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ECONOMIC COMMISSION FOR EUROPE

INLAND TRANSPORT COMMITTEE

Working Party on the Transport of Dangerous Goods

Eighty-sixth session
Geneva, 4-8 May 2009
Item 7 of the provisional agenda

ISSUES RELATED TO SECURITY

Questionnaire on the implementation of Chapter 1.10

Note by the Chairman *

1. The Inland Transport Committee, at its 70th session, requested that its Working Parties should assess the implementation of chapter 1.10 of ADR, with the assistance of the other relevant international organizations (refer to ECE/TRANS/WP.15/197, par. 6-10).
2. In accordance with this request, the Chairman has prepared for circulation to the Contracting Parties to ADR the following questionnaire on the basis of the questionnaire that was submitted to the European Union and European Economic Area countries for the European Commission study on the application and suitability of the security requirements for the three land transport modes.
3. As agreed by WP.15 at its eighty-fifth session (refer to ECE/TRANS/WP.15/199, par. 35-36), the Chairman circulated this questionnaire to Contracting Parties to ADR that were not members of the European Union nor of the European Economic Area so as to complete the European Commission study for all the Contracting Parties to ADR.

* In accordance with the report of the Inland Transport Committee, on its 70th session, (ECE/TRANS/200, Part IX, TRANSPORT AND SECURITY).

Questionnaire

A) ADR application of the provisions

- 1) Do you consider the provisions of Chapter 1.10 are adequate (clear and comprehensive)?

If you believe that new provisions or additional expansion or simplification is required then please give examples.

- 2) Is the list of High Consequence Dangerous Goods (HCDG) comprehensive?

Should any substances be added or removed?

Are the threshold levels set at the appropriate levels?

Should a distinction be made between high risk and lower risk HCDG? For example should tanks of toxic gases or highly flammable liquids or gases be subject to more stringent controls?

- 3) What do you think is the most probable scenario for a terrorist action in relation to the transport of dangerous goods?

- 4) What degree of severity should dangerous goods security regulations be designed to protect against? For example should the regulations be aimed at protecting against any terrorist incident however small or only against severe incidents such as those likely to cause death or serious injury of a substantial number of people or cause significant damage to infrastructure that would have a serious economic impact on society?

- 5) Do you find deficiencies in the security provisions and if so what are the most common?

- 6) Do you believe there should be regular enforcement visits by inspectors?

- 7) (Reserved)*

- 8) Should there be a requirement for a designated security manager? Should there be an extension of DGSA duties to cover this aspect?

- 9) Are there any difficulties in complying with both the chapter 1.10 rules and other rules in the supply chain?

- 10) Are there any best practices from other aspects of the supply chain which could be included in chapter 1.10 provisions?

- 11) Are you aware of any inconsistencies between the text of chapter 1.10 and the rest of ADR? If so what are they and how should they be resolved?
- 12) Can you identify any benefits that have resulted from the HCDG provisions?
- 13) How should driver training courses cover the responsibilities of chapter 1.10?
- 14) Should DGSA's be expected to have a wider knowledge of security measures both in the examinations and the day to day work?
- 15) Should there be an additional mandatory training regime for employees involved in transport operations involving HCDG?
- 16) Are there any specific HCDG measures that you think do not provide any additional security benefits?
- 17) Are you aware of the security rules that apply to dangerous goods in air and sea transport?

Do you consider that they conflict in any way with the provisions of ADR?

- 18) Should companies involved in the transport of HCDG (chemical companies, carriers etc) be required to be registered with the competent authority?

B) Telematics, tracking and tracing

- 1) Should vehicles be fitted with tracking devices when carrying HCDG?
- 2) Should there be mandatory routing of trucks carrying HCDG as far as reasonably practicable?
- 3) If mandatory routing is in place in your territory, do you feel that this helps or hinders security?
- 4) Are HCDG movements in your territory timed to avoid overnight stops where possible?
If overnight stops are necessary are secure parking facilities identified and pre-booked?

How far is it appropriate to deviate from a defined route to enable a vehicle to stop in a secure parking location?

- 5) Do you consider that mandatory use of telematics/Radio Frequency Identification would improve security?
- 6) Do you see a role for telematics generally for dangerous goods?
- 7) Have any tracking requirements been applied within your territory on any vehicles carrying HCDG?

C) High consequence dangerous goods

- 1) Should there be more substances on the list of dangerous goods e.g. Class 3 PGIII, Class 1.4 or 5.2? Are the threshold limits set at the right levels?
- 2) Should there be a set of higher consequence dangerous goods with even more requirements e.g. Class 6.2 Category A pathogens?
- 3) When Chapter 1.10 was drafted at UN the general security provisions were applicable to all dangerous goods including limited quantities. Subsequently following decisions at the Joint Meeting limited quantities have been removed and in ADR the provisions do not apply to dangerous goods that fall below the thresholds in 1.1.3.6.2. Do you believe that this is a reasonable approach?

If so are you aware that there are organic peroxides and self reactive substances with explosive sub risks that are not subject to any security provisions?

This question also applies to a number of Class 1 substances and some toxic gases.

D) Specific questions for Governments and Government Agencies

- 1) Since the application of chapter 1.10, have you made/given any additional advice to industry on the way the rules are applied in your territory?

If so please provide details.
- 2) What is your policy on carrying out transport security checks or audits on those companies in your territory that transport high HCDG?
- 3) Have you visited all companies who are involved in the transport of HCDG in your country?
- 4) What is your policy on registration of companies/organizations that transport HCDG?

For example have you required companies to register with the competent authority? If so please provide some details.

- 5) (Reserved).*
- 6) Are regular checks and inspections carried out by enforcement staff? If so are the enforcement staff specialists in:
- dangerous goods
 - transport security
 - both
- 7) Should the UNECE dangerous goods working party continue to lead on this subject? Or should UN transport security bodies be more involved?
- 8) For those companies involved in the transport of HCDG do you require separate training from the general requirements set out in Chapter 1.3, 1.8 and 8.2 of the ADR? Please give details.

* Only for EU Member States.
