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ECONOMIC COMMISSION FOR EUROPE

INLAND TRANSPORT COMMITTEE

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

Ad hoc Working Group on the Harmonization of RID/ADR/ADN
with the UN Recommendations on the Transport of Dangerous Goods

Geneva, 17-19 May 2011

Special provision 363

Transmitted by the Government of Finland

1. Document ECE/TRANS/WP.15/AC.1/HAR/2011/1 includes draft proposals prepared by the secretariat for the harmonization of RID/ADR/ADN with the seventeenth revised edition of the UN Recommendations on the Transport of Dangerous Goods.
2. There is the new special provision 363 in 3.3.1 for the entries of UN 1202, 1203, 1223, 1268, 1863 and 3475. SP 363 gives the conditions when other provisions of RID/ADR/ADN shall not apply in the carriage of dangerous goods in means of containment (other than vehicles) integral to equipment or machinery (e.g. generators, compressors, heating units, etc) as part of their original design type.
3. Finland is of the opinion that there are several possibilities to use exemptions in this kind of carriage. It might be more user-friendly to identify what is the scope of exemptions.
4. For example, one can have a compressor which has fuel in its means of containment. At the moment one can choose to use the exemption of 1.1.3.1 (b) – exemption for machinery and equipment, and similarly for UN 3363 – or the exemption of 1.1.3.1 (c) depending on the amount to be carried if the delivery to a building site is in question.
6. Who would apply SP 363 provisions if above mention exemptions are possible?

¹ Informal document. Not issued as an official United Nations document. Circulated only to delegations participating in the work of the Joint Meeting of the RID Committee of Experts and the Working Party on the Transport of Dangerous Goods.

7. UN 3363 and 1.1.3.1 (b) of RID/ADR/ADN does not limit the amount of dangerous goods like the Model Regulations. Regulations in the Model Regulations limits the goods to be the goods that are authorized for LQ carriage as residue or an integral element of the machinery or apparatus and the quantity shall not exceed the LQ amount.

8. If this kind of limitation for the scope of 1.1.3.1 (b) and UN 3363 is meant to be also in RID/ADR/ADN one possibility to do it is to add the few first sentences of SP301 of the Model Regulations for UN 3363. Then 1.1.3.1 (b) might be redundant and could be deleted, or alternatively the text could be amended to refer to UN 3363.

9. Finland thinks that the biggest amounts of carried dangerous goods under the exemption 1.1.3.1 (b) and UN 3363 consist of machinery and equipment that contain fuels. It is noted that 1.1.3.1 (b) covers all the dangerous goods, not only fuels. Therefore, if the scope of 1.1.3.1 (b) is not wanted to be limited as mentioned above (LQ goods and LQ amounts), alternatively a wording such as “UN 1202, 1203, 1223, 1268, 1863 and 3475 in means of containment integral to equipment or machinery as part of their original design type do not fall within the scope of this exemption. [(See special provision 363 of 3.3.1.)]” could be added to 1.1.3.1 (b).

10. The questions related to the exemptions of 1.1.3.1 (c) and 1.1.3.3 (a) may still remain but an attempt should be made to solve them more widely – not only in the scope of SP 363.
