
COMMITTEE OF EXPERTS ON THE TRANSPORT OF DANGEROUS GOODS AND ON THE GLOBALLY HARMONIZED SYSTEM OF CLASSIFICATION AND LABELLING OF CHEMICALS

Sub-Committee of Experts on the Transport of Dangerous Goods

Thirty-second session
Geneva, 3-7 December 2007
Item 6 of the provisional agenda

MISCELLANEOUS PROPOSALS OF AMENDMENTS TO THE MODEL REGULATIONS ON THE TRANSPORT OF DANGEROUS GOODS

Provisions Concerning Training: Comments on ST/SG/AC.10/C.3/2007/54

Transmitted by the Expert from Canada

1. The Expert from Canada appreciates the proposal from DGAC and VOHMA in ST/SG/AC.10/C.3/2007/54 and also appreciates that there is experience in the United States with a similar requirement in 49 CFR.
2. However, the proposal does not address what the Expert from Canada believes is a fundamental problem with the changes adopted at the last session, that is replacing "shall receive" by "shall have received" in paragraphs 1.3.1, 1.3.2 and 1.5.2.7. The problem is that these changes indicate that "shall" in Chapter 1.3 does not have the same meaning as "shall" in the rest of the Model Regulations. In addition, the proposal in ST/SG/AC.10/C.3/2007/54 includes setting a time limit on when training must be completed and the Expert from Canada does not agree that such a requirement is necessary or helpful.

Proposal

3. Revise the text in ST/SG/AC.10/C.3/2007/54 as follows:

"Persons engaged in the transport of dangerous goods shall be trained in the contents of dangerous goods requirements commensurate with their responsibilities. An employee shall be trained in accordance with 1.3.2 before assuming his or her responsibilities and shall only perform functions for which required training has not yet been provided under the direct supervision of a trained person. Training requirements specific to security of dangerous goods in Chapter 1.4 shall also be addressed."

As a consequential amendment, if the revision to the Model Regulations above is accepted, replace the words "shall have received" in 1.3.2 and 1.5.2.7 by the following:

- 1.3.2: replace the last words of the preamble "shall receive the following training" by "shall be trained in the following:"
- 1.3.2(a)(i): Each person shall **be trained to provide familiarity** with the general provisions of dangerous goods transport requirements;"

- 1.3.2(b): *Function-specific training*: Each person **shall be trained in** specific dangerous goods transport requirements which are applicable to the function that person performs;
- 1.3.2(c): *Safety training*: Commensurate with the risk of exposure in the event of a release and the functions performed, each person **shall be trained** on:
- 1.5.2.7: Workers **shall be appropriately trained** concerning the radiation hazards involved and the precautions to be observed in order to ensure restriction of their exposure and that of other persons who might be affected by their actions.

The proposed revision to ST/SG/AC.10/C.3/2007/54 establishes when training must take place, and it is clearly not a future action, and also establishes that functions for which training has not yet been provided can only be performed under the direct supervision of a trained person. The proposed consequential amendments to 1.3.2 and 1.5.2.7 further clarify that the required training is not a future action which is the connotation of "shall receive" and which prompted the Expert from Sweden to suggest a change to the text at the last meeting. As well, the consequential amendments to 1.3.2 and 1.5.2.7 align the text more closely with the structure of the rest of the text in Chapter 1.3. For example,

- At the end of 1.3.1, the text reads; "...*shall also be addressed.*"
- In 1.3.3, the text reads; "Records of all safety training *shall be kept...*"
- In 1.3.4, first line, the text reads; "The training required by 1.3.2 *shall be provided or verified* upon employment..."
- In 1.3.4, the second line reads "...and *shall be periodically supplemented.*"
