

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

4 March 2021

Bern, 15–19 March 2021

Item 2 of the provisional agenda

Tanks

Comment on document ECE/TRANS/WP.15/AC.1/2021/3 (UIP): Clarification on using tanks after the deadline specified for the next test or inspection

Transmitted by the Government of Poland

Summary

Executive summary:	The aim of this comment is to introduce into the RID/ADR the provisions concerning carriage of the load in the tank-wagons, demountable tanks, battery-wagons (RID)/fixed tanks (tank-vehicles), demountable tanks, battery-vehicles (ADR), tank-containers, tank swap bodies and MEGCs after the date of expiry of the last intermediate inspection
Action to be taken:	Amend text in RID/ADR 4.3.2.3.7 and 5.4.1.1.11 to allow the carriage of tanks, battery-wagons / battery-vehicles and MEGCs after the expiry date of intermediate inspection.
Related documents:	ECE/TRANS/WP.15/AC.1/2015/19 (UIC) ECE/TRANS/WP.15/AC.1/2015/27 (UIC) Informal document INF.21 (UIC/CEFIC) - (Spring 2016 Session) ECE/TRANS/WP.15/AC.1/142/Add.1 (Item 8) Informal document INF.20 (Poland) - (Autumn 2018 Session) ECE/TRANS/WP.15/AC.1/152/Add.1 (Item 10) ECE/TRANS/WP.15/AC.1/2019/19 (Poland) ECE/TRANS/WP.15/AC.1/2020/12 (UIC/UIP) Informal document INF.56 (Poland) (September 2020 Session)

Introduction

1. Poland as well as UIC, UIP and Cefic made attempts to regulate the carriage of dangerous goods in tank-wagons, demountable tanks, battery-wagons (RID) / fixed tanks (tank-vehicles), demountable tanks, battery-vehicles (ADR), tank-containers, tank swap bodies and MEGCs after the expiry date of the prescribed intermediate inspection.
2. During the discussion on this subject, the opinion was expressed that this matter is obvious and does not require additional findings, but in practice we encounter different interpretations in this respect.
3. Poland, in document ECE/TRANS/WP.15/AC.1/2021/10, indicated that the provisions of RID/ADR concerning the filling and transport of dangerous goods in tanks after the expiry of the prescribed period of intermediate inspection of tanks can be interpreted differently.

4. Poland submits comments to document ECE/TRANS/WP.15/AC.1/2021/3 presented by UIP and proposes to introduce amendments hoping that the issue will be definitively resolved during the RID/ADR Joint Meeting in March 2021.

Notes to the UIP document ECE/TRANS/WP.15/AC.1/2021/3.

5. The proposal in 4.3.2.3.8 introduces the concept of "the next intermediate test or inspection required by 6.8.2.4.3". In 6.8.2.4.3 there is only the term "intermediate inspection", there is no term "intermediate test".

6. It follows from the proposal in 4.3.2.3.8 a) that the tanks may be filled and released for carriage within 3 months from the date of the scheduled intermediate test.

7. The provision in 4.3.2.3.8 b) is ambiguous. It is not clearly stated whether the tanks may be filled and released for carriage within 6 months after the scheduled intermediate test date, or whether this is restricted to the carriage of previously filled tanks; I mean when? It is not specified as to when filling of tanks is allowed.

8. Accepting the carriage of tanks for a period not exceeding 6 months after the expiry of the intermediate test period causes problems for the owner (user) of the tank.

9. The provisions of 6.8.2.4.3 allow an intermediate inspection to be carried out within three months before or after the due date. The introduction of this provision was intended to allow the tank owner to subject the tank to an intermediate inspection within a flexible period of 6 months (within 3 months before or 3 months after the scheduled intermediate inspection date). The observance of this condition did not change the date of the scheduled periodic inspection.

10. The permission for further use of the tank after 3 months after the scheduled date of the intermediate inspection will result in the change of the scope of the tank inspection after this period. Another controversial topic will appear here.

11. In the opinion of Poland, tanks should be subjected to periodic inspection if they are submitted for inspection after 3 months from the date of the scheduled intermediate inspection. Such arrangements have been made for portable tanks (see 6.7.2.19.6.2, 6.7.3.15.6.2, 6.7.4.14.6.2 in RID/ADR 2021).

12. Poland is willing to accept the alternative proposal presented in the document ECE/TRANS/WP.15/AC.1/2021/3 (UIP) with the proposed corrections.

Proposal 1

13. Amend the proposed provisions in 4.3.2.3.7 to read (new text is **bold**, deleted text is ~~struck through~~):

„4.3.2.3.7 Tank-wagons, demountable tanks, battery-wagons (RID)/fixed tanks (tank-vehicles), demountable tanks, battery-vehicles (ADR), tank-containers, tank swap bodies and MEGCs may not be filled, ~~or~~ offered **or accepted** for carriage after the ~~deadline date~~ **specified** for the **next** test or inspection required by 6.8.2.4.2, **6.8.2.4.3**, 6.8.3.4.6 and 6.8.3.4.12 has expired.

However, tank-wagons, demountable tanks, battery-wagons (RID)/fixed tanks (tank-vehicles), demountable tanks, battery-vehicles (ADR), tank-containers, tank swap bodies and MEGCs filled prior to the date of expiry of the last periodic **specified for the next** inspection may be carried:

(a) for a period not to exceed one month after ~~the expiry of these deadlines~~ **the date specified if the inspection due is a periodic inspection in accordance with 6.8.2.4.2;**

(b) unless otherwise approved by the competent authority, for a period not to exceed three months after ~~the expiry of these deadlines~~ **the date specified, if the inspection due is a periodic inspection in accordance with 6.8.2.4.2**, in order to allow the return of dangerous

goods for proper disposal or recycling. ~~Reference to this exemption shall be mentioned in the transport document.~~

(c) for a period not to exceed three months after the date specified, if the inspection due is an intermediate inspection in accordance with 6.8.2.4.3.

NOTE: For the particulars in the transport document, see 5.4.1.1.11."

Proposal 2

14. At the same time, it is necessary to additionally modify 5.4.1.1.11 as follows (new wording **in bold and underlined**, deleted text is ~~struck through~~):

„5.4.1.1.11 *Special provisions for the carriage of IBCs, tanks, battery-vehicles, portable tanks and MEGCs after the date of expiry of the last periodic test or inspection or intermediate inspection*

For carriage in accordance with 4.1.2.2 (b), **4.3.2.3.7 (a)**, 4.3.2.3.7 (b), **4.3.2.3.7 (c)**, 6.7.2.19.6 (b), 6.7.3.15.6 (b) or 6.7.4.14.6 (b), a statement to this effect shall be included in the transport document, as follows:

"CARRIAGE IN ACCORDANCE WITH 4.1.2.2 (b)",

"CARRIAGE IN ACCORDANCE WITH 4.3.2.3.7 (a)",

"CARRIAGE IN ACCORDANCE WITH 4.3.2.3.7 (b)",

"CARRIAGE IN ACCORDANCE WITH 6.7.2.19.6 (c)",

"CARRIAGE IN ACCORDANCE WITH 6.7.3.15.6 (b)"; or

"CARRIAGE IN ACCORDANCE WITH 6.7.4.14.6 (b)" as appropriate."

15. The provisions of 1.4.2.2.1 (d) relating to the carrier's obligations need not be changed, nor of the provisions of 1.4.3.3 relating to the filler's obligations.