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Working Party on the Transport of Dangerous Goods

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

Bern, 22-26 March 2010

Item 5 (b) of the provisional agenda

PROPOSALS FOR AMENDMENTS TO RID/ADR/ADN

New proposals

Amendments to Transitional Measures

Transmitted by the Government of the United Kingdom^{1, 2}

Summary

Executive summary:	The United Kingdom seeks to bring the applicability dates in RID/ADR/ADN concerning the transitional measures to be adopted for substances of classes 1 to 9 which have not applied the requirements of 2.2.9.1.10, 5.2.1.8 and 5.3.6 into line with the applicability dates in the IMDG code so as to avoid modal disharmony.
Action to be taken:	To amend RID/ADR/ADN accordingly.
Related documents:	ECE/TRANS/WP.15/AC.1/116, paragraphs 64 to 66; OTIF/RID/CE/2009/11 and informal document INF.23 of the November 2009 RID Committee of Experts.

¹ In accordance with the programme of work of the Inland Transport Committee for 2006-2010 (ECE/TRANS/166/Add.1, programme activity 02.7 (c)).

² Circulated by the Intergovernmental Organisation for International Carriage by Rail (OTIF) under the symbol OTIF/RID/RC/2010/26.

Introduction

1. In the forty-seventh session of the RID Committee of Experts meeting texts were adopted to amend or delete some of the transitional measures contained within Chapter 1.6 of RID as it was accepted that they were no longer applicable with the entry into force of RID 2011. Informal document INF.23 submitted by the OTIF Secretariat contained the proposed amendments.

2. The United Kingdom delegation commented that the proposed deletion of 1.6.1.17 would have to be considered with the newly adopted text contained within 1.6.1.19 (as presented in OTIF/RID/CE/2009/11), as both of these transitional measures relate to provisions for the classification of environmentally hazardous substances. In effect 1.6.1.19 is a transitional measure which extends the existing transitional measure of 1.6.1.17.

3. The United Kingdom subsequently agreed to submit a proposal for the March 2010 Joint Meeting which would seek to amend the drafting of the provision. The proposal presented below uses the existing text from 1.6.1.17 but changes the applicability date for the provision.

Proposal

4. Amend 1.6.1.19 of RID/ADR/ADN to change the applicability dates as follows:

“1.6.1.19 Substances of classes 1 to 9 other than those assigned to UN Nos. 3077 or 3082 to which the classification criteria of 2.2.9.1.10 have not been applied and which are not marked in accordance with 5.2.1.8 and 5.3.6 may still be carried until ~~31 December 2010~~ 31 December 2013 without application of the provisions concerning the carriage of environmentally hazardous substances.”.

5. Amend 1.6.1.17 to read as follows:

“1.6.1.17 (Deleted)”.

Justification

6. The September 2009 Joint Meeting noted that the implementation of the new GHS criteria relating to substances hazardous to the aquatic environment might be delayed in the case of maritime transport (IMDG Code) due to the procedures for amending the MARPOL Convention. It was agreed that if the IMO was not able to include the criteria of the GHS in the next edition of the IMDG Code, then transitional measures would have to be envisaged so that multimodal transport would not be impeded (ECE/TRANS/WP.15/AC.1/116, paragraphs 64 to 66).

7. During the December 2009 meeting of the Sub-Committee of Experts on the Transport of Dangerous Goods, the IMO advised that GHS criteria should be incorporated into the IMDG Code in amendment (36-12) which would mean the provisions would only enter into force for the maritime sector on a mandatory basis from 1st January 2014.

8. The proposal presented above seeks to extend the existing transitional measure for the provisions concerning the carriage of environmentally hazardous substances to ensure consistency between all modes.
