

ECONOMIC COMMISSION FOR EUROPE

INLAND TRANSPORT COMMITTEE

Working Party on the Transport of Dangerous Goods

Joint Meeting of the RID Safety Committee and the
Working Party on the Transport of Dangerous Goods

Geneva, 11-15 September 2006
Agenda item 5

PROPOSALS OF AMENDMENTS TO RID/ADR/ADN */

Definition of the safety obligations of unloaders

Transmitted by the Government of Switzerland

Summary:	The document ECE/TRANS/WP.15/AC.1/2006/32 should be adapted to the tanks existing ADR prescriptions of chapter 7.5
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Action to be taken:	
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Introduction

1. We welcome the idea to try to define the unloader and his safety obligations as proposed by Germany, Austria and Spain. We noticed however that some aspects of the existing prescriptions have not been included. We want to bring these to attention of the Joint Meeting.

Comments on the proposals

Proposal 1 b)

1. Although the definition of Unloader includes the enterprise which discharges dangerous goods from a tank (tank-vehicle, demountable tank, portable tank or tank-container) or from a battery-vehicle or MEGC and/or from a vehicle, large container or small container for carriage in bulk, we observe that no duties regarding this action is introduced in 1.4.3.x.1. The paragraph 1.4.3.x.1 (b) only addresses the unloading of packed dangerous goods or uncleaned empty packagings, if they can cause a leakage. We believe that this kind of checking also applies for the case of tanks.

2. It would better not to repeat with other wording what is already said elsewhere in the regulation. The texts proposed in 1.4.3.x.1 (b) are already expressed in 7.5.1.1, 7.5.1.2 and 7.5.1.3 of the ADR. If there is a really a necessity to repeat that in chapter 1.4.3.x. it would be better to simply refer to the pertinent texts in chapter 7.5 instead of repeating the same concepts with different words.

3. We are not sure if the point (c) belongs to the unloading or rather to the consignment.

3. In order to take account of what has been exposed in 1. and 2. we propose the following changes in the text. By taking account of the existing rules in chapter 7.5 of ADR we introduce some texts for RID which are already in sub-sections 7.5.1.2 and 7.5.1.1 of ADR in order to harmonize the requirements for both modes. It seems that the original document has some editorial mistakes in 1.4.3.x.1 (c) which we have tried to improve. These changes have consequences for 1.4.3.x.2.

(b) Add a new paragraph 1.4.3.x:

“1.4.3.x Unloader

1.4.3.x.1 In the context of 1.4.1, the unloader shall in particular:

(a) check, before unloading, the good(s) concerned its (their) documentation;

(ADR) (b) check before unloading if the requirements of sub-section 7.5.1.1 are met

(RID) (b) check before unloading if the large container(s), bulk-container(s), tank-container(s) or portable tank(s) if any, comply with the regulatory provisions (especially those concerning safety, security, cleanliness and satisfactory operation of the equipment used in loading and unloading)

upon arrival at the loading and unloading sites, which include container terminals;

- (c) when unloading the packed dangerous goods or uncleaned empty packagings, check whether the packagings may cause a leakage of the dangerous substance carried or whether they have been damaged to an extent which would endanger the unloading operation. In these instances the unloading shall not be carried out until the appropriate emergency measures have been taken;

(ADR) (d) when discharging dangerous goods from a tank (tank-vehicle, demountable tank, portable tank or tank-container) or from a battery-vehicle or MEGC and/or from a vehicle, large container or small container for carriage in bulk check whether the provisions regarding the safety according 7.5.1.3 are met. The unloading shall not be carried out if the conditions laid down in subsection 7.5.1.2 are met. In these instances the unloading shall not be carried out until the appropriate emergency measures have been taken;

(RID) (d) when discharging dangerous goods from a tank (tank-vehicle, demountable tank, portable tank or tank-container) or from a battery-vehicle or MEGC and/or from a wagon, large container or small container for carriage in bulk check whether these and their equipment are complying with the regulatory provisions. The unloading shall not be carried out if a check of the documents or a visual inspection reveals deficiencies that might affect the safety of the unloading or that their do not comply with the regulatory provisions. In these instances the unloading shall not be carried out until the appropriate emergency measures have been taken;

- (c) immediately following the discharging of the tank, vehicle/wagon or container:
- 1) clean any residues which have impregnated or soiled the outside of the tank, vehicle/wagon or container during the process of discharging;
 - 2) ensure the closure of valves and inspection openings;
 - 3) carry out in the cases provided for by RID/ADR the prescribed cleaning and decontamination of the wagons/vehicles or containers;

- 4) ensure that the wagons/vehicles, containers or tanks, once completely unloaded, cleaned and decontaminated, no longer bear danger markings conforming to Chapter 5.3.

1.4.3.x.2 The unloader may, however, in the case of 1.4.3.x.1 ~~(c)(d) and (e)~~, rely on information and data made available to him by other participants.

1.4.3.x.3 If the unloader makes use of the services of other participants (cleaner, decontamination facility, etc.) he shall take appropriate measures to ensure that the requirements of RID/ADR have been complied with.”

(c) **Paragraph 1.4.2.3 shall read as follows:**

"1.4.2.3 The consignee has the obligation not to defer acceptance of the goods without compelling reasons.

A *<RID only: wagon or>* container may only be returned or reused once the requirements of the ADR/RID concerning the unloader have been complied with."
