

DIESEL

Carriage of UN 1202 GAS OIL or DIESEL FUEL or HEATING OIL, LIGHT (flash-point more than 61 °C and not more than 100 °C)

When the new Carriage Regulations come into force in March 2004, diesel with a flashpoint above 61⁰C will come into scope as a product that is dangerous for carriage.

Diesel is being brought into scope as a consequence of the European Directives on the carriage of dangerous goods by road and rail. Department for Transport (DfT) and Health & Safety Executive (HSE) have worked with industry to develop a number of transitional measures to ease the implementation.

The requirements for carriage of diesel depend on whether it is being carried either

- in packages - drums, IBCs (intermediate bulk containers) etc, or
- in tanks and bowsers.

NB The dates in this note are based on the regulations being made on 1 March 2004. If implementation is delayed then the dates may need to be amended accordingly.

EXEMPTIONS FOR DIESEL CARRIED IN PACKAGES

Regulation 3(5): The regulations do not apply to diesel carried on vehicles with less than 4 wheels and a maximum design speed of 25 KPH or less; mobile machinery; and agricultural or forestry tractors. The disapplication also extends to trailers being towed by such vehicles.

Regulation 3(6)(a) [ADR 1.1.3.1(c)]: The regulations do not apply to diesel in packages not exceeding 450 litres per package and not exceeding 1,000 litres in total, provided the diesel is intended to be used by the person carrying it at the final destination, however, if the carrier is delivering the diesel for use by someone else the consignment is not exempt from the requirements.

Regulation 3(6)(a) [ADR 1.1.3.6]: There are partial exemptions for diesel in packages up to a total of 1,000 litres. These include exemptions from Dangerous Goods Safety Adviser; Driver Training (but not general awareness training), placarding + marking of vehicles, transport documents.

HSE approval of transitional measures

Driver Training: HSE will issue an approval that will allow carriers to be exempt from Regulation 24(1)(a) to the extent that it relates to driver training as required by sub-sections 8.2.1 and 8.2.2 of ADR. The approval will stay in force until 30 June 2005.

NB: This approval will not offer an exemption from 8.2.3 General awareness training.

Bowers deemed to be IBCs: HSE will issue an approval that will allow *certain* bowers to be deemed to be Intermediate Bulk Containers (IBCs) so that they can take advantage of the exemptions for packages. There are a number of conditions attached to the approval. See Annex for details. The approval will stay in force until 28 February 2019.

NB: This approval **does not** apply to *all* bowers.

EXEMPTIONS FOR DIESEL CARRIED IN TANKS

Regulation 3(5): The regulations do not apply to diesel carried on vehicles with less than 4 wheels and a maximum design speed of 25 KPH or less; mobile machinery; and agricultural or forestry tractors. The disapplication also extends to trailers being towed by such vehicles.

Schedule 1 (Construction, testing, examination, maintenance etc): Paragraph 9(b) disapplies the requirements for 'old tanks' (tanks constructed on or before 1 March 2004) used to carry diesel provided they remain safe and suitable for their intended purpose. The exemption applies throughout the life of the tank.

HSE approval of transitional measures

Driver Training: HSE will issue an approval that will allow carriers to be exempt from Regulation 24(1)(a) to the extent that it relates to driver training as required by sub-sections 8.2.1 and 8.2.2 of ADR. The approval will stay in force until 30 June 2005.

NB: This approval will not offer an exemption from 8.2.3 General awareness training.

Display of telephone number for specialist information: HSE will issue an approval that will exempt consignors, fillers and carriers from Regulation 55(1) to the extent that it relates to the display of a telephone number as required by paragraph 5 of Part 1 of Schedule 9. The approval will stay in force until 30 June 2005.

Orange coloured plates: HSE will issue an approval that will allow consignors, fillers and carriers to replace the orange coloured plates with self-adhesive sheets, by paint or by any other equivalent process, provided the material used is weather-resistant and ensures durable marking. The approval will stay in force until 30 June 2005.

Annex

Bowers deemed to be IBCs

The following bowers may be deemed to be IBCs:-

A bowser manufactured before 1 March 2004 may be regarded as an intermediate bulk container (IBC) for the carriage of UN 1202 GAS OIL or DIESEL FUEL or HEATING OIL, LIGHT (flash-point more than 61 °C and not more than 100 °C) provided the following conditions are met -

- it shall have a capacity of not more than 3,000 litres;
- it shall be designed for mechanical handling;
- it shall be resistant to the stresses produced in handling and carriage;
- it shall not be permanently fixed to a motor vehicle or trailer, however it may be temporarily fastened for safety during carriage. Such temporary fastenings include purpose designed retention devices with or without screw fasteners;
- it shall remain safe and suitable for the carriage of UN 1202;
- it shall be submitted for periodic re-inspection if directed by the Competent Authority;
- the owner shall ensure that the consignor and carrier are informed of the terms of this approval.

Note: Any bowser (IBC) showing a UN IBC approval mark in accordance with the provisions of Chapter 6.5.2 of ADR irrespective of date of manufacture is subject to the relevant IBC requirements of the Carriage Regulations.

HSE will issue an approval in relation to such bowers deemed to be IBCs to exempt the consignor and packer from:-

Regulation 10 to the extent that it relates to the:

- consignor only using of IBCs approved for and suited to the carriage of diesel and bearing the marks prescribed by ADR as required by 1.4.2.1.1(c) of ADR
- packer complying with packing conditions as required by 1.4.3.2(a) of ADR

Regulation 18 to the extent that it relates to:

- requirement for IBCs to conform to design type successfully tested in accordance with the requirements of 6.5.4 as required by 4.1.1.3 of ADR
- requirement for remanufactured, reused, reconditioned or repaired IBCs to be capable of passing the tests prescribed in 6.5.4 as required by 4.1.1.9 of ADR
- requirement for IBCs to successfully undergo a suitable leakproofness test and be capable of meeting the appropriate test level indicated in 6.5.4.7 as required by 4.1.1.12 of ADR
- additional general provisions for IBCs as required by 4.1.2 of ADR
- general provisions concerning packing instruction as required by 4.1.3 of ADR
- provisions concerning Packing Instruction IBC03 as required by 4.1.4 of ADR