

# British Association of Dangerous Goods Professionals

Newsletter No. 15, December 2016



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**Welcome to the British Association of Dangerous Goods Professionals (BADGP) fifteenth Newsletter. We hope you find this informative and helpful, and would love your feedback.**

Well what another busy year!

During 2016, members have been able to benefit from:

- free attendance at our 2016 AGM & Industry Seminar: a chance to meet other dangerous goods professionals and hear some excellent speakers from our industry;
- attendance at two excellent seminars (at a special members' discount rates):
  - "Multi-modal Transport of Dangerous Goods" in April
  - "Dangerous Goods Security Provisions" in November
- free attendance at our webinars:
  - "EASA Proposals" in February
  - "Lithium Battery Update" in March
  - "ADR 2017" webinar presented by the DfT
- useful templates and guides (for example, Annual Report Template and the BADGP Guide To Training)
- four newsletters containing excellent, informative articles from industry experts
- discounts from certain suppliers.

We have recently been attending the Department for Transport Joint Working Group meetings, and we intend to provide more information on these meetings throughout 2017, as well as continuing our active role with EASA. We are already planning our 2017 AGM due to be held on the 23 March 2017 and Seminars and further events for the year ahead. We are also producing various guidance and some templates for certain DGSA activities, which we will make available to members.

Whilst it has been a very busy year it has also been a very sad year where we lost a very dear friend Desmond Waight. Desmond was very passionate of BADGP and wanted BADGP to be one of his legacies. I am sure that Desmond would be very proud of all that BADGP has achieved this year.

As usual I welcome any comments or suggestions on the newsletter or future events. Please email me on [caroline.raine@gmail.com](mailto:caroline.raine@gmail.com) – I would love to hear from you!

Have a very Merry Christmas and Happy New Year. Enjoy the festive break.

Caroline Raine, BADGP Chairman

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## **BADGP 2017 AGM & Industry Seminar**

We are pleased to announce that our BADGP 2017 AGM & Industry Seminar will take place on **Thursday 23rd March 2017 at Sedgebrook Hall Hotel**, Chapel Brampton, Northampton, NN6 8BD ([www.sedgebrookhall.co.uk](http://www.sedgebrookhall.co.uk)). As in previous years, we will conduct the formal business of the Annual General Meeting, followed by a series of lectures on topics of interest to dangerous goods professionals. We will also host a small exhibition of products and services of interest to our members.

What topics would you like to see at the 2017 Industry Seminar? Please email your ideas to [enquiries@badgp.org](mailto:enquiries@badgp.org).

Interested in taking a table-top exhibition stand? If so, please also email [enquiries@badgp.org](mailto:enquiries@badgp.org).

Please make sure you enter 23<sup>rd</sup> March 2017 in your diary, and we'll send out more detailed information later in the year.

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## **A Review Of BADGP's "Security Seminar"**

*Many thanks to BADGP Committee member, Richard Masters of Mediterranean Shipping Company (UK) Limited, for this review of our "Dangerous Goods Security Provisions" seminar held on 10 November 2016 at the Staverton Park Hotel near Daventry.*

### **Introduction**

The seminar was well attended with over 40 attendees, considering that the majority of DGSA's clients do not handle High Consequence Dangerous Goods. This proves that there was a requirement for expert advice on the subject. The feedback indicates that most attendees were well satisfied with both the venue and the content, so congratulations and many thanks to my BADGP Committee Member colleagues, Sian Goddard, Kevin Dougherty, Mark Spence and Andy Holton who worked hard to make the event a success and further thanks to Kevin, who's company Air Sea Containers Ltd ([www.air-sea.co.uk](http://www.air-sea.co.uk)) sponsored the event by exhibiting at the seminar.

### **Transporting Radioactive Materials – Iain Davidson (including High Consequence Radioactive Materials - HCRM)**

Iain Davidson – Principal Inspector from the Office of Nuclear Regulation started the seminar by summarising the ADR transport security requirements for Class 7 in ADR 1.10, identifying the types of radioactivity that present the highest risk, and reminded us that ADR specifically identifies the mass socio-economic threat potential of radioactive materials.

Iain then then shared some of the findings of the ONR inspection program and some of Iain's comments were challenging. The program found:

- A lack of awareness of HCRM and threshold levels
  - Poor communications between the carrier/consignor interface
  - Deficiencies in or lack of a security plan
  - Inadequate training and refresher training
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- Inadequate emergency arrangements
- Shortfalls in advice from DGSAs

Iain explained that small but powerful radioactive sources used in medicine and oil drilling have short lives so are frequently transported. These are often moved without the consignor or carrier being aware that they are HCDG. Lack of knowledge about radioactive materials regulations in the forwarding industry makes these errors predictable, which in the current threat climate is unacceptable. Recognising the need to assist industry to enhance employee background checks in response to increases in the threat level the ONR has introduced a weblink to find guidance: <http://www.onr.org.uk/transport/security-guidance-ipc-sector.pdf>.

Iain provided detailed guidance on security planning for HCRM, with emphasis on preventing theft of and from the vehicle on the road using locks, seals, tracking devices, driver communication systems and management control systems. Inspectors are seeking recorded Class 7 employee training and refresher training for drivers and office staff in use of these measures. DGSAs should be competent to give HCRM advice to dutyholders, and much of this advice will involve security issues.

One issue of interest mentioned was that of the depth of knowledge required by DGSA's working for radioactive material consignors and carriers. The DGSA exam does not test Class 7 knowledge in depth, and indeed some carriers were found lacking as well. DGSAs working in this field need to be prepared to work to gain a specialist knowledge of the physical risks of the products, the transport regulations and the security issues unique to this product group.

Iain reported that the ONR is actively developing guidance for DGSAs in order to enhance their Class 7 technical knowledge and enhance their ability to advise carriers and consignors. BADGP is equipped to play a useful role with the ONR to progress this work, and help to fill the apparent gap into the transport industry's knowledge.

## **Training requirements for High Consequence Dangerous Goods – Ali Karim**

Ali Karim of Hazchem Network Ltd gave one of his customary high octane presentations on the practice and reasons for training in the chemical industry. Ali set the scene by establishing the contribution that the chemical industry makes to the UK economy - £57 billion turnover, 180,000 employees across 3,000 companies. Significantly, around 2,800 of these companies employ less than 250 employees, and with many of them producing or using chemicals in the HCDG range the need for both training and vigilance is paramount.

Ali proposed that the risk assessment process applied to health and safety is transferrable to company security, and when this is done it is important to give due emphasis to staff and contractor training appropriate to the level of opportunity the product range offers to those who would use chemicals to anti-social ends. Drivers and contractors who have control of chemicals outside the security protection of the home terminal need to be made aware of the range of threats the product range presents. These include the obvious threats to the public and the environment from accidental releases of hazardous chemicals, but also the deliberate targeting of chemicals by extremist groups seeking material for bombs and weapons.

Drivers should be report deliveries of chemicals to unusual or non-industrial premises – these can be indicators that activists or organised crime is using them to manufacture illegal drugs. Notwithstanding these, drivers always face the threat of conventional diesel and vehicle theft on overnight stopovers, even in secure truckstops.



Ali provided examples of incidents where terrorists had been successful in their efforts, and where lack of training had led to accidents occurring. He re-emphasised the need for training of operational staff and recommended the current DfT surface transport security video, "Lockdown" - a much improved version of the original video.

## **HCDG Risk Assessment – Andy Shylan**

Drawing on his military background, Andy Shylan of AJS Hazardous Training gave an intriguing and witty excursion through the areas of risk assessment required to be accommodated by the armed forces. Handling, storing and transporting massively lethal equipment on a daily basis and presents unique risk assessment issues. Prevention of theft is an obvious leading topic, and Andy described how terrorists have targeted explosives stores.

A case in point was the Madrid train bombs, made from commercial explosives stolen from a mine. In France, a military base was raided and grenades, detonators and plastic explosive were stolen. Also in France several hundred mole traps, freely on sale although each contains a small amount of explosive, have been stolen. Within the UK some MoD personal assault weapons have gone missing, and some speculative thieves raided a stationary train and removed some anti-tank mines. Imaginatively, the forces of law and order advertised for these on the internet they were purchased from the thieves.

Other cases of a missing army truck in a war zone, missing containers of ammunition and missiles missing from an MoD store were described. The point of the examples is that in a large organisation such as the army, items can be wrongly recorded and appear not to be where they are thought to be. The moral being that accurate accounting systems are an important backup to physical security.

While no security can be 100% guaranteed, the aim of every security plan should be to deter theft in the first place, detect it in a timely way if it happens, and build in ways to delay the removal of stolen material from the premises. The current UK threat level is "severe", bordering on "critical". It is incumbent on all of us to maintain vigilance.

## **The security plan – Tony Peters**

Tony Peters from Gamma Scientific Ltd took us on a detailed tour of the elements required to be addressed in a HCDG security plan. The key elements were:

- Details of the business and type of HCDG involved
- Management systems for prescribing record keeping, security procedures, equipment, emergency plans and employee training and verification
- Communication between management, loaders, drivers, and commercial partners

Tony stressed the importance of effective communication and emergency contingency plans for drivers and the need to ensure that site security needs to be effective and not just box ticking. While carrying out unannounced site security inspections, Tony reported that he sometimes found it easy to gain access to supposedly controlled sites without clearance provided he had a plausible story for the security guard.

The presentation identified sources of official information that provide support and advice on implementing security information on boundary control and personnel monitoring that would be



useful to companies seeking guidance on how to commence or review the effectiveness of their current security arrangements.

Finally Tony indicated the importance of having both a strong H&S plan and a security plan, but drew a distinction between the two. While the H&S plan should be inclusive and involve everybody including contractors, the security plan should be restricted on a need to know basis as it contained all the information needed to carry out a theft or attack on the premises.

Overall, a superbly practical and detailed template for drawing up an effective security plan.

## **HCDG Security compliance failings – Mark Tondeur**

Mark Tondeur is the senior Land Transport Security Inspector for DfT who carries out about 300 site inspections a year. His presentation ended the seminar with a description of what the DfT is looking for, how individual plans are assessed and “scored”, an analysis of the major areas of non-compliances, and tips on how companies can review and improve their plans.

The issues that come under Mark’s scrutiny are recruitment, training, physical security of sites and vehicles, and documentation. About 80% of plans largely comply, and most non-compliance is for incomplete or out of date documentation.

Recruitment shortcomings included omission of pre-employment background checks, acceptance of photocopy documents, and few checks to update information on existing employees.

Training issues revealed a reliance on H&S training and ADR driver training, with less resource put into initial and refresher security training. Mark recommended the DfT DVD “Lockdown” as a resource for drivers.

Mark reminded us that security risk assessment is a requirement of the plan, and many assessments judged the general risk level as medium or low, which in the opinion of DfT often under-estimated the insider threat risk from radicalised employees on site and journey risks.

From his wealth of inspection experience Mark described examples of lax access control and to supposedly secure sites, and lack of physical control over vehicles and HCDG within sites. These examples brought home the vulnerability of many transport sites that are dependent upon frequent arrival and departure of vehicles and drivers daily, and the effort that is required to maintain effective security under these circumstances.

Mark finished his presentation with a roundup of the free resources that are available to companies from DfT, local police and government security agencies.

## **Summary**

BADGP would like to sincerely thank the presenters who all offered those of us who do not come from a security background valuable and detailed guidance on how to create and maintain a Security Plan that complies with the security requirements of DfT and ADR. Those members of BADGP who have a strong involvement with Class 7 may wish to assist ONR in their program for improving the effectiveness of DGSAs in this specialist area.

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## **New Seminar: Industry Meetings, Thursday 4<sup>th</sup> May**

Please note another day for your diary: Thursday 4<sup>th</sup> May 2017, for our new Industry Meetings Seminar. This seminar will explore how the Department for Transport's Dangerous Goods Division is structured, how they work and how we can all engage with them. The seminar will take place at Staverton Park, Daventry Road, Daventry, NN11 6JT. More details to follow shortly.

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## **New Industry Meetings Web Page**

We are very pleased that BADGP is becoming a growing voice in our industry and we aim to give members the opportunity to be made aware and kept up to date of potential changes to the regulatory requirements around the safe transport of dangerous goods. To this end we have published a new page on our website which shows a list of meetings that BADGP will be either in attendance at or submit comments on behalf of our members. You can find the new page at: [www.badgp.org/badgp-industry-meetings-calendar](http://www.badgp.org/badgp-industry-meetings-calendar) . We hope you find this useful. Comments, as usual are very welcome ([enquiries@badgp.org](mailto:enquiries@badgp.org)).

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## **BADGP Committee**

BADGP is run by a Committee of elected volunteers and a paid administrator. Our Committee members come from a variety of organisations, including suppliers of dangerous goods packaging, to distributors & warehousing companies, software suppliers and consultancies.

The Committee meet 4 times a year and become engaged in a range of activities including general management of the Association (finance & membership, for example), and the more interesting activities of organising and attending events, seminars, conferences and webinars, liaising with other agencies and Government Departments (such as the Department for Transport), contributing articles to newsletters and promoting the work of BADGP far and wide.

Please see our next article in this newsletter from BADGP Committee member Christina Evans as she explains how and why she became a Committee member, what she puts in and what she gets out.

Interested in joining the Committee? We currently have some vacant places on the Committee and would be very interested to hear from members who may be interested in joining. We would invite you to a meeting, providing an opportunity for you to see how we work. The Committee can co-opt members to join it. Appointment of the whole Committee is voted every year at our AGM.

Interested? Please email your interest to [enquiries@badgp.org](mailto:enquiries@badgp.org) . We look forward to hearing from you!

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## **“Just Do It!” – Becoming A BADGP Committee Member**

Christina Evans is a member of the BADGP Committee. In this article, we interview Christina about her job, BADGP and her work on the Committee.

*Firstly, can you tell us a bit about yourself, Christina?*

I am now an independent DGSA running my own dangerous goods consultancy. I was employed by the NHS for over forty years until I retired early at the end of 2011. For the last few years of my employment, I worked part time, and at the same time, I set up my carriage of dangerous goods consultancy. My interest in the carriage of dangerous goods was set in motion by my husband who works in logistics.

*What is your involvement in dangerous goods and for how long have you been involved?*

I have been a DGSA for almost 14 years and I advise mostly on the carriage of dangerous goods by road under ADR.

My consultancy has built up slowly, mostly by word of mouth. My clients range from one man transport operations to multi-national distribution centres. Most of my work is advising on Limited Quantities, Retail Distribution of DG, and small load thresholds.

*When / how did you first become aware of BADGP?*

A friend of mine, who is a fellow DGSA, told me about BADGP. I was very interested in finding out more and the first contact that I had with the Association was at a meeting held in Birmingham.

*Why did you decide to join BADGP?*

For the networking, meeting like-minded people etc. It can be quite isolating working independently and I thought BADGP would help me communicate with more people with similar interests and experiences.

*Why did you decide to investigate joining the Committee?*

I think that a request for more Committee members was made at the meeting in Birmingham.

I had retired from my full-time job, and I thought that I would have much more time on my hands. Actually, I have less time and I wonder how I found the time to go to work!

I put in a request to join the Committee, I was asked for a resume of my DG involvement and what I felt that I could contribute to the organisation and was then invited to a meeting. I was voted onto the Committee at a subsequent AGM.



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Being on the Committee gives me a better opportunity to network and meet with other people in the industry and allows me to share my dangerous goods knowledge and experiences with the rest of the Committee and the Association's members.

## *Do you remember how your first meeting went?*

I think that I was quite nervous but I was made to feel welcome and that I had something to offer.

## *What have you been involved with since you joined the Committee?*

As well as knowledge sharing and participating in the quarterly Committee meetings, I have helped on the administration side and have enjoyed writing articles for the Newsletter. I prefer tasks that I can do and complete rather than ongoing roles especially as I am away quite a lot and may have difficulty in meeting deadlines.

## *What do you feel you've put into BADGP Committee work and what do you feel you've got out of it?*

I have met other people involved in the dangerous goods industry besides DGSAs, and I can appreciate a much wider view of the DG industry.

I had a mentor in Desmond Waight who was always willing to help me with interpretation of the regulations, and never made me feel stupid for not knowing the answers.

I have listened to and learnt from very good speakers at the AGMs and other BADGP seminars. All of this has broadened my knowledge enabling me to help others in my work and through working with BADGP.

## *What are the top 3 things you'd say to someone else if they were thinking of joining the Committee?*

1. Just do it!
2. Be prepared to take an active part in the committee – you'll get a lot out when you put something in.
3. Don't think that you have nothing to offer

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Do you want to find out more about the work of the BADGP Committee? Follow Christina's lead and contact us about joining. Come along to a meeting and see if it's for you. As Christina says "Just do it!"

Contact us by emailing [enquiries@badgp.org](mailto:enquiries@badgp.org). We look forward to hearing from you.

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## BADGP Quizzes

Have you ever looked at our BADGP Quizzes? Desmond Waight started this initiative and we had good feedback that visitors to our website found these, not only interesting, but also quite challenging! You can find the current dangerous goods quizzes at: [www.badgp.org/dangerous-goods-quizzes](http://www.badgp.org/dangerous-goods-quizzes).

We would like to add some new quizzes to the page and would be very pleased to receive either ideas, or full worked quizzes with Questions and Answers from readers of this Newsletter. We would be pleased to credit the “creators”, on the website, if they wished.

So, thinking caps on over the Christmas break and email [enquiries@badgp.org](mailto:enquiries@badgp.org) with your ideas. Thank you.

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## Latest news from ONR Transport

***Many thanks to ONR's Anna Mayor for providing us with this Newsletter article.***

### Developments

CDG2009 (and amendments in CDG2011) reads out for the most part to ADR which is updated every 2 years. ADR17 is expected imminently, and will come into full effect on 1 July 2017. ONR is currently assessing the impact of ADR17 on Class 7 transport and will be publishing information on the ONR transport guidance and resources pages of the website (<http://www.onr.org.uk/transport/guidance.htm>) to highlight significant changes.

ONR has issued guidance on overseas carriers/consignors transporting by road/rail into or within GB, <http://www.onr.org.uk/transport/transport-guidance-overseas-consigners.pdf>. You should note that the contact details for ONR require updating in this document, see Contacting ONR below for further information.

ONR has just published guidance on the topic ‘radiation and contamination monitoring and assigning a transport index’ on our website, <http://www.onr.org.uk/transport/transport-guidance-monitoring-ti.pdf>. This guidance has been prepared primarily for non-nuclear sector duty holders transporting radioactive material by road in Great Britain to determine the action they need to take to comply with radiation dose rate and radioactive contamination monitoring requirements, and how to appropriately determine a Transport Index.

These documents are in addition to the previously issued guidance on security matters and emergency arrangements.

We are currently preparing guidance on Dangerous Goods Safety Advisers (DGSA's) to include a model template for an annual report and advice on what a customer should expect from their DGSA. We are planning to publish this in quarter 1 2017.

We would welcome any constructive feedback on these documents and any suggestions for further topics for guidance.

### Contacting ONR

Office phone numbers and email addresses have changed. Please update your records including any ONR contact details in emergency arrangements and security plans. You should also advise

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your customers to update ONR contact details in their documentations where appropriate. All office telephone numbers begin with 0203 028 XXXX. The old numbers do not work and are not forwarded. Mobile numbers remain the same.

In relation to an incident:      during office hours: 0203 028 0650 (08:00 – 17:00)  
   out of hours: 0151 922 9235  
   or email                    [class7@onr.gov.uk](mailto:class7@onr.gov.uk)

## Inspections

ONR is currently contacting potential duty holders to determine their involvement in the transport of radioactive materials. This initial contact is followed up by a questionnaire which the duty holder is requested to complete and return to ONR. On the basis of the information supplied ONR will assess the relative risk posed by the duty holder. This then allows ONR to target those organisations with the highest perceived risk to the public for inspection by a warranted inspector. Other organisations, considered to be a lower risk, will be visited by an Authorised Visiting Officer (AVO). The AVO will undertake a lighter touch inspection. This is considered to be a proportionate use of ONR's resources and impose a lighter burden on the lower risk duty holders. However should the AVO find anything of concern, an inspector would undertake a follow-up inspection to assess the duty holder's compliance with transport regulations.

## Key Findings from Inspections

1. Lack of understanding of the scope of transport of radioactive material and the need for awareness training commensurate with roles and responsibilities in the transport operation. Transport covers all operations and conditions associated with and involved in the movement of radioactive materials. These include design, manufacture, maintenance and repair of packaging and preparation, consigning, loading, carriage, in-transit storage, unloading and receipt at final destination. Inspection experience from a hospital was that awareness training was only provided to drivers. Radiopharmacy staff who were packing, labelling and consigning the radioactive material were not considered to be involved in transport.
2. DGSA's providing advice against out of date legislation. The requirement for a DGSA comes from CDG 2009 regulation 5 and ADR 1.8.3.
3. Shortfalls in emergency arrangements, in particular the requirements of CDG 2009 Schedule 2 paragraphs 4 and 5 duties on drivers, carriers and consignors must be addressed in the emergency arrangements.
4. There is still an apparent lack of awareness in regards to the thresholds at which radionuclides become High Consequence Radioactive Material (HCRM) and the need for a prescriptive security plan. It may help if DGSA's ask open questions of their duty holders when seeking to determine if they transport HCRM.
5. ONR has some concerns about the knowledge and understanding of some DGSA's to be able to provide advice to duty holders on the transport of Class 7 materials. ONR will work with DfT and SQA on this matter.



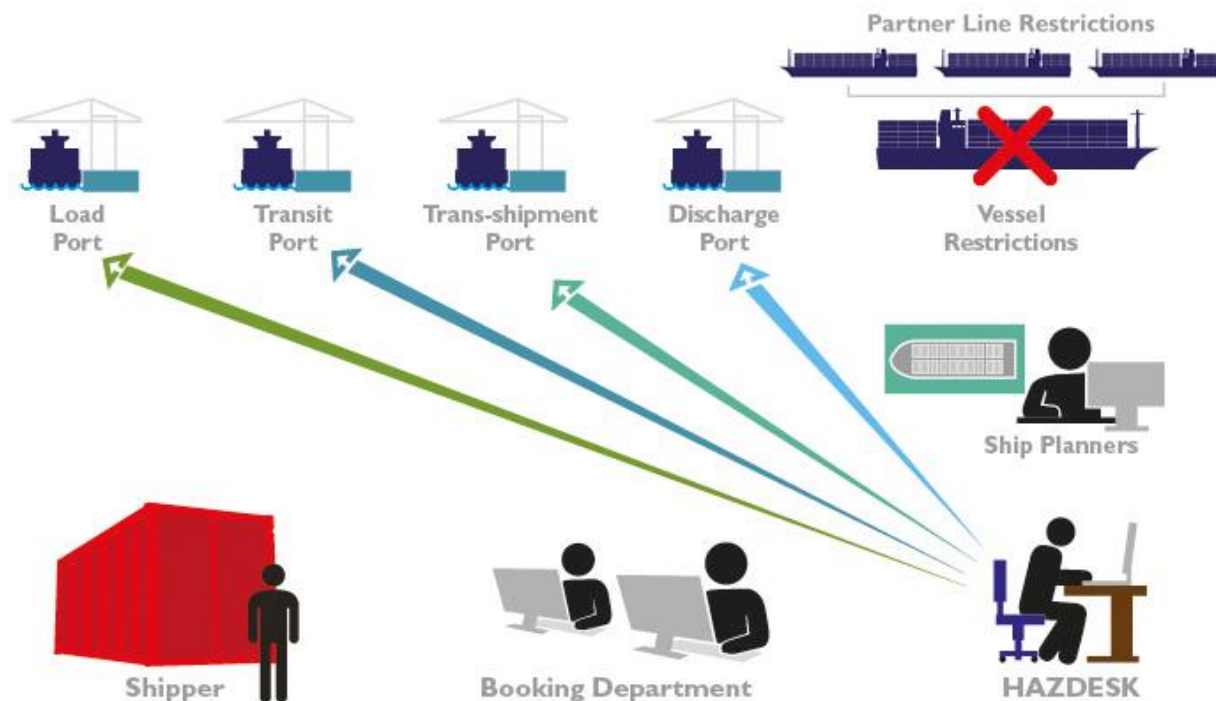
## **Dangerous Goods Acceptance By Shipping Lines In The Big Ship Era**

*The liner shipping alliances system introduces problems into the dangerous goods supply chain. James Douglas, Director of Exis Technologies ([www.existec.com](http://www.existec.com)), looks at an initiative to help simplify the management of booking dangerous goods between partner container lines.*

As with most shipping trades, container ship operators charter space in their vessels to 'partner' lines. In container terms, these 'slot charter agreements' or 'vessel sharing agreements' (VSAs) enable operators to offer customers a wider delivery network than that serviced by their own vessels. Many lines have VSAs with upwards of five partner lines on some routes. The system is essential for economic slot utilisation.

For a ship operator accepting a partner line booking on his ship, the process of checks is more or less the same as with a direct customer booking. All the usual information is processed for each container or load. But it quickly gets more complicated when the containers are carrying dangerous goods (DG). Around 10 per cent of containers on deep sea container ships, upwards of a thousand containers on any of the larger container ships, contain DG. There are critical checks to be made against the particular voyage legs (voyage segments between ports) for the DG being shipped.

1. Most lines restrict or prohibit certain classes of DG - particularly explosives, radioactive materials and some organic peroxides in reefer containers - so the booking line needs to know if the partner line that will carry the box or boxes will accept the DG.
2. Can the vessel booked for the voyage accommodate the DG Restrictions on the stowage of many DG consignments - on deck only, away from accommodation, or away from sources of heat - mean that suitable space is finite.
3. Which ports will the vessel call at? Many ports and individual container terminals have strict rules on the classes of DG that can be loaded, unloaded or transhipped; these restrictions often apply also to DG that stays on the vessel while it is in port. Lines cannot afford to have their schedules interrupted because the 'wrong' DG is aboard a ship.



If a booking accepted by the lines will be sailing on a partner vessel then before it can be confirmed to the customer, each booking has to be sent to the partner line for its acceptance. The line-to-line communication is often by email and phone. Remember that the first line (taking the booking) is accepting the cargo as if carried on its own vessel, so it cannot explain any delay by saying that it is checking with another line. Multiply this process by the thousands of partner line DG bookings made each day, under time pressure, and the scale and complexity of the problem becomes clear. Add to that the fact that the alliances are frequently changing then this acceptance process can be quite complex.

### Portal to partners

Unfortunately, in the container shipping market there is no single database holding all the operator, port and vessel prohibitions and restrictions. For some time, several major lines have been discussing an initiative with Exis Technologies that will help to simplify the management of the partner line DG booking process. The concept is simple - an internet portal, Hazcheck Portal, into which participating lines will enter (or upload) and maintain the operator, vessel and port restrictions for their operations. Each line controls its own data and authorises password-controlled access for partner lines who can then check for DG compliance and accept a provisional booking. Lines will also be able to download the complete set of partner restrictions into their own systems and check the provisional booking there. Participating partners will have instant access to continually updated partner line restrictions, searchable by UN Class, UN Number or Proper Shipping Name. Hazcheck Portal is being piloted and will be rolled out progressively during 2017 and hopefully this data source will prove to be helpful to all parties to the container transport process.



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## **EASA: Report On The 6th General Assembly, Rotterdam**

*The European Association of dangerous goods Safety Advisors, 6th General Assembly in Rotterdam, 3rd and 4th of October 2016*

*Thanks to BADGP Committee Members Trevor Green and Andy Holton for this report.*

### **1) Host's Introduction**

Wim van Dongen of VVA, the Nederland DG association. VVA started at the request of the Dutch government in 2000. VVA was set up in 2003, and now has > 500 members. These are identified by mode, i.e. ADR, RID, and ADN. It has a board of 5 who meet once a month, not a committee as such.

### **2) Rotterdam Presentation**

EASA had a presentation on the port of Rotterdam, from their PR head Frans van Keulen. He showed the history and development, etc. It was the biggest port in the world until 2002, overtaken by Shanghai. Rotterdam grew over 10 times in throughput between 1950-2015, but is now ninth...the first eight are all Chinese!

180 k people work there; area is 12.5k hectares (125 sq. km). Added value to NL economy is >€1billion. Throughput in 2015 was 466 million tons.

He showed us about ER and safety in the port; fires, boats capsizing, security measures etc.

**At this point we had a one minute's silence for Desmond Waight.**

### **3) EASA related matters**

#### **3a) Attendance**

25 people were there representing 17 members (organisations).

There were no Finns, Swiss, Slovaks or Slovenians.

We welcomed new people from Denmark, Spain and Turkey.

The Polish member, ETOS, has withdrawn, criticising the professionalism of EASA in the Joint Meeting when the 7 recent proposals were put forward.

#### **3b) New members**

We welcomed new member, ZVS, from Slovenia, though their rep couldn't be there. They have 30 members.



## 3c) Request for membership

Austria has paid up but never attended.

EASA membership of newly formed association from Sweden expected soon.

Nothing from Italy, nor Romania. The Portuguese association has folded.

## 3d) Finances

Ireland, Turkey and one of the two Polish associations have not paid up.

Credit in the bank €3681.83 as at 25th September.

It was agreed that members must pay their fees within six weeks of receiving the request to pay.

## 3ei) EASA proposals to the Joint Meeting (ADR, RID, ADN)

The transitional period of time for 'consignors' to be added to the list of responsible persons has been accepted (4 years).

EASA decided not to give up after the partial rejection of its proposals on the Annual Report and DGSA training in the modal codes (1.3 and 1.8.3). We felt the rejection was to some extent because we are the new organisation in the process of amending the modal codes, and we need to prove our worth. Indeed, our initial submissions to the Joint Meeting were hurried, and the purpose and value of the proposals were sufficiently well stated. We are aware that EASA has a low level of power but has influence, because it has consensus from grassroots DGSA's and other DG professionals.

## 3eii) Annual Report, WG II

We decided to step back and take the following approach, which is being managed in the first instance by our (new) WG II. This comprises Jesus Pellejero (Spain), Maria Nicopulos (Pol) as joint leaders, Rosa Beaus (Spain), Zsuzsanna Sass (Hu) and Guido Kratochvil (Czech Rep). The approach will be:

- Improve the submission within EASA
- Ensure the submission is agreed by all EASA member organisations
- Ensure members have taken the revised proposals to their governments
- Put the EASA annual report template on the website, as a recommendation only
- Ensure the purpose is clearly spelled out
- Plan for potential representation in 2018

## 3f) RID

Submit the proposal for rail to the RID standing working group.



## **3g) Training by DGSAs, WG I**

In respect of ADR 1.3, there was a lively discussion, with S.Sass (Hu) proposing a compromise that 1.3 should be carried out either by a DGSA or by a trainer who has been trained or advised by a DGSA. This was supported by 12 votes to 3.

WG I will revisit this issue: it comprises Huig van Wijnen (NL, leader), SSass (Hu), Wim van Dongen (NL), Martin Kints (Bel) and Guillaume Lecoz (Fr).

All members will be expected to discuss the proposal with their organisations for their opinions and to take any proposals to their national authorities.

## **3h) EASA: Templates for documents**

They may be used for the work of the Working Groups. Jesus Pellejero (Spain). We may implement templates for EASA documents, etc. This point was not discussed any detail.

## **3i) EASA: Activities of members - Communications**

The General Secretary and the board should be informed about any relevant events. Those in email should however be better focussed.

## **3j) Greece - presentation on fines**

Most members input data on fines and inspections in DGSA related matters, i.e. what is the fine for not appointing a DGSA, and who carries out the check that a DGSA has been appointed? Several members had not replied. The UK had no data since DfT had not replied to TG's request (via Keith White). However, some basic information was inputted directly by TG onto the Greek delegations computers during break on the first day.

## **4) Local Provisions**

- Germany has introduced changes to the routing of loads of Class 7 DGs, on autobahn and rail. This will apply to international, imported and exported loads. See the EASA website, German regulations' section.
- Poland requires the owner of DGs in transit to be declared on the paperwork, whether internal or otherwise.
- Greece ministry of transport has banned DGs from tunnels.
- Turkey has a bridge over the Bosphorus, over which DGs may only pass twice per day, in convoy.





## 5) Next Meeting (8-9th May 2017)

- Members were exhorted to send in information and ideas for the next meeting. This was meant to be Istanbul, but the Turkish state of emergency has given rise to concerns for security, voiced by Bel, NL, Ger and Cz. It may be Zaragosa (Spain) instead, and Istanbul at a later stage when the situation is better.
- Norbert said he would stand down after 5 years as Chairman. Gaston stated he would stay in situ.

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## IMDG Code Amendment 38-16 2017 significant changes

*Many thanks to BADGP Committee member, Richard Masters of Mediterranean Shipping Company (UK) Limited for this in-depth article on these important changes.*

**References:** References to the IMDG Amendment 38-16 and ADR sections are indicated.

**Indications of changes:** Where there are changes to the IMDG Code these are indicated by the following symbols beside the text:

- Insertion of an item – new text
- ⊗ Deletion of an item
- △ Change to an item -altered text

Note: ADR does not use these symbols in the published books.

## Introduction of the new edition

Both IMDG Code and ADR are updated biennially, and the new editions of both are now freely available. Amendment 38-16 of the IMDG Code can be used in parallel to the existing Amendment 37-14 from 01.01.2017. On 01.02.2018, Amendment 37-14 will “die” and only Amendment 38-16 can be used.

ADR will become mandatory in the UK on 01.07.2017, although some European countries are expected to have a later introduction date.

Both publications are synchronised with the 18th Edition of the UN Model Regulations and the Globally Harmonised System of Classification and Labelling of Chemicals.

## Minor changes to the IMDG text

As usual there are numerous minor textural changes throughout both publications. Most of these will represent no major operational changes, but users of both publications are advised to check the entries and provisions of the particular substances or articles with which they are concerned to make sure those minor changes do not affect conditions of carriage. In the IMDG Code this is easy because of the symbols.



There are numerous minor changes in the IMDG Code to some Packing Instructions, Special Provisions, and stowage and segregation codes in Columns 16a and 16b.

## GLOBAL CHANGES TO THE IMDG CODE

### Classification – the effect of REACH – new hazards identified

Members involved in classification will be aware that REACH has stimulated a widespread revaluation of common substances. Modern test methods have revealed that many substances have sub-risks not previously identified in the UN Dangerous Goods List. Where this occurs, the consignor must first obtain the approval of the Competent Authority then ship as either an appropriate N.O.S. reflecting all the hazards, or under the original UN Number with additional sub-risks added. (See IMDG 2.0.0.2 / ADR 2.1.2.8). The competent authority is required to submit such observations to the UN Committee of experts.

**Conformity to Standards** – for a maritime journey standards in the IMDG Code take precedence over any conflicting standards, but any non-conflicting standards must be applied. (IMDG 1.1.1.6/ADR 1.1.5)

### Polymerising substances – major change affecting many classes

Forensic investigation into the explosion and fire on the mv MSC Flaminia in 2012 led experts to conclude that a chemical chain reaction occurred started by runaway polymerisation in tank containers of divinylbenzene – a substance booked as environmentally hazardous but having no other chemical classification requirements. To prevent this reoccurring, the UN system has been amended to so that substances of classes 2, 3, 6.1, 8 and 9 that are liable to polymerise are not accepted for transport unless they are declared as Class 4.1 and chemically stabilised or carried in refrigerated tanks or containers. (See SP 386). For details of classification see: (IMDG 2.4.2.5/ADR 2.2.41.1.20) and for requirements for temperature controlled maritime carriage see: IMDG 7.3.7.

Four new UN Numbers are added for polymerising substances (see list below).

**Tanks & MEGCs** – IMO type tanks manufactured prior to 2003 may continue to be used provided they meet UN test standards, but by 01.01.2018 they must be marked with the T\* Tank Instruction with which they meet the minimum standards. (Ref: IMDG 4.2.0.3). There are minor changes to the requirements for tank and MEGC inspection and inspection plate marking. [IMDG/ADR6.7.2 (parts), 6.7.3 (parts), 6.7.4 (parts) and 6.7.5 (parts)]

### Limited quantities

There are no significant changes in either mode.

### Excepted Quantities

- For liquid dangerous goods, the packaging shall contain sufficient absorbent material to absorb the entire contents of the inner packagings, regardless of orientation. (IMDG3.5.2.1.2/ADR3.5.2)
- When excepted quantities packages are placed in an overpack or in a unit load, the overpack or the unit load shall be marked with the excepted quantities mark. (IMDG/ADR3.5.4.3).



## New UN Numbers

There are 9 new UN Numbers:

UN Number	Proper Shipping Name	Class
UN 0510	ROCKET MOTORS	1.4C
UN 3527	POLYESTER RSIN KITS, solid base material PG II / III	4.1
UN 3528	ENGINE, INTERNAL COMBUSTION, FLAMMABLE LIQUID POWERED, or ENGINE, FUEL CELL, FLAMMABLE LIQUID POWERED, or MACHINERY, INTERNAL COMBUSTION, FLAMMABLE LIQUID POWERED, or MACHINERY, FUEL CELL, FLAMMABLE LIQUID POWERED.	9
UN 3529	ENGINE, INTERNAL COMBUSTION, FLAMMABLE GAS POWERED, or ENGINE, FUEL CELL, FLAMMABLE GAS POWERED, or MACHINERY, INTERNAL COMBUSTION, GAS LIQUID POWERED, or MACHINERY, FUEL CELL, GAS LIQUID POWERED.	9
UN 3530	ENGINE, INTERNAL COMBUSTION, or MACHINERY, INTERNAL COMBUSTION	9
UN 3531	POLYMERIZING SUBSTANCE, SOLID, STABILIZED N.O.S.	4.1
UN 3532	POLYMERIZING SUBSTANCE, LIQUID, STABILIZED, N.O.S. PG III	4.1
UN 3533	POLYMERIZING SUBSTANCE, SOLID, TEMPERATURE CONTROLLED, N.O.S. PG III	4.1
UN 3534	POLYMERIZING SUBSTANCE, LIQUID, TEMPERATURE CONTROLLED, N.O.S. PG III	4.1

## New Special Provisions

There are numerous changes to Special Provisions, some deletions and 11 new ones are added: (SP378-387 and SP 971-972).

## CHANGES TO SPECIFIC CLASSES

### Class 1

There is new guidance as to what data should be in a Class 1 certificate of assignment issued by a competent authority. (IMDG2.1.3.6/ADR2.2.1.1.9)

“Waterfalls” are identified in the list of fireworks as a specific type and may be assigned to Class 1.1G, 1.2G or 1.3G. (IMDG2.1.3.5.5/ADR2.2.1.1.7.5)

Cargo holds cannot be interpreted as “Closed cargo transport units” for the stowage of explosives, but deck houses and lockers are acceptable. (IMDG7.1.2)



## Class 2

Polymerising gases are not accepted for transport unless the shipper takes precautions to prevent polymerisation. (SP 386 - IMDG2.2.4/ADR2.2.2.2)

UN 1950 - the definition of "Aerosols" is clarified as a "non-refillable receptacle."  
(IMDG1.2.1/ADR1.2.1)

There is a new Packing Instruction LP200 and packing provision L2 for waste aerosols.

## Class 3

Polymerising flammable liquids are not accepted for transport unless stabilised according to SP 386. (IMDG2.3.5/ADR2.2.3.2)

Flammable liquid viscosity test - there is an amended table for assigning packing group to viscous flammable liquids with a low flashpoint. (IMDG2.3.2.2/ADR2.2.3.1.4)

## Class 4.1

The definition of Class 4.1 "Flammable solids, self-reactive substances, and solid desensitised explosives," is amended to "Flammable solids, self-reactive substances, polymerising substances and solid desensitised explosives," (IMDG2.4.1/ADR2.2.41.1.20), and IMDG 2.4.2.5 contains a detailed explanation of the criteria for determining if a substance is liable to polymerisation. (see also "**Polymerising substances**" section above).

UN 2000 CELLULOID, 4.1, has SP 383 added stating that table tennis balls with a mass below 3 grams in packages of less than 500 grams are not subject to IMDG or ADR.

## Class 4.2

UN 2216, FISHMEAL, STABILISED, 4.2 is reassigned to Class 9. The entry for UN 1374, FISHMEAL, UNSTABILISED, 4.2, remains unchanged.

## Class 5.2

There are number of minor changes to the table of organic peroxides  
(IMDG2.5.3.2.4/ADR2.2.54.4)

## Class 6.1

Polymerising substances of Class 6.1 are not accepted for transport unless stabilised according to SP 386. (IMDG2.6.2.5/ADR2.2.61.2)

## Class 7

No significant changes.



## Class 8

Polymerising substances of Class 8 are not accepted for transport unless stabilised according to SP 386. (IMDG2.8.3/ADR2.2.8.2)

## Class 9

There is a major change to UN 3166. This number can only be used for vehicles – (powered devices designed to carry one or more people). Machinery such as generators that have engines are now classified under one of the new UN Numbers in the list above, according to the type of fuel and size of the fuel tank. (SP 363).

**SP 385** clarifies that vehicles that are hybrid liquid fuel / battery or gas fuel / battery powered are UN 3166.

## Lithium batteries

There are changes to consignment procedures for:

UN 3090, LITHIUM METAL BATTERIES

UN 3091, LITHIUM METAL BATTERIES IN EQUIPMENT

UN 3480, LITHIUM ION BATTERIES

UN 3481, LITHIUM ION BATTERIES IN EQUIPMENT

**SP 188** - Packages containing lithium batteries consigned according to SP 188 are required to a display new label attached as shown below that includes the UN Number (IMDG 5.2.1.10).



**SP 384** - Packages containing lithium batteries consigned according to SP 384 are required to a display new Class 9A label attached as shown below. This must not be used as a placard, the normal Class 9 placard is required on the cargo transport unit.



Note: this is only a package label – not a placard.

There is a new Packing Instruction **P910** for pre-production lithium batteries being transported for testing.



## BRUSSELS SPROUTS

*This article on REACH is reproduced with the kind permission of Private Eye magazine.*

*As if REACH were not complicated enough, this article from Private Eye magazine examines the hidden legal complexity and cost implications for the UK chemical industry arising from REACH if the UK withdraws from membership of the EU.*

In the bright new world of post-Brexit trade deals (the current score is EU: 53, UK: 0), what does Britain's largest exporter think?

UK chemicals and pharmaceuticals companies export about £50bn worth of their products each year, with 60% going to other EU countries. A pre-Brexit survey carried out by the Chemical Industries Association found not one company that wanted the UK to leave the EU. The sector would ideally like business to continue as usual, with uninterrupted access to the EU single market.

Being on the outside could mean tariffs for these exports, but that is not the main concern. Of much greater significance is whether the all-encompassing EU REACH regulation (governing the registration, evaluation and authorisation of chemicals) will continue to apply in the UK.

Under REACH, companies must submit chemicals data to the Helsinki-based European Chemicals Agency, which decides on restriction or bans for any particularly nasty substances. To minimize animal testing, companies are required to co-operate and send the agency one registration per substance.

In the case of total UK separation from the EU, REACH would continue to apply in the UK until the government changed it. UK chemical companies would also have to continue to comply with REACH for their exports. However, ongoing REACH-related decision making – for example, whether a substance should be banned - would no longer apply in the UK without a parallel UK decision. Any future interpretations of REACH from the EU court of justice would also not have any effect in the UK. British companies would be cut off from the data and cost-sharing mechanisms of REACH.

All this spells extra expense for companies and government that will far outweigh any tariffs. If the UK continues with a UK-REACH, it will have to set up its own decision-making apparatus. Companies face the prospect of having to comply with EU-REACH and UK-REACH, which could diverge over time, for example with a chemical banned in one jurisdiction but not in the other. It will also be a challenge on the government side to find the expertise to administer a UK-REACH - many of the top British scientists now work for the agency in Helsinki.

Of course, a sectoral deal could be done under which the UK continues to implement EU-EACH and follow the decisions of the European Chemicals Agency and the ECJ – but that would mean, one area at least, we do not “get our country back”.

And the UK will lose out in another respect. Because decisions under REACH can only be addressed to EU companies, non-EU firms must appoint representatives located in the EU to do all the paperwork. Many of these representatives have set up in the UK – they are responsible for 42% of all registrations from the UK sent to the European Chemicals Agency. Brexit will put them out of business.

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# British Association of Dangerous Goods Professionals

Newsletter No. 15, December 2016

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## Membership Renewals

Our fixed membership year starts again on 1 January 2017. We have now sent out renewal reminders inviting you to renew your membership for another 12 months. Once again, we have not raised the membership fee, which remains at £60.00.

Please do get back to the Office as soon as possible if you wish to renew. Thank you.

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## Credit Card Payments

We are very pleased to report that many of you are using our new Credit Card payment system. This is now our preferred method of payment as it significantly reduces our administration. Thank you to all who are now using this payment service.

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## BADGP Membership

If you would like to join the BADGP we would be delighted to hear from you.

Membership is on an individual basis and will cost £60.00 per year. Payment details will be provided on receipt of a completed, online membership form which you can find at:

[www.badgp.org/badgp-membership](http://www.badgp.org/badgp-membership).

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# British Association of Dangerous Goods Professionals

Newsletter No. 15, December 2016

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