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Working Party on the Transport of Dangerous Goods

**REPORT OF THE WORKING PARTY ON ITS EIGHTY-FIRST SESSION
(25-27 October 2006)**

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ATTENDANCE

1. The Working Party on the Transport of Dangerous Goods held its eighty-first session from 25 to 27 October 2006 with Mr. J. Franco (Portugal) as Chairman and Ms. A. Roumier (France) as Vice-Chairman. Representatives from the following countries took part in the session: Austria, Belgium, Bulgaria, Denmark, Estonia, Czech Republic, Finland, France, Germany, Greece, Hungary, Ireland, Italy, Latvia, Lithuania, Netherlands, Norway, Poland, Portugal, Romania, Russian Federation, Serbia, Slovakia, Slovenia, Spain, Sweden, Switzerland and the United Kingdom. The European Commission was represented. The Intergovernmental Organization for International Carriage by Rail (OTIF) was represented, as were the following non-governmental organizations: European Chemical Industry Council (CEFIC), European Council of the Paint, Printing Ink and Artists' Colours Industry (CEPE), European Liquefied Petroleum Gas Association (AEGPL), Global Express Association (GEA), International Organization of Motor Vehicle Manufacturers (OICA), International Road Transport Union (IRU) and Liaison Committee of the Body and Trailer Building Industry (CLCCR).

ADOPTION OF THE AGENDA

Documents: TRANS/WP.15/189 and Add.1

Informal documents: INF.1 and INF.2 (Secretariat)

2. The Working Party adopted the provisional agenda prepared by the secretariat, as amended by informal document INF.2 to take account of informal documents INF.1 to INF.24.

3. Several delegations expressed concern that the documents for the session had been circulated very late, thus preventing them from making the necessary preparations for the meeting. Furthermore, two documents in French had still not been available at the opening of the session. Noting that all the official documents had been submitted and transmitted to the Conference Services Division of the United Nations Office at Geneva before the official deadline and that, moreover, despite a significant reduction in the number of documents submitted for its sessions, the situation with regard to documentation had progressively worsened with each session, without any explanation being offered, the Working Party requested the Transport Division to draw the attention of the relevant services to the negative repercussions for its work.

4. The representative of the Russian Federation said that he had been unable to gain access to some of the documents posted in Russian on the website of the Transport Division owing to defective hyperlinks. He was advised, in future, to flag problems of this nature to the secretariat as soon as they occurred so that they could be remedied immediately.

5. The representative of Belgium noted that the session had been shortened to three days, and enquired whether sessions would henceforth be consistently shorter.

6. The Chairman said that the length of a session should reflect the workload, which was not always easy to forecast. It was not normally possible to exceed the number of meeting days

allocated by the Inland Transport Committee, but it was the responsibility of the secretariat, in consultation with the Bureau, to shorten a session if it appeared feasible to do so at the stage of preparing the agenda. This was unlikely to apply to the autumn 2007 session, which was scheduled to conclude the Working Party's programme for the 2006-2007 biennium.

STATUS OF THE EUROPEAN AGREEMENT CONCERNING THE INTERNATIONAL CARRIAGE OF DANGEROUS GOODS BY ROAD (ADR) AND RELATED ISSUES

Informal document: INF.5 (Secretariat)

7. The Working Party welcomed the accession of Ireland to ADR and the Protocol of amendment of 1993.

Informal document: INF.18 (Secretariat)

8. The Working Party noted that, pursuant to Depositary Notification C.N.804-2006-TREATIES-2 of 19 September 2006, Switzerland had objected to the amendments related to the passage of vehicles carrying dangerous goods through road tunnels, as adopted by the Working Party (ECE/TRANS/WP.15/186/Add.1 and Corr.1) and proposed to the Contracting Parties by the Government of Portugal (Depositary Notification C.N.482-2006-TREATIES-1 of 1 July 2006). Given that Switzerland was the only Contracting Party to have registered an objection, those amendments and the ones contained in documents ECE/TRANS/WP.15/186 and Corr.1 and Add.2 were considered to have been adopted and would enter into force on 1 January 2007 (Depositary Notification C.N.805-2006-TREATIES-3 of 2 October 2006).

Informal document: INF.4 (Poland)

9. The Working Party took note of the list of competent authorities transmitted by the Government of Poland.

INTERPRETATION OF THE EUROPEAN AGREEMENT CONCERNING THE INTERNATIONAL CARRIAGE OF DANGEROUS GOODS BY ROAD (ADR)

Safety advisers

Document: ECE/TRANS/WP.15/2006/19 (Belgium)

10. The Working Party took note of the measures taken by the Belgian authorities to monitor the work of safety advisers at undertakings.

11. The ensuing discussion revealed that the measures taken by the competent authorities in this respect varied from country to country. It was recalled that, although ADR provides for spot checks to ensure implementation of the Agreement, there is no provision for systematic control of the work of safety advisers. However, the competent authority is authorized to verify the identity of advisers at each undertaking and to audit their annual reports.

12. The representative of IRU proposed that the preparation of advisers' reports and the monitoring of their work should be harmonized.

Interpretation of 7.5.1

Document: ECE/TRANS/WP.15/2006/20 (Belgium)

13. There were differences of opinion on the issue raised by the Government of Belgium. Although paragraph 7.5.1.1 stipulates that vehicles and drivers should conform to regulatory provisions, it does not prescribe a mandatory inspection to verify conformity prior to loading or unloading. Only paragraphs 7.5.1.2 and 7.5.1.3 state that a transport operation must be halted if it is considered, on the basis of documents or visual inspection of vehicles, that a violation has occurred. Most delegations were of the view that section 7.5.1 should be interpreted flexibly as a matter of common sense. For example, it is unnecessary to recheck the ADR training certificate of a driver who arrives at the same loading point three times a day, but a minimum level of vigilance is required, vehicles should be inspected before each loading, and each party involved should at least respect the provisions outlined in chapter 1.4.

14. It was noted that it was the responsibility of all the parties involved to enforce the provisions of section 7.5.1 and that, where applicable, they would incur liability for negligence.

Prescription on fire resistance of orange panel fixings

Informal document: INF.14 (Danube Commission)

15. The Working Party acknowledged that, for the time being, there were no precise criteria for determining the fire resistance of orange panel fixings, and Governments interested in the issue were invited to study the question in more detail. It was pointed out, however, that the new provision 5.3.2.2.1 scheduled to come into force on 1 January 2007 proscribed the use of panel fixings made of unsuitable materials such as plastic, string, etc. Proposals on clarification should be submitted to the Joint Meeting RID/ADR/ADN.

Exemptions related to the nature of the transport operation

Informal document: INF.16 (Portugal)

16. Opinions were divided on the interpretation of 1.1.3.1 (c). Some delegations, like the Government of Portugal, considered that the use of packagings with more than 450 litres nominal capacity should not be permitted. Others took the view that, in practice, recourse was had to partially filled IBCs with between 1,000 and 1,500 litres of capacity. In such cases, even if nominal capacity was limited to 450 litres, it would be hard to verify that the maximum content stipulated in 1.1.3.6 was being respected. Some delegations were in favour of possibly increasing capacity to take account of increasing IBC use and to avoid the risk of misinterpretation. It was agreed that this issue should be submitted to the Joint Meeting RID/ADR/ADN.

PROPOSALS FOR AMENDMENTS TO ANNEXES A AND B OF ADR

Quantity limits for organic peroxides and self-reactive substances

Document: ECE/TRANS/WP.15/2006/12 (CEFIC)

17. Following a vote, the Working Party rejected the proposal to delete 7.5.5.3 but adopted the proposal to increase the limits to 20 tonnes per transport unit (see annex 1).

Orange-coloured plate marking in a transport chain containing rail carriage

Document: ECE/TRANS/WP.15/2006/13 (Belgium)

18. Several delegations were of the view that the relaxations provided for in 5.3.2.1.3 and 5.3.2.1.6 applied to road traffic, and that it was the responsibility of the parties concerned to attach the appropriate orange-coloured plate markings in the course of a combined transport operation. The Belgian proposal was put to a vote and rejected.

Placarding of transport units carrying packagings

Document: ECE/TRANS/WP.15/2006/14 (Belgium)

19. It was pointed out that ADR does not prohibit, although it does not always explicitly prescribe, the placarding of transport units carrying packagings, inasmuch as the placarding adequately reflects the dangers of the packagings in question. Following an exchange of views, the representative of Belgium withdrew his proposal.

Orange-coloured plate markings

Document: ECE/TRANS/WP.15/2006/15 (France)

Informal document: INF.22 (France)

20. The Working Party adopted the proposal that paragraph 5.3.2.2.1 should be amended to specify that only the UN number should be indicated on small orange plates when these are used in the transport of radioactive material under exclusive use, with some changes (see annex 1).

Supervision of vehicles

Document: ECE/TRANS/WP.15/2006/16 (Norway)

Informal document: INF.19 (Switzerland)

21. The proposal concerning revision of the “S” provisions in Chapter 8.5 and their assignment to various UN numbers was resumed from discussions at the previous session (see ECE/TRANS/WP.15/188, paras. 27 and 28) and occasioned a lengthy debate.

22. A number of delegations were in favour of the Norwegian proposals, whereas others took the view that greater convergence should be ensured with the safety provisions in chapter 1.10, bearing in mind the exceptions listed in 1.1.3.6.

23. Some delegations also considered that a revision of chapter 8.5 could go hand in hand with a revision of chapter 8.4.

24. Given the support in principle for the Norwegian proposal, it was decided to keep the document on the agenda for the next session. Comments by CEFIC that special requirement S20 should continue to apply to substances of Class 8 that presented no subsidiary risk were accepted. Any other comments should be submitted in writing for the next session. Delegations wishing to revise chapter 8.4 were requested to submit specific proposals to that effect.

Pocket lamps

Document: ECE/TRANS/WP.15/2006/21 (Belgium)

25. The proposals to amend paragraphs 8.1.5 (a), 8.3.4 and special requirement S2 of chapter 8.5 were adopted by a majority of votes with some changes, for example reference to “portable lighting apparatus” rather than “pocket lamp” (see annex 1).

26. This proposal entails the abolition of the prohibition on the use of lighting apparatus comprising a naked flame such as gas lamps in the interior of vehicles.

Paragraph 5.3.2.2.4

Document: ECE/TRANS/WP.15/2006/22 (Belgium)

27. The proposal to amend paragraph 5.3.2.2.4 was adopted with some changes (see annex 1).

Miscellaneous equipment (section 8.1.5)

Document: ECE/TRANS/WP.15/2006/18 (United Kingdom)

28. Most delegations were of the view that wheel chocks were a practical, efficient and inexpensive piece of safety equipment, particularly useful when parking on very steep or icy roads or car parks or when parking brakes were faulty. The representative of the United Kingdom said that she would review the matter and withdrew her proposal to make wheel chocks optional for vehicles with parking brakes.

Corrections to ADR

Informal documents: INF.6 (Secretariat)
INF.23 (Secretariat)

29. The Working Party noted that the Joint Meeting RID/ADR/ADN had identified errors in RID and ADR, principally omissions pursuant to the restructuring process (RID and ADR 2001) or changes that had been overlooked in connection with the amendments scheduled to come into force on 1 January 2007. These errors should be corrected and the secretariat was requested to submit the corrections to the contracting Parties in accordance with the legally prescribed procedure (see annex 2).

30. Regarding the correction on genetically modified organisms (deletion of 2.2.9.1.12), the Working Party noted and accepted, on the basis of informal document INF.23, that other corrections would be necessary in ADR to avoid inconsistencies (see annex 2). Accordingly, the representative of OTIF was invited to bring those corrections too to the attention of OTIF member States for approval.

Languages to be used in the transport document according to international tariffs

Informal document: INF.7 (Secretariat)

31. The Working Party took note of the request by the Joint Meeting RID/ADR/ADN to ascertain whether, in accordance with the suggestion by the International Union of Railways (UIC), section 5.4.1.4.1 of ADR could be amended to exclude the possibility of using languages in the transport document that were acceptable according to the international tariffs in force.

32. Several delegations took the view that the original idea behind this provision had been to harmonize the relevant provisions of ADR with those of RID, but that it could be deleted, firstly because international road carriage tariffs no longer existed, and secondly because it did not seem acceptable to accept arrangements between private companies.

33. It was agreed to reconsider the matter at the following session, when the UIC suggestion could be submitted as an official document.

Guidelines for risk assessment

Informal document: INF.8 (Secretariat)

34. The Working Party noted that the Joint Meeting RID/ADR/ADN had invited it to apply to road transport, on a voluntary basis, the guidelines for the assessment of risk inherent in the carriage of dangerous goods by rail, as adopted by the RID Committee of Experts, which would facilitate standardized risk analysis in cases where competent authorities were authorized to impose additional requirements in their territory under chapter 1.9 of RID.

35. It was recalled that the Working Party had not undertaken to align chapter 1.9 of ADR with chapter 1.9 of RID. Some delegations thought that the guidelines adopted by the RID Committee of Experts could be of use to competent authorities responsible for road traffic, but most were of the opinion that the decisions to restrict traffic authorized under section 1.9.3 of ADR were highly political in nature and lay within the domestic jurisdiction of States. The Working Party could, however, revert to the matter at its next session.

Manhole covers - transitional measures

Informal documents: INF.10 and INF.24 (United Kingdom)

36. The Working Party agreed that a transitional measure for fixed tanks and demountable tanks equipped with manhole cover assemblies conforming to EN 13317 (see 6.8.2.6) but not to the requirements introduced in ADR 2007 regarding the closing devices and materials used should have been provided for in the amendments applicable from 2007.

37. The Working Party nevertheless agreed that this transitional measure could be introduced in the amendments scheduled for 2009 (see annex 1); in the interim, as the number of tanks involved was very small, the matter could be settled under a multilateral agreement.

Tunnel restriction codes for articles of Class 2

Informal document: INF.12 (Poland)

38. Most delegations agreed with the representative of Poland that tunnel codes B1D or C1D should not be indicated for articles of Class 2 because these articles were not carried in tanks. Code D would be more appropriate.

39. Nevertheless, it was agreed that codes B1D and C1D signify the application of code D for transport in packages, so it was not absolutely necessary to make a correction. The proposed amendment could therefore be considered at the following session among the amendments scheduled for 2009.

Speed limitation devices

Informal documents: INF.21 and INF.21/Rev.1 (Romania)

40. The Working Party noted that, in the light of the amendments made to ECE Regulation No. 89 and given the scope of Directives 92/6/EEC and 92/24/EEC, it might be necessary to revise the references made thereto in 9.2.1 and 9.2.5.

41. However, it was pointed out that the footnote to 9.2.5 included a reference to the latest amended forms of the Regulation and Directives applicable at the time of the approval of the new vehicle and that the proposed amendment would therefore not necessarily be appropriate in the case of vehicles in service approved before the most recent amendments. Likewise, in 9.2.1, it would be advisable to ascertain whether replacing the reference to Directive 92/6/EEC with a reference to Directive 92/24/EEC would not have repercussions for vehicles in service registered between 1 January 1988 and the effective date of application of Directive 92/24/EEC.

42. The secretariat was requested to check which amendments would be necessary, and it was agreed to revert to the matter at the next session.

TERMS OF REFERENCE AND RULES OF PROCEDURE OF THE WORKING PARTY

Document: ECE/TRANS/WP.15/2006/11 (Secretariat)

43. The Working Party considered the text prepared by the secretariat on the basis of the discussions held and decisions taken at the previous session.

44. The Working Party adopted the terms of reference as presented in the document (see annex 3).

45. With regard to the rules of procedure, the Working Party noted with satisfaction that the Executive Committee of ECE had agreed that non-member countries of ECE could have the right to vote, provided that the Inland Transport Committee gave its approval (see ECE/EX/2006/L.2, sect. 2). Accordingly, the square brackets around the last sentence of rule 1 (b) were deleted (see annex 3).

46. Concerning rule 1 (c), the Working Party noted that paragraph 13 of the newly adopted Terms of Reference of ECE (E/ECE/1437) probably contained an error, since the arrangements for consultation with non-governmental organizations were now governed by Economic and Social Council resolution 1996/31, not resolution 1296 (XLIV).

47. Regarding rule 4 (a), a member of the secretariat explained that it was imperative for all documentation related to a session to be transmitted by the Transport Division of ECE to the Conference Services Division 10 weeks prior to the opening of the session, 12 weeks in the case of the agenda. The preparation of documents in conformity with the standards required by the Conference Services Division, including the assembling of reference materials for the translations, took about 2 weeks and, in order to prepare the agenda, it was necessary that all documentation should be submitted 12 weeks ahead of time. Delegations were therefore requested to submit documentation 12 weeks before the commencement of the session.

48. With regard to rule 4 (c), the representative of the Russian Federation asked the secretariat to indicate a date by which documents should be available on the ECE website, for example, two weeks before the beginning of the session. A member of the secretariat stated that the rule was that documentation should be distributed in all languages six weeks before the commencement of the session. Regrettably, that rule was not respected by the Conference Services Division of the United Nations Office at Geneva, which, moreover, gave greater weight to the rule concerning simultaneous distribution of documents; that meant that documents were not distributed until all the language versions were available, which, under the current circumstances, was at best just a few days before the start of the session. The Transport Division of ECE, which posted the documentation on its website, was entirely dependent on the Conference Services Division and could not undertake to make available on its website translations that had not been released by that Division.

49. The Working Party reiterated during this discussion its dissatisfaction at the worsening of the situation with regard to translation and distribution of documentation.

50. It was explained, in relation to rule 11 (a), that the composition of delegations must be submitted to the secretariat at least one week before the opening of the session.

51. The Working Party adopted by a very large majority the second sentence of rule 35, which states that decisions regarding a legal instrument in force may be taken only in the presence of at least one third of the Contracting Parties, and on condition that the number of affirmative votes is equal to at least one third of the full participants represented during the vote.

52. The Working Party adopted a number of editorial changes to the appendix (see annex 3).

PROGRAMME OF WORK

Document: ECE/TRANS/166/Add.1

53. The Working Party confirmed that the programme of work for 2006-2010, as set out under item 02.7 of the programme of work of the Inland Transport Committee, did not require modification.

ANY OTHER BUSINESS

Wording of clauses of multilateral agreements

Informal document: INF.3 (Poland)

54. The Working Party accepted the proposal by Poland for the amendment of the standard clause concerning the application of multilateral agreements, with a view to facilitating their application in national transport in the territories of the signatory countries within the framework of the ADR directive applicable for European Union countries.

55. It was agreed, however, that that language should not encourage Contracting Parties to conclude multilateral agreements solely for the purpose of allowing derogations from the ADR directive for national transport in their territories. An ADR multilateral agreement could only be considered to be in force if it had been signed by at least two Contracting Parties.

Application of subsection 1.8.5.2 (Accident reports)

Document: ECE/TRANS/WP.15/2006/17 (Belgium)

56. The Working Party took note of the accident report submitted by Belgium under 1.8.5.2 concerning the overturning of a tank container transporting bromine, which had resulted in the leakage of 6,000 litres of the liquid, the evacuation of a significant number of persons, the closure of the road network and the complete stoppage of traffic in the port of Anvers.

57. The representative of IRU said that one cause of the accident not referred to in the report was the deficiency of the tank container itself, particularly with regard to the fastening of the tank to the frame.

58. The Working Party noted the measures proposed to improve safety: use of more stable semi-trailer container platforms (maximum height \pm 1.10 m, three axles), and special training for drivers transporting high-density liquids.

59. It was pointed out that equipping vehicles with electronic stability programme (ESP) devices could prevent such accidents, although the representative of IRU questioned their effectiveness for trailers and semi-trailers. The Working Party was informed that the Working Party on Brakes and Running Gear (GRRF) of the World Forum for Harmonization of Vehicle Regulations (WP.29) was working on more effective electronic vehicle stability control (EVSC) systems; the outcome of those discussions would be reported at the next session (see also ECE/TRANS/WP.29/GRRF/2006/34 and ECE/TRANS/WP.29/GRRF/60, paragraphs 38-40).

60. The representative of Spain noted the work under way on protection of manhole cover assemblies of tank vehicles, and expressed the view that the use of bolted covers for tanks transporting such dangerous substances should make it possible to prevent leaks in the event of overturning.

61. The secretariat was requested to provide a special section on its website for accident reports transmitted under 1.8.5.2.

Dangerous goods in fixed receptacles serving for the admixture of additives to fuels in tanks or the insertion of agents for cleaning devices of tanks

Informal document: INF.9 (Austria)

62. Several delegations expressed interest in uniform regulation of fixed receptacles forming part of the equipment of tanks. They were invited to transmit their comments to the representative of Austria, who could then draft a proposal.

Report of the informal working group on instructions in writing

Informal document: INF.11 (IRU and FIATA)

63. The Working Party noted that the informal working group had met twice, on 28 and 29 March 2006 and on 10 and 11 October 2006, with Mr. A. Johansen (Norway) as Chairman, to consider the proposals submitted by IRU and by the International Federation of Freight Forwarders Associations (FIATA), which had organized the meetings.

64. It emerged from the discussions on the report that delegations had mixed views, or were sometimes undecided, with regard to several issues of principle:

- Whether to have a single instruction in writing, as proposed in the document, or whether there should be two systems, one for carriage in packages and the other for carriage in tanks;
- Whether to have a table of required equipment;
- Whether to define hazard zones with specific radii and require drivers to advise other persons to move outside them.

65. The representative of IRU said that he would give a presentation, at the next session, on the problems encountered in practice. Delegations were requested to study the report submitted by IRU and FIATA carefully, with a view to being able to take position on the issues of principle at the next session.

Protection against flammable gas explosion

Informal document: INF.13 (Germany)

66. The Working Party noted that European Directives 94/9/EC and 1999/92/EC, which related to protection against explosion and together formed the so-called ATEX concept, could

apply to ADR vehicles when such vehicles were located at certain loading or unloading sites. It therefore requested the representative of Germany to continue to investigate whether amendments were required to ADR in the light of those Directives.

Mobile units for the manufacture of explosives

Informal document: INF.15 (Germany)

67. The Working Party took note of the interim report of the informal working group on mobile units for the manufacture of explosives and confirmed that the working group should pursue its activities. The representative of Germany said that his Government intended to organize a second session in February 2007.

Safety in road tunnels

Informal documents: INF.17 (France)
INF.20 (Switzerland)

68. The Working Party agreed that it would be advisable to study further a number of problems related to the application of the new provisions concerning the passage of vehicles through road tunnels, notably driver training and the determination by or on behalf of the driver of a load's tunnel restriction code in advance of a transport operation. The Government of France would prepare a proposal.

Tributes

69. The Working Party, learning that Ms. Judith Critchley (United Kingdom) would shortly be retiring, paid tribute to her contribution to its work and offered its best wishes for a long and happy retirement.

70. The Working Party noted that, after two years, the P-2 vacancy in the Dangerous Goods and Special Cargoes Section of the Transport Division was at last to be filled, following the completion of the recruitment exercise, which had involved a national competitive examination. It warmly thanked the Government of Finland, which had detached a staff member, Ms. Anu Häkkinen, in the interim period, and expressed appreciation to Ms. Häkkinen for her effective contribution to the secretariat's work.

Election of officers

71. On the proposal of the representative of Belgium, Mr. J. Franco (Portugal) was re-elected Chairman and Ms. A. Roumier (France) was re-elected Vice-Chairman for 2007.

ADOPTION OF THE REPORT

72. The Working Party adopted the report of its eightieth session and its annexes on the basis of a draft prepared by the secretariat.

Annex 1

Draft amendments to Annexes A and B of ADR adopted by the Working Party for entry into force on 1 January 2007

1.6.3.32 Add a new transitional provision to read as follows:

“1.6.3.32 Fixed tanks (tank vehicles) and demountable tanks constructed before 1 July 2007 in accordance with the requirements in force up to 31 December 2006, equipped with manhole cover assemblies in accordance with the provisions of standard EN 13317:2002 referred to in the table of paragraph 6.8.2.6, applicable until 31 December 2006, including those of the figure and table B.2 of annex B of the said standard which are no longer accepted as from 1 January 2007, or the material of which does not meet the requirements of EN 13094:2004, paragraph 5.2, may still be used.”.

5.3.2.1.4 In the first sentence, replace “dangerous solid substances in bulk” with “unpacked solids or articles”.

(Ref. Doc.: ECE/TRANS/WP.15/2006/22 as amended)

5.3.2.2.1 The last sentence of the first paragraph (“If the size...black border.”) becomes the new second paragraph. Add the following new sentence at the end of this new paragraph: “In that case, for a packaged radioactive material carried under exclusive use, only the UN number is required, and the size of the digits stipulated in 5.3.2.2.2 may be reduced to 65 mm in height and 10 mm in stroke thickness.”.

(Ref. Doc.: ECE/TRANS/WP.15/2006/15 as amended by INF.22)

7.5.5.3 Amend to read as follows:

“7.5.5.3 The maximum quantity of organic peroxides of Class 5.2 and self-reactive substances of Class 4.1 of Types B, C, D, E or F is limited to 20,000 kg per transport unit.”.

(Ref. Doc.: ECE/TRANS/WP.15/2006/12)

8.1.5 (a) In the fourth indent, replace “ a pocket lamp (see also 8.3.4)” with “portable lighting apparatus conforming to the provisions of paragraph 8.3.4”.

(Ref. Doc.: ECE/TRANS/WP.15/2006/21 as amended)

8.3.4 Delete the first sentence and, in the second sentence, replace “In addition, the lighting apparatus” with “The portable lighting apparatus”.

(Ref. Doc.: ECE/TRANS/WP.15/2006/21 as amended)

8.5 S2 (1) Amend the heading to read as follows: “**Portable lighting apparatus**”.

Replace “Closed vehicles” with “The load compartment of closed vehicles” and replace “lighting apparatus other than portable lamps” with “portable lighting apparatus other than those”.

(Ref. Doc.: ECE/TRANS/WP.15/2006/21 as amended)

Annex 2

Corrections to ADR 2007

1.2.1 Amend the definition of “Flammable component” to read as follows:

“Flammable component (for aerosols) means flammable liquids, flammable solids or flammable gases and gas mixtures as defined in Notes 1 to 3 of subsection 31.1.3 of Part III of the Manual of Tests and Criteria. This designation does not cover pyrophoric, self-heating or water-reactive substances. The chemical heat of combustion shall be determined by one of the following methods ASTM D 240, ISO/FDIS 13943: 1999 (E/F) 86.1 to 86.3 or NFPA 30B.” [Text of the Note to 2.2.2.1.6 (c)]

Reasoning: *Contradiction between the definition of “Flammable component” in 1.2.1 and in the Note to 2.2.2.1.6 (c). The definition in 1.2.1 must be the same as the one in the Note to 2.2.2.1.6, which corresponds to the definition given in the UN Recommendations on the Transport of Dangerous Goods - Model Regulations (Chapter 3.3, Special Provision 63).*

(Ref. Doc.: INF.6)

2.2.61.1.14 Replace “88/379/EEC” with “1999/45/EC” and amend the corresponding footnote and 2.2.8.1.9 to read as follows:

“Directive 1999/45/EC of the European Parliament and of the Council of 31 May 1999 on the approximation of laws, regulations and administrative provisions of the Member States relating to the classification, packaging and labelling of dangerous preparations (Official Journal of the European Communities No. L200 of 30 July 1999, pages 1 to 68).”

Reasoning: *Directive 88/379/EEC has been revoked and replaced by Directive 1999/45/EC.*

(Ref. Doc.: INF.6)

2.2.62.1.11.1 In footnote 5, add “(replaced by Directive 2006/12/EC of the European Parliament and of the Council (Official Journal of the European Communities No. L114 of 27 April 2006, page 9))” after “75/442/EEC on waste”.

Reasoning: *Article 20 of Directive 2006/12/EC states that “Directive 75/442/EEC is hereby repealed, without prejudice to Member States’ obligations relating to the time limits for transposition into national law set out in Annex III, Part B. References made to the repealed Directive shall be construed as being made to this Directive and should be read in accordance with the correlation table in Annex IV.”*

(Ref. Doc.: INF.6)

2.2.9.1.11 NOTE 1 Insert “and GMOs” after “GMMOs” and replace “and 2900” with “, 2900 or 3373”.

Reasoning: Consistency with special provision 216 of Chapter 3.3.

(Ref. Doc.: INF.23)

2.2.9.1.12 Delete.

Reasoning: Consequence of the amendment to the entry for UN No. 3245 which now also covers genetically modified organisms.

(Ref. Doc.: INF.6)

3.3.1 SP637 In the first sentence, insert “and genetically modified organisms” after “Genetically modified micro-organisms”.

Amend the second sentence to read as follows: “GMMOs and GMOs are not subject to the provisions of ADR when authorized for use by the competent authorities of the countries of origin, transit and destination.¹”.

Reasoning: Consequence of the amendment to the entry for UN No. 3245 which now also covers genetically modified organisms and consistency with Note 2 to 2.2.9.1.11.

(Ref. Doc.: INF.23)

4.1.6.14 In the fifth entry of the table, replace “Annex B of ISO 10297:1999” with “Annex A of EN ISO 10297:2006”.

Delete the sixth entry of the table (Annex A of EN 849:1996/A2:2001).

Reasoning: Consequences of the replacement of the reference to EN 849:1996/A2:2001 in 6.2.2 by a reference to EN ISO 10297:2006 in 6.2.2, and of the replacement of the reference to ISO 10297:1999 by a reference to EN ISO 10297:2006.

(Ref. Doc.: INF.6)

5.4.1.2.2 (a) Add the following sentence at the end: “The composition of the mixture need not be given when the technical names authorized by special provisions 581, 582 or 583 are used to supplement the proper shipping name;”.

Reasoning: A corresponding provision was included in marginal 2226 of Annex A of ADR in force up to 30 June 2001 but was inadvertently omitted in the process of restructuring ADR through the amendments which entered into force on 1 July 2001.

(Ref. Doc.: INF.6)

Annex 3

Terms of reference and rules of procedure of the Working Party

(see ECE/TRANS/WP.15/190/Add.1)
