



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, 14 March – 18 March 2022

Item 5 (b) of the provisional agenda

**Proposals for amendments to RID/ADR/ADN:
new proposals****Section 1.10.4 – text referring to 1.1.3.6****Transmitted by the Governments of Norway and Sweden^{*, **, ***}***Summary*

Executive summary: The first sentence in section 1.10.4 exempts dangerous goods carried in accordance with 1.1.3.6 from the provisions in Chapter 1.10. However, when 1.1.3.6 is applied section 1.10.4 is not applicable. This makes the sentence redundant.

The second sentence in 1.10.4 deals with carriage in bulk and tank with volumes not exceeding those in 1.1.3.6. This exemption seems inconsistent.

Action to be taken: Delete the first sentence in 1.10.4.
Discussion/deletion of the second sentence in 1.10.4.

Introduction

1. At the 110th session of the Working Party on the Transport of Dangerous Goods (WP.15) Norway and Sweden submitted document [ECE/TRANS/WP.15/2021/8](#). The proposal dealt with dangerous goods that are listed as high consequence dangerous goods from 0 kg (Table 1.10.3.1.2), but which may be carried in accordance with sub-section 1.1.3.6 without having to apply Chapter 1.10.

* A/76/6 (Sect.20), para. 20.76.

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*** This document was scheduled for publication after the standard publication date owing to circumstances beyond the submitter's control.

2. The aim of that document was to increase the security level for the aforementioned substances and articles. A revised proposal, considering the views from other delegations, will be submitted to the next session of WP.15.

3. In the document presented at the WP.15, a consequential amendment was proposed for section 1.10.4. However, WP.15 noted that the text in 1.10.4 is the same in RID, which means that such an amendment should be dealt with by the Joint Meeting.

Background

4. This document deals with the first two sentences in 1.10.4 which refer to carriage in accordance with 1.1.3.6. Section 1.10.4 is reproduced under “Proposal” below.

5. Regarding the first sentence, Sweden and Norway find this text redundant. Section 1.10.4 is not applicable for carriage in accordance with 1.1.3.6, except for the UN-numbers stated in that sentence. However, this is already made clear in 1.1.3.6. Thus, the first sentence only repeats what is already stated in the first indent in 1.1.3.6.2. Concerning rail, carriage relating to 1.1.3.6 is directly linked to 1.1.3.1 (c) which means that it is exempted from all other provisions in RID.

6. The second sentence in 1.10.4 exempts bulk and tank carriage from Chapter 1.10 if their quantities do not exceed those referred to in 1.1.3.6.3. For the carriage on road and rail, transport of dangerous goods in bulk or tank is not allowed in accordance with 1.1.3.6. Therefore, it seems inconsistent to allow for an exemption which refers to the quantities specified in 1.1.3.6. However, Norway and Sweden cannot recall the reason for introducing this possibility and would therefore welcome any clarification from the Joint Meeting on this matter.

Proposals

Proposal 1

7. Delete the first sentence in section 1.10.4.

Proposal 2

8. The second sentence is proposed to be deleted but is kept within square brackets for separate consideration.

Amend section 1.10.4 as follows (changes underlined or stricken through):

(ADR:)

~~“In accordance with the provisions of 1.1.3.6, the requirements of 1.10.1, 1.10.2, 1.10.3 and 8.1.2.1 (d) do not apply when the quantities carried in packages on a transport unit do not exceed those referred to in 1.1.3.6.3, except for UN Nos. 0029, 0030, 0059, 0065, 0073, 0104, 0237, 0255, 0267, 0288, 0289, 0290, 0360, 0361, 0364, 0365, 0366, 0439, 0440, 0441, 0455, 0456, 0500, 0512 and 0513 and except for UN Nos. 2910 and 2911 if the activity level ECE/TRANS/WP.15/2021/8 3 exceeds the A₂ value (see first indent of 1.1.3.6.2). [In addition, the requirements of 1.10.1, 1.10.2, 1.10.3 and 8.1.2.1 (d) do not apply when the quantities carried in tanks or in bulk on a transport unit do not exceed those referred to in 1.1.3.6.3.] In addition, the provisions of this Chapter do not apply to the carriage of UN No. 2912 RADIOACTIVE MATERIAL, LOW SPECIFIC ACTIVITY (LSA-I) and UN No. 2913 RADIOACTIVE MATERIAL, SURFACE CONTAMINATED OBJECTS (SCO-I).”~~

(RID:)

~~“The provisions of 1.10.1, 1.10.2 and 1.10.3 do not apply when the quantities carried in packages in a wagon or large container do not exceed those referred to in 1.1.3.6.3, except for UN numbers 0029, 0030, 0059, 0065, 0073, 0104, 0237, 0255, 0267, 0288, 0289, 0290, 0360, 0361, 0364, 0365, 0366, 0439, 0440, 0441, 0455, 0456, 0500, 0512 and 0513 and except for UN numbers 2910 and 2911 if the activity level exceeds the A₂ value. [In addition, the provisions of 1.10.1, 1.10.2 and 1.10.3 do not apply when the quantities carried in tanks or in bulk in a wagon or container do not exceed those referred to in 1.1.3.6.3.] In addition~~

the provisions of this Chapter do not apply to the carriage of UN No. 2912 RADIOACTIVE MATERIAL, LOW SPECIFIC ACTIVITY (LSA-I) and UN No. 2913 RADIOACTIVE MATERIAL, SURFACE CONTAMINATED OBJECTS (SCO-I).”

Justification

9. For carriage in accordance with 1.1.3.6, the provisions in Chapter 1.10 are not applicable (except for UN-numbers specified in the first indent in 1.1.3.6). Thus, the first sentence in 1.10.4 is redundant and should be removed. Additionally, carriage on rail according to 1.1.3.6.3 is directly linked to 1.1.3.1 (c), which means that it is exempted from all other provisions in RID. Furthermore, this way of duplicating provisions does not follow the normal procedure in ADR and RID. There is no similar duplication in other provisions that is not applicable for carriage in accordance with 1.1.3.6 (such as Chapter 5.3 concerning placarding and marking or part 9 concerning construction of vehicles).

10. For these reasons, the first sentence should be removed regardless of any potential future amendment in 1.1.3.6 relating to the forthcoming document to WP.15 on security.

11. Concerning the second sentence, Norway and Sweden find this exemption inconsistent. Furthermore, from a security perspective, such an exemption does no longer seem appropriate to be kept within the provisions of ADR and RID.
