



**Economic and Social
Council**

Distr.
GENERAL

TRANS/WP.15/AC.1/2005/39
31 May 2005

ENGLISH
Original: FRENCH

ECONOMIC COMMISSION FOR EUROPE

INLAND TRANSPORT COMMITTEE

Working Party on the Transport of Dangerous Goods

Joint Meeting of the RID Safety Committee and the
Working Party on the Transport of Dangerous Goods
(Geneva, 13-23 September 2005)

NEW PROPOSALS FOR AMENDMENTS TO RID/ADR/ADN

5.4.1.1.6: Empty uncleaned means of containment

Revised proposal transmitted by the Government of Austria*

The secretariat has received from the Central Office for International Carriage by Rail (OCTI) the proposal reproduced below.

During the discussion in the Joint Meeting on his document TRANS/WP.15/AC.1/2004/18 (see the report TRANS/WP.15/AC.1/96, paras. 29 to 31), the representative of Austria requested that comments should be sent to him in writing so that he could submit a new proposal. A relevant comment submitted by the representative of Belgium is now available to the Joint Meeting as official document TRANS/WP.15/AC.1/2005/35. The explanations it contains provide the representative of Austria with an opportunity to reconsider as a matter of principle his earlier proposal.

* Circulated by the Central Office for International Carriage by Rail (OCTI) under the symbol OCTI/RID/GT-III/2005/39.

1. The representative of Belgium considers that the transport document for the carriage of empty uncleaned means of containment should contain all the information according to 5.4.1.1.1 and 5.4.1.1.6.1 or 5.4.1.1.6.2. The representative of Austria shares this opinion in principle, but notes, however, that this would mean that particulars according to 5.4.1.1.1 (a) to (d), in the prescribed position and time sequence, and particulars according to 5.4.1.1.1 (e) and (g) to (j) (RID)/(g) to (i) (ADR) should also be given. The texts and examples of 5.4.1.1.6.1 and 5.4.1.1.6.2 are not, however, drafted as “additional requirements” to 5.4.1.1.1 but, according to the heading of 5.4.1.1.6, as “special provisions” in respect of 5.4.1.1.1, i.e. exceptions, but it does not emerge sufficiently clearly what parts of 5.4.1.1.1 should or should not be applied.

It should be assumed that:

In accordance with 5.4.1.1.6.1

- the specification “EMPTY PACKAGING, EMPTY RECEPTACLE, etc.” replaces the “description of the packages” according to 5.4.1.1.1 (e) and should, other than in 5.4.1.1.1, be placed at the beginning of the particulars, and
- the addition containing the information according to 5.4.1.1.1 (c) - or, in the case of Class 2, the class only - should replace all the particulars according to 5.4.1.1.1 (a) to (d) and the particulars according to 5.4.1.1.6.2
- the specification “EMPTY TANK-VEHICLE/EMPTY TANK WAGON, etc.” should be placed, other than in 5.4.1.1.1, at the beginning of the particulars as an additional description of the means of containment, in relation to the specification according to 5.4.1.1.1 (e) (intended only for packages), followed by the additional specification “LAST LOAD”.

These exceptions to 5.4.1.1.1 should be expressed more clearly as such in 5.4.1.1.6.1 and 5.4.1.1.6.2.

2. The representative of Belgium warns that the introduction of an alternative content for the transport document for the carriage of empty uncleaned means of containment could create confusion and cause errors. The representative of Austria also shares this opinion with regard to his earlier proposal. It should nevertheless be recalled that, in principle, an alternative already exists in ADR and ADN, i.e., for carriage in a transport chain including maritime or air carriage. According to 1.1.4.2.2 of ADR/ADN, transport documents containing particulars in accordance with the IMDG Code or the ICAO Technical Instructions may also be used in such cases. In these regulations, as in the United Nations Model Regulations, provision is made, in the carriage of empty uncleaned means of containment, for a relevant specification additional to the proper shipping name, introduced before or after it, for example, the words: “EMPTY, UNCLEANED” (“VIDE, NON NETTOYE”, “LEER, UNGEREINIGT”) or “RESIDUE LAST CONTAINED” (“RESIDUS, CONTENU ANTERIEUR”, “RUCKSTANDE DES ZULETZT ENTHALTENEN STOFFES”). The representative of Austria considers that this alternative, which is in keeping with the United Nations Model Regulations, should appear generally in RID/ADR/ADN, i.e., in 5.4.1.1.1. For RID/ADR/ADN this could be effected by an addition to 5.4.1.1.1 (f).

3. In the context of the physical re-use of a transport document from a full capacity transport operation, the representative of Belgium proposes a special entry. This question should also be looked at from another angle. When the generalized use of a transport document corresponding to the United Nations Regulations in the sense of the foregoing explanations is guaranteed, a special entry does not seem absolutely necessary. If, however, a majority is in favour, the word “RETURN” (“RENVOI”, “RUCKSENDUNG”) should be added to the specification “EMPTY, UNCLEANED” (“VIDE, NON NETTOYE”, “LEER, UNGEREINIGT”) or “RESIDUE LAST CONTAINED” (“RESIDUS, CONTENU ANTERIEUR”, “RUCKSTANDE DES ZULETZT ENTHALTENEN STOFFES”). A relevant proposal is given in square brackets.

Proposals

1. Add the following new subparagraph to 5.4.1.1.1 (f) after the NOTE (ADR only):

“For empty means of containment, uncleaned, which contain the residue of dangerous goods other than those of Class 7, the following, for example, should be indicated before or after the proper shipping name in accordance with (b): ‘EMPTY, UNCLEANED’ (‘VIDE, NON NETTOYE’, ‘LEER, UNGEREINIGT’) or ‘RESIDUE LAST CONTAINED’ (‘RESIDUS, CONTENU ANTERIEUR’, ‘RUCKSTANDE DES ZULETZT ENTHALTENEN STOFFES’).”

2. [Add the following NOTE at the end of 5.4.1.1.1 (f):

“NOTE: When empty means of containment, uncleaned, which contain the residue of dangerous goods of classes other than Class 7, are returned to the consignor, the consignment notes/transport documents prepared for the full-capacity carriage of these goods may also be used. In such cases, the indication of the quantity must be rendered inapplicable by effacing it, striking it out or by any other means, and it should be replaced by adding a reference to the means of containment in accordance with the above subparagraph, and the word ‘RETURN’ (‘RENVOI’, ‘RUCKSENDUNG’).”]

3. Paragraphs 5.4.1.1.6.1 and 5.4.1.1.6.2 should read as follows (additions in **bold**):

“5.4.1.1.6.1 For empty means of containment, uncleaned, which contain the residue of dangerous goods of classes other than Class 7, including empty uncleaned receptacles for gases with a capacity of not more than 1,000 litres, **exceptions may be made to the provisions of 5.4.1.1.1 whereby**

- **the particulars according to 5.4.1.1.1 (a), (b), (d) and (e), and the reference to 5.4.1.1.1 (f), last subparagraph, do not apply and**
- **the particulars according to 5.4.1.1.1 (c) appear elsewhere than indicated in 5.4.1.1.1.**

In such cases, the description in the consignment note/transport document shall be

‘EMPTY PACKAGING’, ‘EMPTY RECEPTACLE’, ‘EMPTY IBC’, ‘EMPTY LARGE PACKAGING’, as appropriate, followed by the information concerning the goods last loaded, as prescribed in 5.4.1.1.1 (c).

Example:

‘EMPTY PACKAGING, 6.1 (3)’

For empty packagings, uncleaned, which contain the residue of dangerous goods of Class 2, the information prescribed in 5.4.1.1.1 (c) may, **in addition to the above exceptions**, be replaced by the number of the class.

5.4.1.1.6.2 For empty means of containment other than packagings, uncleaned, which contain the residue of dangerous goods of classes other than Class 7 and for empty uncleaned receptacles for gases with a capacity of more than 1,000 litres, **exceptions may be made to the provisions of 5.4.1.1.1 whereby**

- **the reference according to 5.4.1.1.1 (f), last subparagraph, is not applied and**
- **the particulars according to 5.4.1.1.1 (a) to (d) are preceded by a description of the empty means of containment and the words ‘LAST LOAD’.**

In these cases, the description in the consignment note/transport document should be:

‘EMPTY TANK WAGON’ (*RID only*), ‘EMPTY TANK-VEHICLE’, ‘EMPTY PORTABLE TANK’ (*RID only*), ‘EMPTY DEMOUNTABLE TANK’, ‘EMPTY BATTERY WAGON’ (*RID only*), ‘EMPTY BATTERY-VEHICLE’, ‘EMPTY PORTABLE TANK’, ‘EMPTY TANK CONTAINER’, ‘EMPTY MEGC’, ‘EMPTY WAGON’ (*RID only*), ‘EMPTY VEHICLE’, ‘EMPTY CONTAINER’, ‘EMPTY RECEPTACLE’, as appropriate, followed by the words ‘last load’ together with the information concerning the goods last loaded, as prescribed in 5.4.1.1.1 (a) to (d) and (j) in one of the sequences as prescribed.

Example:

‘EMPTY TANK WAGON (*RID only*)/EMPTY TANK-VEHICLE, LAST LOAD: 663 (*RID only*), UN 1098 ALLYL ALCOHOL, 6.1 (3), 1’.”