

Economic Commission for Europe

Inland Transport Committee

Working Party on the Transport of Dangerous Goods

Ninety-ninth session

Geneva, 9-13 November 2015

Item 6 (b) of the provisional agenda

Proposals for amendments to Annexes A and B of ADR miscellaneous proposals

3 November 2015

Draft proposal to amend sub-section 5.4.1.1.1. (f)

Transmitted by the European Chemical Industry Council (CEFIC)

Summary

Executive summary: The draft proposal submitted by International Road Transport Union (IRU) intends to indicate additionally the sum of the values in points per transport category according to sub-section 1.1.3.6.3. CEFIC opposes this proposal as it is impracticable for many consignors and it may trivialize the safety awareness in transport of dangerous goods.

Reference documents: ECE/TRANS/WP.15/2015/14.

1. Sub-section 1.1.3.6 allows an exemption from many provisions of ADR however not from all provisions. When applying the exemption 1.1.3.6, for example, the packages of dangerous goods have to be labelled and marked according to the ADR provisions, a transport document has to be provided with required information. Various other provisions have to be complied too.
2. Most of exemptions of subsection 1.1.3.6 are intended to simplify the physical shipment process at the carrier. For example the orange plates according to chapter 5.3 need not to be displayed, instructions in writing according to section 5.4.3 are not required and the drivers do not need the full training according to section 8.2.
3. The use of the exemption 1.1.3.6 is mainly in the interest of the forwarder and the carrier and it is an integral part of the transport planning routine. Usually the consignor is not informed in advance that the carrier intends to use 1.1.3.6. Therefore the consignor prepares his documents according to ADR provisions.
4. IRU's proposal to shift the full responsibility about the acceptance or refuse of a consignment to the driver is the wrong approach. Furthermore it is not a common practice that the driver decides at the loading point about the acceptance of a cargo in terms of sub-section 1.1.3.6. This decision has to be part of the transport planning process and shall be executed by the transport or delivery tour planner in advance based on the information required in existing sub-section 5.4.1.1. (f).
5. Although an ADR certificate of driver's training is not required in terms of sub-section 1.1.3.6, a training of persons in the carriage of dangerous goods according to chapter 1.3 is mandatory for a driver and a transport planner. This training must contain also such calculation methods when applicable for the transport activities. A simplified reduction of this issue to the question "less 1000 points?" without the background may

create a wrong impression that the transport is not subject of ADR at all. This must be avoided.

6. CEFIC's opinion is that the existing wording of 5.4.1.1.1 (f) is properly justified and does not need to be amended. The processes are well established since years and underline clearly the responsibility of the involved parties.

CEFIC asks the delegates of the Working Party to take these arguments into consideration in their discussion.
