



Circular number	20-2004	Date issued	02 August 2004
This circular is	For information	No response required	
This circular is	Not relevant to the National Framework		
Status	This Circular provides background information on The Carriage of Dangerous Goods and Use of Transportable Pressure Equipment Regulations 2004.		

Carriage of Dangerous Goods and Use of Transportable Pressure Equipment Regulations 2004

Issued by:

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Addressed to:

**The Commissioner of the London Fire and
Emergency Planning Authority**
The Chief Fire Officer

Cc to:

The Chief Executive to the County Council
The Clerk to the Fire and Rescue Authority
The Clerk to the Fire and Civil Defence Authority
The Clerk to the Combined Fire and Rescue
Authority

Please forward to:

Hazmat Officers

Summary

This Circular provides information on the coming into force of '*The Carriage of Dangerous Goods and Use of Transportable Pressure Equipment Regulations 2004*'. It also gives details of the availability of the Dangerous Goods Emergency Action Code List 2004 in CD-ROM format.

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1.0 The Regulations

1.1 The Carriage of Dangerous Goods and Use of Transportable Pressure Equipment Regulations 2004 (The Carriage Regulations) came into force on 10 May 2004. These Regulations provide a single consolidated piece of legislation replacing the following range of regulations:

- **The Gas Cylinder (Pattern Approval) Regulations 1987**
- **The Pressure Vessels (Verification) Regulations 1988**
- **The Packaging of Explosives for Carriage Regulations 1991**
- **The Carriage of Dangerous Goods (Classification, Packaging and Labelling) and Use of Transportable Pressure Receptacles Regulations 1996**
- **The Carriage of Explosives by Road Regulations 1996**
- **The Carriage of Dangerous Goods by Road (Driver Training) Regulations 1996**
- **The Carriage of Dangerous Goods (Amendment) Regulations 1998**
- **The Carriage of Dangerous Goods (Amendment) Regulations 1999**
- **The Transport of Dangerous Goods (Safety Advisors) Regulations 1999**
- **The Transportable Pressure Vessels Regulations 2001**
- **The Packaging, Labelling and Carriage of Radioactive Material by Rail Regulations 2002**
- **The Carriage of Dangerous Goods and Transportable Pressure Vessels (Amendment) Regulations 2003**

1.2 The Carriage Regulations also partially revoke the following:

- **The Carriage of Dangerous Goods by Rail Regulations 1996**
(Regulations 1,2,5 to 34 and the Schedules are revoked)
- **The Carriage of Dangerous Goods by Road Regulations 1996**
(Regulations 1 to 4, 7 to 19, 21 to 29 and the Schedules are revoked)

1.3 The Carriage Regulations implement the European Commission Directives 2003/28/EC (Carriage of Dangerous Goods by Road), 2003/29/EC (Carriage of Dangerous Goods by Rail) and complete the implementation of Directive 1999/36/EC (Transportable Pressure Equipment).

1.4 The Carriage Regulations directly reference the 2003 texts of the Regulations Concerning the International Carriage of Dangerous Goods by Rail (RID) and the European Agreement Concerning the International Carriage of Dangerous Goods by Road (ADR).

1.5 The Carriage Regulations can be accessed on the internet at:
www.hmso.gov.uk/si/si2004/20040568.htm

2.0 Main changes to the Regulations

The main changes to the Regulations are:

2.1 **New limited quantity and load thresholds for transporting dangerous goods.** Consignors will need to be aware of these.

2.2 **Packaging requirements now based on RID/ADR.** Consignors are now required to consult RID and ADR direct.

2.3 **The transport of diesel, gas oil and heating oil coming fully into scope.** The fully coming into scope of diesel, gas oil and heating oil means that these materials will be considered to be flammable liquids for the purposes of transport even when their flash points are between 61°C and 100°C (the normal upper limit for flammable liquids is 61°C).

2.4 **New accident reporting requirements.** The new accident reporting requirements require that carriers report certain accidents involving dangerous goods to the Department for Transport. Such incidents are where:

- Dangerous goods are released; or
- There was an imminent risk of loss of product and personal injury, or material/environmental damage estimated to exceed 50,000 Euros occurred.

2.5 **The phasing out of the competent person periodic inspection regime for transportable pressure equipment.** There are implications for Fire and Rescue Services, under these regulations, for the phasing out of the competent person periodic inspection regime for breathing apparatus cylinders but this will be covered in a separate Fire & Rescue Service Circular.

3.0 Hazchem marking

3.1 The Regulations take account of national derogations agreed with the European Commission including the carrying forward of the mandatory Emergency Action Code system for placarding certain GB-registered vehicles on GB journeys.

3.2 A new Emergency Action Code List was published in April 2004 to accompany the new Regulations. Details of the new List were circulated in item D of Dear Chief Officer Letter 3/2004.

4.0 CD-ROM version of the Emergency Action Code List 2004

- 4.1 The CD-ROM version of the EAC 2004 List, as mentioned in item D of Dear Chief Office Letter 3/2004, is now available from The Stationery Office, price £40 + VAT, ISBN 0113412975.
- 4.2 One complimentary copy has been sent to every Fire and Rescue Service.
- 4.3 Any comments on the usefulness or otherwise of the CD-ROM version should be addressed to Dennis Ricketts in HM Fire Service Inspectorate.

5.0 Useful background documents and information sources

- 5.1 The following documents will be useful as background sources of information to the Carriage Regulations:
- **The European Agreement Concerning the International Carriage of Dangerous Goods by Road (ADR) 2003.** (ISBN 92-1-139078-8 for two volumes). This can be viewed on the UNECE website at www.unece.org/trans/danger/danger.htm
 - **Working with ADR - An introduction to the carriage of dangerous goods by road.** Single copies are available free from the Department for Transport Publications, PO Box 236, Wetherby, West Yorkshire, LS23 7NB. Tel 0870 1226 236; Fax 0870 1226 237. E-mail dft@twoten.press.net. This can also be accessed at <http://www.hse.gov.uk/cdg/index.htm>
 - Item D of Dear Chief Officer Letter 3/2004 & Dangerous Goods Emergency Action Code List 2004

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