no longer applied to be revoked.

Notifications in accordance with Chapter 1.9 of the restructured ADR

15. The Working Party noted that the notifications in accordance with Chapter 1.9 of the restructured ADR were available on the Transport Division's web site (www.unece.org/trans/danger/danger.htm). The secretariat was requested to prepare prior to each session a list recapitulating the titles of the notifications communicated between two sessions.

Corrections to ADR 2001

16. The Working Party noted that the corrections adopted at its seventieth session (TRANS/WP.15/165/Add.1 and -/Add.2) were deemed to have been accepted (depository notifications C.N.870.2001-TREATIES-4 of 18 September 2001 and C.N.1454.2001-TREATIES-5 of 18 December 2001). Corrections adopted at the

seventy-first session (TRANS/WP.15/167/Add.2 and -/Add.3) had been circulated under cover of depositary notification C.N.316.2002.TREATIES-1 of 5 April 2002. The corresponding corrections to the published version had been circulated with the symbols ECE/TRANS/140/Corr.1 to 6.

Informal documents: INF.4 (Secretariat), INF.9 (Germany), INF.9/Rev.1 (Drafting group)

17. The Working Party adopted further corrections to ADR on the basis of informal document INF.4 prepared by the secretariat following the spring session of the RID/ADR/ADN Joint Meeting and proposals by Germany (INF.9 and INF.9/Rev.1). The corrections adopted are reproduced in annex 1 (see TRANS/WP.15/170/Add.1).

Amendments scheduled for 1 January 2003

Document: TRANS/WP.15/168

Informal document: INF.5 (Secretariat)

18. The Working Party adopted the majority of new amendments proposed in document INF.5 which the RID/ADR/ADN Joint Meeting at its spring session had requested the secretariat to submit at the current session of WP.15 so as to harmonize the 2003 versions of RID and ADR (see TRANS/WP.15/AC.1/88, paras. 65 to 76 and annex 1). The additions and corrections to document TRANS/WP.15/168 are reproduced in document TRANS/WP.15/168/Add.1.

Informal document: INF.24 (Secretariat)

19. The Working Party adopted the secretariat's proposal to restore the requirements of former marginal 2803 for UN No. 1790 (hydrofluoric acid solution with more than 85% hydrofluoric acid). The representative of Belgium pointed out that it would have been more logical to introduce a "PR" provision, but the addition of a line to the new table 3 of instruction P200 seemed simpler for the time being.

Informal document: INF.31 (Sweden)

20. The Working Party considered that the intention of the proposal by Sweden to amend the text of the second Note in 5.3.1.5 was to make a substantive amendment to the Note and not a correction. A proposal of that nature should not therefore be discussed on the basis of an informal document. The Working Party further confirmed that even if the form of the Note was not quite correct, it was nevertheless tantamount to a requirement.

INF.4 (Secretariat)

21. The Working Party noted that the proposed corrections concerning provision CV 28 in Table A of Chapter 3.2 and 7.4.1 were in fact amendments proposed by the Joint Meeting with a view to deleting the requirements concerning precautions to be taken in the event of the stowage in the same vehicle of receptacles containing toxic gases and foodstuffs. These proposed amendments were adopted (see TRANS/WP.15/168/Add.1).

Interpretation

Informal document: INF.3 (Belgium), INF.19 (Sweden)

22. The discussion revealed that paragraph 8.2.2.5.5.3 was interpreted differently from one country to another. Some interpreted the text literally, i.e. that a minimum of one day was scheduled for each refresher course (basic refresher course and each of the specialized courses). Others considered that the total duration of the refresher course, including basic courses and any specialized courses, could be limited to one day.

23. The representative of IRU pointed out that the training market was very competitive and that these differences of interpretation were an important factor of unfair competition. He would submit a series of specific proposals at the next session to settle the various problems this situation caused to road hauliers.

Informal document: INF.13 (Sweden)

24. It was pointed out that the provisions of 6.8.2.2.2 only reproduced those of marginal 211 131 in a clearer form, and that if the wording of marginal 211 131 gave rise to confusion, its provisions should be interpreted in the light of those of 6.8.2.2.2.

Informal document: INF.15 (Sweden)

25. The Working Party confirmed that the Government of Sweden's interpretation of 1.6.3.18 was correct.

Informal document: INF.18 (Sweden)

26. The Working Party confirmed that the requirements of 9.7.5.2 regarding lateral stability did not concern vehicles carrying demountable tanks. The definition of tank-vehicle in 1.2.1 in fact only concerned vehicles with fixed tanks.

PROPOSALS FOR AMENDMENTS TO ANNEXES A AND B OF ADR

Miscellaneous proposals

Marking of the tank code

Documents: TRANS/WP.15/2002/10 (France)
TRANS/WP.15/2002/13 (CEN)

Informal document: INF.29 (Sweden)

27. The proposal by France that the tank code should be marked on demountable tanks (or on a plate) was adopted (see TRANS/WP.15/168/Add.1) (Entry into force: 1 January 2003). The

Working Party considered that Sweden's proposal to mark the tank code on all types of tanks, including fixed tanks, would have considerable consequences and should therefore be submitted officially before being discussed.

28. The proposal by CEN that the tank code should be marked neither on tank-vehicles nor on gas tank-containers (deletion of the first paragraph of 6.8.3.5.6(a)) received some slight support as a matter of principle, but the Working Party considered that CEN should first put the proposal to the Joint Meeting.

Carriage in limited quantities

Document: TRANS/WP.15/2002/7 (CEFIC/AISE)

29. The Working Party admitted that the present provisions of ADR were not wholly adapted to the logistical practices of large-scale retailing, particularly in the context of the supply of craftsmen, supermarkets, farmers or retailers.

30. The Working Party also noted that while problems arose for the most part in the context of domestic traffic, industry preferred a global, international, harmonized solution in the context of ADR to the various derogations negotiated nationally on a case-by-case basis.

31. Most delegations considered, however, that the exemptions requested by industry were not acceptable, since in the form in which they were proposed they would concern all sorts of products and all sorts of situations unrelated to those of final distribution.

32. After exchanging views on the subject, the Working Party accepted an offer by CEFIC to organize an informal working group in Brussels on 26 and 27 September 2002 to draw up proposals for settling these problems.

Provision V7

Informal document: INF.22 (Norway)

33. After a discussion on the proposal to amend provision V7, the Working Party considered that, if the representative of Norway wished to follow this up, he should submit a new official proposal to the Joint Meeting, bearing in mind the comments made, since provision V7 also concerned containers.

Reference to standards EN 12 493 and EN 12 252

Document: TRANS/WP.15/2002/16 (CEN)

34. At the request of CEN, it was decided to ask the Joint Meeting to put these documents on the agenda of the first session of its working group on standards which would meet from 9 to 11 September 2002 outside the times of the plenary sessions of the Joint Meeting. The Working Party was reminded that in order for the members of the working group to be able to discuss the document they would also need to have the text of the standards before them.

35. The representatives of OCTI and the United Kingdom reminded the meeting that the document concerned tank-vehicles only and therefore considered that it was not the responsibility of the Joint Meeting.

Placarding of vehicles carrying 1.4S or 1.4G fireworks in quantities lower than the limits of 1.1.3.6.2

Document: TRANS/WP.15/2002/6 (Netherlands)

36. The proposal by the Netherlands did not meet with support. Many delegations considered that the first step was to ensure that the classification of the fireworks was correct. If the classification was correct, there was no need for a special case for fireworks. If it was not correct, the information on the plates was inaccurate and misleading for the emergency services. The systematic placarding of vehicles carrying quantities normally exempted also gave rise to a security problem since it drew attention to them when surveillance measures were not applicable.

37. The representative of the Netherlands withdrew his proposal and said that he would prepare another more comprehensive proposal.

Exemptions related to quantities carried per transport unit

Document: TRANS/WP.15/2002/12 (Germany)

38. The Working Party adopted the proposal by Germany whereby the provisions of Chapter 1.3 and section 8.2.3 concerning the training of crews remained applicable, whatever the quantities carried.

Requirements concerning the orange-coloured plates

Document: TRANS/WP.15/2002/14 (Germany and Spain)

Informal document: INF.16 (IRU)
INF.21 (Denmark)

39. The proposal to introduce new specifications for the orange-coloured plates gave rise to numerous comments, particularly concerning the cost of the measures proposed, the inadequacy of the transitional period, the reference to national standards not readily available, the stringency of the fire test and specifications relating to resistance to chemical effects or mechanical stresses.

40. The representative of Germany requested delegations to transmit these comments to him in writing so that he could prepare a new proposal for submission to the Joint Meeting.

Minimum wall thickness of tanks

Document: TRANS/WP.15/2002/4 (France)

41. The proposal to amend the second sentence of 6.8.2.1.21 was adopted, with the addition of a transitional provision in Chapter 1.6 (see TRANS/WP.15/168/Add.1). The deletion proposed concerning the first sentence of 6.8.2.1.21 was not adopted.

Waste tanks

Document: TRANS/WP.15/2002/8 (Germany)

Informal documents: INF.5 (Secretariat)
INF.12 (Germany)

42. The representative of Germany withdrew his proposal TRANS/WP.15/2002/8 but requested the inclusion in ADR as from 1 January 2003 of the provisions concerning vacuum-operated waste tank-containers, as adopted by the RID/ADR/ADN Joint Meeting at its spring 2002 session and reflected in informal document INF.5.

43. Some delegations would have preferred to wait until 1 January 2005 since these provisions would not appear in RID on 1 January 2003 and because practical problems could be dealt with through multilateral agreements. The proposal by Germany, however, was put to the vote and adopted (see TRANS/WP.15/168/Add.1).

Fire-fighting appliances

Document: TRANS/WP.15/2002/9 (Germany)

Informal documents : INF.6 (Norway)
INF.14 (IRU)
INF.20 (Denmark)
INF.23 (Sweden)
INF.38 (Germany)

44. After a plenary discussion, it was decided that consideration of these documents should be entrusted to a drafting group which had prepared a new compromise text (INF.38).

45. The representative of Denmark proposed that the provisions concerning the periodic inspection of extinguishers for which 8.1.4.3 of document INF.38 provided should be replaced by inspections in accordance with permitted national standards (INF.20). This proposal was put to the vote and adopted.

46. The Working Party adopted the new text of section 8.1.4 with some additional amendments and decided that it should enter into force on 1 January 2003 with a transitional period of five years (see TRANS/WP.15/168/Add.1).

Construction and approval of vehicles

Rear protection of tanks

Document: TRANS/WP.15/2002/11 (Germany)

47. Several delegations pointed out that the proposal by Germany concerning the rear protection of tanks would have important and costly repercussions on the construction of tank-vehicles. Despite interest in the final report of the THESEUS research project, they considered that the Government of Germany should have supported its proposals with Europe-wide statistical data on rear collision accidents which would justify calling in question existing tank-vehicles and the costs of renewing the existing fleet or of retrofitting it in line with the requirements proposed.

48. The representative of Germany recalled that some years previously he had already provided particulars of accidents occurring in his country, but that he would provide more detailed up-to-date data. He would prepare a questionnaire for the purpose and send it to the other delegations.

Combustion heaters

Document: TRANS/WP.15/2002/5 (France)

49. It was recalled that the Working Party had already agreed to introduce into 9.2.4.7.1 (“reserved” for the time being) a reference to the requirements of a European directive on the construction and installation of heating systems once this directive was finally adopted. The Working Party noted that the directive was now available (Directive 2001/56/EC of 27 September 2001), but that annex VIII concerning LPG fuelled heating systems still remained to be completed and should be available in a year’s time.

50. The Working Party agreed that before introducing a reference to the requirements of this Directive, which applied to all vehicles, it should be checked whether they complied with or were in any way in contradiction with those of paragraphs 9.2.4.7.2 to 9.2.4.7.6 and to ascertain what should be kept in ADR.

51. The Working Party also noted that the World Forum for Harmonization of Vehicle Regulations (WP.29) would shortly receive an application from the Chairman of the GRSG Working Party for the creation of a new regulation under the 1958 Agreement, reproducing the terms of the Directive. Regulation No. 105 of the 1958 Agreement did in fact reproduce the requirements of Part 9 of ADR but reference could only be made in Regulation No. 105 to other regulations under the 1958 Agreement. The Working Party therefore encouraged the World Forum to finalize this regulation as rapidly as possible so that reference could also be made to it in the 2005 version of ADR.

EX-type vehicles

Document: TRANS/WP.15/2002/3 (Norway)

52. The Working Party studied the report of the informal working group which had met in Tonsberg from 17 to 19 December 2001.

53. The Working Party considered that it was unnecessary to amend the current definition of closed vehicles since the definition not only included vehicles with a closed body and a rear door but also vehicles with a closed body but an opening roof or side doors.

54. Despite differences of opinion on this question, the Working Party adopted the proposal of the informal working group not to prescribe as a matter of course materials not readily flammable for the construction of vehicle cabs. The reason for the proposal was because it was difficult to obtain proof that the materials were not readily flammable and because the informal group thought that materials used for the construction of modern vehicles were systematically not readily flammable. The representative of OICA confirmed that, generally speaking, such materials were not readily flammable but that there were no regulations prescribing this.

55. Paragraph 9.2.4.2.1 was therefore deleted, but it was deemed premature also to delete 9.2.4.2.2 which dealt with the same question but with reference to the carriage of oxidizing substances in tanks.

56. The Working Party provisionally adopted the rest of the text proposed by the informal working group with some amendments. The secretariat was requested to annex the text adopted after a first reading to the report for a second reading at the next session (see annex 2).

Paragraph 9.2.1 - Table reference 9.2.3.3.

Document: TRANS/WP.15/2002/1 (CLCCR)

57. The Working Party adopted the proposal by CLCCR (see TRANS/WP.15/168/Add.1).

Revision of Part 9

Document: TRANS/WP.15/2002/18 (Italy)

58. It was recalled that the representative of Italy had submitted the report of the informal working group which had met in Turin on 6 and 7 September 2001 to the Working Party at its seventy-first session (informal document INF.9, TRANS/WP.15/167, para. 53), and that delegations had been invited to submit their comments to the Government of Italy. Although the representative of Italy had received very few comments, he was submitting a new proposal.

59. The Working Party started to discuss the proposal, but in view of the number of oral comments, it was agreed that discussion should be postponed until the next session, on the

understanding that these new oral comments should be submitted in writing, either to the representative of Italy with a view to the submission of a new proposal, or to the secretariat as official proposals.

Braking equipment

Document: TRANS/WP.15/2002/19 (OICA)

60. The proposal by OICA to replace the provisions of Part 9 concerning braking by a reference to ECE Regulation No. 13 and Directive 71/320/EEC was adopted with some amendments (see TRANS/WP.15/168/Add.1).

Electrical equipment

Informal documents: INF.33 and INF.34 (CLEPA)

61. The proposals concerning paragraph 9.2.2.5.1 (b) and footnote 2 to 9.2.2.5.1 (a) were adopted with some amendments (see TRANS/WP.15/168/Add.1).

Transitional measures for new requirements concerning base vehicles entering into force on 1 January 2003

Informal document: INF.37 (OICA)

62. The Working Party agreed on a transitional measure (1.6.5.4) up to 30 June 2004 for the implementation of the new requirements concerning base vehicles, to enter into force on 1 January 2003, in order to take account of the time required to bring ECE Regulation No. 105 into line (see TRANS/WP.15/168/Add.1).

Date of entry into force of the amendments adopted

63. The Working Party decided that all amendments adopted at the current session should enter into force on 1 January 2003, with the exception of those adopted provisionally reproduced in annex 2. For this reason they were grouped in an addendum to document TRANS/WP.15/168 (TRANS/WP.15/168/Add.1).

64. The representative of France expressed a reservation on her country's ability to implement by 1 January 2003 the provisions of Chapter 1.3 concerning training in the case of personnel acting in the context of the exemptions of 1.1.3.6, these provisions being the result of the adoption of the amendments to 1.1.3.6.2 proposed in document TRANS/WP.15/2002/12.

SAFETY IN ROAD TUNNELS

Document: TRANS/AC.7/9 (Recommendations of the Group of Experts on Safety in Road Tunnels)

65. The Working Party took note of measure 1.07 recommending the rationalization of requirements relating to the carriage of dangerous goods in tunnels. However, in order to follow up these recommendations, Governments would have to be willing to prepare specific proposals for amendments to ADR, for example, the assignment of the current entries in the dangerous goods list to categories A to E for which the OECD/PIARC report provided. The Working Party also noted that these categories A to E corresponded to criteria established according to the old classification of ADR and marginal 10 011; it would therefore be advisable possibly to review these criteria in accordance with the restructured ADR.

66. Where quantitative risk analysis was concerned, the representative of Spain said that it was difficult to apply standard methods to all tunnels. She offered to supply a document for the next session with comments on the recommendations in measure 1.07.

67. The representative of Austria said that he would submit a document to make paragraph 1.9.3 (a) more specific in keeping with this system of grouping of risks.

68. The Working Party noted that the recommendations did not concern road transport only and stressed that the carriage of dangerous goods by rail in tunnels presented the same risks, often on a larger scale in view of the quantities carried. Where tunnels were of the same type, the restrictions on road transport should therefore also apply to rail traffic not only for safety reasons, but also to avoid distortions of competition between the two modes on similar journeys.

69. The Chairman said that reflection was needed on the danger of such goods in tunnels and that the report and conclusions of the OECD/PIARC group should be assessed in greater depth so as to follow up the recommendations of the group of experts, bearing in mind possible repercussions on the different aspects of transport policy in general.

70. In this context, it was also recalled that the interests of safety and security policies were sometimes at odds; it was also then necessary to speculate on the extent to which the safety measures recommended might influence security (for example, divulgation of quantitative risk analyses, identification of terrorist targets, etc.).

SECURITY IN THE TRANSPORT OF DANGEROUS GOODS

Document: TRANS/WP.15/2002/17 (Chairman)

Informal documents: INF.26 and INF.28 (Secretariat)

71. The Working Party noted that the Inland Transport Committee had requested its subsidiary bodies to identify the differences between the notions of “safety” and “security” and the concrete questions they could address bearing in mind the work of other bodies (ECE/TRANS/139, para. 19).

72. As indicated in the Chairman's document, the Working Party pointed out that the provisions of ADR addressed principally the "safety" aspect, but that some of those provisions could serve the interests of "security" (personnel training, supervision of vehicles, etc.) or go against those interests (for example, the labelling of vehicles carrying explosives); conflicts of interest between the two concepts had already been the subject of lengthy discussion in the past.

73. The secretariat drew the Working Party's attention to measures relating to the security of the carriage of dangerous goods which had just been taken in the United States of America (INF.26 and INF.28).

74. The representative of the United Kingdom said that the European Commission had established a small working group to finalize a list of non-binding recommendations to be addressed to member States of the European Union. These recommendations could be brought to the attention of the Working Party at its November session.

75. The representative of IRU expressed the hope that discussions on the subject would take place within the Working Party or the Joint Meeting in order to ensure a harmonized global approach for all ADR Contracting Parties and avoid a plethora of national or regional approaches.

76. The Chairman concluded by inviting delegations to reflect and to submit their proposals and initiatives to the Working Party at its November session.

FOLLOW-UP OF THE CONVENTION ON CIVIL LIABILITY FOR DAMAGE CAUSED DURING CARRIAGE OF DANGEROUS GOODS BY ROAD, RAIL AND INLAND NAVIGATION VESSELS (CRTD)

77. The Working Party noted that the Inland Transport Committee had decided to establish an ad hoc group of experts on the CRTD which would meet twice in 2002 (10 to 12 June 2002 and 4 to 6 November 2002 during the session of WP.15). In the light of the group's conclusions, the Inland Transport Committee would decide whether there was a need to revise the CRTD or to envisage separate conventions for each transport mode.

PROGRAMME OF WORK

Informal documents: INF.17 and INF.17/Add.1

78. The Working Party noted the information concerning the discussions of the Economic Commission for Europe at its annual session with reference to the reorientation of programmes in the context of the strengthening of the organization and the Millennium Declaration.

79. It was pointed out in this context that the role of the Working Party could not be reduced to one of drafting standards since it was rather a question of establishing a harmonized regulatory framework which would meet political safety concerns of major importance to the Governments of member States and which was also part of a European transport policy aimed at the economic

development of all its member States. These activities were also to be situated in a context of intensive cooperation with other intergovernmental or non-governmental international organizations and standardization bodies, both in the sphere of transport and other spheres such as the environment, health and employment. The UN/ECE secretariat had a principal role to play since, in also providing secretariat services to the ECOSOC Committee of Experts on the Transport of Dangerous Goods and on the Globally Harmonized System of Classification and Labelling of Chemicals, it coordinated a complex and efficient mechanism for intersectoral cooperation worldwide.

80. In addition to the benefits to the Governments of UN/EEC member States and others, whose national legislation was directly based on RID, ADR, ADN or the United Nations Recommendations, the activities of the Working Party and of the Committee of Experts of ECOSOC had direct economic repercussions on the transport sector and the industrial world of chemicals, oil products, packagings, tanks and the construction of vehicles and vessels, which were of prime importance in the context of international trade; these repercussions should be taken into account in the development of a global partnership for development.

81. With reference to the programme of work for the next session, the Working Party agreed that the agenda should contain the same items as for the current session and in particular a second reading of the provisions concerning vehicles intended for the carriage of explosives and a further discussion on the proposals by Italy concerning the rationalization of approval procedures for vehicles.

82. The following documents remained on the agenda: TRANS/WP.15/2002/15, TRANS/WP.15/2002/17, TRANS/WP.15/2002/18 and TRANS/AC.7/9.

83. The Working Party welcomed the introduction of an item on the interpretation of ADR in the agenda of the current session and, on the proposal of the representative of Ireland, requested the secretariat to consider the possibility of making available on the web site of the Transport Division interpretations of the paragraphs of ADR on which the Working Party had taken a decision, particularly in a concern to avoid disputes between inspectors and inspected.

84. The Working Party requested the Chairman to propose to the Contracting Parties to ADR, in accordance with the amendments procedure for which article 14 of ADR provided, the list of amendments adopted at the seventieth, seventy-first and current sessions (TRANS/WP.15/168 and TRANS/WP.15/168/Add.1) in time for notification of this list by the Secretary-General by 1 July 2002 at latest for entry into force on 1 January 2003.

85. The secretariat was requested to prepare a consolidated session of ADR and its annexes as modified by these amendments for publication as soon as possible and before their entry into force.

ANY OTHER BUSINESS

Tribute to Mr. P. Deroisy and Mr. M. Biver

86. The Working Party, which had been informed that Mr. P. Deroisy (CEFIC) and Mr. M. Biver (OICA) were coming to the end of their activities within their organizations, paid tribute to their efficient and generous cooperation as representatives respectively of the chemical industry and the vehicle construction industry and wished them a long and happy retirement.

ADOPTION OF THE REPORT

87. The Working Party adopted the report of its seventy-second session together with its annexes on the basis of a draft prepared by the secretariat.

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Annex 1

Annex 1

Corrections to the annex to depositary notification C.N.1078-TREATIES-3 and to document ECE/TRANS/140 (Vols. I and II), as adopted by the Working Party (see TRANS/WP.15/170/Add.1)

Annex 2**Draft amendments adopted provisionally (for possible entry into force on 1 January 2005)****Part 6**

6.8.3.5.6 (a) Delete the first paragraph.

Part 9

9.2.1 In the table, delete “9.2.4.2.1” and the crosses indicating EX/II and X/III vehicles in the row for that paragraph. In the following row, replace “9.2.4.2.2” by “9.2.4.2.1”.

9.2.2.4 First sentence, replace “the insulating battery box cover” by “an insulating battery box cover”.

9.2.3.2.2 Delete the note.

9.2.4.2.1 Delete this paragraph and renumber the next paragraph accordingly.

9.2.4.5 First sentence, replace “as well as the exhaust pipes” by “(including the exhaust pipes)”.

9.3.2 Amend to read:

The first sentence becomes paragraph “9.3.2.1”, to read:

“9.3.2.1 Combustion heaters may only be installed on EX/II and EX/III vehicles for heating of the driver’s cab and the engine.”

The second sentence becomes paragraph 9.3.2.2. Delete “and the following”.

Delete (b). The text of “(a)” and “(c)” becomes new paragraph 9.3.2.3.

Number the last paragraph “9.3.2.4” and amend the first sentence to read:

“No combustion heaters or fuel tanks, power sources, combustion air or heating air intakes as well as exhaust tube outlets required ...” and delete the last two sentences (“It shall be ensured ... exceed 50° C.”)

- 9.3.3 First paragraph, insert a reference “¹” to a footnote in the second sentence after “flammable”. The footnote should read:

“¹ In the case of flammability, this requirement will be deemed to be met if, in accordance with the procedure specified in ISO standard 3795:1989 ‘Road vehicles, and tractors and machinery for agriculture and forestry - Determination of burning behaviour of interior materials’, samples of the sheeting have a burn rate not exceeding 100 mm/min.”

Last sentence, amend to read: “It shall be tautened so as to cover the loading area on all sides.”

Second paragraph, amend to read: “All openings in the load compartment of closed vehicles shall have lockable, close-fitting doors or rigid covers. The driver’s compartment shall be separated from the load compartment by a continuous wall.”

- 9.3.4 Amend to read:

“9.3.4 EX/III vehicles

9.3.4.1 The vehicles shall be designed, constructed and equipped so that the explosives are protected from external hazards and the weather. These vehicles shall be closed. The driver’s compartment shall be separated from the load compartment by a continuous wall. The loading surface shall be continuous. Load restraint anchorage points may be installed. All joints shall be sealed. All openings shall be capable of being locked. They shall be so placed and constructed as to overlap at the joints.

[9.3.4.2 ~~The insulating and heat resisting properties of the body shall be at least equivalent to those of a partition consisting of a metal outer wall lined with a layer of fire proofed wood of 10 mm thickness;~~ The construction of the body shall be such as to ensure that no flame penetration or hot spots of more than 120° C on the inner surface will occur within 15 minutes from the start of a fire resulting from the operation of the vehicle, such as a tyre fire. This shall be verified by the competent authority or a body designated by the competent authority.]”

- 9.3.5 Heading, amend to read: “**Engine and load compartment**” and amend the beginning of the first sentence to read: “The engine propelling an EX/II or EX/III vehicle shall be placed ...”.

- 9.3.6 Heading, amend to read: “**External heat sources and load compartment**” (the text remains unchanged).

- 9.3.7.1 Delete this paragraph. The existing 9.3.7.2 becomes “9.3.7.1”.

9.3.7.2 Insert a new 9.3.7.2 to read:

“Any lighting in the load compartment of EX/II vehicles shall be on the ceiling and covered, i.e. with no exposed wiring or bulb.

In the case of Compatibility Group J, the electrical installation shall be at least IP65 (e.g. flame-proof Eex d). Any electrical equipment accessible from the inside of the load compartment shall be sufficiently protected from mechanical impact from the inside.”

9.3.7.3 End, add the following sentence: “The electrical installation in the load compartment shall be dust-protected (at least IP54 or equivalent) or, in the case of Compatibility Group J, at least IP65 (e.g. flame-proof Eex d).”
