

Guideline

A-14

CLAP

FORM N°X020

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Directive 2014/68/EU

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Directive References: Article 2 § 1

Subject: Scope – Transportable tanks

Question:

If transport tanks for use in any mode of transport have been designed, manufactured and approved for the carriage of dangerous goods under the ADR, RID, IMDG code or the ICAO convention, will it also be necessary for them to comply with the PED when they are placed on the market?

Answer:

No. Article 1 paragraph 2 (s) of the PED excludes transport tanks covered by directive 2008/68/EC and Directive 2010/35/EU (ADR, RID) or the IMDG code or the ICAO convention.

If a manufacturer declares that transport tanks designed, manufactured and approved for the carriage of dangerous goods under the ADR, RID, IMDG code or the ICAO convention, are intended to be used for both dangerous and non-dangerous goods then the exclusion in article 1 paragraph 2 (s) may still apply (see Guideline A-30 (CLAP X034)).

On the other hand, if a transport tank is not designed, manufactured and approved under the ADR, RID, IMDG code or the ICAO convention, then it will be limited to the transport of non-dangerous liquids and solids. These transport tanks will not be excluded from the PED and will be covered if they are in the scope.

All transport tanks covered by the agreements and conventions in article 1 paragraph 2 (s) must be designed and built to a maximum allowable working pressure, satisfy the requirements for initial pressure testing and undergo periodical examination throughout their service life.

These requirements deal with safe containment and hazards due to pressure, but primarily only for the safety of transport. With regard to the use of a transport tank, for example as a storage tank, or being emptied outside the scope of the transport codes, consideration should be given to applicable national legislation. For example, the question of safety valves in the tank itself or in the emptying station should then be considered. This paragraph does not apply to tanks bearing both CE-mark and PI mark (see Guideline A-30 (CLAP X034)).

Note: Refer also to Guideline A-02 (CLAP X009).

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