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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
(Bern, 20-24 March 2006)

NEW PROPOSALS FOR AMENDMENTS TO RID/ADR/ADN

Definition of the safety obligations of unloaders

Transmitted by the Government of Spain*

Summary:

At the autumn 2004 session of the Joint Meeting, document TRANS/WP.15/AC.1/2003/41 was submitted with the intention of clarifying the safety obligations of unloaders in Chapter 1.4. Following discussions and consultations with professional bodies, a new proposal was submitted at the last Joint Meeting in September 2005 (see doc. TRANS/WP.15/AC.1/2005/32), approved in principle by a majority (TRANS/WP.15/AC.1/100, paras. 79-81). Bearing in mind the most recent comments made, the Government of Spain is once again submitting a proposal.

Action to be taken: Include a new 1.4.3.x.

* Circulated by the Central Office for International Carriage by Rail (OCTI) under the symbol OCTI/RID/GT-III/2006/11.

Introduction

The obligations of the unloader are not clearly defined in Chapter 1.4. The proposal submitted by Spain in September 2004 was intended to clarify this issue.

Although some participants were in favour of this proposal, others considered that it was not necessary to specify the obligations of the unloader in Chapter 1.4; these obligations are nevertheless of similar importance to those of other participants. According to the data on incidents during carriage, the origin of a considerable percentage of these can be found in a clumsy manoeuvre during unloading.

Some participants also considered that the provisions proposed for the discharging of tanks were not satisfactory. In view of the comments made, new wording is proposed. The distinction recommended by some delegations between unloader of packages and unloader/discharger of bulk or tanks in our opinion is sufficiently clear in (b) and (c) of the proposal.

The need to ensure that the transport document conforms to the goods transported before unloading has also been included, in view of the accident related in document TRANS/WP.15/AC.1/2005/56 from Germany.

Certain proposals with a more comprehensive approach from the United Kingdom document (INF.54) have also been incorporated.

Proposal

Add a new paragraph 1.4.3.x:

“1.4.3.x *Unloader*

- 1.4.3.x.1 In the context of 1.4.1, the unloader has the following obligations in particular:
- (a) He shall ensure that all the requirements of RID/ADR concerning unloading/discharging are complied with and that all necessary operations are performed. Before unloading/discharging, he shall ensure that the transport document conforms to the goods transported;
 - (b) He shall, when unloading the packed dangerous goods or uncleaned empty packagings, check whether the packagings may cause a leakage of the dangerous substance carried or whether they have been damaged to an extent which would endanger the unloading operating. In these instances the package(s) should not be unloaded until the appropriate emergency measures have been taken;

- (c) He shall, immediately following the unloading/discharging of the tank, wagon, MEGC, container or vehicle:
 - (i) clean any residues which have impregnated or soiled the outside of the tank, wagon, MEGC, container or vehicle during the process of unloading/discharging;
 - (ii) ensure the closure of valves and inspection openings.

1.4.3.x.2 The unloader may, however, in the case of 1.4.3.x.1 (a), rely on information and data made available to him by other participants.”
