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Item 5 (b) of the provisional agenda

Proposals for amendments to Annexes A and B of ADR: miscellaneous proposals

5.4.1.1.1 (f) and carriage in accordance with 1.1.3.6

Transmitted by the Government of Sweden¹

Summary

- Executive summary:** When goods are carried in accordance with 1.1.3.6, it would simplify for all actors involved to have the total quantity and calculated value/transport category in the transport document.
- Action to be taken:** Amend relevant parts of 1.1.3.6 and 5.4.1.1.1 (f).
- Reference document:** ECE/TRANS/WP.15/2015/14 (IRU)
Informal document INF.10 (CEFIC) from the ninety-ninth session of WP.15
ECE/TRANS/WP.15/230, Report from the ninety-ninth session of WP.15
ECE/TRANS/WP.15/2016/3 (IRU)
Informal document INF.24 (Sweden) from the 100th session of WP.15
ECE/TRANS/WP.15/233, Report from the 100th session of WP.15

Introduction

1. At the last session of the Working Party, IRU presented document ECE/TRANS/WP.15/2016/3 which held a proposal to require the total quantity of dangerous goods for each transport category, and the sum of these calculated values, to be indicated in the transport document when 1.1.3.6 is applied. The principle in IRU's proposal was supported by Sweden, who submitted an alternative solution in informal document INF.24.

¹ In accordance with the programme of work of the Inland Transport Committee for 2016-2017, (ECE/TRANS/2016/28/Add.1 (9.1)).

2. During the discussions, it was expressed that having the calculated value specified in the transport document would be useful for all participants involved in a transport operation when 1.1.3.6 is applied. To take the different views of the meeting into account, a revised document should be submitted at a forthcoming session.

Background

3. Several years ago, the note in 5.4.1.1.1 (g) required the value to be indicated in the transport document (“**NOTE:** *In the case of application of 1.1.3.6 the total quantity of dangerous goods carried per transport unit shall be expressed as a value calculated in accordance with the provisions of 1.1.3.6.*”). This requirement was removed in ADR 2003.

4. As indicated by several Contracting Parties at previous sessions, when consignors and carriers choose to avail of 1.1.3.6, this information should be provided in an appropriate way in the transport document. The documentation should include references to transport categories and the calculated value(s). This would simplify the tasks for carriers as well as for enforcement bodies.

5. Since a carrier might pick up goods from several consignors, the value should always be indicated in the document irrespective of whether the goods belong to the same transport category or not. Nevertheless, at the last session, some countries expressed concerns about the formulation in 1.1.3.6.2 which currently refers to calculation of the value of different transport categories. This is also the case for the text in 1.1.3.6.4, which states how the value should be calculated.

6. If amending the text to require that the value should always be indicated in the transport document, calculation is necessary also when the goods belong to the same category since the quantity might fall below the maximum total quantity stated in column 3 of the table. Consequently, this should also be reflected in sub-section 1.1.3.6.2.

7. Moreover, the note in 5.4.1.1.1 (f) refers to calculated values of 1.1.3.6.4. In the current text, 1.1.3.6.4 deals with dangerous goods of different transport categories. Following the logic explained above that the value should always be indicated in the transport document, 1.1.3.6.4 should be amended to cover all dangerous goods, whether it belongs to the same or to different transport categories.

8. Lastly, while modifying text in different sub-sections in 1.1.3.6, we would like to take the opportunity to streamline the text in 1.1.3.6.1 by proposing an editorial amendment. We would also like to simplify the way in which the list in 1.1.3.6.2 is drafted. Currently, the list states which provisions that are not applicable, but there are also some exemptions from this which makes it confusing. In order to make the text more user-friendly, we would prefer to align 1.1.3.6.2 with the way applicable provisions are specified in Chapter 3.4 (Limited Quantities) and Chapter 3.5 (Excepted Quantities), see proposal 2b below.

9. Since the proposed amendment for 1.1.3.6.1 and amendments to the list of applicable provisions in 1.1.3.6.2 are not dependent on the other proposals relating to the value, all proposals are presented separately.

Proposals

10. Changes are underlined or stricken out.

Proposal 1

11. Amend the text in 1.1.3.6.1 as follows:

“1.1.3.6.1 For the purposes of this sub-section, dangerous goods are assigned to transport categories 0, 1, 2, 3, or 4, as indicated in Column (15) of Table A of Chapter 3.2. Empty uncleaned packagings ~~may be assigned to transport category “4”, unless having contained substances assigned to transport category “0” are also assigned to transport category “0”. Empty uncleaned packagings having contained substances assigned to a transport category other than “0” are assigned to transport category “4.”~~”

Proposal 2

12. Amend the text in 1.1.3.6.2 as follows:

~~“1.1.3.6.2 Where the quantity of dangerous goods carried on a transport unit does not exceed the values indicated in column (3) of the table in 1.1.3.6.3 for a given transport category (when the dangerous goods carried in the transport unit belong to the same category) or the value calculated in accordance with 1.1.3.6.4 (when the dangerous goods carried in the transport unit belong to different transport categories), they may be carried in packages in one transport unit without application of the following provisions:~~

The total quantity of dangerous goods carried in packages on a transport unit may not exceed a calculated value of “1000”. The maximum total quantity per transport unit indicated for each transport category in column (3) of the table in 1.1.3.6.3 corresponds to a value of “1000”. If the quantity of goods falls below the quantity indicated in column (3), or in case the goods are assigned to different transport categories, the value should be calculated in accordance with 1.1.3.6.4.”

Proposal 2a

13. Insert a second paragraph/last sentence in 1.1.3.6.2 as follows (if keeping the current list of non-applicable provisions):

“Dangerous goods carried in accordance with 1.1.3.6, may be carried in a transport unit without application of the following provisions:

(List remains unchanged)”

Proposal 2b (alternative to proposal 2a)

14. Insert a second paragraph/last sentence in 1.1.3.6.2 as follows (if amending the list into stating applicable provisions):

“Dangerous goods carried in accordance with 1.1.3.6, are not subject to any other provisions of ADR except for:

- Part 1^{*)},
- Part 2,
- Part 3,
- Part 4,
- Part 5 except Chapter 5.3 and Section 5.4.3,
- Part 6,
- Chapter 7.1, V5 and V8 in Chapter 7.2, Chapters 7.3 – 7.5,
- 8.1.2.1 (a), 8.1.4.2 – 8.1.4.5, 8.2.3, 8.3.3 – 8.3.5, Chapter 8.4, and
- the following provisions in Chapter 8.5:
- S1 (3) and (6),
- S2 (1),
- S4,

- S5
- S14-S21 and
- S24.

*) Chapter 1.10 only applies to explosive substances and articles of UN 0029, 0030, 0059, 0065, 0073, 0104, 0237, 0255, 0267, 0288, 0289, 0290, 0360, 0361, 0364, 0365, 0366, 0439, 0440, 0441, 0455, 0456 and 0500 and except for Class 7 excepted packages of UN Nos. 2910 and 2911 if the activity level exceeds the A2 value."

Proposal 3

15. Amend the text in 1.1.3.6.4 as follows:

"1.1.3.6.4 Where ~~When~~ dangerous goods of different transport categories are carried in the same a transport unit, the sum of:

- The quantity of substances and articles of transport category 1 multiplied by "50";
- The quantity of substances and articles of transport category 1 referred to in Note a to the table in 1.1.3.6.3 multiplied by "20";
- The quantity of substances and articles of transport category 2 multiplied by "3"; and
- The quantity of substances and articles of transport category 3;

shall not exceed a calculated value of "1 000"."

Proposal 4

16. Amend 5.4.1.1.1 (f), NOTE 1, as follows:

"NOTE 1: In the case of intended application of 1.1.3.6, the total quantity and calculated value of dangerous goods for each transport category shall be indicated in the transport document ~~in accordance with 1.1.3.6.3~~ (see 1.1.3.6.2 and 1.1.3.6.4)."

Proposal 5

17. Insert the following example last in 5.4.1.1.1 (f), NOTE 1:

"See example as follows:

"Transport category 2: 44 kg, value 132,

"Transport category 3: 600 litres, value 600""
