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Working Party on the Transport of Dangerous Goods

Report of the Working Party on its 100th session

held in Geneva from 9 to 12 May 2016

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I. Attendance

1. The Working Party on the Transport of Dangerous Goods held its 100th session from 9 to 12 May 2016 under the chairmanship of Mr. J.A. Franco (Portugal) and the vice-chairmanship of Ms. A. Roumier (France).
2. Representatives from the following countries took part in the session: Austria, Belgium, the Czech Republic, Denmark, Finland, France, Germany, Hungary, Italy, Latvia, Luxembourg, the Netherlands, Norway, Poland, Portugal, Romania, the Russian Federation, Slovakia, Spain, Sweden, Switzerland, Turkey and the United Kingdom.
3. The European Union was represented.
4. The following intergovernmental organization was represented: Intergovernmental Organisation for International Carriage by Rail (OTIF).
5. The following non-governmental organizations were represented: European Association for Coal and Lignite (EURACOAL), European Conference of Fuel Distributors (ECFD), European Liquefied Petroleum Gas Association (AEGPL), International Association for Natural Gas Vehicles (NGV Global), International Organization of Motor Vehicle Manufacturers (OICA), and International Road Transport Union (IRU).

II. Opening of the session

Informal document: INF.11 (Secretariat)

6. After welcoming the participants, Ms. Eva Molnar, Director of the Sustainable Transport Division of the United Nations Economic Commission for Europe (UNECE), informed the Working Party of the preparations under way for the seventieth anniversary of the Inland Transport Committee, in 2017, and specifically the timeline portraying the salient achievements in the field of transport and in the work of the Inland Transport Committee.
7. The United Nations Secretary-General's Special Envoy for Road Safety, Mr. Jean Todt, then addressed the Working Party, inter alia presenting the resolution on road safety adopted by the General Assembly. He encouraged the Working Party to continue to promote and facilitate accession to ADR among the countries that were not members of UNECE and assured it of his support in that regard.
8. On the occasion of the Working Party's 100th session, the Chair expressed thanks to OTIF, the European Union and the organizations representing road transport operators, the chemical, petrochemical and gas industry and the automobile industry for their long history of fruitful cooperation.

III. Adoption of the agenda (agenda item 1)

Documents: ECE/TRANS/WP.15/232 and Add.1 (Secretariat)

Informal documents: INF.1, INF.2/Rev.1 and INF.23 (Secretariat)

9. The Working Party adopted the provisional agenda prepared by the secretariat as amended by informal document INF.2/Rev.1 to take account of informal documents INF.1 to INF.31.

IV. Seventy-eighth session of the Inland Transport Committee (agenda item 2)

Informal documents: ITC (2016) No. 14 of the seventy-eighth session of the Inland Transport Committee (Secretariat)

10. The secretariat informed the Working Party about the relevant outcomes of the Inland Transport Committee's latest session (23-26 February 2016). The Working Party noted with satisfaction that the Committee had adopted its programme of work and biennial evaluation plan for 2016-2017 and had confirmed that the secretariat should publish consolidated texts of ADR and ADN as amended for entry into force on 1 January 2017.

V. Status of the European Agreement concerning the International Carriage of Dangerous Goods by Road (ADR) and related issues (agenda item 3)

Informal documents: INF.13 and INF.14 (Secretariat)

11. The Working Party noted that there were no new contracting parties to ADR. It welcomed the accession of Serbia and Turkey to the Protocol amending articles 1 (a), 14 (1) and 14 (3) (b) of ADR and encouraged the 13 countries that had not yet deposited the required legal instruments for the Protocol to enter into force (Azerbaijan, Belarus, Bosnia and Herzegovina, Croatia, Iceland, Kazakhstan, Malta, Montenegro, Morocco, Tajikistan, the former Yugoslav Republic of Macedonia, Tunisia and Ukraine) to take the measures necessary to ratify or accede to it so that it could do so.

VI. Interpretation of ADR (agenda item 4)

A. Mixed loading of explosives and detonators

Informal documents: INF.5 (Sweden), INF.21 (Finland)

12. There was no consensus on the interpretation of the wording "no danger of transmission" in the English version of ADR. Some delegations considered that packages containing articles of compatibility group B mixed in loads with compatibility group D substances or articles should be separated so as to prevent any risk of transmission of a detonation, even if the likelihood of that occurring was very slim. Others believed that probability and an acceptable level of risk should be taken into consideration when authorizing containment systems. The Working Party noted that the French text made no mention of the concept of danger and that different containment criteria were applied at national level.

13. The representative of Sweden pointed out that Sweden was in the process of developing a containment method similar to the one in use in Finland, described in informal document INF.21.

14. Any proposed amendment of 7.5.2.2 should be submitted to the Joint Meeting, taking into consideration the national provisions already applied.

B. Additional requirement S21

Informal document: INF.22 (Finland)

15. Several delegations indicated that they required more time to study the question put forward by Finland about the need to amend the dose rate limit of 5 $\mu\text{Sv/h}$ for the application of requirements for the supervision of vehicles, and specifically to take into account security requirements. Delegations that wished to do so could send their comments to the representative of Finland.

VII. Work of the RID/ADR/ADN Joint Meeting (agenda item 5)

Amendments proposed by the Joint Meeting at its spring 2016 session

Documents: ECE/TRANS/WP.15/AC.1/142 and Add.1 and 2

Informal document: INF.3 (Secretariat)

16. The Working Party considered the amendments and corrections contained in sections I and II of document INF.3. The amendments were adopted for entry into force on 1 January 2017, subject to some modifications (see annex I). The Working Party noted that those modifications would also be brought to the attention of the RID Committee of Experts at its next session.

17. The Working Party noted that some of the references to standards had been left in square brackets in informal document INF.3 because the standards in question were due to become available in June 2016. It decided to include the references to standard EN 14025:2013+A1:2016 as adopted texts (thus, without brackets) in document ECE/TRANS/WP.15/231/Add.1 (see annex I). Should the standard in question not be available in time, it would be for the secretariat to draw up a corrigendum to document ECE/TRANS/WP.15/231/Add.1 in which those references would be deleted.

18. The reference to standard EN 14595:2016 was adopted for entry into force on 1 January 2019, after CEN had confirmed that the standard would not be available in time for inclusion in ADR 2017 (see annex II).

VIII. Proposals for amendments to annexes A and B of ADR (agenda item 6)

A. Construction and approval of vehicles

1. Transitional measure for compliance with ECE Regulation No. 34

Informal document: INF.7 (France)

19. The Working Party adopted the proposal by France to extend the period of application of transitional measure 1.6.5.16. The amendment would be added to the list of amendments entering into force on 1 January 2017 (see annex I).

2. Proposed amendment to 9.7.3

Document: ECE/TRANS/WP.15/AC.1/142/Add.2 (Secretariat)

Informal document: INF.27 (Secretariat)

20. The Working Party noted that the Working Group on Tanks of the Joint Meeting had requested its opinion on proposal 2 of document ECE/TRANS/WP.15/AC.1/2016/11 submitted to the March 2016 session by Norway.

21. The item would be added to the agenda of the next session.

B. Miscellaneous proposals

1. Amendments to 1.4.2.2

Document: ECE/TRANS/WP.15/2016/1 (Romania)

Informal document: INF.15 (Secretariat)

22. After discussion, the representative of Romania withdrew his proposal to improve the text, except for the amendment replacing the word “vehicle” with “transport unit” in 1.4.2.2.1 (g), which was adopted for entry into force on 1 January 2017 (see annex I).

2. Special provision 664

Document: ECE/TRANS/WP.15/2016/2 (Switzerland)

23. The proposal in paragraph 9 of document ECE/TRANS/WP.15/2016/2 to amend subparagraph (e) in special provision 664 was adopted, with a drafting change in the English version. The amendment would be added to the list of amendments entering into force on 1 January 2017 (see annex I).

24. The proposal in paragraph 10 of document ECE/TRANS/WP.15/2016/2 to amend transitional measure 1.6.3.44, put to the vote, was not adopted.

3. Proposal to amend 1.1.3.6.4 and 5.4.1.1.1 (f)

Document: ECE/TRANS/WP.15/2016/3 (IRU)

Informal document: INF.24 (Sweden)

25. After discussion, it became clear that the proposals by IRU and Sweden to simplify 1.1.3.6.4 and the information relating to it in the transport document would require more consideration. The representative of IRU would present a new document at the next session, taking into account the various statements. Delegations wishing to do so could send their comments in writing to the representative of IRU.

4. Tunnel restriction codes for non-exempted vehicles, engines and machinery, UN Nos. 3166, 3171, 3528, 3529 and 3530

Document: ECE/TRANS/WP.15/2016/4 (Switzerland)

Informal document: INF.8 (Switzerland)

26. The representative of Switzerland presented his proposal as amended in informal document INF.8 to take into account the Joint Meeting’s decisions not to provide transport categories or tunnel codes for UN Nos. 3166 and 3171.

27. The Working Party noted that discussions relating to special provision 363 would take place at the forthcoming session of the United Nations Sub-Committee of Experts on the Transport of Dangerous Goods and that the items addressed would include inter alia the question of whether special provision 363 exempted all possible cases of transport of vehicles, engines and machineries. Consequently, the Working Party decided to postpone the discussion of informal document INF.8 until the next session so that it could take place in the light of the outcome of the discussions to take place in the Sub-Committee.

5. Possibility of electronic processes in the examination of ADR vehicle drivers

Document: ECE/TRANS/WP.15/2016/6 (Germany)

28. Put to the vote, the proposal was adopted, for entry into force on 1 January 2017 (see annex I).

6. National versions of instructions in writing

Document: ECE/TRANS/WP.15/2016/8 (Chair of the Working Party)

29. The proposal to add in ADR the obligation for the Contracting Parties to provide the UNECE secretariat with their official translations of the model instructions in writing so that the secretariat could make them available to all Contracting Parties was adopted, with editorial changes, for entry into force on 1 January 2017 (see annex I).

30. After discussion, the Working Party agreed not to specify a deadline for sending updates of the instructions in writing.

31. The Working Party agreed, however, that the Contracting Parties to ADR should send the secretariat, as soon as possible and if possible by 1 July 2017, their official translations of the model of instructions in writing presented in 5.4.3.4 of ADR in force as at 1 January 2017, for dissemination through the UNECE Internet site.

7. Amendments to 5.4.3, instructions in writing

Document: ECE/TRANS/WP.15/2016/9 (Sweden)

Informal document: INF.9 (Romania)

32. Put to the vote, the proposal by Sweden to include in the instructions in writing a reference to section 8.1.4, fire extinguishers, was not adopted. The proposal recast by Romania in informal document INF.9 was not supported.

8. Amendments to the French version of ADR

Informal document: INF.17 (France)

33. The Working Party adopted the amendments to the French version of ADR proposed in informal document INF.17, with a correction, for entry into force on 1 January 2017 (see annex I).

9. Amendments concerning radioactive material

Informal document: INF.18 (Secretariat)

34. The Working Party adopted the amendments proposed in informal document INF.18 to correct cross references in ADR and ensure coherence with the IAEA Regulations for the Safe Transport of Radioactive Material. They would enter into force on 1 January 2017 (see annex I).

35. IAEA would be informed of the amendments. Some of them also concerned the Model Regulations and would be proposed to the Sub-Committee of Experts on the Transport of Dangerous Goods at its next session.

36. The Working Party noted that the term “*cote*” (identification mark) was used several times in the French version of chapter 6.4 in paragraphs that resulted from the harmonization with the Model Regulations and the IAEA Regulations for the Safe Transport of Radioactive Material. Pending a closer check of the use of the term in the different regulations, the Working Party adopted the verbal proposal from France to delete

the amendments in the French version of 6.4.23.12 and 6.4.23.16 included in document ECE/TRANS/WP.15/231 (see annex I).

10. Correction to Table 3 of packing instruction P200

Informal document: INF.19 (France)

37. The Working Party adopted the proposal made by France that the reference to UN number 1790 in Table 3 of packing instruction P200 be deleted to ensure coherence with the information in Chapter 3.2, Table A, and to harmonize it with the French version of the RID and with the Model Regulations. The proposed modification was adopted as an amendment to enter into force on 1 January 2017 (see annex I).

11. Reference to standards EN ISO 10297:2014 and EN ISO 14246:2014

Informal document: INF.26 (France)

38. The Working Party confirmed that it had already approved the reference to the standards at its ninety-sixth session in May 2014 and that it had not been possible to add the standards to ADR 2015 because they had not been published in time. The Working Party adopted the proposal by France that they be added to the version that would enter into force on 1 January 2017 (see annex I).

12. Capacity limits for application of the exemption under 1.1.3.2 (a)

Document: ECE/TRANS/WP.15/2016/7 (Germany)

Informal documents: INF.16 (Switzerland)
INF.29 (AEGPL and NGV Global)
INF.30 (Germany)
INF.31 (Germany)

39. After lengthy discussions on the wording of the text, the Chair said that he would put the proposal, as recast in document INF.31, to the vote.

40. The representative of the Netherlands said that he opposed the text because he considered that the capacity limits it exempted were far too high. The representatives of France and Romania agreed. The representative of Sweden too considered that the capacity limits were too high but said that she would vote for the adoption of the proposed text because she preferred a text that set an upper limit to one that set none.

41. The text was put to the vote and was adopted by a large majority, for entry into force on 1 January 2017 (see annex I).

13. Carriage of coal in bulk

Document: ECE/TRANS/WP.15/2016/5 (EURACOAL)

42. Oral amendments were made to the proposal during the session in order to exclude pulverized forms of coal from the scope of the exemption.

43. After a vote, the proposal was adopted, for entry into force on 1 January 2017 (see annex I).

14. Transitional measure for vehicles containing lithium batteries not conforming to 2.2.9.1.7

Informal document: INF.10 (Switzerland)

44. After a vote, the proposal was adopted with some amendments, for entry into force on 1 January 2017 (see annex I).

15. Special provision 376

Informal document: INF.12 (Switzerland)

45. After a vote, the proposal in paragraph 7 of informal document INF.12, specifying that transport category 0 applied to damaged cells and batteries to be carried under conditions approved by the competent authority, was approved for entry into force on 1 January 2017 (see annex I).

46. After a vote, the proposed amendment to 8.6.3.1 in paragraph 10 was not adopted.

IX. Programme of work (agenda item 7)

47. The 101st session of the Working Party would be held from 8 to 11 November 2016. The agenda items for that session would be the same as at the present session with the addition of an item on the election of officers. The agenda item related to interpretation will be discussed after the agenda items related to the work of the Joint Meeting and to the draft proposals of amendments to annexes A and B of ADR.

X. Any other business (agenda item 8)

A. Automatic activation of dipped-beam headlamps

Informal document: INF.28 (OICA)

48. The representative of OICA highlighted a possible contradiction between the rules applicable in refineries and the requirements of ECE regulation No. 48 concerning automatic activation of dipped-beam headlights. He wished to present the item to the Working Party because the industry representatives concerned were not involved in the Working Party on Lighting and Light-signalling of the World Forum for Harmonization of Vehicle Regulations (WP.29). The Working Party took note of the concerns expressed and confirmed that representatives of the chemical and oil industries should be consulted.

B. Amendments for the 2017 version of ADR

49. The amendments adopted at previous sessions for entry into force on 1 January 2017 had already been circulated in document ECE/TRANS/WP.15/231. The Working Party asked the secretariat to circulate the amendments adopted at the current session which were also intended to enter into force on 1 January 2017 as a corrigendum (ECE/TRANS/WP.15/231/Corr.1) in the case of those that modified previously adopted amendments, and as an addendum (ECE/TRANS/WP.15/231/Add.1) for new amendments.

50. The Chairperson was asked to transmit all amendments to the Secretary-General through his Government so that they could be notified to ADR Contracting Parties on 1 July 2016 for acceptance in accordance with the procedure set out in article 14 of ADR.

C. Questionnaire on the contact details of the competent authorities

Informal document: INF.25 (Secretariat)

51. A member of the secretariat noted that, in accordance with the provisions of section B, paragraph 1, of resolution 2015/7 of the Economic and Social Council, all Member States of the United Nations should send the secretariat the contact details of the competent authorities responsible for national regulations applicable to the transport of dangerous goods and the competent authorities allowing, in the name of the State, the allocation of the “UN” mark on packagings, pressure receptacles, bulk containers and portable tanks. The countries that were Contracting Parties to ADR and that had not already done so were invited to provide the secretariat promptly with the requested information, following the procedure described in informal document INF.25.

D. Vehicles equipped with Euro 6 exhaust systems operating in areas with potentially explosive atmospheres

Informal document: INF.4 (AEGPL)

52. The Working Party noted the concerns raised by AEGPL in respect of the risks that could be associated with the use of vehicles with Euro 6 exhaust systems in areas where explosive atmospheres could form.

53. The Working Party agreed that the subject warranted its attention and that it should take it up again in the future.

E. Informal working group on editorial matters

Informal document: INF.6 (United Kingdom)

54. The Working Party noted with interest the proposal from the United Kingdom that consideration of language-related editorial matters be entrusted to an informal working group in order to avoid lengthy discussions in plenary on non-substantive issues. It was, however, pointed out that editorial matters sometimes had an impact on the substance, and that the French was the legally authentic version of the annexes to ADR.

55. The Working Party invited the representative of the United Kingdom to present a formal proposal to the next session of the Joint Meeting. It was suggested that if an informal group was to be formed, there should be a mandate and working procedures. Delegations that so wished were invited to transmit their comments and suggestions to the representative of the United Kingdom by 20 June 2016, to meet the submission deadlines for official documents for the Joint Meeting.

F. Dangerous goods transport accident

Informal document: INF.20 (France)

56. The representative of France informed the Working Party of the circumstances and consequences of an accident involving gas cylinders that had occurred in France.

57. The Working Party noted the ideas proposed by France for avoiding any repetition of the event and agreed to continue its consideration of the issue. The possibility of requiring overheating axle detection systems or tyre pressure monitoring systems could be considered in collaboration with WP.29.

G. Procedures to be followed for the communication of multilateral agreements concluded in accordance with section 1.5.1 of ADR

58. In response to a question from the representative of Switzerland, a member of the secretariat said that the Working Party had adopted a procedure for the communication of multilateral agreements concluded under section 1.5.1 of ADR. Under the procedure, a country that initiated a multilateral agreement must transmit the draft agreement to the secretariat before it was disseminated to other ADR Contracting Parties.

59. The procedure was shown on the ADR multilateral agreements page on the UNECE website and in annex II of the road map for implementation of ADR.

XI. Adoption of the report (agenda item 9)

60. The Working Party adopted the report of its 100th session on the basis of a draft prepared by the secretariat.

Annex I

Draft amendments to annexes A and B of ADR adopted by the Working Party for entry into force on 1 January 2017

The amendments adopted to modify or supplement the amendments adopted at the previous session (see ECE/TRANS/WP.15/231) were made available during the session in documents ECE/TRANS/WP.15/2016/CRP.2 and Add.1-4.

Amendments which modify those previously adopted are reproduced in document ECE/TRANS/WP.15/231/Corr.1.

New amendments are reproduced in document ECE/TRANS/WP.15/231/Add.1.

Annex II

Draft amendments to annexes A and B of ADR adopted by the Working Party for entry into force on 1 January 2019

6.8.2.6.1 Amend the Table as follows:

- For standard “EN 14595:2005”, in column (4), replace “Until further notice” by “Between 1 January 2007 and 31 December 2018”.
- After standard “EN 14595:2005”, insert the following new row:

EN 14595:[2016]	Tanks for transport of dangerous goods – Service equipment – Breather device	6.8.2.2 and 6.8.2.4.1	Until further notice	
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(Reference document: informal document INF.3 Part II)