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Item 5 (b) of the provisional agenda

**Proposals for amendments to annexes A and B of ADR:
miscellaneous proposals**

Marking of containers loaded with limited quantities and tunnel restrictions

Transmitted by the Government of Switzerland*

Summary

Executive summary:	Transport units and containers containing limited quantities are subject to restrictions for passage through tunnels of category E in accordance with 1.9.5.3.6. However, the text aimed at users in 8.6.3.3 and 8.6.4 does not mention the restriction for containers. The proposal is to add a reference to containers in 8.6.3.3 and 8.6.4.
Action to be taken:	Amend the text of 8.6.3.3 and 8.6.4.
Related documents:	Informal document INF.23 of the 104th session of the Working Party, ECE/TRANS/WP.15/AC.1/2018/14 and OTIF/RID/CE/GTP/2017/9 (Sweden), ECE/TRANS/WP.15/2019/7 and informal document INF.7 of the 106th session of the Working Party.

* In accordance with the programme of work of the Inland Transport Committee for 2018–2019, (ECE/TRANS/2018/21/Add.1 (9, 9.1)).



Background

1. Following on from a proposal by Switzerland (ECE/TRANS/WP.15/2019/7) made during the 106th session of the Working Party regarding the marking of containers loaded with packages containing limited quantities in accordance with Chapter 3.4, some support was expressed for the proposal made in informal document INF.7 by Sweden. However, the proposal was referred back to the Joint Meeting to consider both rail and road. The marking of wagons and containers will be discussed at the Joint Meeting of September 2019 based on document ECE/TRANS/WP.15/AC.1/2019/38.

Introduction

2. During the drafting of document ECE/TRANS/WP.15/AC.1/2019/38, it became clear that the issue of passage through tunnels subject to restrictions on loads of limited quantities in accordance with Chapter 3.4 is not satisfactorily resolved in ADR. This matter is only of concern to WP.15, which is why we are submitting this document separately from those addressing issues related to containers that will be discussed at the Joint Meeting.



3. Transport units loaded with quantities of more than 8 tonnes of dangerous goods transported in accordance with Chapter 3.4 must be marked in accordance with 3.4.13. In accordance with 1.9.5.3.6, category E tunnel restrictions also apply to containers for which marking in accordance with 3.4.13 is required:

“1.9.5.3.6 ... For tunnels of category E, they shall apply also to transport units for which a marking in accordance with 3.4.13 is required or carrying **containers** for which a marking in accordance with 3.4.13 is required.”

4. As we stressed at previous sessions of WP.15 (in informal document INF.23 of the 104th session and ECE/TRANS/WP.15/2019/7), container marking in accordance with 3.4.13 of ADR is important during passage through and for safety inside tunnels subject to restrictions.

5. Section 3.4.13 regulates the marking of both transport units and containers, which is why 1.9.5.3.6 specifically refers to it. However, the related restrictions are not specified for containers in 8.6.3.3 and 8.6.4. The text in Chapter 8.6 is aimed at users and is where the carrier is supposed to find the applicable tunnel restrictions.

6. A few examples of different situations relating to transport units or containers containing dangerous goods are shown below.

Container or transport unit		
	Content	Placarding/markings
1	28,000 litres of UN No. 1170, ETHANOL, 3, III, in 5,600 plastic 5-litre jerricans (limited quantity)	LQ 
2	60 kg of UN No. 3077, ENVIRONMENTALLY HAZARDOUS SUBSTANCE, SOLID, N.O.S., 9, III, in a drum and 28,000 litres of UN No. 1170, ETHANOL, 3, III, in 5,600 plastic 5-litre jerricans of 5 litres (limited quantity)	No. 9 

7. In example 2, the only mark that must be affixed according to 3.4.13 (b) is the No. 9 placard on the container. In this case, in accordance with the second paragraph of 3.4.13 (b), no mark is required on the transport unit if the container is not itself marked in accordance with 3.4.15. Even if the container was marked, it would not be mandatory to affix a mark to the transport unit because one would already be visible. As a consequence, no LQ mark would appear on the carrying vehicle. Although a No. 9 placard is required on the container, the current text of 8.6.3.3 and 8.6.4, contrary to that of 1.9.5.3.6, provides that only transport

units marked in accordance with 3.4.13 are subject to restrictions in tunnels of category E, and neither of those sections of Chapter 8.6 contains any reference to the marking of containers in accordance with 3.4.13; thus users cannot correctly implement tunnel restrictions for containers. This contradicts the requirements of 1.9.5.3.6.

8. To resolve this contradiction, a reference to containers should be added to both sections.

Proposal

9. Amend 8.6.3.3 of ADR to read as follows (new text is shown in bold, underlined, deleted text is ~~crossed out~~):

“8.6.3 Tunnel restriction codes

...

8.6.3.3 Dangerous goods carried in accordance with 1.1.3 are not subject to the tunnel restrictions and shall not be taken into account when determining the tunnel restriction code to be assigned to the whole load ~~of a transport unit~~, except if the transport unit **or container** is required to be marked in accordance with 3.4.13 subject to 3.4.14.”

10. Amend 8.6.4 of ADR to read as follows (new text is shown in bold, underlined):

“8.6.4 Restrictions for the passage of transport units carrying dangerous goods through tunnels

The restrictions for passage through tunnels shall apply:

- to transport units **and containers** for which marking is required by 3.4.13 subject to 3.4.14, through tunnels of category E; and
- to transport units for which an orange-coloured plate marking is required according to 5.3.2, in accordance with the table below once the tunnel restriction code to be assigned to the whole load of the transport unit has been determined.”
