



**WORKING PAPER**

**DANGEROUS GOODS PANEL (DGP)**

**TWENTY-THIRD MEETING**

**Montréal, 11 to 21 October 2011**

**Agenda Item 3: Development of recommendations for amendments to the *Supplement to the Technical Instructions for the Safe Transport of Dangerous Goods by Air* (Doc 9284SU) for incorporation in the 2013-2014 Edition**

**STATE RESPONSIBILITIES: SHIPPER OVERSIGHT**

(Presented by J. McLaughlin)

**SUMMARY**

This paper contains information on conducting oversight operations for shippers of dangerous goods for inclusion in the Supplement. It includes detailed information on elements for shipper oversight programmes, detailed guidance for dangerous goods State inspectors and specific inspection prompts utilized for field surveillance activities.

**Action by the DGP:** The DGP is invited to consider the addition of a new Part S-5 to the Supplement as presented in the appendix to this working paper. The proposed amendment includes a dangerous goods audit form to assist State inspectors in conducting onsite inspections of shippers identified as offering dangerous goods for air transport.

**1. INTRODUCTION**

1.1 During discussions on State oversight responsibilities at the DGP Working Group of the Whole Meetings in Abu Dhabi (DGP-WG/10, 7 to 11 November 2010) and Atlantic City (DGP-WG/11, 4 to 8 April 2011), panel members with existing shipper inspection programmes in their States were asked to provide background information on their approaches, policies, and tools (DGP/23-WP/2, paragraph 3.1.3 and DGP/23-WP/3, paragraph 3.1.2 refer).

1.2 Accordingly, at DGP-WG/11, the working group was provided a presentation of how to potentially conduct inspections of shippers with a risk management approach. This included a safety risk based prioritization of such inspections using knowledge of the shipper's operations through use of data collected from a variety of sources. It was suggested that interested members should discuss the paper interessionally in order for a new paper to be prepared for DGP/23.

1.3 The United States strongly agrees with the comments from DGP-WG/10, recognizing that shippers are a critical component to a safe and secure supply chain. The accident and incident history associated with dangerous goods underscores the need for direct State oversight to ensure and assess compliance with shipper responsibilities under Annex 18 — *The Safe Transport of Dangerous Goods by Air* to conduct oversight of the responsibilities of Part 5 of the Technical Instructions.

1.4 To this end, the material presented below is intended to:

- a) inform other States of one country's approach to shipper inspections; and
- b) assist the DGP in considering the scope and nature of guidance that should be incorporated into the Supplement to the Technical Instructions.

1.5 Given the differences between passengers and other shippers, this paper specifically addresses shippers other than passengers.

## 2. **ELEMENTS OF CONDUCTING OVERSIGHT OF SHIPPERS WHO OFFER DANGEROUS GOODS FOR AIR TRANSPORTATION**

2.1 There are six areas related to shipper inspections provided below. These areas are exclusive of passenger-related issues which we treat as distinct from entities shipping dangerous goods below the passenger deck.

- a) knowledge of shipper's operation;
  - b) prioritization (safety risk management);
  - c) inspection activities;
  - d) inspections questions;
  - e) enforcement; and
  - f) outreach.
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## APPENDIX A

### PROPOSED AMENDMENTS TO THE SUPPLEMENT TO THE TECHNICAL INSTRUCTIONS

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*Insert the following new Part:*

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## Part S-5

### STATE'S RESPONSIBILITIES

#### (ADDITIONAL INFORMATION FOR PART 5 OF THE TECHNICAL INSTRUCTIONS)

#### Chapter 1

### INSPECTIONS

#### 1.1 GUIDANCE TO STATES ON DANGEROUS GOODS INSPECTIONS

5.1.1 Annex 18 to the Chicago Convention, *The Safe Transport of Dangerous Goods by Air*, requires States, inter alia, to establish inspection procedures with a view to achieving compliance with its dangerous goods regulations. The following guidance is offered to assist in the inspection of freight agents and shippers. For the purposes of this guidance and to align with the terminology used in Annex 18, "inspection" should be regarded as synonymous with "audit".

5.1.2 There are a number of aspects related to the carriage of dangerous goods by air which may be the subject of inspection.

#### 5.2 ORGANIZATION AND PROCEDURES

5.2.1 The aim of the inspection is to assess the suitability of the organization and procedures established by freight agents and shippers and the facilities provided for the preparation, offering, accepting, handling and transport of dangerous goods, taking into account the nature and scale of each operation.

5.2.2 The inspection needs to confirm that there are sufficient resources for the intended operation and that individuals with specific responsibilities have been made aware of their responsibilities. It will ensure that reference manuals and regulatory guidelines are up to date and available to staff who need to use them.

5.2.3 A form suitable for this type of inspection is at Attachment I to this chapter.

#### 5.3 CONSIGNMENT INSPECTION

5.3.1 For a shipper, inspections consist of an on-site review or examination of a shipper's processes, conducted by the State inspector, for the purpose of independently verifying compliance with applicable dangerous goods transportation regulations. The shipping area is any location where cargo and/or small packages are packaged, built-up, sorted, stored, and ready for pick-up by an operator. This location may also include a location where unit load devices (ULD) are loaded by the shipper with freight for subsequent loading onto an aircraft. The package production area includes those locations in a

shipper's facility where packages are filled and receive final closing prior to being transferred to the facility's shipping department.

#### **5.5 STAFF TRAINING**

A training inspection is to confirm that all relevant staff of the freight agent or shipper have been trained, that the training has been to the required standard and given within the required periods.

#### **5.6 TRAINING PROGRAMMES**

The Technical Instructions require that shippers of dangerous goods establish and maintain dangerous good training programmes that include packers and persons or organizations undertaking the responsibilities of the shipper.

#### **5.8 RESULTS OF INSPECTIONS**

The results of a dangerous goods inspection are recorded so as to produce a record of what was seen and noted at the time. The record should be sufficiently comprehensive to identify any faults or deficiencies, since these will need to be identified in a request to the freight agent or shipper to take action to remedy them. The request should include a timescale for taking remedial action.

#### **5.9 FREQUENCY OF INSPECTIONS**

The Technical Instructions do not specify the frequency of such inspections. Shipper and freight agent inspections should be conducted in accordance with State oversight programme directives. Additional inspections may occur when analysis of inspection, incident, and enforcement data develops a trend that could lead to a possible safety or compliance issue.

## ATTACHMENT I TO CHAPTER 1

### DANGEROUS GOODS AUDIT FORM — SHIPPER

#### Pre-Inspection Research

Shipper Name:  
Inspection Initiation Date:

Office Preparation: Prior to inspecting the shipper research the following:

**State Database:** Review previous inspections associated with this Shipper and record previous violation information below:

**State Enforcement Information System (EIS):** Review EIS for information on this shipper and record the information here.

**State Safety Risk Management (SRM ) Database:** Run “Company Search” or “Incident Summaries” for the shipper. Note any information from inspections for the same shipper from other locations beside the one you plan to inspect. Print out report and attach to this job aid for your files. Record any notable information below:

**State SRM Database:** Review the following additional information:

Is the shipper a holder to any Exemption:

No:   
Yes:

If yes, record the Exemption(s) (and obtain copies to review and take to the inspection):

**State SRM Database:** Review the following additional information:

Is the shipper station a holder Approvals:

No:   
Yes:

If yes, record the Approval(s) (and obtain copies to review and take to the inspection):

**Other Public Information:** Note any information from other sources on the shipper that may be helpful in conducting the inspection:

#### Conduct of the Inspection

Once at the shipper’s location record the following information:

##### **General Company Information:**

Shipper  
Address:  
Phone Number:  
Fax Number:  
Company Point of Contact (Name/Title):

##### **General Company Information:** Business organization:

Individual:   
Partnership:   
Corporation:   
If corporation, is this a branch or division?  
No:   
Yes:   
Is it a wholly-owned subsidiary?  
No:

Yes:   
If the corporation is a branch or division, then record the parent corporation's information here:  
Corporation Headquarters:  
Address:  
Phone Number:  
Fax Number:  
Corporate Point of Contact (Name/Title):

**Shipper Profile Information:**  
Days/hours of operation:  
  
Operators that are offered dangerous goods for air transportation from the shipper:

**Shipper Profile Information:**  
List hazard class or divisions of dangerous goods offered by the shipper:

**Shipper Profile Information:**  
Exemptions utilized by this shipper:

**Shipper Profile Information:**  
Approvals utilized by this shipper:

**Shipper Profile Information:**  
Determine if the Shipper is required to have a Security Plan [ICAO TI 1.5]:  
No:   
Yes:   
If yes, what dangerous good requires the Shipper to have a Security Plan?

**Shipping Area/Package Production Area:**  
Observation/Interview/Verification:  
  
Inspect completed dangerous goods packages awaiting pick-up for air transport by an operator for:  
  
Transport Documents  
Marking  
Labeling  
Packaging (authorized for air transport)  
Classification  
  
Notes:  
  
If packages are being prepared, then review if workers are properly closing UN Specification packaging per the package manufacturer's closing instructions. Also verify if single packages and the inner containers of combination packages are authorized for air transportation. [ICAO TI 4 and 5]  
  
Notes:

**Shipping Area/Package Production Area:**  
Observation/Interview/Verification:  
  
Record names of all workers who you observe performing dangerous goods functions to verify training records:  
  
Notes:

**Warehouse:**

Observation/Interview/Document Review/Verification:

Perform a complete physical walk-thru of the shipper's warehouse/storage area during the inspection. Be on the look-out for, and question the company on, any products that are marked or labeled as dangerous goods.

Notes:

**Administrative Office:**

Interview:

Have a knowledgeable company official describe how the Shipper retains dangerous goods shipping documentation. [ICAO TI 5]

- Separate dangerous goods Transport Document file (folder).
- Electronic records (separate file or by order).
- Shipping paper filed with purchase/invoice order.
- Shipping paper filed with customer file.
- Shipping paper filed with other shipping documentation
- other

Describe method utilized and note if the Shipper maintains other transport documents in different locations.

Notes:

**Administrative Office:**

Document review/verification:

Review dangerous goods transport documents on file.

Any transport documents that are in violation of the dangerous goods regulations?

No:   
Yes:

If yes, document for possible enforcement action.

List all names of individuals who certified shipments according to the transport documents for verification of training. [ICAO TI 1]:

Names:

**Administrative Office:**

Document review/verification:

Review all transport documents that indicate that a State exemption was used by the shipper. Verify that the shipper complied with the exemptions utilized. [ICAO TI 1]

List Exemptions utilized:

Review all transport documents that indicate a State Approval was used by the shipper. Verify that the Shipper complied with the Approval. [ICAO TI 1]

List Approvals utilized:

**Administrative Office:**

Document review/verification:

Review all transport documents that indicate a Security Plan would be required. Verify that the Shipper complied with all Security Plan requirements. [ICAO TI 1]

Classification of dangerous goods:

Notes:

Review all dangerous goods classifications listed on transport documents against supporting documentation that the Shipper utilized to classify the material.

What is the primary method utilized by the Shipper to classify their dangerous goods shipments?

- Material Safety Data Sheet
- Product Information (Manufacturer)
- Lab Analysis
- State Approval
- Other

List:

**Administrative Office:**

Document review/verification:

Obtain roster of all employees, agents, and contractors who perform a dangerous goods function and/or transport function for the shipper. [ICAO TI 1 and 5]:

Notes:

Obtain training records that the Shipper has on file. [ICAO TI 1 and 5]:

Record the following training program information:

Name of training program:

Description of training program:

Location of training material(s):

Name and address of person providing training:

Name:

Address:

Notes:

**Administrative Office:**

Document review/verification:

Review, verify, and compare worker rosters against training records provided by the shipper.

Compare names of workers you observed performing dangerous goods functions against shipper's training records.

Notes:

Outreach

Provide State dangerous goods outreach packet or information for the safe transport of dangerous goods by air.