

Economic Commission for Europe

Inland Transport Committee

10 January 2011

Working Party on the Transport of Dangerous Goods

Joint Meeting of Experts on the Regulations annexed to the European Agreement concerning the International Carriage of Dangerous Goods by Inland Waterways (ADN) (ADN Safety Committee)

Eighteenth session

Geneva, 24–27 January 2011

Item 4 of the provisional agenda

Proposals for amendments to the Regulations annexed to ADN

Need to translate documents - 8.1.2.1 and 7.2.2.5

Submitted by EBU

Introduction

1. Although the EBU appreciates Multilateral Agreement M001 which, at this moment, is signed between Germany and the Netherlands, we believe this agreement will not avoid significant operational impossibilities and an unnecessarily high burden. With the introduction of the ADN regulations, the Dutch language being a formal language has unfortunately disappeared. This requirement has caught our representatives off guard and therefore the industry was not informed until September 2010. With the majority of IWT (Inland Waterway Transport) vessels and companies being registered in the Netherlands, this development will lead to the mandatory translation of numerous documents on board of the vessel. Since the ADR and RID have similar responsibilities with regards to the language of shipping papers mentioned in article 5.4, the EBU would only like to focus on those documents mentioned in 8.1.2.1 and 7.2.2.5. The amount of documents that need to be translated with the implementation of this regulation is very significant and will create a huge financial burden as well as impossibilities for formal documents which have been submitted and can no longer be officially translated. These burdens are most likely to be felt by Dutch and Belgium registered ship owners. The IWT fleet is registered as follows:

Neth	Germany	France	Belgium	Aus	Switz
9438	4246	1705	2091	230	139

Source: IVR

Background

7.2.2.5 Instructions for the use of devices and installation

Where specific safety rules have to be complied with when using any device or installation, instructions for the use of the particular device or installation shall be readily available for consultation at appropriate places on board in the language normally spoken on board, and also, if that language is not English, French or German, in English, French or German unless agreements concluded between the countries concerned in the transport operation provide otherwise.

8.1.2.1 In addition to the documents required by other regulations, the following documents shall be kept on board:

- a) The vessel's certificate of approval referred to in 8.1.8;
- b) Transport documents referred to in 5.4.1 for all dangerous goods on board and, where necessary the container packing certificate (see 5.4.2);
- c) The instructions in writing prescribed in 5.4.3;
- d) A copy of the ADN with the latest version of its annexed Regulations which may be a copy which can be consulted by electronic means at any time.
- e) The inspection certificate of the insulation resistance of the electrical installations prescribed in 8.1.7.
- f) The inspection certificate of the fire-extinguishing equipment and fire hoses prescribed in 8.1.6.1
- g) A book in which all required measurement results are recorded;
- h) A copy of the relevant text of the special authorizations referred to in 1.5 if the transport operation is performed under this/these special authorization(s);
- i) Means of identification, which include a photograph, for each crew member, in accordance with 1.10.1.4
- j) The checklist of a certificate showing the result of the check drawn up by the competent authority which carried it out, referred to in 1.8.12. The most recent list or certificate shall be kept on board;

8.1.2.2 In addition to the documents prescribed in 8.1.2.1 the following documents shall be carried on board dry cargo vessels:

- a) The loading plan prescribed in 7.1.4.11;
- b) The ADN specialized knowledge certificate prescribed in 8.2.1.2;
- c) For vessels complying with the additional requirements for double-hull vessels:
 - damage control plan
 - the documents concerning intact stability as well as all conditions of intact stability taken into account for the damaged stability calculation in a form the master understands;
 - the certificate of the classification society (see 9.1.0.88) or 9.2.0.88)

8.1.2.3 In addition to the documents prescribed in 8.1.2.1, the following documents shall be carried on board tank vessels:

- a) The cargo stowage plan prescribed in 7.2.4.11.2;
- b) The ADN specialized knowledge certificate prescribed in 7.2.3.15;
- c) For vessels which have to conform to the conditions of damage control (see 9.3.1.15, 9.3.2.15 or 9.3.3.15)
 - a damage control plan;
 - the documents concerning intact stability as well as all conditions of intact stability taken into account for the damaged stability calculation in a form the master understands;
- d) The documents concerning the electrical installations prescribed in 9.3.1.50, 9.3.2.50 or 9.3.3.50
- e) The classification certificate prescribed in 9.3.1.8, 9.3.2.8 or 9.3.3.8;

- f) The flammable gas detector certificate prescribed in 9.3.1.8.3, 9.3.2.8.3 or 9.3.3.8.3;
- g) The certificate listing all dangerous goods accepted for carriage in the vessel, referred to in 1.11.1.2.5;
- h) The inspection certificate for the pipes for loading and unloading prescribed in 8.1.6.2;
- i) The instructions relating to the loading and unloading flows prescribed in 9.3.2.25.9 or 9.3.3.25.9
- j) The inspection certificate for the stripping installation prescribed in 8.6.4.2
- k) In the event of the carriage of goods having a melting point ≥ 0 C, heating instructions
- l) The inspection certificate for the pressure relief and vacuum relief valves prescribed in 8.1.6.5 except for open type N tank vessels, or open type N vessels with flame arresters;
- m) The registration document referred to in 8.1.11
- n) For the carriage of refrigerated substances, the instruction required in 7.2.3.28 and
- o) The certificate concerning the refrigeration system, prescribed in 9.3.1.27.10

8.1.2.8 All documents shall be drawn up in a language the master is able to read and understand and if that language is not English, French or German, in English, French or German unless agreements concluded between the countries concerned in the transport operation provide otherwise.

Proposal

2. In order to avoid the extensive and in some cases impossible impact of reproducing formal documents which accompany the vessel and certain procedures, the EBU would like to propose that this requirement come into effect only for new documents distributed after 31 December 2012. The acceptance of documents in the Dutch language has not led, to our knowledge, to any reported incidents in the period from 1971 till now, the period in which the ADNR was applicable.

3. Modify 8.1.2.8 as follows:

"8.1.2.8 All documents shall be drawn up in a language the master is able to read and understand and if that language is not English, French or German, in English, French or German unless agreements concluded between the countries concerned in the transport operation provide otherwise. The requirement to have these documents in the languages mentioned shall be applicable for documents distributed after 31 December 2012."

4. Modify 7.2.2.5 as follows:

"7.2.2.5 Instructions for the use of devices and installation

Where specific safety rules have to be complied with when using any device or installation, instructions for the use of the particular device or installation shall be readily available for consultation at appropriate places on board in the language normally spoken on board, and also, if that language is not English, French or German, in English, French or German unless agreements concluded between the countries concerned in the transport operation provide otherwise. The requirement to have these documents in the languages mentioned shall be applicable for documents distributed after 31 December 2012."