

Economic Commission for Europe

Inland Transport Committee

Working Party on the Transport of Dangerous Goods

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Item 5 (b) of the provisional agenda

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

Comments on ECE/TRANS/WP.15/2022/10 from Secretariat – New provisions for fibre-reinforced plastic tanks – Consequential amendment

Transmitted by the Government of Poland

Introduction

1. Poland considers that the date “before 1 July 2033” is incorrectly entered in the transitional measure 1.6.4.59. In our opinion, this entry should read “before 1 July 2023”
2. In the new edition of ADR 2023, we do not have provisions for tank containers and tank swap bodies made of fibre-reinforced plastics.
3. Tank-containers and tank swap bodies made of fibre-reinforced plastics may be manufactured pursuant to the provisions of ADR 2021 until June 30, 2023.
4. This is due to the transitional measure in 1.6.1.1 which states:
“1.6.1.1 Unless otherwise provided, the substances and articles of ADR may be carried until 30 June 2023 in accordance with the requirements of ADR applicable up to 31 December 2022.”
5. **Regarding the first proposal**, we think it is logical, as there is no provision for tank-containers and tank swap bodies made of fibre-reinforced plastics in ADR2023.
Poland supports the first proposal set out in point 6 of the document ECE/TRANS/WP.15/2022/10
6. **Regarding the second proposal**, we suggest **modifying the transitional measure 1.6.4.59** proposed in point 8 of the document ECE/TRANS/WP.15/2022/10.
7. In place of the proposed phrase: “in accordance with the applicable provisions of Chapter 4.4”, insert the wording: “in accordance with the provisions of Chapter 4.4 in force until 31 December, 2022 and after Tank-containers, insert: “made of fibre-reinforced plastics”
8. Poland proposes to modify transitional measure 1.6.4.59 as follows (the changes made are **bold** and underlined or ~~deleted~~):
“1.6.4.59 Tank-containers **made of fibre-reinforced plastics** constructed before 1 July **2023** in accordance with the requirements of Chapter 6.9 in force up to 31 December 2022, may still be used, in accordance with the ~~applicable~~ provisions of Chapter 4.4 **in force up to 31 December 2022.**”
9. We already had a similar situation with OX vehicles, which were withdrawn from ADR 2017 regulations and replaced with FL vehicles.

OX vehicles may continue to be used under the transitional measure 1.6.5.19:

“1.6.5.19 As regards the annual technical inspection of the vehicles first registered or entering into service before 1 April 2018 approved specifically as OX vehicle, the requirements of Part 9 in force up to 31December 2016 may still be applied.”
