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Working Party on the Transport of Dangerous Goods
(Geneva, 13-23 September 2005)

PROPOSAL FOR AMENDMENTS TO RID/ADR/ADN

Chapter 6.2.3

The use of standards for the construction of cylinders

Transmitted by the Government of the United Kingdom */

Summary: This paper seeks Joint Meeting approval to change section 6.2.3 to bring it into line with the text proposed for 6.8.2.7, thus ensuring consistency across the text and providing clearer guidance regarding the correct use of standards.

Introduction

The United Kingdom believes that the wording of 6.2.3 should be amended to clarify which standards should be used for the construction of pressure receptacles. A recent meeting of the Chapter 6.2 Working Group considered that amendments should be made for RID/ADR 2009, but the United Kingdom would prefer changes to be made in time for the 2007 editions. This paper, therefore, seeks to amend RID/ADR in the same way as a similar paper on tank construction standards (6.8.2.7) also being presented to the Joint Meeting.

*/ Circulated by the Central Office for International Carriage by Rail (OCTI) under the symbol OCTI/RID/GT-III/2005/67.

Background

The United Kingdom notes that the wording in 6.2.3 for transportable pressure receptacles is currently similar to the wording in 6.8.2.7 (for tanks). The wording of 6.2.3 was interpreted by the European Commission Transportable Pressure Equipment Directive (TPED) experts working group in TPED Guidelines number 34 and 35 (see annex). This gives the opinion that the listed standards should be used whenever possible and that technical codes should only be used where standards covering the item to be manufactured do not exist.

The Chapter 6.2 Working Group has suggested a form of words to amend RID/ADR to come into effect in 2009. However, this wording does not fully describe the position agreed by the TPED experts working group. The TPED WG has asked the United Kingdom to propose new wording for the draft amendments to Chapter 6.2 based on TPED Guidelines 34 and 35. This has been done and the United Kingdom suggests that changes can, and should, be made to the 2007 edition of RID/ADR, in parallel with the proposed changes to 6.8.2.7. This would lead to more clarity in the text and transparency between the member States.

Proposal

To amend chapter 6.2.3 of RID/ADR to read:

6.2.3 Requirements for pressure receptacles not designed, constructed and tested according to standards.

In recognition of scientific and technological advances, pressure receptacles and their closures which cannot be designed, constructed and tested according to standards listed in the table of 6.2.2 or 6.2.5 shall be designed, constructed and tested in accordance with the provisions of a technical code providing at least the same level of safety and recognized by the competent authority. The requirements of 6.2.1 and the following requirements however shall be met:

NOTE 1: A technical code may be recognized by a Competent Authority in accordance with the provisions of 6.2.3 to allow manufacturers to build to:

- 1) A standard which has been agreed by the RID/ADR Joint Meeting for inclusion in a future edition of 6.2.2 or 6.2.5 of RID/ ADR.*
- 2) Another standard which covers a type of pressure receptacle not yet covered in the standards either currently listed in 6.2.2 or 6.2.5 or not to be listed in a future edition of 6.2.2 or 6.2.5, such as one which takes account of recent technological advances.*

NOTE 2: When a Competent Authority recognizes a technical code in accordance with 6.2.3 the Competent Authority shall:

- 1. Issue a certificate to provide evidence that it has recognized a technical code so that users of the code are left in no doubt as to its status.*

2. Allow unhindered access to the technical codes that each competent authority has recognized. This information can be maintained on the Competent Authority's web pages with clear instructions on how to obtain copies of technical codes where such a code needs to be referred to.

Justification

These suggestions would aid clarity in RID/ADR, and help industry to make more effective business decisions. They would also lead to greater harmonization of pressure receptacles used in RID/ADR and ensure that full use is made of the standards approved by the Joint Meeting and listed in 6.2.2 and 6.2.5.

Safety Implications

Improved safety due to additional control over the standards used to construct transportable pressure equipment.

Feasibility and enforcement

The proposal will aid clarity and enable enforcement agencies to make better informed decisions.

Annex
(English only)

Guideline TPED 34

Question: Under what Circumstances can a Competent Authority recognize a technical code to which pressure receptacles in scope of TPED may be built?

Article: 3

Answer:

A technical code may be recognized by a Competent Authority in accordance with the provisions of 6.2.3 to allow manufacturers to build to:

- 1) A European standard which has been agreed by the RID/ADR Joint Meeting for inclusion in a future edition of 6.2.2 or 6.2.5 of RID/ ADR - subject to the decision to defer implementation of TPED for certain types of equipment;
- 2) Another standard which covers a type of pressure receptacle not yet covered in the standards either currently listed in 6.2.2 or not to be listed in a future edition of 6.2.2, such as one which takes account of recent technological advances.

Where, in the latter case, a technical code is recognized by a Competent Authority, it should ask the relevant CEN committee to work on a harmonized standard for inclusion in 6.2.2 of RID/ADR at the earliest opportunity. It should also recognize the technical code in accordance with Guideline TPED 35.

Recognition of a technical code should not be used to unnecessarily prolong the use of national standards for types of pressure receptacle for which there are equivalent EN standards.

A Notified Body, approved by the Competent Authority, can only work in accordance with the standards listed in 6.2.2 and 6.2.5 or a technical code recognized in accordance with 6.2.3. They cannot work to their own interpretations of the requirements of 6.2.1 of RID/ ADR.

Comment:

Article 3 of TPED requires that new pressure receptacles should meet the relevant requirements of RID/ADR. The construction requirements are in Chapter 6.2. 6.2.3 allows for pressure receptacles not built according to any of the standards listed in 6.2.2 to be designed, constructed and tested in accordance with a technical code recognized by a competent authority providing the same level of safety as the standards listed in 6.2.2 and which meet the requirements of 6.2.1 and 6.2.3.

Alternatively, pressure receptacles may be constructed to the ISO standards listed in 6.2.5.

For the free movement of pressure receptacles in the EU to function properly, it is necessary that such equipment is built to standards acceptable across the EU. For many types of pressure receptacles, the standards listed in 6.2.2 and 6.2.5 should be used wherever possible.

Note: Question proposed by UK (UK 2).

Accepted by the TDG Expert Group on: 2 April 2004.

Guideline TPED 35

Question: Where transportable pressure receptacles within the scope of TPED are constructed to a technical code recognized by a Competent Authority in accordance with Guideline TPED 34 should:

1. the technical code be recognized through a formal document?
2. other Competent Authorities be informed of its recognition? and
3. it contain requirements that are not in compliance with the requirements of RID/ADR?

Article: 3

Answer:

1. Yes, a certificate should be issued by the Competent Authority to provide evidence that it has recognized a technical code so that users of the code are left in no doubt as to its status.
2. Yes, it is necessary that all Competent Authorities have access to the technical codes that each member State has recognized. This information can be maintained on the Competent Authority's web pages with clear instructions on how to obtain copies of technical codes where such a code needs to be referred to.
3. No, the technical code must fulfil the requirements of sections 6.2.1 and 6.2.3 of RID/ADR (see also Guideline TPED34).

Comment:

If Competent Authorities do not share details of technical codes they have recognized, then there is no mechanism for other Competent Authorities to check that pi-marked pressure receptacles have been built to standards other than those listed in 6.2.2.

Note: Question proposed by UK (UK 1).

Accepted by the TDG Expert Group on: 6 November 2003.
