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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**

Bern, 23–27 March 2015

Item 5 (b) of the provisional agenda

**Proposals for amendments to RID/ADR/ADN:  
new proposals****Carriage of pressure receptacles approved by the  
Department of Transportation of the United States of  
America****Transmitted by the European Industrial Gases Association (EIGA)<sup>1,2</sup>***Summary*

<b>Executive summary:</b>	Multilateral Agreement 237 expires on 1 June 2016 and this document discusses ways of permitting the continued distribution of DoT pressure receptacles after that date.
<b>Action to be taken:</b>	Recommend the route to be taken to permit the continuation of the practice allowed by Multilateral Agreement 237.
<b>Related documents:</b>	Multilateral Agreement 237.

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<sup>1</sup> In accordance with the programme of work of the Inland Transport Committee for 2014–2015 (ECE/TRANS/240, para. 100, ECE/TRANS/2014/23, cluster 9, para.9.2).

<sup>2</sup> Circulated by the Intergovernmental Organisation for International Carriage by Rail (OTIF) under the symbol OTIF/RID/RC/2015/4.

## Introduction

1. Intercontinental trade in high value scarce or high purity gases continues to make a vital economic contribution to industries such as the fabrication of semiconductors. This trade will not diminish and means are needed to continue to allow the distribution of cylinders approved by the Department of Transport of the United States of America (DoT). This paper discusses two routes that might be followed.

2. Multilateral agreement M237 limited its application to DoT cylinders manufactured before 1 January 2011, in order to persuade cylinder owners to change over to UN cylinders. However, such a changeover will be slow because these cylinders are expensive due to the need for high purity and have a very long life. Also, UN cylinders are not, as yet, the universal answer to intercontinental trade since the United States and Canada only recognise UN cylinders bearing United States or Canadian approval. Some work is in hand at the United Nations Sub-Committee of Experts on the Transport of Dangerous Goods to promote the wider use of UN cylinders, but this again will take a long time.

## Proposal 1: issue a new Multilateral Agreement

3. A new multilateral agreement repeating the text of M237 is possible, but would breach the rule that such agreements shall expire after five years for the second time. Given that the above paragraph predicts that there will be a need for the agreement for more than five years, further breaches are likely.

## Proposal 2: adopt a transitional provision in section 1.6.2

4. The suggested text for a transitional provision is as follows.

1.6.2.XY Until 31 December 2030 the gases and liquids listed in the tables of 4.1.4.1 P200 of RID/ADR imported in accordance with 1.1.4.2 in refillable pressure receptacles manufactured before 1 January 2011 and approved by the United States Department of Transportation may be carried from the location of temporary storage to the end-users under the following conditions:

1. When imported from a non-RID Member State/non-ADR Contracting Party, the conformity of the refillable pressure receptacles to this agreement shall be verified and recorded by the consignor. The verification record shall be kept for five years to allow for inspection by the competent authority and shall include the identification of the pressure receptacles, the date of their manufacture, the name of the person making the verification and the date.
2. The pressure receptacles shall be marked and labelled in accordance with Chapter 5.2 of RID/ADR.
3. All relevant requirements of RID/ADR with regard to filling ratios and periodic testing frequency shall be fulfilled.
4. When empty, the pressure receptacles shall not be refilled and shall be re-exported to the country of origin.
5. The consignor for the RID/ADR journey shall include the following entry in the transport document:  
“Carriage in accordance with RID/ADR/ADN 1.6.2.XY”.

## Justification

5. A different temporary arrangement having a longer life than five years is necessary. Multilateral agreement M237 introduced the new condition that the DoT pressure receptacles must be manufactured before 1 January 2011. This was done to encourage the cylinder owners to introduce UN cylinders so that a transition can be made to a regime where DoT pressure receptacles are not used. It therefore seems appropriate that the requirements to facilitate this carriage should be given in a transition measure in Chapter 1.6.

6. The proposed provision specifies an end date that will remove uncertainty and allow industry to plan and execute a progressive changeover to UN cylinders.

7. EIGA does not see a need to repeat the derogations in M237 from 6.2.3.4 (initial inspection and test), 6.2.3.5 (periodic inspection and test) 6.2.3.6 (approval of pressure receptacles), 6.2.3.7 (requirements for manufacturers), 6.2.3.8 (requirements for inspection bodies) and 6.2.3.9 (marking of refillable pressure receptacles in RID/ADR since it is self evident that pressure receptacles approved by DoT will not meet the detailed requirements of RID/ADR.

8. If this proposal is adopted a multilateral agreement of six months duration will be needed to cover the period from 1 June 2016 to 31 December 2016.

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