

CHANGES TO THE CARRIAGE REGULATIONS FROM 2011

In this note I have tried to identify the changes in ADR, (Road), IMDG, (Sea) and IATA, (Air) which have the most widespread affect on my clients. Many of the changes are common to all modes of transport and there may be some changes that are specialised and that I am unable to identify. If you have specific queries I will gladly help you to pick out anything specific to your business. ADR 2011 has just been published but is not yet available on line; IMDG 2010 has just been published.

Many of the changes have transition periods, normally 6 months in ADR and 12 months in IMDG. Some of the ADR changes were introduced in ADR 2009 and delayed until 1st January 2011 so implementation in these cases will be from 1st January 2011.

CHANGES COMING INTO EFFECT FROM 1ST JANUARY 2011 RESULTING FROM ADR 2009

Vehicle marking

Vehicles of total permitted mass greater than 12 tonnes carrying more than 8 tonnes of dangerous goods packed as limited quantities are required to display a 250 mm sided limited quantities diamond label to the front and rear or on all four sides of a freight container. The limited quantities mark is not required if the vehicle is carrying a dangerous goods load and therefore displaying orange plates.

Environmentally hazardous substances

Dangerous goods of classes 1 to 8 which are also classified as environmentally harmful either under ADR or under CLP Regulations, either as aquatic acute 1, aquatic chronic 1 or aquatic chronic 2 or have been allocated the risk phrases R50, R50/53 or R51/53, shall be labelled with the dead fish and tree environmentally harmful symbol in the form of a diamond of 100 mm sides. This completes the programme of introducing the dead fish and tree label to all applicable materials, UN 3077 and UN 3082 being so labelled from 1 July 2010.

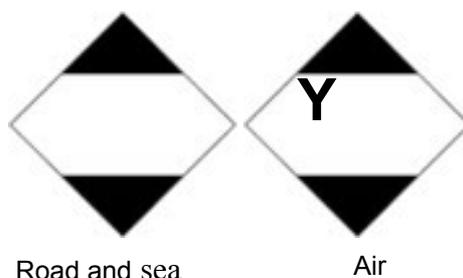
The classification criteria for the classification as environmentally hazardous substances now mirror those in CLP Regulations.

CHANGES RESULTING FROM ADR 2011 AND IMDG 2010

Road and Sea

Labelling of dangerous goods packed as limited quantities

A new label has been introduced which is the same for road, sea and slightly different for air. The new label is shown below; the air version has a letter "Y" in the centre. The air label will be accepted by other modes of transport when used in an air transport chain.



The timing for the introduction of this new label is as follows:

Air Currently optional but mandatory from 1st January 2011

Sea Optional from 1st January 2011 but mandatory from 1st January 2012 – Shipping lines may start to insist on the changes earlier.

Road Optional from 1st January 2011 but mandatory from 30th June 2015. Goods prepared and packed in accordance with the requirements ADR 2009 may be supplied until 30th June 2015.

Whilst there are some long lead-in times for these changes I would suggest that the new label is adopted as soon as practical to avoid any confusion with the authorities.

In addition there is a requirement for "this way up" arrows on two opposite faces of combination packs containing liquids.

Some of the maximum allowed pack sizes for packing certain UN numbers as limited quantities have been reduced – this could have broad ranging implications and I am happy to review UN numbers with individual

clients. The maximum LQ pack size is now quoted in list of substances in column 7a of the table of UN numbers in ADR 2011.

Consignors of dangerous goods packed in limited quantities are required to notify the carrier that the consignment contains dangerous goods packed in limited quantities and this information must be supplied in a recorded manner, document, email etc.

Training

The training requirements of ADR 1.3 are now more forcefully represented with training for the job titles named above to cover general awareness training, function specific training, safety training and security training; this is additional to such training as driver training. The requirement for keeping records of such training are set out and these may be requested by the competent authority. The training requirements also apply to those parties only involved in the carriage of dangerous goods in limited quantities.

Other topics

Where tracking equipment is installed in vehicles or trailers it must be compatible with dangerous goods being carried and certified as such.

Documents for dangerous goods which are also environmentally harmful must be endorsed “environmentally hazardous”. The wording “marine pollutant”, as is required for IMDG, is an acceptable alternative where the journey is a combined sea and road journey. This requirement does not apply to UN 3082 or UN 3077 where the environmental hazard is part of the proper shipping name.

There is now a description of duties for a new job name in ADR titled “unloader”. This is along with other duties, consignor, carrier, consignee, loader, packer, filler tank-container/portable tank operator.

Training is to become more prescriptive and training records must show that members of staff have received training appropriate to their duties. Security training is to be reviewed and probably increased in content again recording security training and refresher training is important. Security training is to be a mandatory part of ADR training.

By 31st December 2012 ADR licences must be in the form of a card with a photograph included along with security features. Original paper certificates continue to be accepted after this date until renewal.

No employee should be allowed to work unsupervised in work activities that involve the carriage of dangerous goods regulations until their training in respect of their duties under ADR has been completed.

Where electronic data transfer to transmit dangerous goods information between consignor and carrier this data must be available during the carriage process, either in printed form or in a format that permits instant printing and it must be in the correct ADR sequence.

Portable tanks are to be marked with “T” code from 1/1/2014, also addition of “S” where compartments <7500 litres, these marks may be added at the time of the periodic inspection.

Classification of mixtures where the properties of the main substance remain unchanged can be classified as main substance.

Method for selecting the proper shipping name for a solid or mixture is moved to 3.1.3 of both ADR & IMDG.

Fragile inners containing dangerous goods must be in suitable intermediate packs when using shrink wraps. Dangerous goods of class 8 PG II in fragile inners – must have rigid intermediate packaging.

The revised format for Instructions in Writing, introduced in 2009, has been amended to include two new hazard marks, “environmentally hazardous substances” and “materials carried at elevated temperatures”. In addition there have been other detail changes including the requirement for a “plastic collecting container” has been changed to “collecting container” leaving the carrier to decide what construction material is suitable.

Both the consignor and carrier must keep a record of dangerous goods consigned or carried for a minimum of 3 months.

In future when IBCs are manufactured or reconditioned the maximum stack weight during transport is to be shown on the IBC, this is not the same as the maximum static stacking weight as might be appropriate within a warehouse.

Tank codes for substances that are toxic by inhalation have been changed, although for tanks built before 1st July 2011 there is a period in time until 2017 to achieve compliance.

There are various detail changes to packing instructions; you should check that what you are doing is still acceptable. There is a modification to the way waste materials are described in the dangerous goods information.

Sea - IMDG

Carriers must not accept DG unless the transport documents and any other specified documents are provided. Documents must be handed to the consignee.

Container packing certificate must be completed by the final loader when shipping both vehicles and large containers.

The special exemption, 3.4.7, which allowed the shipment of retail packs containing dangerous goods in limited quantities intended for personal or household use without the packages being marked as LQ has been withdrawn. Note: shipments by road in the UK can take advantage of special provision 601 which says "pharmaceutical products (medicines) ready for use and packaged for retail sale or distribution for personal or household use are not subject to ADR".

The completion of IMDG dangerous goods notes has been revised to clarify that there is no need to include details of inner packages when combination packs are used, (5.4.1.5.1).

Air – IATA

The requirement for training for all aspects of consigning dangerous goods by air has always been to a higher standard than other transport modes. It is a formal requirement that training records for employees involved in the carriage of dangerous goods by air must be maintained and made available if required by the appropriate authorities.

The requirement for marking of dangerous goods packed as limited quantities have been changed and instead of the word "LTD QTY" or "LIMITED QUANTITIES" the new symbol shown on page 1 is required. This requirement is mandatory from January 1 2011 and optional before this date.

For dangerous goods of UN 3077 and UN 3082 the environmentally hazardous symbol, dead fish and tree, must be placed alongside the class 9 symbol.

There have been various changes to special provisions and packing instructions. Packers should check that what you are doing is still acceptable.

Dangerous goods information must be retained for a minimum of 3 months.

Len Hall
28 November 2010