

OTIF



**ORGANISATION INTERGOUVERNEMENTALE POUR
LES TRANSPORTS INTERNATIONAUX FERROVIAIRES**

**ZWISCHENSTAATLICHE ORGANISATION FÜR DEN
INTERNATIONALEN EISENBAHNVERKEHR**

**INTERGOVERNMENTAL ORGANISATION FOR INTER-
NATIONAL CARRIAGE BY RAIL**

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RID: 42nd Session of the Committee of Experts on the Transport of Dangerous Goods
(Madrid, 21 - 25 November 2005)

Subject: Dangerous Goods in Machinery

Proposal transmitted by the Government of the United Kingdom

Summary

Executive Summary: To seek the opinion of RID Member States on the scope of Chapter 1.1.3.1 (b), 1.1.3.2 and UN 3363 in RID.

Background Documents: ST/SG/AC.10/1998/7
TRANS/WP.15/AC.1/84 (OCTI/RID/GT-III/2001-A), paragraph 18

Background

The UK Competent Authority is increasingly being approached by industry regarding the applicability of the exemptions in 1.1.3.1 (b), 1.1.3.2 (c) and the classification of goods under UN 3363 to a variety of machinery including generators of varying size, containing dangerous goods in their attached fuel tanks, or in their operational equipment.

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The exemption in chapter 1.1.3.1 of RID states:

"1.1.3.1 Exemptions related to the nature of the transport operation

The provisions laid down in RID do not apply to:

(...)

- (b) the carriage of machinery or equipment not specified in RID and which happen to contain dangerous goods in their internal or operational equipment, provided that measures have been taken to prevent any leakage of contents in normal conditions of carriage;

(...)."

RID also allocates a UN number, UN 3363, to dangerous goods in machinery or dangerous goods in apparatus which is then not subject to RID.

There are also specific exemptions related to the carriage of liquid fuels and for the carriage of gases. However, the limit for liquid fuels relates specifically to vehicles performing a transport operation which would seem to exclude machinery. There is also a possible overlap between the exemptions in 1.1.3.1 (b) and 1.1.3.2 (c), for example would gases in machinery which exceed the pressure criteria for the exemption in 1.1.3.2 (c) still be able to claim an exemption under 1.1.3.1 (b)?

The exemptions in 1.1.3.1 (b) and 1.1.3.2 (c) have long been RID/ADR text, having been derived from marginal 17 (b) and 201a (1) (a) in the unstructured text. Discussions at the UN Sub Committee of Experts on a proposal from the United States on dangerous goods in machinery (ST/SG/AC.10/1998/7) resulted in the inclusion of UN 3363, which in the UN text attracts SP301 which gives guidance on the volume of dangerous goods (up to limited quantity volumes) allowed in the machinery for classification under UN 3363, albeit with flexibility for Competent Authorities to approve alternative arrangements. The Joint Meeting (TRANS/WP.15/AC.1/84 (OCTI/RID/GT-III/2001-A), paragraph 18) accepted the inclusion of UN No.3363 but made the goods "not subject to RID [see also 1.1.3.1 (b)]", and therefore did not adopt SP301. This decision had the effect of exempting all of the dangerous goods in machinery without imposing any limits on volume.

In the annex to this paper there are examples of some of the types of portable generators and other machinery that the United Kingdom has been approached by industry for clarification as to if these qualify under the exemption in 1.1.3.1 or if they could be classified as UN 3363 and therefore in either scenario be completely exempt from RID. Typically the machinery has integral fuel tanks ranging in size from a few litres to in a few cases 19,000 litres.

The United Kingdom is currently unclear about the scope of 1.1.3.1 (b), 1.1.3.2 (c) and UN 3363, therefore we welcome the views of other delegations on this matter.

For consideration by the RID Committee of Experts

The UK would like to hear other delegations' answers to the following questions:

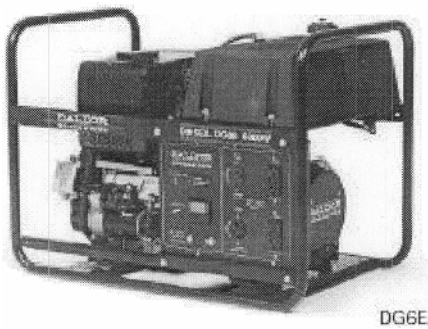
- a) Is machinery containing dangerous goods, especially those containing large quantities of fuel in attached fuel tanks, exempted under 1.1.3.1 (b) or UN 3363 regardless of the volume of the tanks?
- b) Can a gas contained in machinery which exceeds the exemption in 1.1.3.2 (c) still be exempt under 1.1.3.1 (b)?

- c) Are the current texts in 1.1.3.1 (b) and 1.1.3.2 (c) clear?
 - d) If not, what changes to the text should be made?
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Annex

Portable Diesel Generators

Fuel Tank capacity typically ranges from 12 to 21 litres



Fuel Tank capacity typically 19,000 litres



Fuel Tank capacity typically 1,500 litres



Fuel Tank capacity typically 300 litres