



Economic Commission for Europe

Inland Transport Committee

Working Party on the Transport of Dangerous Goods

**Joint Meeting of the RID Committee of Experts and the
Working Party on the Transport of Dangerous Goods**

Geneva, 19-23 September 2016

Item X of the provisional agenda

XXX

**Dangerous Goods Safety Adviser: Proposal for a non-mandatory guidance for the
DGSA's annual report**

**Transmitted by the European Association of Dangerous Goods Safety Advisers
(EASA)**

Summary

Executive summary:

One of the main tasks of a Dangerous Goods Safety Advisers (DGSA) is to prepare an annual report according to subsection 1.8.3.3 of ADR/RID/ADN.

The aim of this document is to propose non-mandatory guidance for the DGSA's annual report, in the form of a template for the annual report.

Action to be taken:

Amend subsection 1.8.3.3 as proposed. The proposed amendment defines and harmonizes the layout and content of the annual report, respecting existing requirements on a national basis.

EASA is of the opinion that a specified and harmonized annual report will give benefits to the management of the undertaking involved, the local authority, and the safety adviser.

Related documents: ECE/TRANS/WP.15/AC.1/142, item 41
OTIF/RID/RC/2016-A, item 41

Introduction

The Joint Meeting of March 2016 requested that the representative of EASA should consider the option of establishing guidance material. If a new proposal was deemed necessary, clear explanation of the purpose of that harmonized report should be provided and existing models should be taken into account.

Proposal (amendments highlighted):

1.8.3.3 ... With regard to the undertaking's activities, the adviser has the following duties in particular:

– ...

– preparing an annual report¹ to the management of his undertaking or to a local public authority, as appropriate, on the undertaking's and the adviser's activities in the carriage of dangerous goods.

¹ Guidance on preparing the annual report can be found in the guidance for preparing the DGSA annual report published by the European Association of Dangerous Goods Safety Advisers (EASA).

**Guidance on preparing the DGSA annual report
by the European Association of the Dangerous Goods Safety Advisers (EASA)**

<u>DANGEROUS GOODS SAFETY ADVISER'S ANNUAL REPORT</u>										
<u>For period:</u>										
<u>The report relates to activities within the scope of:</u>		<input type="checkbox"/> ADR <input type="checkbox"/> RID <input type="checkbox"/> ADN								
<u>Full identity of undertaking to which this report relates (contact details):</u>										
<u>Have non-compliances with the requirements governing the carriage of dangerous goods been identified by the DGSA?</u>		<input type="checkbox"/> yes. <u>For details see annex.</u>			<input type="checkbox"/> no					
<u>Method of carriage:</u>		<input type="checkbox"/> in packages			<input type="checkbox"/> in tanks			<input type="checkbox"/> in bulk		
Information on the kind of carriage operations and quantities of goods										
Class	Type of transport operations						Quantity (t/annum)			
	Consigning	Carriage	Packing	Loading	Filling	Unloading	< 5	5- 50	50- 100 0	> 1000
<u>1</u>										
<u>2</u>										
<u>3</u>										
<u>4.1</u>										
<u>4.2</u>										
<u>4.3</u>										
<u>5.1</u>										
<u>5.2</u>										
<u>6.1</u>										
<u>6.2</u>										
<u>7</u>										
<u>8</u>										
<u>9</u>										
DGSA TASKS (as specified in 1.8.3.3)										
	Task	Yes	No	N/A						
<u>1</u>	<u>Do procedures exist for compliance with the requirements governing the identification of dangerous goods being transported?</u> Comments:									
<u>2</u>	<u>Does the undertaking's practice take into account, when purchasing means of transport, any special requirements in connection with the dangerous goods being transported?</u> Comments:									
<u>3</u>	<u>Do procedures exist for checking the equipment used in connection with the carriage, packing, filling, loading or unloading of dangerous goods?</u> Comments:									

4	<u>Are the undertaking's employees properly trained, and records of such training are maintained?</u> Comments:			
5	<u>Are proper emergency procedures implemented in the event of any accident or incident that may affect safety during the carriage, packing, filling, loading or unloading of dangerous goods?</u> Comments:			
6	<u>Is there investigation and, where appropriate, preparation of reports on serious accidents, incidents or serious infringements recorded during the carriage, packing, filling, loading or unloading of dangerous goods?</u> Comments:			
7	<u>Are appropriate measures implemented to avoid the recurrence of accidents, incidents or serious infringements?</u> Comments:			
8	<u>Is account taken of the legal prescriptions and special requirements associated with the carriage, packing, filling, loading or unloading of dangerous goods, in the choice and use of sub-contractors or third parties?</u> Comments:			
9	<u>Do employees involved in the carriage, packing, filling, loading or unloading of dangerous goods have detailed operational procedures and instructions?</u> Comments: [checklists?]			
10	<u>Have measures been introduced to increase awareness of the risks inherent in the carriage, packing, filling, loading and unloading of dangerous goods?</u> Comments:			
11	<u>Have procedures been implemented to ensure the presence on board the means of transport of the documents and safety equipment which must accompany transport and the compliance of such documents and equipment with the regulations?</u> Comments: checklists			
12	<u>Have procedures been implemented to ensure compliance with the requirements governing packing, filling, loading and unloading?</u> Comments:			
13	<u>Does a security plan exist as indicated in 1.10.3.2?</u> Comments:			
Other Comments:				
The report is prepared by:				

<u>Adviser's full name</u>	<u>Adviser's certificate code</u>	<u>Adviser's signature</u>	<u>Date of preparation</u>
			<u>Signature of responsible person of undertaking</u>

Background

According to Directive 2008/68/EC of the European Parliament and of the Council of 24 September 2008 on the inland transport of dangerous goods, and its Annex 1 which is the ADR agreement, RID regulation and ADN agreement, each signatory country is obliged to use international regulation in the area of dangerous goods transportation.

Subsection 1.8.3.3 of ADR/RID/ADN states:

With regard to the undertaking's activities, the adviser has the following duties in particular:

And then:

- preparing an annual report to the management of his undertaking or a local public authority, as appropriate, on the undertaking's activities in the carriage of dangerous goods. Such annual reports shall be preserved for five years and made available to the national authorities at their request.

National legislation should be consistent with international regulations. EASA has analyzed several existing examples of national annual reports, including those from the following countries: Czech Republic, France, Germany, Hungary, Ireland, Liechtenstein, the Netherlands, Poland, Spain, Switzerland and the United Kingdom. Inevitably the examples vary. In some countries, a template of the annual report can be directly uploaded from the website of the competent authority, or be sent in paper format. Around 70% of the reports are directly uploaded by the safety advisers. This means that the annual report can be used directly on the website, with controls that help to reduce errors.

Careful analysis has shown significant differences in terms of the formats of annual reports. Often they request some statistics of the transportation of the dangerous goods (e.g. Poland, Germany). The time-consuming collection of detailed data, such as the kilograms/litres of the transported materials as well as the differentiation of classes and the types of transport, increases the undertaking's costs of gathering and retaining information. In some countries there is an obligation to deliver this sort of annual report to the authorities; failure to do so can incur a penalty. EASA considers that excessive data-gathering of this kind is inadvisable, since it may not include all the important information about whether the undertaking has fulfilled its ADR responsibilities due to the adviser's activities, and whether the safety of its dangerous goods operations has improved.

To utilize a minimum content and to standardize the annual report allows both the undertaking and the authorities to have access to specific information about the safety adviser and about the operations of the undertaking. In addition it facilitates an evaluation of many kinds of data that may be used for statistical purposes and could allow planning by the competent authorities in the field of dangerous goods.

EASA therefore proposes to standardize the annual report by using a non-mandatory template, which should include the activities the adviser carries out for his undertaking.

According to subsection 1.8.3.3 of ADR/RID/ADN the adviser's duties include monitoring the following practices and procedures relating to the relevant activities of the undertaking:

- the procedures for compliance with the requirements governing the identification of dangerous goods being transported;
- the undertaking's practice in taking account, when purchasing means of transport, of any special requirements in connection with the dangerous goods being transported;
- the procedures for checking the equipment used in connection with the carriage, loading or unloading of dangerous goods;
- the proper training of the undertaking's employees, including on the changes to the regulations, and the maintenance of records of such training;
- the implementation of proper emergency procedures in the event of any accident or incident that may affect safety during the carriage, loading or unloading of dangerous goods;

- investigating and, where appropriate, preparing reports on serious accidents, incidents or serious infringements recorded during the carriage, loading or unloading of dangerous goods;
- the implementation of appropriate measures to avoid the recurrence of accidents, incidents or serious infringements;
- the account taken of the legal prescriptions and special requirements associated with the carriage of dangerous goods in the choice and use of sub-contractors or third parties;
- verification that employees involved in the carriage, loading or unloading of dangerous goods have detailed operational procedures and instructions;
- the introduction of measures to increase awareness of the risks inherent in the carriage, loading and unloading of dangerous goods;
- the implementation of verification procedures to ensure the presence on board the means of transport of the documents and safety equipment which must accompany transport and the compliance of such documents and equipment with the regulations;
- the implementation of verification procedures to ensure compliance with the requirements governing loading and unloading;
- the existence of the security plan indicated in subsection 1.10.3.2.

Benefits

For the annual report of the undertaking to detail the above-mentioned activities, and for them to be monitored, requires that these activities must have been performed broadly in line with the appropriate ADR/RID/ADN entities.

Authorities, such as competent authorities, in possession of the above-mentioned data would have the enhanced ability to check whether an undertaking met its requirements under the legislation. Examples of annual reports which include the adviser's responsibilities currently exist in Spain and the United Kingdom.

The use of a specific format with a uniform, minimum content, and the availability of standardized reports allow authorities and management to gain better access to specific information about the safety adviser and the undertaking's operations.

The level of safety at the undertaking should improve as a result of the use of this standardized form of reporting. This is because the management of the undertaking could use it as a tool for risk assessment, and could determine that the DGSA has performed his specified duties and responsibilities satisfactorily. Specifically, the annual report proposed by EASA could assist the management of the undertaking to make decisions on investments in safety and security.

The adoption of one style of annual reports in all countries which are signatories to ADR/RID/ADN unifies standards, and allows comparisons to be made, for example during regular audits performed by the adviser. It is a simple tool to improve inspection and comparisons across the board. Thus a third-party adviser with a number of clients could streamline his monitoring, inspections and reporting. An international company would be able to use one format instead of one for each country of operation. Authorities would be able to make more meaningful comparisons between undertakings across the dangerous goods industry and in different countries.

The proposed format of annual report could be a valuable tool that encourages the provision of data on a range of subjects, such as:

- Security
- Statistics
- Operations
- Emergencies
- Risks and Dangers
- Fire and Police services
- Vehicles and equipment
- Safety advisers and their activities
- Companies, locations and contacts

Summary

Over the last 16 years, our individual and collective experiences as DGSAs have led us to believe that legislation recommending minimum contents of one agreed template of annual report would be most beneficial. The countries that adopt it, the DGSAs themselves, and the undertakings would share the same annual report format, enabling greater transparency of information and improved analysis of data. The sharing of the conclusions would inevitably contribute to safer transport and higher standards in the transport of dangerous goods.