

Report from the Legislation Working Group, Graz, 16th September 2011

Present: Bill Atkinson (chair), Hans Mucska, Karl Schmid, Jurgen Langenberg, Dieter Nuessler

Items on the agenda:

1. Telematics and eCall systems and provision of emergency information
2. Hungarian question about Class 8 accidents
3. Seveso III Directive consultation
4. Labelling of bundles of gas cylinders

Item 1

There was some discussion about telematics and the likely implementation of the eCall system. Two Inf papers were recently submitted to the Joint Meeting by OTIF. The initial discussion was whether to respond to these papers, specifically to comment on the three proposals contained within Inf 8(e) or to submit further option or options of our own.

The overall nature of the problem of information provision and how this can be communicated to the emergency responders at scene was discussed. The consensus was that having more information available was favoured. There is also the issue of not relying only on technology. There is a need for a backup system in addition to technical solutions.

Dieter suggests reacting to the eCall issue firstly, which will involve automatic notification to the control room (push). Also consider idea of dialling into the control room to get more specific data (pull). Control centres are organised differently in each country. Dieter thinks the commission will not interfere with this national decision alerting system. Therefore we must concern ourselves with the outcome and not necessary the process of obtaining the information.

The conclusion of the meeting was to respond to the Inf papers by submitting a further Inf paper on behalf of CTIF, detailing the following:

- We support the proposal to submit additional data for hazardous materials in addition to eCall. We need more data for incident management to improve safety and help in deciding the appropriate actions to take.
- We support the idea listed in Inf 7(e) point 5, that different systems (eCall, eFreight etc) must fit together, ie be compatible.
- We have an idea of how to define the data set as required by emergency responders (ref Inf 8(e)). This data set will be defined and will include information on the vehicle, the load being carried and the chemical data. The data set will be further developed in November by the German Fire Protection Hazmat Group (VFDB).

Item 2 – Hungarian Paper on Class 8 Incidents

It was noted that the paper was addressed to national ADR authorities and not to the CTIF Commission. The questions contained in the paper were discussed. We were not able to answer the first question definitively but there was no perception of a significant problem. The answer to the second question was thought not to be the case. However the questions posed within the paper would be submitted to the rest of the Commission for consideration.

Item 3 – Seveso III Directive Consultation

The group noted the consultation on the Seveso III Directive referred from Dick Arentsen and individual members are invited to comment on the consultation as appropriate to their national implementation of the Directive.

Item 4 – Labelling of Bundles of Gas Cylinders

A question was referred via Ilpo from a Finnish technical centre relating to a lack of labelling on the outsides of bundles of gas cylinders. There was a reported problem that there was no legislation on how to mark such gas cylinder bundles and the opinion of the Commission was sought on how they should be labelled. The question relates to both transportation and storage.

There was some discussion and examination of ADR, specifically the wording in sections 5.3.1.2 and 5.3.1.3 of ADR covering the requirement for transport labels on MEGC (multiple-element gas containers) where the main hazards of the gases must be clearly visible during transport (and therefore presumably storage). These clauses state that where the transport labels on the MEGC are not visible when being transported, the labels must be shown additionally on the outside of the transport unit.

However there is clearly a problem in how this regulation is complied with, based on the examples shown. In some cases, transport labels were shown on the individual cylinders in the MEGC and this could lead to confusion on the part of the emergency responders that the hazard only applied to those individual cylinders. In other examples, MEGCs were not displaying any transport labels at all. A better solution is to show the transport labels on a plate on the MEGC. Therefore there is a need for better education for the consignors of these MEGCs to try and avoid affixing transport labels onto individual cylinders and ask instead that they are fixed to the frame of the MEGC. ADR labelling of this kind should also provide adequate warning of the hazards of the gases during storage. The question remains whether a formal proposal is required to change the wording of the regulations. Unfortunately time did not allow for a discussion about whether there should be a formal proposal to require the labels to be displayed on the frame. A first step will be to make this a recommendation. If a formal proposal is submitted by another body, it is likely that CTIF would support this.

It was proposed to pass this answer back to the Finnish centre via Ilpo.

Recommendations

1. To submit a first draft of the Inf Paper (in English and in German) to the Autumn Joint Meeting to be held in Germany in November, refining the draft following the meeting of the German Fire Protection Group. Jurgen to lead on this (with text from Bill and Dieter)
2. For the questions posed in the Hungarian paper on Class 8 incidents to be submitted to the rest of the Commission for consideration. We will then consider a formal response to the paper.
 - a. Have you experienced similar accidents in your country, and if yes, how frequently?
 - b. Do you have any internal, lower regulatory measures for prevention of the described cases in connection with the ADR regulation, and if yes, what are those?
 - c. What kind of solutions do you consider to be effective and rational to avoid such accidents?
3. For members to note the consultation on Seveso III Directive and to comment appropriately via their national contacts
4. To pass on the results of the group's discussion about the location of the transport labels to the Finnish technical centre (referring to the relevant sections of ADR relating the placarding of multiple element gas containers (MEGC)) and the conclusion that labelling is better on the frame of the MEGC.