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Inland Transport Committee

Working Party on the Transport of Dangerous Goods

Joint Meeting of Experts on the Regulations annexed to the European Agreement concerning the International Carriage of Dangerous Goods by Inland Waterways (ADN) (ADN Safety Committee)

Thirty-first session

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Item 4 (b) of the provisional agenda

**Proposals for amendments to the Regulations annexed to ADN:
Other proposals**

7.2.4.9 of ADN – Cargo transfer operations

Transmitted by the Government of Germany*,**

Summary

Executive summary:	Uncertainties persist over the implementation of 7.2.4.9 of ADN in respect of transhipment between the cargo tank of one supply vessel and that of another.
Action to be taken:	Addition of a second note at the end of 7.2.4.9 of ADN. Supplement to 7.2.4.7.2 of ADN concerning the handing over of products for the operation of vessels.
Related documents:	None

I. Introduction

1. Subsection 7.2.4.9 of ADN provides for the prohibition of the unauthorized transhipment of dangerous goods from one vessel to another.

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** In accordance with the programme of work of the Inland Transport Committee for 2016-2017 (ECE/TRANS/2016/28/Add.1 (9.3.)).



2. We have become aware of interpretations according to which this requirement does not apply to transshipments from the cargo tank of one supply vessel to the cargo tank of another supply vessel.
3. Germany proposes to clarify the situation by adding a note to 7.2.4.9 of ADN and a supplement to 7.2.4.7.2 of ADN.

II. Proposal

4. At the end of 7.2.4.9 of ADN, make the following amendments:

“NOTE 1: For transshipment to means of transport of another mode see 7.2.4.7.1.

NOTE 2: This prohibition also applies to transshipment between [the cargo tanks of] supply vessels.”

5. Amend 7.2.4.7.2 to read as follows:

“7.2.4.7.2 The reception from other vessels of unpackaged oily and greasy liquid wastes resulting from the operation of vessels and the handing over of products for the operation of vessels into the fuel tanks of other vessels shall not be taken to be loading or unloading within the meaning of 7.2.4.7.1 above or transshipment within the meaning of 7.2.4.9.”

6. The ADN Safety Committee could agree on the following interpretation of the definition of “carriage” in section 1.2.1:

Carriage also includes the loading, unloading and gas-freeing of vessels, as well as transshipment between vessels.

III. Justification

7. The amendment to 7.2.4.9 makes it clear that the prohibition of transshipment also applies to supply vessels, which are also tank vessels within the meaning of ADN and are subject to the relevant requirements, unless explicitly exempted as in 7.2.4.25.4 of ADN.

8. The modification of 7.2.4.7.2 of ADN is proposed as a consequential amendment. The distinction concerning transshipment provides additional clarity as to what is meant by the handing over of products for the operation of vessels.

IV. Safety

9. This amendment preserves transport safety. There is nothing to suggest that transshipment between supply vessels would not carry the same risks as transshipment between tank vessels with a deadweight exceeding 300 tonnes. Transshipment between supply vessels can give rise to the same hazards of explosion and water pollution. For illustrative purposes, 300 tonnes of diesel fuel is equivalent to over 300,000 litres.

V. Implementation

10. The amendment should not necessitate technical changes or require investment, nor should it result in other constraints for the sector. The proposed note is solely intended to clarify the situation. As in the past, exemptions will be possible, where duly justified and subject to authorization from the competent authority.