



WORKING PAPER

**DANGEROUS GOODS PANEL (DGP)
MEETING OF THE WORKING GROUP OF THE WHOLE**

Auckland, New Zealand, 4 to 8 May 2009

Agenda Item 6: Other business

FAST TRACK AMENDMENT PROCESS

(Presented by the Secretary)

SUMMARY

This working paper reports the outcome of the Air Navigation Commission's discussion on processing urgent amendments to the Technical Instructions and requests further input on the subject from the working group.

Action by the DGP-WG is in paragraph 2.

1. INTRODUCTION

1.1 Further to the "fast track amendment process" discussion at DGP-WG08 (DGP-WG/08-WP/68, paragraph 3.5.3 refers), a method for processing urgent amendments to the Technical Instructions was presented to the Air Navigation Commission (ANC) on 17 March 2009. The working paper presented to the ANC is reproduced in the appendix.

1.2 The ANC agreed that this "fast-track" procedure was necessary when proposals for urgent, safety-based amendments are made during ANC and/or Council recess periods. It requested that DGP-WG09 discuss what criteria would make such a procedure necessary. The Commission will consider these criteria during its review of the draft report to Council on the subject.

2. ACTION BY THE DGP-WG

2.1 The DGP-WG is invited to develop criteria for determining which types of issues require a fast-track method for processing amendment proposals.

APPENDIX



International Civil Aviation Organization

AN-WP/8347
6/03/09

WORKING PAPER

AIR NAVIGATION COMMISSION

AN Programme No. AI-SMP-ACT: Manage hazards and risks

PROCEDURE FOR PROCESSING URGENT AMENDMENTS TO THE TECHNICAL INSTRUCTIONS FOR THE SAFE TRANSPORT OF DANGEROUS GOODS BY AIR (DOC 9284)

(Presented by the Director of the Air Navigation Bureau)

SUMMARY
The paper proposes methods for expediting urgent amendments to the Technical Instructions.
Action by the Air Navigation Commission is in paragraph 2.
COORDINATION
LEB
REFERENCES
*AN Min. 178-2 C 184/2 *Annex 18
*Doc 9284, <i>Technical Instructions for the Safe Transport of Dangerous Goods by Air, 2009-2010 Edition</i>
*Principal references

1. INTRODUCTION

1.1 During the discussion of an urgent proposal to amend the *Technical Instructions for the Safe Transport of Dangerous Goods by Air, 2009-2010 Edition* (Doc 9284) following the explosion of a cylinder containing an ethyl chloride mixture (AN Min. 178-2), the need for a “fast track” amendment process to the Technical Instructions was raised. It was noted at present that any amendment to the Technical Instructions must be presented to the Commission for review and recommendation to the Council, followed by review and approval by the Council. The timeline for this particular incident should be noted – an interim metallurgical examination report, issued on 18 March 2008, was reviewed by an ad hoc working group meeting of the Dangerous Goods Panel from 8 to 10 April 2008. Discussion by the Council (C 184/2) took place on 11 June 2008, i.e. twelve weeks after the issuance of the report. The process could take a considerably longer time, for example should an amendment be proposed during the summer recess.

1.2 During the subsequent discussion of the proposed amendment, the Council welcomed the intent of the Commission to further study the issue of a fast track mechanism and suggested the possibility of empowering the Secretariat to issue Technical Instructions of an interim nature. An expedited amendment procedure involving delegated authority to the President of the Council and President of the Air Navigation Commission would provide the optimum mechanism for processing urgent amendments. It is also suggested that the Secretariat could provide recommendations or guidance through an alerting mechanism for those instances, e.g. the ethyl chloride mixture incident, when safety information needs to be broadcast as widely as possible. Issuance of advisory safety bulletins on the ICAO website and distribution to civil aviation authorities and relevant international organizations would have the benefit of providing rapid advice at the earliest possible time whilst an expedited amendment procedure would minimize the chance of a similar event reoccurring.

1.3 It is suggested that in instances of urgent, safety-based amendments, delegated authority be given to the President of the Commission to recommend, and to the President of the Council, to approve, such amendments on condition that the issue could be raised for discussion at the earliest practicable opportunity. It should be noted that if either body is in session, the matter should be raised for discussion by that body as a matter of urgency. Simultaneously, the Secretariat would issue advisory safety bulletins and seek as broad a dissemination as possible.

2. ACTION BY THE AIR NAVIGATION COMMISSION

2.1 The Air Navigation Commission is invited to recommend to Council:

- a) the delegation of authority to the President of the Air Navigation Commission to recommend to the Council urgent, safety-based amendments to the Technical Instructions based on requests from the Secretariat in consultation with the Dangerous Goods Panel and on condition that the issue be raised for discussion at the earliest practicable opportunity; and
- b) the delegation of authority to the President of the Council to approve urgent, safety-based amendments to the Technical Instructions which have been recommended by the Air Navigation Commission on condition that the issue could be raised for discussion at the earliest practicable opportunity.

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