



**WORKING PAPER**

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

Montréal, 15 to 19 October 2012

**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**

**DEFINITION OF DANGEROUS GOODS EVENT AND DISCREPANCY**

(Presented by B. Carrara)

**SUMMARY**

This paper proposes the inclusion of definitions for dangerous goods event and dangerous goods discrepancy in Part 1;3.1.1 of TI.

Action by the DGP-WG is in paragraph 2.

**1. INTRODUCTION**

1.1 Part 1;3.1.1 of the Technical Instructions provides definitions for dangerous goods accident and dangerous goods incident.

1.2 Considering that dangerous goods accidents and incidents belong to a major group of dangerous goods not in compliance with the regulations it is noticed that there is a gap of non-compliance occurrences in the Technical Instructions.

1.3 The DGP Working Group on Training, occurred in Montreal in August 2012, realized a necessity to define dangerous goods events that would be the major group of dangerous goods occurrences. So the draft of that meeting brought a first definition for dangerous goods events as described below:

*“Dangerous goods event. For the purpose of this document, a dangerous goods event is a dangerous goods incident, dangerous goods accident, the discovery of an accepted postal item that contains dangerous [goods] not permitted in the mail, or the discovery*

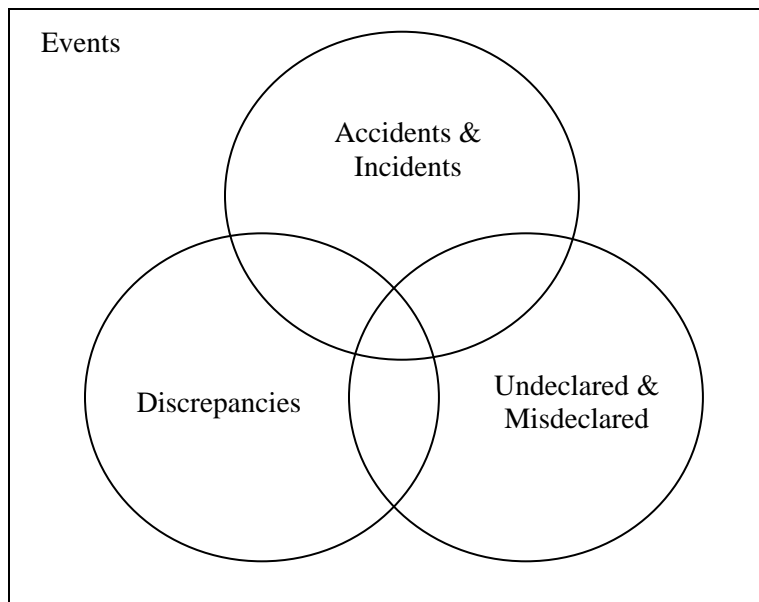
*of a postal item that contains permissible dangerous goods which are improperly packaged, marked or labelled.”*

1.4 Even though this is considered a good definition for dangerous goods events, there is another smaller group of occurrences that might be described as “dangerous goods discrepancies”. Thereby the text *“the discovery of an accepted postal item that contains dangerous [goods] not permitted in the mail, or the discovery of a postal item that contains permissible dangerous goods which are improperly packaged, marked or labelled”* could be replaced by the term “dangerous goods discrepancy” as showed in the appendix to this working paper.

1.5 Another problem identified with the definition for dangerous goods event above is that there is no reference to mistakes on documentation despite being a kind of occurrence involving dangerous goods. So it is suggested that the definition of dangerous goods discrepancy should address this.

1.6 It is understood that a type of dangerous goods event could progress to another more serious (e.g. an undeclared dangerous goods occurrence may become a dangerous goods incident, and it may become a dangerous goods accident). Furthermore, an event can be classified in more than one group (e.g. a dangerous goods discrepancy may also be a misdeclared dangerous goods event). The scheme of dangerous goods occurrences is shown below:

#### **Dangerous goods occurrences scheme**



1.7 Considering the scheme above, the DGP–WG may consider a grade for dangerous goods events starting from the worst to the least severe:

- a) accidents;
- b) incidents;
- c) undeclared or misdeclared; or

d) discrepancies;

Thereby there is no confusion reporting dangerous goods events. If an event belongs to more than one group it should be reported following the most severe event.

1.8 For example, a shipment of an article of Division 4.3 incorrectly classified by the shipper in Division 4.1 is simultaneously a discrepancy and a misdeclared dangerous goods event. If there is a fire on board caused by this shipment it becomes a dangerous goods incident and then it may become a dangerous goods accident. So this event would be classified and reported as a dangerous goods accident in spite of being a misdeclared dangerous goods event or a dangerous goods discrepancy.

## 2. ACTION BY THE DGP-WG

2.1 The DGP-WG is invited to consider the following inclusions and changes as shown in the appendix to this working paper.

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## APPENDIX

### PROPOSED AMENDMENT TO THE TECHNICAL INSTRUCTIONS

#### FOREWORD

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##### GENERAL PRINCIPLES USED IN DEVELOPING THE PROVISIONS OF THE TECHNICAL INSTRUCTIONS

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Dangerous goods ~~accidents and incidents~~ events have to be reported so that an investigation by a relevant authority can establish the cause and take action to prevent a recurrence, wherever possible. In particular, any weakness or error in the Technical Instructions has to be identified.

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#### Part 1

#### GENERAL

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#### Chapter 3

##### GENERAL INFORMATION

*Parts of this Chapter are affected by State Variation BE 1; see Table A-1*

##### 3.1 DEFINITIONS

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Dangerous goods discrepancy. Any occurrence of non compliance with this Technical Instructions, other than a dangerous goods accident or incident, associated with and related to the transport of dangerous goods by air (e.g. the discovery of a postal or cargo item that contains permissible dangerous goods which are improperly packaged, marked, labelled or documented.

Dangerous goods event. Any dangerous goods incident, dangerous goods accident or dangerous goods discrepancy, including undeclared and misdeclared dangerous goods.

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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:

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

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## Part 4

### PACKING INSTRUCTIONS

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#### Chapter 8

### CLASS 6 — TOXIC AND INFECTIOUS SUBSTANCES

#### 8.1 PACKING INSTRUCTIONS

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##### 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:

...

g) the incident reporting requirements in 7;4.4.1 must be met;

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#### Chapter 11

### CLASS 9 — MISCELLANEOUS DANGEROUS GOODS

*Parts of this Chapter are affected by State Variation US 2; see Table A-1*

##### 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:

...

d) the incident reporting requirements of 7;4.4.1 must be met.

...

...

**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 reporting requirements in 7.4.4.1 must be met;

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**Part 7****OPERATOR'S RESPONSIBILITIES**

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**Chapter 4****PROVISION OF INFORMATION**

*Parts of this Chapter are affected by State Variations AU 4, CA 4, CA 19, FR 5, GB 4, KP 3, MY 4, MY 5, US 12, US 13, US 15, VU 3, VU 4; see Table A-1*

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**4.4 REPORTING OF DANGEROUS GOODS ACCIDENTS AND INCIDENTS EVENTS**

**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.

**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 in passengers' baggage. Such a report must be made to the appropriate authority of the State in which this occurred.

**4.4.3** An operator must report dangerous goods discrepancies in cargo or mail to the appropriate authority of the State of the Operator in accordance with the reporting requirements of that appropriate authority.

*Note. — This Paragraphs 4.4.1, 4.4.2 and 4.4.3 includes ~~incidents~~ events 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**

~~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.~~

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*Renumber subsequent paragraphs accordingly*

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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 reporting provisions of 7;4.4.1 ~~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 AMENDMENT TO THE TECHNICAL INSTRUCTIONS SUPPLEMENT

## Part S-7

# STATE'S RESPONSIBILITIES

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

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### Chapter 4

#### PROVISION OF INFORMATION

##### 4.1 DANGEROUS GOODS ACCIDENTS AND INCIDENTS

4.1.1 The effectiveness and possible need for the modification of dangerous goods regulations and practices can only be measured if dangerous goods ~~accidents and incidents, and discoveries and undeclared or misdeclared dangerous goods~~ events in cargo, are investigated, reported and analysed.

4.1.2 Each State must establish procedures for investigating and compiling information concerning dangerous goods ~~accidents and incidents, and discoveries and undeclared or misdeclared dangerous goods~~ events in cargo, which occur on its territory and which involve the transport of dangerous goods originating in or destined for another State.

4.1.3 Each State should establish procedures for investigating and compiling information concerning dangerous goods ~~accidents and incidents, and discoveries and undeclared or misdeclared dangerous goods~~ events in cargo, which occur on its territory, other than those described in 4.1.2.

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### Chapter 6

#### ENFORCEMENT

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6.2 Part 7;4.4 and ~~4.5~~ 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~~ events. The primary aim of any ~~incident~~ event reporting system should be to further flight safety and not to punish. Consequently, States should ensure the free and uninhibited reporting of of dangerous goods events as:

- 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; ~~and~~
- d) dangerous goods discrepancies.

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— END —