

DANGEROUS GOODS NEWSLETTER SUMMER / AUTUMN 2007

INTRODUCTION

The main event over the last few months has been the coming into force of the new UK Regulations (covered below). There have also been a few newsworthy items in other areas of dangerous goods and as usual we have tried to give a brief summary of any changes and implications for our clients connected to the consigning and transport of dangerous goods. If you need more detail on any of the issues addressed, you know where to find us!

CHANGES TO UK DG LAW

The Carriage of Dangerous Goods and Use of Transportable Pressure Equipment Regulations 2007 came into force in July. This legislation revokes previous legislation and aligns UK regulations with the ADR. It also revokes the Radioactive Materials (Road Transport) Regulations 2002 and so finally brings together into one piece of legislation the transport by road and rail of all dangerous goods.

With a few exceptions, the Regulations are a series of pointers to the appropriate parts of ADR / RID. They are far better written than earlier versions and as such have been generally very well received!

WORKING PARTY ON THE TRANSPORT OF DANGEROUS GOODS TRAINING ADVISORY PANEL- JULY MEETING

To those not familiar with the detail of how dangerous goods training is driven forward in this country, the Training Advisory Panel (or TAP) is a very influential grouping of industry experts, training providers, examining bodies and government officials. It is at these meetings that future policy is discussed and upcoming requirements from the UN and / or EC are examined. Very often a decision taken at supra-national level has considerable impact when it is brought to a national setting. In the TAP meetings these implications are discussed

and observations are passed (sometimes quite forcefully!) to Government officials. Our Senior DGSA and Safety Consultant Mark Butterworth always attends these meetings and has consistently raised a number of important points. If any of our clients requires us to do so, we will be more than happy to take these issues to the meeting on their behalf.

At the last meeting there was considerable discussion of on-line testing for ADR. Although the introduction of this process has slowed down a little, there is no hiding from the fact that it is the future and is coming to a training provider near you soon! The DGSA examination will also be undergoing some changes. The "General Classes" paper is being dropped due to under subscription and the view that the "All Classes" paper was more useful for organisations. The "Specialist" class papers (ie Classes 1,2,3 and 7) are still available. The price of the exams for DGSA have been put up once again by the Scottish Qualifications Authority (SQA), the examining body. Anyone taking three exams would now pay £275 (up from £267). Individual exams are now £100 each.

CORPORATE MANSLAUGHTER

At long last the Corporate Manslaughter and Corporate Homicide Bill is being passed into law. It is awaiting Royal Assent and is likely to be law in April 2008. In the past it has been extremely difficult to convict employers where there has been a death of an employee or member of the public through workplace negligence. This has mainly been due to the difficulty in allocating blame to individual members of management. The new Bill will make it much easier for a company as a whole, as well as individuals, to be blamed. Fines are unlimited and there will be extensions to powers for companies to remedy causes of fatalities.

Those companies that already comply with

current health and safety legislation, including dangerous goods legislation, should have nothing to fear. That said, it may be an opportune time to review your organisations policies and procedures.

WASTE MATTERS

A number of our clients deal with dangerous wastes either as a major part of their carriage operation or as a by-product from industrial processes. We have received a number of questions about waste related issues and have carried out a number of consultancies in this area. In the next issue of the Newsletter we will be devoting much of it to this important and growing area of legislation. In particular we will look at the role of the producers and carrier of waste and the documentation implications. Experience has shown that this is the main area where problems arise. If you have a specific waste question you would like including in the Newsletter, then give us a call.

SHORTS

- It has been announced that the UN committee of experts will be completing a full working party review of Information in Writing or "Tremcards". They will be looking at all aspects of the use of Information in Writing so expect the changes to filter down to ADR within the next few years.
- It is not surprising to find that security checks by VOSA have been increased recently. The heightened security state is due to fears that dangerous goods transported by road may be becoming an increasingly likely target for terrorists after the recent Glasgow airport incident.
- Port authorities and Coast Guard are picking up more safe loading issues on vehicle trailers. All Dangerous goods should "where possible" be loaded at the rear of vehicles. A company must have a reason why it hasn't loaded at the rear of the vehicle. If this doesn't satisfy the authorities, they will ask the company to re-load it or will reload it themselves. You have been warned!
- The UN will be introducing a new sub chapter to the "Orange Book" covering

standards for explosive mixer vehicles. The changes should filter down to ADR well in time for the 2009 edition. The current problems with the interpretation of this type of dangerous substance has been the cause of consternation amongst carriers for some time and this will be a welcome move.

- The International Civil Aviation Organisation (ICAO) is carrying out a complete review of packing instructions. Significant changes are expected to be recommended and it is hoped that these will be finalised before the next edition of the IATA publications on transport of dangerous goods.

AND FINALLY, JUST TO REMIND YOU

Queries for DGSA Consultancy clients should always come via our main office **Tel 01282 697098**. To handle queries efficiently and accurately, it will help enormously if you have the following information to hand (where relevant):

- UN Number & Packing Group (from MSDS, Consignment note etc)
- Receptacle sizes and total quantity of load
- Mode of transport (road, sea, air, rail)
- Destination / route

COURSES

The course programme for the second half of year is available via our website or by post (you will have to ring us up to ask though!). As usual we are running courses covering every aspect of dangerous goods transportation as well as many other areas. So if you have any needs for training in ADR, DGSA, IMDG, IATA, etc, don't hesitate to call us.

For more information on any of the items above, call us on 0800 328 3297 or see our website for all our services

www.specialisttraining.co.uk