

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

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Item 2 of the provisional agenda:

Tanks

Inspection of tanks which have missed the timeframe for their scheduled inspections

Transmitted by the Government of the United Kingdom

Summary

Executive summary: This document proposes the inspections to be performed before a tank can be accepted back into service after having missed the timeframe for one or more of their scheduled inspections. The proposal is based on (i) the requirements in 6.7.2.19.6.2, 6.7.3.15.6.2 and 6.7.4.14.6.2 when the timeframe for a periodic or intermediate inspection has been missed, (ii) guidance issued to inspection bodies in the United Kingdom on the inspections to be performed when the timeframe for two or more such inspections has been missed, and (iii) in recognition of the robustness of that guidance, an alignment of the timeframe for periodic inspections in 6.8.2.4.2 with the approach adopted for the timeframe for intermediate inspections in 6.8.2.4.3. Consequential proposals are included in 6.8.2.4.4. If the approach proposed is supported, the United Kingdom will submit further consequential proposals to the Joint Meeting which would then be required in the paragraphs addressed in related document 2021/19 from the current session.

Action to be taken: Amend the cited paragraphs in RID/ADR.

Related documents: ECE/TRANS/WP.15/AC.1/2020/18,
ECE/TRANS/WP.15/AC.1/2020/45, and
ECE/TRANS/WP.15/AC.1/2020/48 from the previous session of the Joint Meeting.

ECE/TRANS/WP.15/AC.1/2021/3,
ECE/TRANS/WP.15/AC.1/2021/10,
ECE/TRANS/WP.15/AC.1/2021/19 and
INF.16 from the current session of the Joint Meeting.

Introduction

1. In recent years inspection bodies in the United Kingdom have sought guidance from the competent authority on how tanks should be inspected after having missed the timeframe for one or more of their scheduled inspections. In response, the competent authority has issued national guidance, which sets out the inspections that should be performed when the timeframes for scheduled inspections have been missed. This guidance

is based on the requirements for portable tanks in 6.7.2.19.6.1 of the Model Regulations and 6.7.2.19.6.2 of ADR.

Consideration

2. During discussions at the Autumn 2020 session of the Joint Meeting working group on tanks, some were in favour of simply performing the overdue inspection as if that inspection had not been missed, which is neither consistent with 6.7.2.19.6.1 of the Model Regulations and 6.7.2.19.6.2 of ADR which require a new 5-year periodic inspection and test to be performed when the scheduled 5-year or 2.5-year periodic inspection and test has been missed, nor with the proposal in ECE/TRANS/WP.15/AC.1/2020/18 from the previous session of the Joint Meeting which proposes that 6.8.2.4.3 should require a periodic inspection to be performed when an intermediate inspection has been missed.

3. For example, if a tank which has been transporting corrosives is overdue an intermediate inspection and has been idle and uncleaned for a further 2 years, it would not be appropriate for the tank to return to service by performing the missed intermediate inspection without an internal examination. In such situations it would be more appropriate for an inspection fulfilling the requirements of a periodic inspection to be required to ensure the tank returns to service in a safe condition.

4. Also, if two or more inspections have been missed, safety could be further compromised. In such situations the national guidance requires an inspection fulfilling the requirements of an initial inspection to be performed, insofar as is appropriate and possible. As these inspections are performed outside the scheduled timeframe and may not follow precisely the requirements of the scheduled inspections they are considered by the national guidance to be exceptional inspections.

5. For example, if a tank without a tank record has been taken out of dangerous goods service for many years, missing inspections, potentially having been modified and had service equipment fitted without ADR approval, is sold to another operator wanting to use the tank for the carriage of dangerous goods, the inspection history could be lost and the initial inspection certificate unavailable. In such cases, a periodic inspection would not be able to establish conformity with the type approval or identify what may be needed to bring the tank into conformity. Instead, it would be more appropriate for an inspection fulfilling the requirements of an initial inspection to be required to ensure the tank returns to service in a safe condition.

6. Consequently, in ECE/TRANS/WP.15/AC.1/2020/48 submitted to the Autumn 2020 session of the Joint Meeting, the United Kingdom proposed, as in the national guidance, for an exceptional inspection fulfilling the requirements of (i) a periodic inspection to be performed if one inspection is overdue, and for the date of the next periodic inspection to be performed according to the scheduled timeframe, and (ii) an initial inspection to be performed insofar as is possible if two or more inspections are overdue, and for the date of the next periodic inspection to be reset rather than follow the scheduled timeframe.

7. During the discussions on this and other related proposals, there was a consensus on the need for a common approach in the regulatory texts to make it clear the inspections that are to be performed when a tank has missed the timeframe for one or more of their scheduled inspections. As part of that consensus there seemed to be a majority view for the scheduled inspections to be reset whenever an inspection is performed. In addition, unlike intermediate inspections (and roadworthiness tests), it was noted that periodic inspections performed say one month before the due date would not preserve the anniversary of the specified date of the inspection.

8. Given these considerations, the United Kingdom has reflected on the discussion and the related documents, and in recognition of the robustness of its proposal in ECE/TRANS/WP.15/AC.1/2020/48 for when inspections have been missed, has revised its proposals as set out below. These proposals would allow a periodic inspection to be performed one month before the specified date without the next due date being brought forward, or the next due date to be put back if the inspection is performed no more than one

month after the specified date, irrespective of whether the tank is filled within the month before or the month after the specified date.

9. It is noted that if the approach above is supported some consequential amendments would need to be made to paragraphs 6.8.2.4.3, 6.8.3.4.6, 6.8.4, 6.10.4. and 6.12.3.2.6 in related document ECE/TRANS/WP.15/AC.1/2021/19 from the current session, which the United Kingdom would submit in a further document for the next session of the Joint Meeting.

Proposal

10. Renumber paragraph 6.8.2.4.5 as 6.8.2.4.6 and insert the following text **in bold underline** in new paragraph 6.8.2.4.5 to read:

“6.8.2.4.5 If the tank or its equipment is overdue a periodic or an intermediate inspection then an exceptional inspection fulfilling the requirements of a periodic inspection (6.8.2.4.2) shall be performed and the specified dates of the scheduled inspections are reset.

If the tank or its equipment is overdue both a periodic and an intermediate inspection then an exceptional inspection fulfilling the requirements of an initial inspection (6.8.2.4.1), insofar as is appropriate and possible, shall be performed and the specified dates of the scheduled inspections are reset.”

11. In consequence, insert the following text **in bold underline** in paragraph 6.8.2.4.4 to read:

“6.8.2.4.4 When the safety of the tank or of its equipment may have been impaired as a result of repairs, alterations or accident, an exceptional inspection shall be carried out. **If an exceptional inspection fulfilling the requirements of 6.8.2.4.1 has been performed, then the exceptional inspection may be considered to be a initial inspection.** If an exceptional ~~check~~ **inspection** fulfilling the requirements of 6.8.2.4.2 ~~have~~ **has** been performed, then the exceptional ~~check~~ **inspection** may be considered to be a periodic inspection. If an exceptional ~~check~~ **inspection** fulfilling the requirements of 6.8.2.4.3 has been performed then the exceptional ~~check~~ **inspection** may be considered to be an intermediate inspection. **The next inspections after such exceptional inspections will be due no later than the dates specified in 6.8.2.4.2 and 6.8.2.4.3, i.e. the specified dates of the scheduled inspections are reset.**”

12. To align the timeframe for periodic inspections in 6.8.2.4.2 with the approach adopted for the timeframe for intermediate inspections in 6.8.2.4.3, and recognising the proposal in related document ECE/TRANS/WP.15/AC.1/2021/19 from the current session, at the beginning of paragraph 6.8.2.4.2, delete the text in ~~strike through~~ and insert the following text **in bold underline** to read:

“6.8.2.4.2 Shells and their equipment shall undergo periodic inspections no later than ~~every~~

six years~~,~~

| five years~~,~~

after the initial inspection and each periodic inspection. These periodic inspections may be performed within one month before or after the specified date.

However, the periodic inspection may be performed at any time before the specified date.

If a periodic inspection is performed more than one month before the specified date, another periodic inspection shall be performed no later than

eight/six years

| **five years**

after this earlier date.”

Justification

13. Chapter 6.8 of ADR is silent on the inspections to be performed when a tank has missed the timeframe for one or more of their scheduled inspections. There is agreement in the discussions of the delegates that there needs to be a clear and common approach to achieve consistency across the contracting countries. In the view of the United Kingdom that approach should not compromise safety, not penalise early inspections and not be needlessly inflexible. As with all aspects of the regulatory texts, that approach should also be proportionate and avoid unnecessary burdens. The United Kingdom, recognising the discussions and the related documents, believes that the proposals above satisfy these objectives and deliver clarity to ensure a common implementation of the requirements.
