



WORKING PAPER

DANGEROUS GOODS PANEL (DGP)

TWENTY-FOURTH MEETING

Montréal, 28 October to 8 November 2013

Agenda Item 2: Development of recommendations for amendments to the *Technical Instructions for the Safe Transport of Dangerous Goods by Air* (Doc 9284) for incorporation in the 2015-2016 Edition

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 2015-2016 Edition

DANGEROUS GOODS OCCURRENCES AND DISCREPANCIES

(Presented by B. Carrara)

SUMMARY

This working paper proposes replacing references to “incident” and “accidents and incidents” with “occurrence” and “occurrences” in the Technical Instructions and its Supplement. It is presented in conjunction with DGP/24-WP/10.

It also proposes to include a recommendation for operators to develop and implement a dangerous goods discrepancies system.

Action by the DGP: The DGP is invited to consider amending the Technical Instructions and its Supplement as presented in Appendices A and B to this working paper.

1. INTRODUCTION

1.1 A proposal to include definitions for dangerous goods occurrences and dangerous goods discrepancies is presented in DGP/24-WP/10.

1.2 Combined with the new text for dangerous goods occurrences, changes are proposed to clean the text of the Technical Instructions using this term instead of “dangerous goods incident”, “dangerous goods accident” and “undeclared or misdeclared dangerous goods”.

1.3 Since there are other kinds of dangerous goods not required to be reported by the operator to any State, in accordance with the Technical Instructions, this paper also proposes text to suggest that operators implement a system to deal with dangerous goods discrepancies not subject to dangerous goods occurrences reporting requirements, recognizing that discrepancies could become severe if nothing is done to prevent their recurrence.

APPENDIX A

PROPOSED AMENDMENT TO PART 1 OF THE TECHNICAL INSTRUCTIONS

Part 1

GENERAL

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Chapter 7

~~INCIDENT AND ACCIDENT~~ OCURRENCE REPORTING

Entities other than operators who are in possession of dangerous goods at the time a dangerous goods accident or incident occurs or at the time a dangerous goods incident is discovered to have occurred should follow the reporting requirements of Part 7;4.4.1. Entities other than operators who discover undeclared or misdeclared dangerous goods should follow the reporting requirements of Part 7;4.5.4.2. These entities may include, but are not limited to, freight forwarders, customs authorities and security screening providers.

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Part 3

**DANGEROUS GOODS LIST,
SPECIAL PROVISIONS AND
LIMITED AND EXCEPTED QUANTITIES**

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Chapter 5

DANGEROUS GOODS PACKED IN EXCEPTED QUANTITIES

Parts of this Chapter are affected by State Variation JP 23; see Table A-1

5.1 EXCEPTED QUANTITIES

5.1.1 Excepted quantities of dangerous goods of certain classes, other than articles, meeting the provisions of this chapter are not subject to any other provisions of these Instructions except for:

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- g) the reporting requirements of dangerous goods ~~accidents, incidents and other occurrences~~ in 7;4.4 and 7;4.5; and

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Part 4

PACKING INSTRUCTIONS

Chapter 8

CLASS 6 — TOXIC AND INFECTIOUS SUBSTANCES

8.1 PACKING INSTRUCTIONS

Packing Instruction 650

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11) Infectious substances assigned to UN 3373 which are packed and marked in accordance with this packing instruction are not subject to any other requirement in these Instructions except for the following:

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d) the ~~incident~~ occurrence reporting requirements in 7;4.4 must be met;

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Chapter 11

CLASS 9 — MISCELLANEOUS DANGEROUS GOODS

Packing Instruction 953

Passenger and cargo aircraft for UN 2807 only

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Magnetized materials with field strengths causing a compass deflection of more than 2 degrees at a distance of 2.1 m but not more than 2 degrees at a distance of 4.6 m (equivalent to 0.418 A/m or 0.00525 Gauss measured at a distance of 4.6 m) are not subject to any other requirements in these Instructions when carried as cargo except for the following:

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d) the ~~incident~~ occurrence reporting requirements of 7;4.4 must be met.

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Packing Instruction 959

Passenger and cargo aircraft for UN 3245 only

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GMOs or GMMOs assigned to UN 3245 which are packed and marked in accordance with this packing instruction are not subject to any other requirement in these Instructions except for the following:

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3) the ~~incident~~ occurrence reporting requirements in 7;4.4 must be met;

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Packing Instruction 965

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II. SECTION II

With the exception of Part 1;2.3 (Transport of dangerous goods by post), 7;4.4 (Reporting of dangerous goods ~~accidents and incidents~~ occurrences), 8;1.1 (Dangerous goods carried by passengers or crew) and paragraph 2 of this packing instruction, lithium ion cells and batteries offered for transport are not subject to other additional requirements of these Instructions if they meet the requirements of this section.

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Packing Instruction 966

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II. SECTION II

With the exception of Part 1;2.3 (Transport of dangerous goods by post), 7;4.4 (Reporting of dangerous goods ~~accidents and incidents~~ occurrences), 8;1.1 (Dangerous goods carried by passengers or crew) and paragraph 2 of this packing instruction, lithium ion cells and batteries packed with equipment offered for transport are not subject to other additional requirements of these Instructions if they meet the requirements of this section.

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Packing Instruction 967

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II. SECTION II

With the exception of Part 1;2.3 (Transport of dangerous goods by post), 7;4.4 (Reporting of dangerous goods ~~accidents and incidents~~ occurrences), 8;1.1 (Dangerous goods carried by passengers or crew) and paragraph 2 of this packing instruction, lithium ion cells and batteries contained in equipment offered for transport are not subject to other additional requirements of these Instructions if they meet the requirements of this section.

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Packing Instruction 968

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II. SECTION II

With the exception of Part 1;2.3 (Transport of dangerous goods by post), 7;4.4 (Reporting of dangerous goods ~~accidents and incidents~~ occurrences), 8;1.1 (Dangerous goods carried by passengers or crew) and paragraph 2 of this packing instruction, lithium metal or lithium alloy cells and batteries offered for transport are not subject to other additional requirements of these Instructions if they meet the requirements of this section.

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Packing Instruction 969

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II. SECTION II

With the exception of Part 1;2.3 (Transport of dangerous goods by post), 7;4.4 (Reporting of dangerous goods ~~accidents and incidents~~ occurrences), 8;1.1 (Dangerous goods carried by passengers or crew) and paragraph 2 of this packing instruction, lithium metal cells and batteries packed with equipment offered for transport are not subject to other additional requirements of these Instructions if they meet the requirements of this section.

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Packing Instruction 970

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II. SECTION II

With the exception of Part 1;2.3 (Transport of dangerous goods by post), 7;4.4 (Reporting of dangerous goods ~~accidents and incidents~~ occurrences), 8;1.1 (Dangerous goods carried by passengers or crew) and paragraph 2 of this packing instruction, lithium metal cells and batteries contained in equipment offered for transport are not subject to other additional requirements of these Instructions if they meet the requirements of this section.

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Part 7

OPERATOR'S RESPONSIBILITIES

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Chapter 4

PROVISION OF INFORMATION

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~~4.4 REPORTING OF DANGEROUS GOODS ACCIDENTS AND INCIDENTS~~ OCCURRENCES

4.4.1 An operator must report dangerous goods accidents and incidents to the appropriate authorities of the State of the Operator and the State in which the accident or incident occurred in accordance with the reporting requirements of those appropriate authorities.

Note.— This includes incidents involving dangerous goods that are not subject to all or part of these Instructions through the application of an exception or of a special provision (e.g. an incident involving the short circuiting of a dry cell battery that is required to meet short-circuit prevention conditions in a special provision of 3;3).

~~4.5—REPORTING OF UNDECLARED OR MISDECLARED DANGEROUS GOODS~~

4.4.2 An operator must report any occasion when undeclared or misdeclared dangerous goods are discovered in cargo or mail. Such a report must be made to the appropriate authorities of the State of the Operator and the State in which this occurred. An operator must also report any occasion when dangerous goods not permitted under 8;1.1.1 are discovered, either in the baggage or on the person, of passengers or crew members. Such a report must be made to the appropriate authority of the State in which this occurred.

~~4.6—REPORTING OF DANGEROUS GOODS OCCURRENCES~~

4.4.3 An operator must report to the State of the Operator and the State of Origin any occasion when:

- a) dangerous goods are discovered to have been carried when not loaded, segregated, separated or secured in accordance with Part 7;2; or
- b) dangerous goods are discovered to have been carried without information having been provided to the pilot-in-command in accordance with Part 7;4.1.

Note.— Operators should establish and maintain an internal reporting system for other dangerous goods discrepancies so that minor occurrences do not recur or become severe.

~~4.7~~ 4.5 INFORMATION BY THE OPERATOR IN CASE
OF AN AIRCRAFT ACCIDENT OR INCIDENT

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~~4.8~~ 4.6 CARGO ACCEPTANCE AREAS — PROVISION OF INFORMATION

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~~4.9~~ 4.7 EMERGENCY RESPONSE INFORMATION

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~~4.10~~ 4.8 TRAINING

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~~4.11~~ 4.9 RETENTION OF DOCUMENTS OR INFORMATION

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Part 8

PROVISIONS CONCERNING PASSENGERS AND CREW

Chapter 1

PROVISIONS FOR DANGEROUS GOODS CARRIED BY PASSENGERS OR CREW

Parts of this Chapter are affected by State Variations CH 1, US 15; see Table A-1

1.1 DANGEROUS GOODS CARRIED BY PASSENGERS OR CREW

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1.1.2 Notwithstanding any additional restrictions which may be implemented by States in the interests of aviation security, except for the ~~incident~~-occurrence reporting provisions of 7;4.4 or 7;4.5, as applicable, the provisions of these Instructions do not apply to the following when carried by passengers or crew members or in baggage that has been separated from its owner during transit (e.g. lost baggage or improperly routed baggage) or in excess baggage carried as cargo as permitted by 1;1.1.5.1 g):

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APPENDIX B

PROPOSED AMENDMENTS TO THE TECHNICAL INSTRUCTIONS SUPPLEMENT

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Part S-7

STATE'S RESPONSIBILITIES

**(ADDITIONAL INFORMATION
FOR PART 7 OF THE
TECHNICAL INSTRUCTIONS)**

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Chapter 6

ENFORCEMENT

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6.2 Part 7;4.4.1 and 4.54.4.2 of the Technical Instructions and Part S-7;4 refer to the reporting by the operator of dangerous goods accidents and incidents, instances of undeclared or misdeclared dangerous goods found in cargo and forbidden dangerous goods discovered in baggage. The primary aim of any ~~incident~~ occurrence reporting system should be to further flight safety and not to punish. Consequently, States should ensure the free and uninhibited reporting of:

- a) dangerous goods accidents and incidents;
- b) occasions when undeclared or misdeclared dangerous goods are discovered in cargo; and
- c) discoveries of dangerous goods, not permitted under 8;1.1.2 of the Technical Instructions, in passengers' baggage.

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