



WORKING PAPER

**DANGEROUS GOODS PANEL (DGP)
WORKING GROUP MEETING (DGP-WG/19)**

Montréal, 1 to 5 April 2019

Agenda Item 2: Managing air-specific safety risks and identifying anomalies

2.3: Develop proposals, if necessary, for amendments to the *Supplement to the Technical Instructions for the Safe Transport of Dangerous Goods by Air* (Doc 9284SU) for incorporation in the 2021-2022 Edition

**REVISIONS TO RECOMMENDATIONS ON ISSUANCE OF APPROVALS AND
EXEMPTIONS**

(Presented by D. Brennan)

SUMMARY

This working paper proposes that there needs to be further information and guidance included in the Supplement to provide additional recommendations to States when issuing approvals and exemptions.

Action by the DGP-WG: The DGP-WG is invited to consider the issues raised in this working paper to determine what additional content should be included in the Supplement to better support the coordination of the information flow between States, shippers and operators when considering and issuing approvals and exemptions.

1. INTRODUCTION

1.1 Part 1;1.1.2 and 1.1.3 of the Technical Instructions set out the high-level provisions for approvals and exemptions that may be issued by the authorities of the applicable States. The Supplement to the Technical Instructions then includes in Part S-1;1.2 recommendations to States on the information that should be provided to the authority to consider processing an exemption and in Part S-1;1.3 recommendations to States when considering the issuance of an exemption. Additional guidance on the processing of approvals and exemptions is then provided in Attachment I to Chapter 1 of Part S-1.

1.2 What is not clear in Part S-1 is exactly to which entity(ies) the approval or exemption should be issued and the relationship between the shipper, the operator and the authorities when considering a request for an approval or exemption.

1.3 In the guidance material in Attachment I there is a brief reference that “The responsibility for obtaining an exemption may rest with the operator or with the shipper depending on the nature of the request and on State procedures.”. While this statement may be accurate it does gloss over the practical issues if the operator is not involved in the process of obtaining an approval or exemption at the very commencement of the consideration.

1.4 Practically speaking an authority may issue an approval or exemption to a shipper to permit the transport by air of dangerous goods normally forbidden. However, if there is no operator that is prepared to carry the dangerous goods based on the approval or exemption, the process has been a waste of time and probably money.

1.5 The International Air Transport Association (IATA) is aware of one very real example of this where a shipper sought and obtained an approval under Special Provision A88 from the authority in their State to be able ship prototype lithium ion batteries. However, when it came to transporting the prototype lithium ion batteries, the only operator with the equipment prepared to carry the batteries was located in another State. However, as the first State was now no longer the “State of Origin”, the shipper was forced to recommence the entire process with a different authority. This resulted in many wasted months. This could have been avoided had the approval process included a requirement at the outset for the shipper to identify an operator prepared to carry the cargo.

1.6 Also associated with the issue of approvals and/or exemptions is the reference to the packing instruction number. There is nothing in the Technical Instructions or the Supplement that removes the requirements for the shipper to indicate the applicable packing instruction number on the dangerous goods transport document.

1.7 So, for example where a shipper has an approval to ship prototype lithium batteries under Special Provision A88, the applicable packing instruction number becomes Packing Instruction 910. However, Packing Instruction 910 does not exist in the Technical Instructions and is only contained in the Supplement. However, there is nothing that provides guidance or direction to States that if the dangerous goods being shipped under an approval or exemption are subject to a packing instruction that is only contained in the Supplement, that the State should (must?) provide a copy of the relevant packing instruction with the approval or exemption.

1.8 The absence of this information within the approval or exemption places the operator accepting the consignment at a significant disadvantage as they may not have access to the Supplement at the point that the cargo is offered for transport and where the dangerous goods acceptance check will be performed.

2. ACTION BY THE DGP-WG

2.1 The DGP-WG is invited to consider what additional information should be considered for inclusion into the Supplement to address the issues raised.