



WORKING PAPER

**DANGEROUS GOODS PANEL (DGP)
WORKING GROUP MEETING (DGP-WG/24)**

Montreal, 21 to 25 October 2024

- Agenda Item 2: Managing air-specific safety risks and identifying anomalies (REC-A-DGS-2027)**
- 2.1: Develop proposals, if necessary, for amendments to Annex 18 — *The Safe Transport of Dangerous Goods by Air***
 - 2.2: Develop proposals, if necessary, for amendments to the *Technical Instructions for the Safe Transport of Dangerous Goods by Air* (Doc 9284) for incorporation in the 2027-2028 Edition**

**PROPOSED AMENDMENT TO THE SPECIFICATIONS IN ANNEX 18 AND THE
TECHNICAL INSTRUCTIONS REQUIRING THE OPERATOR TO PROVIDE
INFORMATION TO EMERGENCY SERVICES AND STATES CONCERNED IN THE EVENT
OF AN AIRCRAFT ACCIDENT OR INCIDENT**

(Presented by S. Schwartz)

SUMMARY

The intent of this paper is two-fold. The first is to change the condition that is used as the trigger for providing dangerous goods information to emergency services that may be responding to an aircraft accident, serious incident, or incident. The second is to separate two distinct reporting requirements that are currently discussed in the same paragraph of Annex 18 into two separate paragraphs. This is proposed in conjunction with the work undertaken to clarify States' responsibilities in Annex 18 as directed under Job Card DGP.005.04. As these two issues are repeated in the Technical Instructions, this paper also proposes revising the language there.

Action by the DGP-WG: Action by the DGP-WG is in paragraph 2.

1. INTRODUCTION

1.1 The Standards as set forth in the current Annex 18 paragraphs 9.6.1 and 9.6.2 impose different requirements on the operator depending on whether the aircraft is involved in an occurrence that is classified as an accident, a serious incident, or an incident. In two of these situations, namely an aircraft

accident or a serious incident where dangerous goods carried as cargo may be involved, the Standard says that the operator "... shall provide information, without delay, to emergency services responding ..."

1.2 Whether an occurrence involving an aircraft is determined to be an accident, serious incident, or an incident, and whether the dangerous goods carried as cargo may be involved, may not be determined until hours, or often days, after the occurrence has happened. There is an extensive list of elements and severities in Annex 13 — *Aircraft Accident and Incident Investigation* that must be analysed to make that determination. Using the classification of the occurrence as an accident or serious incident as the determining factor as to whether to provide information, without delay, to emergency services responding is very likely to deny those personnel critical information that they may need to safely and successfully respond to the occurrence.

1.3 The existing terms of "accident," "serious incident," and "incident" in the current and proposed language for these Standards are very specific. As emergency services, aerodrome authorities, and the operator, among others, would not know which classification applies in the critical minutes after the event occurred, the term "occurrence" is recommended as a more suitable and more general term. The term occurrence is defined in the *Manual of Aircraft Accident and Incident Investigation* (Doc 9756) as "Any accident or incident associated with the operation of an aircraft." Also, the term is used in Annex 13 in like manner when defining the terms "accident" and "incident" as "An occurrence associated with the operation of an aircraft ...". For the determination of when to provide information to emergency services, the more general term of "occurrence" is recommended.

1.4 When emergency services are responding to an aircraft occurrence, it is difficult for them, the aircrew aboard the aircraft, the airfield authorities, and especially the operator, to determine whether the dangerous goods aboard the aircraft are going to be involved. It is even more difficult for the operator to determine if the occurrence is an accident, a serious incident, or an incident. To best address these unknowns, and to give the responding emergency services the information that they may need to affect a timely, successful, and safe rescue, it is best to have the determining factor as to whether to provide dangerous goods information to simply be whether the emergency services are responding.

1.5 In addition to providing the information regarding the dangerous goods carried as cargo to the emergency services, these two current paragraphs also impose a requirement on when to provide information to States, and which States shall be provided the information, since it is believed that the provision of this information to the States is for investigative and not for emergency response reasons. During the numerous meetings of the DGP Working Group on Annex 18 (DGP-WG/Annex 18), the participants were often reminded by the Secretariat that a Standard should have a single requirement to be accomplished, and that each Standard should stand alone in its own paragraph. If more than one requirement was being described, it would require a separate Standard, and a separate paragraph. To that end, the requirements to provide information to the emergency crews responding are proposed to be in a separate paragraph from the requirements of providing information to States.

1.6 As background, the evolution of these two paragraphs changed the intended recipient of the information over the years. In the original Annex 18 from 1983, the information was being provided to the States for accident reporting purposes and "... to minimize the hazards created by any damage to the dangerous goods carried." It wasn't until the effective date of Amendment 6 to the Third Edition in July 2001 that the recipient of the information changed to the emergency services responding, with any references to States being removed. Shortly thereafter, Amendment 7 to the Third Edition in July 2003 added back in the requirement to provide information to States as well as emergency services. A proposal was presented to the 2003 DGP Working Group Meeting (DGP-WG/03, 5 to 9 May 2003) (see paragraph 4 of the DGP-WG/03 Report) to try to clarify the language as to when the information would

need to be presented to emergency services. There was further discussion at the Nineteenth Meeting of the DGP (DGP/19, 27 October to 7 November 2003) as to when information would need to be presented to States, which resulted in the current Annex 18 and Technical Instruction language (see paragraph 1.1 of the DGP/19 Report).

1.7 In the Report of DGP/19, it states, “It was also agreed that the Secretary should add similar text in the appropriate location in the Technical Instructions.” Currently the language in the Technical Instructions is structured differently from Annex 18. This working paper proposes to realign the language in both locations.

2. ACTION BY THE DGP-WG

2.1 The DGP is invited to:

- a) consider amending the SARPs in Annex 18 related to information provided by the operator in the event of an aircraft accident, serious incident, or incident in accordance with either Appendix A or Appendix C of this working paper;
- b) include the amendment with the amendments to Annex 18 developed under Agenda Item 5 of this meeting for onward submission to the Air Navigation Commission for its preliminary review;
- c) consider the same language to update the Technical Instructions.

2.2 Appendix A and B are proposed in the more general language of using the term “occurrence” to apply to an event that could be an accident, serious incident, or incident, as described above in paragraph 1.3. Appendices C and D are proposed if the members prefer to keep the language that includes the specific classifications of accident, serious incident, and incident.

APPENDIX A

PROPOSED AMENDMENT TO DRAFT ANNEX 18 SARPS RECOMMENDED BY DGP-WG/ANNEX 18

OPTION 1: USING THE TERM “OCCURRENCE” IN PLACE OF “ACCIDENT”, “SERIOUS INCIDENT” OR “INCIDENT”

The amendments proposed in this appendix are made to the draft SARPs recommended by DGP/29 (see Recommendation 5/1 of the DGP/29 Report) and subsequently modified by DGP-WG/Annex 18 (see DGP-WG/24-WP/30).

CHAPTER 6. OPERATOR’S RESPONSIBILITIES

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6.10 Emergency procedures

6.10.1 The operator shall provide instructions to crew members as to the action to be taken in the event of an emergency involving dangerous goods.

6.10.2 An operator with a specific approval to transport dangerous goods as cargo shall implement procedures to specify that if an in-flight emergency occurs, the pilot-in-command or remote-pilot-in-command shall, as soon as the situation permits, inform the appropriate air traffic services unit, for the information of aerodrome authorities, of any dangerous goods on board the aircraft, as provided for in the Technical Instructions.

6.10.3 An operator with a specific approval to transport dangerous goods as cargo shall develop and implement procedures to ensure that in the event of:-

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a) ~~an aircraft accident; or~~

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b) ~~a serious incident where dangerous goods carried as cargo may be involved~~ occurrence where emergency services are responding,

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the information about the dangerous goods on board that was provided to the pilot-in-command or remote-pilot-in-command is provided, without delay, to emergency services responding to the ~~accident or serious incident about the dangerous goods on board. As soon as possible, the operator shall also provide this information to the appropriate authorities of the State of the Operator and the State in which the accident or serious incident occurred~~ occurrence.

6.10.4 An operator with a specific approval to transport dangerous goods as cargo shall develop and implement procedures to ensure that in the event of an aircraft ~~incident~~ occurrence where emergency services are not responding, if requested to do so, the information about the dangerous goods on board that was provided to the pilot-in-command or remote-pilot-in-command is provided, without delay ~~to emergency services responding to the incident and to the appropriate authority of the State in which the incident occurred, about the dangerous goods on board, as shown on the information to the pilot in command,~~ to aerodrome authorities.

6.10.5 An operator with a specific approval to transport dangerous goods as cargo shall develop and implement procedures to ensure that in the event of an aircraft occurrence where emergency services are responding, the information about the dangerous goods on board that was provided to the pilot-in-command or remote pilot-in-

command is provided, as soon as possible, to the appropriate authorities of the State of the Operator and the State in which the occurrence took place.

6.10.6 An operator with a specific approval to transport dangerous goods as cargo shall develop and implement procedures to ensure that in the event of an aircraft occurrence where emergency services are not responding, if requested to do so, the information about the dangerous goods on board that was provided to the pilot-in-command or the remote-pilot-in-command is provided, without delay, to the appropriate authority of the State in which the occurrence took place.

Note.— The terms ~~“accident”, “serious incident” and “incident”~~ are “occurrence” is as ~~defined~~ used in Annex 13.

APPENDIX B

AMENDMENT TO PART 7, CHAPTER 4 OF THE TECHNICAL INSTRUCTIONS OPTION 1: USING THE TERM “OCCURRENCE” IN PLACE OF “ACCIDENT”, “SERIOUS INCIDENT” OR “INCIDENT”

Part 7

OPERATOR’S RESPONSIBILITIES

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Chapter 4

PROVISION OF INFORMATION

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4.7 INFORMATION BY THE OPERATOR IN CASE OF AN AIRCRAFT ACCIDENT OR INCIDENT

4.7.1 In the event of ~~;~~

~~— a) an aircraft accident; or~~

~~— b) a serious incident where dangerous goods carried as cargo may be involved;~~

occurrence where emergency services are responding, the operator of the aircraft carrying dangerous goods as cargo must, without delay, provide to emergency services responding to the ~~accident or serious incident~~ occurrence, information about the dangerous goods on board, as shown on the ~~copy of the information provided~~ notification to the pilot-in-command. ~~As soon as possible, the operator must also provide this information to the appropriate authorities of the State of the Operator and the State in which the accident or serious incident occurred.~~

4.7.2 In the event of an aircraft ~~incident~~ occurrence where emergency services did not respond, if requested to do so, the operator of an aircraft carrying dangerous goods as cargo must, without delay, provide to ~~emergency services responding to the incident and to the appropriate authority of the State in which the incident occurred;~~ aerodrome authorities information about the dangerous goods on board, as shown on the ~~copy of the information provided~~ notification to the pilot-in-command.

4.7.3 In the event of an aircraft occurrence where emergency services are responding, the operator of the aircraft carrying dangerous goods as cargo must provide, as soon as possible, the information about the dangerous goods on board, as shown on the notification to the pilot-in-command, to the appropriate authorities of the State of the Operator and the State in which the occurrence took place.

4.7.4 In the event of an aircraft occurrence where emergency services did not respond, if requested to do so, the operator of an aircraft carrying dangerous goods as cargo must, without delay, provide to the appropriate authority of the State in which the incident occurred, information about the dangerous goods on board, as shown on the notification to the pilot-in-command.

Note.— The terms “~~accident~~”, “~~serious incident~~” and “~~incident~~” are “occurrence” ~~is~~ as ~~defined~~ used in Annex 13.

4.7.3 Operators must address the provisions of 4.7.1 and 4.7.2 in appropriate manuals and accident contingency plans.

APPENDIX C

PROPOSED AMENDMENT TO DRAFT ANNEX 18 SARPS RECOMMENDED BY DGP/29

OPTION 2: MAINTAINING REFERENCE TO “ACCIDENT”, “SERIOUS INCIDENT” AND “INCIDENT”

The amendments proposed in this appendix are made to the draft SARPs recommended by DGP/29 (see Recommendation 5/1 of the DGP/29 Report) and subsequently modified by DGP-WG/Annex 18 (see DGP-WG/24-WP/30).

CHAPTER 6. OPERATOR’S RESPONSIBILITIES

6.10 Emergency procedures

6.10.1 The operator shall provide instructions to crew members as to the action to be taken in the event of an emergency involving dangerous goods.

6.10.2 An operator with a specific approval to transport dangerous goods as cargo shall implement procedures to specify that if an in-flight emergency occurs, the pilot-in-command or remote-pilot-in-command shall, as soon as the situation permits, inform the appropriate air traffic services unit, for the information of aerodrome authorities, of any dangerous goods on board the aircraft, as provided for in the Technical Instructions.

6.10.3 An operator with a specific approval to transport dangerous goods as cargo shall develop and implement procedures to ensure that in the event of:

a) ~~an aircraft accident;~~

b) ~~a serious incident where dangerous goods carried as cargo may be involved;~~ or incident, where emergency services are responding,

the information about the dangerous goods on board that was provided to the pilot-in-command or remote-pilot-in-command is provided, without delay, to emergency services responding to the accident ~~or~~ serious incident or incident ~~about the dangerous goods on board. As soon as possible, the operator shall also provide this information to the appropriate authorities of the State of the Operator and the State in which the accident or serious incident occurred.~~

6.10.4 An operator with a specific approval to transport dangerous goods as cargo shall develop and implement procedures to ensure that in the event of an aircraft incident where emergency services are not responding, if requested to do so, the information about the dangerous goods on board that was provided to the pilot-in-command or remote-pilot-in-command is provided without delay to ~~emergency services responding to the incident and to the appropriate authority of the State in which the incident occurred,~~ aerodrome authorities.

6.10.5 An operator with a specific approval to transport dangerous goods as cargo shall develop and implement procedures to ensure that in the event of:

a) an aircraft accident; or

b) a serious incident where dangerous goods carried as cargo may be involved,

the information about the dangerous goods on board that was provided to the pilot-in-command or remote pilot-in-command is provided, as soon as possible, to the appropriate authorities of the State of the Operator and the State in which the occurrence took place.

6.10.6 An operator with a specific approval to transport dangerous goods as cargo shall develop and implement procedures to ensure that in the event of an aircraft incident where emergency services are not responding, if requested to do so, the information about the dangerous goods on board that was provided to the pilot-in-command or the remote-pilot-in-command is provided, without delay, to the appropriate authority of the State in which the occurrence took place.

Note.— The terms “accident”, “serious incident” and “incident” are as defined in Annex 13. The term “occurrence” is as used in Annex 13.

APPENDIX D

AMENDMENT TO PART 7, CHAPTER 4 OF THE TECHNICAL INSTRUCTIONS OPTION 2: MAINTAINING REFERENCE TO “ACCIDENT”, “SERIOUS INCIDENT” AND “INCIDENT”

Part 7

OPERATOR’S RESPONSIBILITIES

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Chapter 4

PROVISION OF INFORMATION

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4.7 INFORMATION BY THE OPERATOR IN CASE OF AN AIRCRAFT ACCIDENT OR INCIDENT

4.7.1 In the event of:

~~a) an aircraft accident; or~~

~~b) a serious incident where dangerous goods carried as cargo may be involved; or incident where emergency services are responding.~~

the operator of the aircraft carrying dangerous goods as cargo must, without delay, provide to emergency services responding to the accident ~~or~~ serious incident or incident, information about the dangerous goods on board, as shown on the ~~copy of the information provided~~ notification to the pilot-in-command. ~~As soon as possible, the operator must also provide this information to the appropriate authorities of the State of the Operator and the State in which the accident or serious incident occurred.~~

4.7.2 In the event of an aircraft incident where emergency services are not responding, if requested to do so, the operator of an aircraft carrying dangerous goods as cargo must, without delay, provide to ~~emergency services responding to the incident and to the appropriate authority of the State in which the incident occurred,~~ aerodrome authorities information about the dangerous goods on board, as shown on the ~~copy of the information provided~~ notification to the pilot-in-command.

4.7.3 In the event of:

a) an aircraft accident; or

b) a serious incident where dangerous goods carried as cargo may be involved.

the operator of the aircraft carrying dangerous goods as cargo must, as soon as possible, provide to the State of the Operator and the State in which the accident or serious incident occurred information about the dangerous goods on board, as shown on the notification to the pilot-in-command.

4.7.4 In the event of an aircraft incident, if requested to do so, the operator of an aircraft carrying dangerous goods as cargo must, without delay, provide to the appropriate authority of the State in which the incident occurred, information about the dangerous goods on board, as shown on the notification to the pilot-in-command.

Note.— The terms “accident”, “serious incident” and “incident” are as defined in Annex 13.

4.7.3 Operators must address the provisions of 4.7.1 and 4.7.2 in appropriate manuals and accident contingency plans.

— END —