



**Committee of Experts on the Transport of Dangerous Goods
and on the Globally Harmonized System of Classification
and Labelling of Chemicals****Sub-Committee of Experts on the Transport of Dangerous Goods****Thirty-seventh session**

Geneva, 21–30 June 2010

Item 3 of the provisional agenda

Listing, classification and packing**Portable tank special provision TP 37 – Extension of date****Transmitted by the International Tank Container Organisation
(ITCO)¹****Background**

1. The Sub-Committee may recall the discussion during its thirty-fourth session (Geneva, 1-9 December 2008) on the subject of materials which are toxic by inhalation and the related papers of the United States of America and the Netherlands (ST/SG/AC.10/C.3/2008/87) as well as of the International Council of Chemical Associations (ICCA) (Informal document INF.16).
2. The Sub-Committee may also recall the decisions made on this subject (paragraphs 55 and 56 of document ST/SG/AC.10/C.3/68) and the adopted draft amendments to the Recommendation on the Transport of Dangerous Goods, Model Regulations (ST/SG/AC.10/36/Add.1) These decisions included introduction of new portable tank special provision TP 37 with regard to a transitional period covering the use of existing portable tanks until 2016.
3. Within the discussion of this item there were comments made regarding the suitability of the proposed duration of the transitional period taking into account the specific nature and the limited number of portable tanks used for the transport of the substances involved.

¹ In accordance with the programme of work of the Sub-Committee for 2009-2010 approved by the Committee at its fourth session (refer to ST/SG/AC.10/C.3/68, para. 118 (d) and ST/SG/AC.10/36, para. 14).

4. ITCO has asked its members to investigate this matter in detail and return comments on the duration of the transitional period as mentioned in portable tank special provision TP 37.
5. Based on the outcome of such investigations ITCO is of the opinion that the duration of the transitional period is not sufficient and needs to be extended. Due to the specific nature of these tanks and the high investment costs which have been made by portable tank owners and leasing companies on such tanks the use of these existing tanks needs to be made possible for a longer time period.

Proposal

6. ITCO proposes to amend the portable tank special provision TP 37 to be read as follows:

"TP37 The portable tank instructions prescribed in the Model Regulations annexed to the 15th revised edition of the Recommendations on the Transport of Dangerous Goods may continue to be applied until 31 December 2020."

Justification

7. Such portable tanks do exist, are approved and the transport of involved substances by these existing tanks has been carried out safely for many years.
-