



**An tÚdarás Sláinte agus
Sábháilteachta Health and
Safety Authority**

European Communities (Carriage of Dangerous Goods by Road and Use of Transportable Pressure Equipment) Regulations 2011 to 2023

Competent Authority Exemption 03/2024

Applicable To National Road Transport Only

Carriage of dangerous goods in identified tanks below the minimum material thicknesses required in ADR 6.8.2.1.18 to 6.8.2.1.21

The Health and Safety Authority, as Competent Authority appointed under Regulation 10 of the European Communities (Carriage of Dangerous Goods by Road and Use of Transportable Pressure Equipment) Regulations 2011 to 2023, and in accordance with Regulation 5(4)(a), hereby exempts the relevant participants from the requirements of ADR 6.8.2.1.18 to 6.8.2.1.21 for those tanks listed in Annex 1.

Annex 1 provides a list of the tanks permitted to continue in operation under the provisions of this exemption, with shell thicknesses deemed acceptable at the time of manufacture and initial inspection by the inspection body, in accordance with the standards applicable at the time of the design and construction of the tank.

Purpose

ADR transitional measure 1.6.3.31 provides that:

'Fixed tanks (tank-vehicles), demountable tanks and tanks forming elements of battery-vehicles designed and constructed in accordance with a technical code which was recognized at the time of their construction according to the provisions of 6.8.2.7 which were applicable at that time may still be used'.

The purpose of this exemption is to permit the continued use of tanks that were designed and constructed such that, at the time of manufacture, the material thickness of the tank shell, partitions, or surge plates, was less than the minimum thickness required by ADR 6.8.2.1.18 to 6.8.2.1.21. The material thickness of such tanks, however, was not less than the corresponding minimum thicknesses required by the relevant standards that applied at the time of construction of the tanks or within accepted tolerances.

The transport operation shall comply with the provisions contained in this document.

1. This exemption applies only to tanks with the serial numbers listed in Annex 1. At the time of each periodic or intermediate inspection, the inspection body¹ shall issue a certificate of exceptional inspection. The certificate of exceptional inspection shall refer to this exemption and shall provide an assessment of shell thickness measurements against the requirements applicable at the time of tank design and construction, taking into account the original material manufacturing tolerances of EN10025². The certificate shall
 - Record the minimum thicknesses that were applicable at the time of tank design and construction, as indicated by supporting technical documents submitted at the time of application for the tank,
 - Record the shell thicknesses measured at the time of exceptional inspection; the measurements of shell thickness shall be taken at a sufficient number of different locations if deemed necessary to determine, with confidence, there is no indication or evidence of wastage, erosion or corrosion of the tank,
 - Indicate that all other aspects of ADR Chapter 6.8 relevant to the tank are satisfied,
 - Identify the dangerous goods that the tank is suitable to carry.
2. Certificate of exceptional inspection under this competent authority exemption shall not be recognized by the Authority
 - if the measurement of shell thickness is less than the corresponding minimum thickness of the original design, taking into account the original material manufacturing tolerances of EN10025, and/or
 - there is evidence that material wastage, erosion or corrosion has taken place to the tank shell during operation.
3. Where a tank following inspection receives a certificate that is in the category of provision 2 above, notification of this shall be forwarded to the Authority, and the Authority shall remove the tank from Annex 1.
4. In all other respects, the transport operations performed in accordance with this exemption will comply with the relevant requirements of ADR.
5. A copy of this exemption shall accompany the transport documentation, and shall be made available to anyone who has a legitimate interest in the transport operation.
6. Any incident resulting in loss of containment of a substance during the transport journey shall be reported immediately by the participant in control of the transport operation to the emergency services and to the Authority:

Health and Safety Authority
The Metropolitan Building
James Joyce Street
Dublin 1
D01 K0Y8

¹ An inspection body accredited to perform periodic, intermediate and exceptional inspections of tanks in accordance with ADR Chapter 6.8.

² EN10025 – series of European standards for structural steel products.

Email: contactus@hsa.ie

Phone: 0818 289 389

7. The Authority may withdraw this exemption for failure to observe any of these conditions or for any other reason, which the Authority deems sufficient.
8. Tanks with the serial numbers listed in Annex 1 may remain in service from the date of issue of this exemption until such time that the tank does not possess a certificate of exceptional inspection issued by the inspection body at the time of each periodic or intermediate inspection.

This exemption is effective immediately and will be valid until there are no longer any tanks listed in Annex 1.

Date: 15 February 2024



Conor O'Brien
Chief Executive Officer
Health and Safety Authority