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Working Party on the Transport of Dangerous Goods

Joint Meeting of the RID Safety Committee and the
Working Party on the Transport of Dangerous Goods

REPORT OF THE SESSION*

held in Geneva from 13 to 23 September 2005

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ATTENDANCE

1. The Joint Meeting of the RID Safety Committee and the Working Party on the Transport of Dangerous Goods of the United Nations Economic Commission for Europe (UNECE) held its autumn session in Geneva from 13 to 23 September 2005 with Mr. C. Pfauvadel (France) as Chairman and Mr. H. Rein (Germany) as Vice-Chairman. Representatives of the following countries took part in the work of the session: Austria; Belgium; Bulgaria; Canada; Croatia; Czech Republic; Denmark; Finland; France; Germany; Hungary; Italy; Latvia; Netherlands; Norway; Poland; Portugal; Romania; Russian Federation; Serbia and Montenegro; Slovakia; Spain; Sweden; Switzerland; United Kingdom; United States of America. The European Commission was also represented. The following specialized agency was represented: World Health Organization. The following intergovernmental organizations were represented: Danube Commission; Organization for Cooperation between Railways (OSZhD). The following non-governmental organizations were represented: European Industrial Gases Association (EIGA); European Liquefied Petroleum Gas Association (AEGPL); European Cosmetic, Toiletry and Perfumery Association (COLIPA); International Association of the Soap, Detergent and Maintenance Products Industry (AISE); European Committee for Standardization (CEN); Liaison Committee of Coachwork and Trailer Builders (CLCCR); International Railway Transport Committee (CIT); European Chemical Industry Council (CEFIC); European Portable Battery Association (EPBA); European Aerosols Federation (FEA); International Federation of Freight Forwarders Associations (FIATA); International Express Carriers Conference (IECC); International Union of Railways (UIC); International Union of Private Wagons (UIP); International Road Transport Union (IRU).

ADOPTION OF THE AGENDA

2. The Joint Meeting adopted the agenda proposed by the secretariat in documents TRANS/WP.15/AC.1/99 and Add.1 (letter A 81-02/502.2005), as updated by informal documents INF.1, INF.2 and INF.9.

TANKS

Documents: TRANS/WP.15/AC.1/98, paras. 4-18
TRANS/WP.15/AC.1/98/Add.1 (Report of the working group on tanks at its last session)
TRANS/WP.15/AC.1/2004/2 (Germany)
TRANS/WP.15/AC.1/2005/18 (UIC)
TRANS/WP.15/AC.1/2005/19/Rev.1 (United Kingdom)
TRANS/WP.15/AC.1/2005/30 (Belgium)
TRANS/WP.15/AC.1/2005/36 (Belgium)
TRANS/WP.15/AC.1/2005/37 (EIGA)
TRANS/WP.15/AC.1/2005/43 (Norway)
TRANS/WP.15/AC.1/2005/45 (Belgium)
TRANS/WP.15/AC.1/2005/46 (Norway and United Kingdom)
TRANS/WP.15/AC.1/2005/55 (Germany)
TRANS/WP.15/AC.1/2005/59 (United Kingdom)

TRANS/WP.15/AC.1/2005/62 (France)
TRANS/WP.15/AC.1/2005/63 (France)
TRANS/WP.15/AC.1/2005/64 (Netherlands)
TRANS/WP.15/AC.1/2005/66 (Germany)
TRANS/WP.15/AC.1/2005/70 (United Kingdom)

Informal documents: INF.8 (OTIF)
INF.11, INF.17, INF.18 (UIP)
INF.34 (Germany)
INF.42 (Netherlands)
INF.45, INF.46, INF.47 (Portugal)
INF.48 (France)
INF.49 (Switzerland)
INF.51 (AEGPL)

3. Following a preliminary presentation, all the documents were handed over to the working group on tanks, with the exception of informal documents dealing with new issues which would only be considered by the working group insofar as time permitted.

4. Document TRANS/WP.15/AC.1/2005/43 submitted by Norway and related informal documents INF.8, INF.42 and INF.51, concerning a question of principle, were, however, the subject of a preliminary discussion in plenary. It was agreed that the working group should establish objectives and guidelines so that the research work on means of preventing the BLEVE (boiling liquid expanding vapour explosion) phenomenon proposed by the Netherlands (INF.42) could continue within an ad hoc working group, without a priori excluding the options of a mandatory installation of safety valves and the use of sun shields or thermal insulation, or restricting the work to flammable gases alone.

Report of the working group

Informal document: INF.63

5. After considering the report (reproduced as an annex to this report with the symbol TRANS/WP.15/AC.1/100/Add.1), the Joint Meeting took the following decisions:

Point 1: The proposal to amend 6.7.2.1 (b) (ii) with the changes proposed by Belgium to take account of possible coverage by inert gas, would be submitted to the United Nations Sub-Committee of Experts by Germany on behalf of the Joint Meeting;

Points 2, 3, 4, 6, 8, 10, 11, 13, 15, 16 and 20: The amendments proposed by the working group were adopted with some drafting changes where necessary (see, for example, informal document INF.64 for point 16) (see annex 2).

Point 9: In the absence of consensus, proposals would be submitted separately to the RID Committee of Experts and the WP.15 Working Party and would only be deemed to have been accepted if approved by both bodies.

Point 14: It was confirmed that the intention of the group's proposal to add a paragraph to 6.8.2.7 was to make it obligatory as from 2009 to apply the standards referred to in 6.8.2.6 which invalidated the national technical codes which to date it had been possible to use in accordance with 6.8.2.7 and which were no longer to be used in the context of RID/ADR/ADN. A definitive text of 6.8.2.7 was drafted (informal document INF.67), adopted and accompanied by a transitional measures (informal document INF.70) (see annex 2).

Other points: The working group's conclusions were approved.

STANDARDS

Documents: TRANS/WP.15/AC.1/96, para.51
TRANS/WP.15/AC.1/96/Add.1 (Report of the working group on tanks at its September 2004 session)
TRANS/WP.15/AC.1/2004/2 (Germany)
TRANS/WP.15/AC.1/2005/49 (CEN)
TRANS/WP.15/AC.1/2005/62 (France)

Informal documents: INF.20 (United Kingdom)
INF.39 (CEN)
INF.50 (AEGPL)
INF.52 (AEGPL)

6. The representative of CEN observed that the working group on standards should concentrate as a matter of priority on informal core document INF.39 and the United Kingdom's informal document INF.20. He also suggested that documents TRANS/WP.15/AC.1/2004/2 (Germany) and TRANS/WP.15/AC.1/2005/62 (France) should also be considered by the working group on tanks and that informal document INF.52 should be considered in plenary under item 7 since it contained a substantive proposal.

7. Several delegations pointed out that they had not received the standards referred to in document INF.39 ahead of time, contrary to the procedures provided by the Joint Meeting. They were therefore unable to take any decision on the proposals for reference to these standards. The absence of an official document was moreover going to complicate the task of the secretariats with regard to the preparation in all the working languages of the texts adopted. The principle of having the working group meet during the current session was thus called in question.

8. The Joint Meeting finally decided, after taking a vote on the matter, to hold a meeting of the working group and to entrust the following mandate to it:

(a) Consideration of problems of communication between the Joint Meeting and CEN and proposal of solutions;

(b) Consideration of informal documents INF.20, INF.39 and INF.50 and document TRANS/WP.15/AC.1/2005/49 and preparation of a proposal for reference to standards for adoption by the Joint Meeting.

Report of the working group

Informal document: INF.61

9. The Chairman of the working group (Mr. P. Wolfs, EIGA) introduced the report. He mentioned in particular that annex 1 to the report contained a proposal for a revised procedure for cooperation with CEN and the incorporation of references to standards in RID/ADR/ADN. It also contained a proposal for a revised mandate for the working group. In the future, it should be possible for members of the working group and Joint Meeting delegations to download the new standards to be considered from a specific page on the CEN website to be set up and protected by a password.

10. He noted that the working group was proposing to include references to 11 new or revised standards, while it had refused 2 and had been unable to consider a further 7 for lack of time.

11. The Joint Meeting adopted the proposals of the working group (see annex 2 to this report for the references to standards and annex 3 for the new cooperation procedures). The representative of Belgium expressed an objection of principle to the adoption of references to these standards (see paragraph 7). The representative of Sweden joined in with the objection and also regretted that references to certain standards had been incorporated in the latest amendments to RID/ADR notified for acceptance before these standards had been published.

12. The representative of EIGA said that he would submit a proposal to the United Nations Sub-Committee of Experts so that references to standards adopted for RID and ADR would also be introduced into the Model Regulations insofar as they were relevant.

INTERPRETATION OF RID/ADR/ADN

Carriage prior to or following maritime or air carriage

Document: TRANS/WP.15/AC.1/2005/68 (Secretariats)

13. The Joint Meeting shared the opinion of the WP.15 Working Party and the RID Committee of Experts that the additional marking required by RID/ADR (for example, according to special provision 633) was unnecessary if the package was marked in accordance with the IMDG Code or the ICAO Technical Instructions.

14. It was recalled that the provisions of 1.1.4.2 had been drawn up to offset the differences in marking and labelling of packages resulting from the differences in classification between the IMDG Code, the Technical Instructions and RID/ADR at a time when RID/ADR had not been harmonized with the United Nations Recommendations, although on the basis of the principle that the provisions of the IMDG Code and the Technical Instructions were at least as stringent as those of RID/ADR. In the past, no marking or labelling was required for packages of dangerous goods carried in limited quantities

15. The Joint Meeting was of the opinion that packages marked and labelled in accordance with the IMDG Code or the Technical Instructions applying to limited quantities, excepted quantities or consumer commodities could be accepted in accordance with 1.1.4.2.1, but that all the other provisions of RID/ADR must be applied. Opinions were, however, divided as to whether 1.1.4.2.1 could also be applied in the case of the carriage of dangerous goods in limited quantities when no marking was prescribed by the IMDG Code or the Technical Instructions but was prescribed by RID/ADR.

16. In view of the current progress of harmonization between the IMDG Code, the ICAO Technical Instructions and RID/ADR/ADN where classification, marking and labelling in general instances were concerned, the Joint Meeting considered that 1.1.4.2.1 should be revised in order to remove ambiguities concerning the new differences that had appeared with the partial exemptions.

17. The Joint Meeting decided that the last sentence of 1.1.4.2.1 should apply to all classes, including Class 9, in other words, that dangerous goods of Class 9 subject to the provisions of RID/ADR but not to those of the IMDG Code or the ICAO Instructions - for example, certain aquatic pollutants - were not exempted from the provisions of RID/ADR in the event of carriage prior to or following maritime or air carriage (see annex 2).

Informal document: INF.59 (AISE)

18. Following these discussions, the representative of AISE submitted a proposal for amendment, on behalf of an informal group, for the total exemption from RID/ADR/ADN of packages carried in accordance with the provisions of Chapter 3.4 of the IMDG Code or Part 3, Chapter 4, of the ICAO Technical Instructions (limited quantities) or Part 1, Chapter 2.4 of the ICAO Technical Instructions (excepted quantities).

19. This proposal raised the policy issue of whether it was legally admissible for exemptions for maritime and air transport modes decided by other bodies to take precedence in land transport when RID/ADR/ADN did not provide for such exemptions.

20. It was noted in particular that this could entail significant distortions of competition when these goods were imported by sea or air from third countries, or even among Contracting Parties to RID, ADR or ADN, depending on whether the transport chain did or did not include maritime or air carriage.

21. With regard to the carriage of dangerous goods in limited quantities in accordance with arrangements similar to those for which RID/ADR/ADN provided, several delegations were in principle favourable. Others, however, considered that it should be ensured that maximum quantities per inner packaging did not exceed those provided in RID/ADR/ADN. Similarly, where the UN number was not required on the package, some delegations considered that the necessary particulars should be entered in the transport document, as the ICAO Technical Instructions or the IMDG Code prescribed.

22. With regard to consumer commodities carried in accordance with paragraph 3.4.7 of the IMDG Code (unmarked packages, transport equipment marked with the words “LIMITED QUANTITIES” or “LTD QTY”), it was pointed out that the IMDG Code provided for particulars in the transport document and that it would therefore be necessary to ensure that the same particulars concerning the nature of the hazard appeared in the RID/ADR/ADN transport document.

23. With reference to the excepted quantities of the ICAO Technical Instructions, it was pointed out that on the one hand these provisions did not appear in the United Nations Recommendations and that on the other the ICAO Technical Instructions provided for special conditions, compliance with which would not be easy for land transport inspectors to check (conditions concerning the class, packing group, quantity, marking, only goods permitted on board passenger aircraft, prohibition of postal packages, etc.). Moreover, transport under those conditions was not totally exempted from all the requirements for carriage by air (training, accident reports, mention in the transport document, certification).

24. The representative of Italy considered that the proposal by AISE met the request for interpretation in document TRANS/WP.15/AC.1/2005/68 and asked that the Joint Meeting should take a decision on the first two paragraphs proposed in informal document INF.59.

25. Some delegations pointed out that the interpretation of the WP.15 Working Party and the RID Committee of Experts could already be found in document TRANS/WP.15/AC.1/2005/68, and that any contrary interpretation should be the subject of an official proposal.

26. The representative of Germany suggested that the Joint Meeting should put forward a policy approach for future work, namely, that it would be prepared to envisage changes to RID/ADR/ADN in order to take account of the diversity of situations arising from a lack of harmonization among the requirements of the various different modal regulations, provided that precautions were nevertheless taken to ensure that information on the nature of the hazard was available in some form or another for the various participants, the inspecting authorities or the emergency services.

27. Since the request by Italy was seconded by three delegations, the proposal for complete exemption contained in INF.59 was put to the vote and rejected by 13 votes to 6.

HARMONIZATION WITH THE UNITED NATIONS MODEL REGULATIONS ON THE TRANSPORT OF DANGEROUS GOODS

Documents: TRANS/WP.15/AC.1/2005/42 and -/Add.1 (Report of the Ad Hoc Working Group on the Harmonization of RID/ADR/ADN with the United Nations Recommendations on the Transport of Dangerous Goods)

28. The Joint Meeting considered the texts proposed for the harmonization of RID/ADR/ADN with the provisions of the fourteenth revised edition of the United Nations Recommendations and adopted them with some amendments (see annex 2) and the following comments.

1.1.3.2

Informal document: INF.44 (EIGA)

29. The representative of Belgium proposed that, rather than add a paragraph (h) exempting receptacles containing gases of Groups A and O at an absolute pressure of 2.8 bar, the pressure values in paragraph (c), concerning the same type of exemption, should simply be modified.

30. Several delegations considered that the condition whereby the gas must be completely in the gaseous state should be kept.

31. Other delegations feared that the absolute pressure value of 2.8 bar at 20° C would be much less stringent than the current value of 2 bar at 15° C. It was clarified that according to 1.2.2.3, the pressure of 2 bar referred to in 1.1.3.2 (c) was a gauge pressure and therefore equivalent to 3 bar in absolute pressure. RID and ADR would therefore allow a higher pressure than the United Nations Model Regulations.

32. The proposal to bring the pressure values into line was put to the vote but was not adopted.

33. Some delegations expressed a wish for this decision to be brought to the attention of the International Maritime Organization.

34. The representative of EIGA said that he would submit a proposal to the United Nations Sub-Committee of Experts to bring the United Nations Model Regulations into line with RID and ADR.

Fireworks

Informal document: INF.37 (Denmark)

35. The Joint Meeting decided to amend special provision 645 in order to specify that the competent authority approving the classification code for fireworks could require the verification of a classification made in accordance with the default classification method of 2.2.1.1.7 on the basis of the series 6 tests. It was also recalled that the competent authorities had the right to carry out checks in accordance with the provisions of 1.8.1.

Infectious substances

2.2.62.1.4.1

36. The representative of Germany considered that the definition of Category A infectious substances should not only exclude pathogens which could only affect humans or animals in poor health, but also those which only affected humans or animals with immunodeficiency.

37. Several delegations were of the opinion that if the definition posed problems, the question should be raised with the United Nations Sub-Committee of Experts and that, for reasons of harmonization, it would not be advisable to deviate from the United Nations definition.

Classification of cultures of risk group 3 for diagnostic purposes

Document: TRANS/WP.15/AC.1/2005/51 (Germany)

38. The representative of Germany considered that classification in Category A of all cultures liable to contain pathogens of risk group 3 would constitute a considerable obstacle to the health policies in operation for the surveillance and control of diseases caused by bacterial agents. He considered that it should be possible to carry cultures intended for medical diagnosis under UN No. 3373 and proposed that an exemption of this nature should be applied to the cultures of the three bacteria under the heaviest surveillance in Europe, namely, *Escherichia coli* (verotoxigenic), *Mycobacterium tuberculosis* and *Shigella dysenteriae* intended for medical diagnosis, pending consideration of the matter within the United Nations Sub-Committee of Experts.

39. The proposal was adopted (see annex 2), although the exemption would not in practice be valid for carriage by air or sea.

2.2.62.1.5.4

40. It was explained that the paragraph 2.2.62.1.5.4 proposed by the ad hoc working group did not reproduce 2.6.3.2.3.4 of the United Nations Model Regulations exactly because the working group had considered the existing 2.2.62.1.7 of ADR/RID/ADN to be more appropriate insofar as all substances where the concentration of pathogens was at a level identical to that observed naturally should be exempted.

41. The Joint Meeting accepted this point of view.

2.2.62.1.5.6

42. The Joint Meeting adopted the principle of the exemption of human or animal specimens as provided in 2.6.3.2.3.6 of the United Nations Model Regulations.

43. In accordance with the United Nations Model Regulations, the Joint Meeting preferred to authorize for the purpose all packagings designed to prevent leaks, by referring to an adequate packing method rather than imposing that method, which was moreover prescribed for carriage by air, as an obligation.

44. The representative of Germany proposed that acceptable examples for the application of this exemption should exclude specimens intended for anti-body screening. This proposal was not adopted since several delegations considered that it should first be discussed by the United Nations Sub-Committee of Experts.

Medical or clinical waste

Document: TRANS/WP.15/AC.1/2005/52 (Germany)

Informal documents: INF.27 (Belgium)
INF.56 (Belgium, Germany, Italy)
INF.58 (Secretariat)
INF.60 (Drafting group)

45. The representative of Germany proposed that, as an exception to 2.2.62.1.11.2, wastes assigned to 18 01 04 and 18 02 03 of the European list of wastes annexed to European Commission decision 2000/532/EC of 3 May 2000, as amended, i.e. wastes whose collection and disposal was not subject to special requirements in order to prevent infection should be systematically exempted.

46. A member of the secretariat pointed out that the decision in question contained no criteria for assignment to these groups and that each national authority with competence in the management of waste from the country of origin could therefore decide, according to its own criteria, whether the waste should or should not be assigned to UN No. 3291, even when it was normally the province of 2.2.62.1.11.2 or when it contained pathogens of Categories A or B in accordance with 2.2.62.1.11.1.

47. The representative of Germany said that the philosophy for the classification of waste in Class 6.2 had changed completely in 2005 and that clear exceptions should be specified in order to take account of the practices that had been in force to date for land transport in Europe.

48. The Joint Meeting adopted the proposal by Germany in principle and proceeded to add NOTES to 2.2.62.1.11.1 and 2.2.62.1.11.2 on the basis of informal document INF.56 (see annex 2).

49. The representative of Germany was requested to submit proposals to the United Nations Sub-Committee of Experts for the amendment of provisions concerning the classification of infectious wastes that could be applied across the board for all transport modes.

Transport of animal carcasses

Informal document: INF.60 (Drafting group)

50. The Joint Meeting adopted new texts for the transport of animal carcasses under UN Nos. 2814 and 2900, providing in particular for the possibility of using packagings authorized by the competent authority (see annex 2).

Proper shipping name of certain wetted explosives

Informal document: INF.23 (Secretariat)

51. The Joint Meeting agreed that the word “wetted” in the proper shipping name of UN Nos. 3364, 3365, 3366, 3367, 3368 and 3370 should appear in capitals to conform with the United Nations Recommendations (see annex 2).

Special provision 289

52. The Joint Meeting adopted the proposal for alignment with the United Nations Recommendations, but considered that it was unnecessary to include a definition of “conveyance” in 1.2.1 since the definition appearing in the Model Regulations would lead to contradictions with various definitions currently to be found in RID, ADR and ADN.

Use of gas cylinders for the carriage of liquids

Informal document: INF.16 (CEFIC)
INF.62 (Secretariat)

53. The Joint Meeting decided to adopt the new provisions of the Model Regulations concerning the use of gas cylinders for the carriage of liquids (4.1.3.6) but at the same time to keep the existing provisions of 4.1.4.4 of RID/ADR and the related provisions PR1 to PR7.

54. This decision led to lengthy discussions about UN No. 1614 (hydrogen cyanide).

55. It was finally decided that packing instructions P601 and P099 would be assigned to this substance.

56. Since packing instruction P099 specified that the packing method must be decided by the competent authority, the question arose as to what was meant by “competent authority”:

- Competent authority of any country;
- Competent authority of a Contracting Party to ADR or COTIF;
- Competent authority of all countries concerned by international transport.

57. A member of the secretariat pointed out that ADR and RID normally specified which competent authority was concerned and suggested that the wording of packing instructions P099 and IBC 09 should be amended to indicate clearly the intentions of the Contracting Parties vis-à-vis international law (Vienna Convention on the Law of Treaties) whereby treaty provisions were a priori binding only on Contracting Parties but could create rights and obligations for third States with their consent (see also informal document INF.62).

Packing instruction P200, special provision “n”

Informal document: INF.44 (EIGA)

58. The Joint Meeting adopted the amendment proposed by EIGA to elucidate the scope of special provision “n”, noting that the same proposal had been submitted to the United Nations Sub-Committee of Experts (ST/SG/AC.10/C.3/2005/26, proposal No. 1).

5.2.1.9 Orientation arrows

Document: TRANS/WP.15/AC.1/2005/57 (EIGA)

59. The Joint Meeting adopted the proposal by EIGA to amend 5.2.1.9.2 (a) to ensure that orientation arrows were placed on closed cryogenic receptacles (see annex 2). It noted that EIGA would submit the same proposal to the United Nations Sub-Committee of Experts.

60. The Joint Meeting noted that the United Nations Sub-Committee of Experts at its last session had also decided not to prescribe orientation arrows for Type A, Type IP-2 or Type IP-3 packages for radioactive material, and that the experts of IAEA had expressed the wish that all packages of radioactive material, including Type IP-1 and excepted packages, should be exempted. The Joint Meeting decided to maintain the decision of the United Nations Sub-Committee of Experts and amended 5.2.1.9.2 (d) accordingly.

Alternative methods for aerosols (6.2.4.3.2.2)

61. The Joint Meeting confirmed that these methods applied to aerosol cans not fitted with their valve, and that it would therefore be necessary to specify this in the United Nations Model Regulations.

7.5.11 CW/CV33

Informal document: INF.36 (Germany)

62. The amendments proposed were adopted (see annex 2).

Definition of “aerosol dispenser” (1.2.1)

Document: TRANS/WP.15/AC.1/2005/71 (FEA)

63. This proposal for harmonization with the Model Regulations was accepted (see annex 2).

Deliberate differences in relation to the United Nations Model Regulations

Document: TRANS/WP.15/AC.1/2005/42 (Secretariat)

64. The representative of Belgium requested that any text proposed by the working group on harmonization should in the future be the subject of explanations if it deviated from the United Nations Model Regulations.

Aquatic pollutants

Document: TRANS/WP.15/AC.1/2005/28 (Secretariat)

Informal documents: INF.53 (United Kingdom)
INF.19 (Belgium)

65. No other delegation had supported the proposal by the United Kingdom to re-open the discussion on the proposal for the harmonization of provisions concerning aquatic pollutants with those of the United Nations Model Regulations that had been rejected at the last Joint Meeting. There was therefore no new discussion of this topic.

NEW PROPOSALS FOR AMENDMENTS TO RID/ADR/ADN

Empty uncleaned means of containment (5.4.1.1.6)

Documents: TRANS/WP.15/AC.1/2005/11 (Austria)
TRANS/WP.15/AC.1/2005/35 (Belgium)
TRANS/WP.15/AC.1/2005/39 (Austria)

Informal documents: INF.11 (Belgium) from the March 2005 Joint Meeting
INF.24 (Belgium)

66. The representative of Austria accepted the amendments to his document TRANS/WP.15/AC.1/2005/39 proposed by Belgium in informal document INF.24; these amendments were also adopted by the Joint Meeting with some drafting changes (see annex 2).

67. With regard to 5.4.1.1.6.2.3, the representatives of Switzerland and the International Railway Transport Committee (CIT) said that in rail traffic the physical use of the same consignment note for the return of empty uncleaned means of containment was not possible. The matter was therefore referred to the RID Committee of Experts and the representative of Portugal said that he hoped that this possibility would be taken into account for multimodal equipment.

68. It was noted that the reference to 7.5.8.1 in paragraph 5.4.1.1.6.3 would have to be reconsidered at the next session. In effect, 7.5.8.1 only concerned vehicles or wagons that had carried packages, which was not a concern of 5.4.1.1.6.3.

Harmonization of the requirements for orange-coloured plate marking (5.3.2)

Document: TRANS/WP.15/AC.1/2005/27 (Germany)

69. The Joint Meeting agreed in principle that RID terminology should be brought into line with that of ADR (proposal 1), although it should nevertheless still be checked whether replacing the term “orange-coloured marking” by “orange-coloured plate marking” at certain points in the text was justified.

70. The Joint Meeting decided in favour (9 in favour and 7 against) of eliminating the possibility of using self-adhesive sheets for placarding tank wagons. This was an indicative vote for the RID Committee of Experts and was motivated in particular by the needs of the emergency services.

71. Where the maintenance of the alternative provision of non-reflectorized orange-coloured plate marking in rail traffic was concerned, the RID Committee of Experts was requested to reconsider the question in the light of a survey which UIC would conduct with the rail networks, since it was a question of safety in rail operations.

72. Transitional measures should, if appropriate, be envisaged for the latter two cases, particularly because of the costs of implementation.

73. The Joint Meeting adopted a proposal by the representative of Norway to apply the provisions concerning resistance to fire to all orange-coloured plates and not only to those bearing hazard identification and substance numbers. It also adopted his proposal that the orange-coloured plate should not become detached from its mount in the event of 15 minutes' engulfment in fire (see annex 2).

74. There was no consensus on the proposal to extend the duration of the resistance of orange-coloured plates to fire to 30 minutes, since some delegations considered that certain tanks would in any case not resist for more than 20 minutes; others thought that 15 minutes would be sufficient to ascertain the information on the plate and transmit it to the emergency services while others considered that steel plates with numbers embossed in relief could resist for 30 minutes if they resisted for 15 and still others believed that the cost of a measure of that nature was not justified by the benefits in terms of safety.

75. It was noted that apart from German domestic standards for reflectorized materials, there seemed to be no internationally accepted standards, except, possibly, ECE Regulation No. 104. Several delegations were therefore not convinced that it was appropriate to refer to standards to replace the existing particulars of the NOTE in 5.3.2.2.1. It was agreed that the matter could, however, be studied by the working group on standards, and the representative of Germany was requested to make the German standards PAS 1024 and PAS 1038 available to the Joint Meeting.

Visibility of the orange-coloured plate marking

Document: TRANS/WP.15/AC.1/2005/31 (Belgium)

76. The proposal that the orange-coloured plate marking of containers, tank-containers and portable tanks should be visible when they were loaded on wagons or vehicles was adopted with some changes (see annex 2).

Special provision 640

Document: TRANS/WP.15/AC.1/2005/29 (Belgium)

77. The proposal under 2.1 to restore the original text of provision 640, since the provision as amended on 1 January 2005 did not cover all special cases and was therefore difficult to interpret, was rejected (8 votes in favour and 11 against). The proposal under 2.2 requesting the deletion of this provision was withdrawn.

78. In this context, the representative of France drew attention to the entry into force in 2006 of the European Directive on road traffic checks which could have as a consequence the immobilization of vehicles if the necessary information was not available to prove that the regulations were being correctly applied.

Definition of the safety obligations of unloaders

Document: TRANS/WP.15/AC.1/2005/32 (Spain)

Informal document: INF.54 (United Kingdom)

79. The principle of the proposal by Spain was approved for the most part. The introduction of a definition for the unloader and a better differentiation of his obligations from those of the consignee would, however, be desirable. The representative of the United Kingdom recommended (INF.54) a more global approach and the representative of Portugal considered that there would be a need to envisage, in parallel with the distinction between loader and filler, a distinction between the unloader of packages and the unloader (discharger) of bulk goods and tanks whose obligations were not the same. Several delegations, however, felt that many of the obligations were already covered by those of the consignee.

80. The representative of Austria considered that it was time for an overall review of Chapter 1.4 on the basis of the experience acquired, particularly in view of the new COTIF Convention which envisaged other participants. The representative of Germany drew attention here to his document TRANS/WP.15/AC.1/2005/56 (obligations of the loader and consignee). He proposed that the document should not be discussed for the time being but that it should remain on the agenda.

81. The representative of Spain said that she would submit a redrafted proposal that would take into account the comments made and Germany's document TRANS/WP.15/AC.1/2005/56.

Carriage undertaken by the emergency services (1.1.3.1 (d))

Document: TRANS/WP.15/AC.1/2005/38 (Austria)

Informal documents: INF.31 (United Kingdom)
INF.66 (Austria/United Kingdom)

82. The Joint Meeting adopted an amendment to 1.1.3.1 (d) proposed in informal document INF.66 (see annex 2).

Exemptions relating to vehicle equipment containing gases (1.1.3.2 (d))

Document: TRANS/WP.15/AC.1/2005/40 (Germany)

83. The Joint Meeting adopted the proposal by Germany with some drafting changes (see annex 2).

Carriage of transport units ventilated after fumigation

Document: TRANS/WP.15/AC.1/2005/41 (Germany)

84. The Joint Meeting noted that Germany would submit a proposal to the DSC Sub-Committee of the International Maritime Organization on transport equipment under fumigation, concerning the fact that the danger could be reduced when this equipment underwent ventilation.

85. The Joint Meeting acknowledged that classification under UN No. 3359 could entail substantial economic consequences as a result of the additional costs linked to classification as dangerous goods, particularly when any danger could be removed by ventilation.

86. It was noted, however, that the existing requirements made provision for marking indicating the nature of the fumigant, its quantity and the date of fumigation, and that these particulars should enable the competent authority to ascertain, when these transport units were received in ports, whether there was any risk in follow-on carriage by land under specific conditions of ventilation, and consequently to decide whether carriage by land remained subject to the conditions required for UN No. 3359, in particular the use of plates.

87. Some delegations considered that a precautionary approach should be taken in the absence of specific criteria concerning the hazards presented by these transport units under fumigation. Specific criteria should therefore be developed, according to the method of fumigation, its length and possible conditions of ventilation, in order to determine cases for exemption.

Particulars in the consignment note/transport document

Document: TRANS/WP.15/AC.1/2005/44 (Belgium)

88. The proposal that the transport document should be required to indicate the place and date when it was made out, the signature of the consignor and the carrier, and the place and date of the handing over of the goods was put to the vote and rejected by 10 votes to 4.

Carriage of UN No. 1013 in cylinders up to 0.5 litre

Document: TRANS/WP.15/AC.1/2005/53 (Germany)

89. The proposal to transfer the provisions of the special multilateral agreement M144 and RID 3/2002 to the text of RID/ADR was adopted. The provisions adopted, however, were not included in 1.1.3.2 (g), nor in section 3.4.6 as proposed orally by certain delegations, but in a special 6xx provision in Chapter 3.3 (see annex 2).

IMO guidance on the continued use of existing IMO type portable tanks and road tank vehicles

Document: TRANS/WP.15/AC.1/2005/54 (United Kingdom)

90. The representative of the United Kingdom proposed that a footnote should be included in 1.1.4.3 with the aim of explaining the transitional measures of the IMDG Code. This proposal was adopted and supplemented by the types of tank concerned. The replacement proposed in the second proposal thus became superfluous (see annex 2).

Carriage of uncleaned static tanks (1.1.3.1)

Document: TRANS/WP.15/AC.1/2005/58 (United Kingdom)

Informal documents: INF.41 (Belgium)
INF.69 (United Kingdom)

91. It was decided to delete 1.1.3.2 (f) and to add a new 1.1.3.1 (f) to exempt empty uncleaned static tanks that had contained certain substances under certain conditions (see annex 2).

92. The representative of the European Commission hoped that national derogations from the intra-Community implementation of RID and ADR would be progressively eliminated and their proliferation avoided, and welcomed the United Kingdom's initiative.

Marking (6.2.1.7.2)

Document: TRANS/WP.15/AC.1/2005/60 (EIGA)

93. This proposal to reintroduce mandatory marking of water capacity for compressed and liquefied gases in order to verify the calculation in 1.1.3.6 was adopted (see annex 2).

Transport of receptacles for gases with obsolete labels or no labels

Document: TRANS/WP.15/AC.1/2005/61 (EIGA)

Informal document: INF.71 (EIGA)

94. The Joint Meeting adopted the addition of a paragraph to 5.2.2.2.1.2 in principle, permitting empty uncleaned pressure receptacles with obsolete labels to be carried under certain conditions. The secretariat would have to determine where it would be suitable to place this new provision (see annex 2).

Requirements for pressure receptacles not designed, constructed and tested according to standards

Document: TRANS/WP.15/AC.1/2005/67 (United Kingdom)

Informal documents: INF.43 (United Kingdom)
INF.68 (United Kingdom)

95. The proposal to amend 6.2.3 was adopted with changes and the addition of transitional provisions (see annex 2).

Reference to UIC leaflets (6.11.4.1 and 7.1.3)

Document: TRANS/WP.15/AC.1/2005/69 (UIC)

Informal document: INF.65 (UIC)

96. The proposals to amend the references to UIC leaflets were adopted (see annex 2).

Amendments to Table A in Chapter 3.2 and to 4.1.14.6 and 9.1.1.2

Informal document: INF.55 (OTIF secretariat)

97. The amendments proposed were adopted (see annex 2).

Amendments to be confirmed

Informal documents: INF.57 (Secretariat)
INF.15 (Germany)

98. The Joint Meeting confirmed the amendments placed in square brackets in previous Joint Meeting reports with some changes (see annex 2).

REPORTS OF INFORMAL WORKING GROUPS

Informal working group on Chapter 6.2

Document: TRANS/WP.15/AC.1/2005/47 (EIGA)

Informal documents: INF.12 (EIGA)
INF.13 (EIGA)
INF.25 (Switzerland)

99. The Joint Meeting took note with satisfaction of the work of the informal working group on Chapter 6.2 which had met on 18 April, 20 May and 9 and 10 June 2005, and had produced a revision of Chapter 6.2.

100. It agreed that it would be premature to bring this revision into force on 1 January 2007 and that it would be preferable to continue working to incorporate the principles of the European Transportable Pressure Equipment Directive (“TPED Directive”) into RID and ADR. The working group on Chapter 6.2, while conserving the gains of the work already achieved, should consider arrangements for evaluating conformity bearing the Directive in mind. Since the TPED Directive also concerned gas tanks, the working group on tanks should at the same time consider the same issues in cooperation with the informal working group on Chapter 6.2; a consistent consolidated proposal should be submitted to the Joint Meeting in order to ensure the entry into force of these provisions on 1 January 2009.

101. Several delegations noted that the incorporation of the provisions of the European TPED Directive into RID/ADR would not necessarily involve the principle of the reciprocal recognition of approvals under national law concerning the use of pressure receptacles in non-European Union countries. It was, however, pointed out that it would at least permit the reciprocal recognition of inspection and approval bodies.

Informal document: INF.52 (AEGPL)

102. The representative of AEGPL announced that he would submit a new official proposal to amend 6.2.1.6 for the next meeting. He was requested to take into account the comments made and in particular not to envisage procedures and provisions that would apply only to national transport in a single country and that would be contrary to the RID and ADR framework directives.

Report of the informal working group on the examination of the safety adviser in accordance with 1.8.3 (Madrid, 6 and 7 June 2005)

Document: TRANS/WP.15/AC.1/2005/48 (Spain)

Informal document: INF.10 (Spain)

103. The addition to 1.8.3.10 concerning the independence of the examining body vis-à-vis the training body was the subject of a lengthy discussion. It was pointed out that, according to paragraph 3 of the report, it was possible for the examining body and the training body to belong to the same legal entity but that this did not appear in the proposed text. A proposal set out in an in-session document stipulating that the examining body must be administratively and commercially independent of any organization in which the candidate had been trained was supported by only five delegations. The basic proposal contained in document TRANS/WP.15/AC.1/2005/48 was finally adopted (16 votes in favour) (see annex 2).

104. The proposal to guarantee anonymity in 1.8.3.12.2 was not adopted (11 votes in favour, 11 against).

105. The proposal in 1.8.3.12.5 to permit the use of electronic presentations in the oral examination was not adopted (no votes in favour), since the arrangements for using electronic devices were set out in 1.8.3.12.4.

106. The other proposals from the working group were accepted (see annex 2).

107. The Joint Meeting decided to deal with the issues pending (data bases, harmonization of examination conditions and difficulty level, procedure for exchange of questionnaires) at the next meeting and then to set up a small specialized working group (see paragraph 11 of the working group's report).

Informal working group on overpacks

Informal document: INF.26 (FIATA)

108. The working group's proposals were adopted, with the exception of the proposal to include on the overpack the markings for which 5.2.1 provided in addition to the UN number, and the proposal concerning the obligations of the loader in 1.4.3.1 which should be the subject of discussion at a later date (see annex 2).

109. The United Nations Sub-Committee of Experts on the Transport of Dangerous Goods should be informed accordingly.

FUTURE WORK

Document: TRANS/WP.15/AC.1/2005/65 (Secretariat)

Informal document: INF.29 (Secretariat)

110. The Joint Meeting approved in principle the draft programme of work to be submitted to the WP.15 Working Party with reference to Inland Transport Committee activity 02.7 (c). In its view, the five topics the Committee considered to be pertinent (development of Europe-Asia transport links; use of telematics and smart transport systems; European integration; transport security; globalization of the world economy and implications for transport) were duly taken into account in its programme of work. It considered that special efforts needed to be made to improve cooperation with OSZhD and to bring annex 2 of the Agreement on International Goods Transport by Rail (SMGS Convention) into line with RID/ADR/ADN in order to encourage the development of Europe-Asia transport links.

111. The representative of OSZhD said that annex 2 of the SMGS Convention had been brought into line as far as possible with the 2001 version of RID, that it was planned to prepare a new version which would be brought into line with RID 2005, and that the objective was as complete a harmonization as possible for 2007, although account must be taken of the specific features of current practices of Eastern countries, particularly for the transport of tank wagons.

Informal working group on the carriage of waste

Informal document: INF.35

112. The Joint Meeting took note of the intention of the Government of Germany to organize an informal working group on the carriage of waste in Bonn on 15 and 16 November 2005.

Informal documents pending

113. The authors of informal documents that had not been discussed during the current session were requested to confirm to the secretariat whether they intended to place them on the agenda for the next session.

ELECTION OF OFFICERS FOR 2006

114. On the proposal of the representative of the United Kingdom, the Joint Meeting re-elected Mr. C. Pfauvadel (France) as Chairman and Mr. H. Rein (Germany) as Vice-Chairman for 2006.

MISCELLANEOUS

Radioactive scrap metal

Informal document: INF.22 (Secretariat)

115. The Joint Meeting took note of the UNECE project to monitor radioactively contaminated scrap metal.

Application for consultative status (EPBA)

Informal document: INF.38

116. The Joint Meeting granted consultative status to EPBA.

Tribute to Mr. Chris Jubb (EIGA)

117. The Joint Meeting noted that Mr. Chris Jubb (EIGA) would no longer be taking part in its work and paid tribute to his distinguished contribution to the work on receptacles for gases.

Condolences

118. On behalf of the Joint Meeting, the Chairman offered his sincere condolences to the delegation of Austria on the announcement of the death of Mr. Michael Twaroch who had participated for many years in the work of the Joint Meeting.

ADOPTION OF THE REPORT

119. The Joint Meeting adopted the report of its autumn 2005 session and its annexes on the basis of a draft prepared by the secretariat.
