



**WORKING PAPER**

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

**Montréal, 15 to 19 April 2013**

**Agenda Item 1 : Development of proposals, if necessary, for amendments to Annex 18 — *The Safe Transport of Dangerous Goods by Air***

**ANNEX 6 AND DANGEROUS GOODS**

(Presented by the Secretary)

**SUMMARY**

Proposed requirements for dangerous goods in Annex 6, Part I developed by the OPSP Dangerous Goods Sub-Group and approved by the OPSP-WGW/13 are presented in this paper.

Action by the DGP-WG is in paragraph 2.

**1. INTRODUCTION**

1.1 At DGP/23, the panel was informed of work being carried out to strengthen the relationship between Annex 6 — *Operation of Aircraft* and Annex 18; an abbreviated extract from the report is presented below:

**“6.3 DANGEROUS GOODS REQUIREMENTS FOR ANNEX 6 BASED ON ANNEX 18 (DGP/23-WP/100)**

6.3.1 The meeting was briefed by the Secretary of the Operations Panel (OPSP) on work being carried out by that panel to strengthen the relationship between Annex 6 — *Operation of Aircraft* and Annex 18 requirements. The work was prompted by safety oversight audits which revealed that some civil aviation authorities were not aware of the scope of their operational responsibilities for oversight of dangerous goods activities, particularly in relation to packers, shippers and handlers.

6.3.2 The OPSP recognized the potential value in introducing dangerous goods oversight responsibility requirements into Annex 6 and recommended to the ANC that this work be undertaken. Accordingly, the ANC agreed to add a new task to the OPSP work programme entitled “Dangerous Goods Requirements for Annex 6”. The work would be expanded under this task to other elements regarding the carriage of dangerous

goods considered to be of operational significance, such as the involvement of flight dispatchers in the processing of emergency information.

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6.3.4 ...OPSP/WG/WHL/13 agreed that it would be important for both panels to determine the following:

- a) the definition and scope of the task;
- b) the terms of reference and work programme;
- c) the means of progressing the task; and
- d) a list of potential task elements, to include but not necessarily limited to:
  - 1) creation of a new chapter in Annex 6 (Chapter 14) to address operational requirements for dangerous goods;
  - 2) oversight by the appropriate authority of all aspects of the transport of dangerous goods by air, to specifically include packers, shippers and handlers, especially when the State did not approve any of its air operators to carry dangerous goods;
  - 3) identification of dangerous goods requirements for operators not approved to carry dangerous goods;
  - 4) approval of dangerous goods training programs for operators, including those not authorized to carry dangerous goods;
  - 5) approval of dangerous goods manuals or the dangerous goods section of the air operator's operations manual;
  - 6) carriage of dangerous goods as company material (COMAT);
  - 7) exemptions and approvals in the operations specifications to carry dangerous goods;
  - 8) requirements for the air operator certificate (AOC);
  - 9) duties of flight dispatchers or others in the operational chain of command with respect to emergency response to reflect the fact that not all operators use the services of flight dispatchers; and
  - 10) the feasibility of including these requirements in Annex 6, Part II — International General Aviation — Aeroplanes and Annex 6 — Operation of Aircraft, Part III — International Operations — Helicopters, Section III.

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1.2 Following the establishment of the joint OPSP-DGP sub-group, draft material for a new chapter in Annex 6 was developed. At the recent meeting of the Operations Panel Working Group of the Whole (Montréal, 11 to 15 March 2013), it was agreed to recommend to the ANC (see Appendix A) inclusion of this new chapter as shown in Appendix B to this working paper. Guidance material to supplement these Standards is being developed and will be provided in an addendum to this paper.

## 2. ACTION BY THE DGP-WG

2.1 It is suggested that DGP-WG should review the proposed Chapter 14 and guidance material in order for the views of the working group to be conveyed to the ANC when it conducts its preliminary review of the proposed amendments to Annex 6.

2.2 It is further suggested the working group consider Annex 18 to see if any deficiencies identified during this work could be addressed. One area for consideration is Chapter 10 - Establishment of training programmes as shown in Appendix C to this working paper. The working group is invited to provide comments so that a formal proposal can be made for DGP/24.

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## APPENDIX A

### EXTRACT FROM OPSP-WGW/13 DRAFT REPORT ON THE PROPOSAL FOR A NEW CHAPTER IN ANNEX 6

#### 4.7 DANGEROUS GOODS CONSIDERATIONS FOR ANNEX 6

4.7.1 The DGSG Rapporteur Mr. Thomas Kenny presented the meeting with a progress report on the task of dangerous goods considerations for Annex 6. He informed the meeting that since the formation of the sub-group, after the OPSP WGWHL/14 and the DGP/23, it had worked diligently to prepare provisions for Annex 6 Part I that could meet the 2014 applicability date. The meeting was presented with a proposal for SARPs in a new chapter 14 to Annex 6 Part I with corresponding guidance material.

4.7.2 The meeting was made aware that there was a dangerous goods section in Annex 6 Part I (section 3.4) and a suggestion was made to insert the proposed provisions in that section. Additionally, concern was expressed with the language used for the provisions because it was not consistent with that used in Annex 6. The DGSG members noted differences in application of approvals and authorizations between Annexes 6 and 18. However there was full agreement on the intent being pursued.

4.7.3 Mr. Kenny with the assistance of DGSG Members present at the meeting in coordination with the Secretariat re-drafted the proposed provisions in accordance with the language and structure of Annex 6 using as a basis the text of those presented originally.

4.7.4 The WGWHL reviewed the revised amendment proposals suggested by the DGSG and was of the opinion that the proposed provisions were mature and should be submitted to the ANC.

4.7.5 With regard to the suggested guidance material the meeting was of the opinion that it should be included in an Attachment to Annex 6 Part I. However because of the aforementioned re-drafting of provisions there was no time to conclude the text for the Attachment before the end of the meeting.

4.7.6 The WGWHL decided that the DGSG, in coordination with the Secretariat would finalize the guidance material presented by the DGSG and that the proposed new Attachment would be circulated for approval, via email, to Panel Members by the Secretariat.

**DECISION:**

**Decision 4/3 — DG SG and Secretariat review of new DG attachment to Annex 6 Part I**

That DG SG in coordination with the Secretariat finalize the guidance material for the new Attachment to Annex 6 Part I to be included with the proposed dangerous goods provisions for a 2014 applicability and circulate them to Panel Members for approval before submitting it the ANC.

**RECOMMENDATION:**

RSPP | **Recommendation 4/10 — Proposed new provisions regarding Dangerous Goods including a new Attachment for Annex 6, Part I**

That the new provisions relating to Dangerous Goods including a new Attachment be submitted to the ANC for an amendment proposal to Annex 6, Part I with a 2014 applicability date.

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## APPENDIX B

### PROPOSED AMENDMENT TO ANNEX 6, PART I: NEW CHAPTER 14 AND AMENDMENT TO APPENDIX 6

## CHAPTER 14. DANGEROUS GOODS

### 14.1 State Responsibilities

*Note 1.— In addition to the safety oversight requirements in Chapter 4, a requirement that each Contracting State shall establish inspection, surveillance and enforcement procedures for all entities (e.g. operators, packers, shippers and handlers) performing a function prescribed in its regulations for air transport of dangerous goods with a view to achieving compliance with those regulations is contained in Annex 18, Chapter 11.*

*Note 2.— Operator's responsibilities for the transport of dangerous goods are contained in Chapters 8, 9 and 10, of Annex 18. Part 7 of the Technical Instructions for the Safe Transport of Dangerous Goods by Air (Doc 9284) (Technical Instructions) contains the operator's responsibilities and requirements for incident and accident reporting.*

*Note 3.— The requirements pertaining to crewmembers or passengers traveling on aircraft with dangerous goods are set forth in Part 8, Chapter 1 of the Technical Instructions.*

### 14.2 Operators not transporting dangerous goods as cargo

The State of the Operator shall ensure that operators not approved to transport dangerous goods in accordance with 14.3 have:

- a) established a dangerous goods training programme that meets the requirements of Annex 18 and the Technical Instructions, Part 1, Chapter 4, Table 1-5 and any State regulations, as appropriate. The dangerous goods training programme shall be included in the operator's operations manuals.
- b) established dangerous goods policies and procedures in its operations manual to meet, at a minimum, the requirements of Annex 18, the Technical Instructions and the State's regulations to allow operator personnel to:
  - 1) identify, reject and report undeclared dangerous goods, including operator owned materials classified as dangerous goods; and
  - 2) 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— All operators must meet, at a minimum, the requirements of 14.2.*

### 14.3 Operators transporting dangerous goods as cargo

The State of the Operator shall approve the transport of dangerous goods and ensure that the operator:

- a) establishes a dangerous goods training programme that meets the requirements in the Technical Instructions, Part 1, Chapter 4, Table 1-4 and the requirements of the State regulations, as appropriate. The dangerous goods training programme shall be included in the operator's operations manuals.
- b) establishes dangerous goods policies and procedures in its operations manual to meet, at a minimum, the requirements of Annex 18, the Technical Instructions and the State's regulations to allow operator personnel to:
  - 1) identify, reject and report undeclared or misdeclared dangerous goods, including operator-owned material (COMAT) classified as dangerous goods;
  - 2) 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.
  - 3) ensure that packages containing dangerous goods, including operator-owned materials classified as dangerous goods, are packaged, marked, labelled, documented, offered, accepted, handled, stored, loaded, transported and unloaded as cargo on board an aircraft.
  - 4) provide the pilot-in-command with accurate and legible written or printed information concerning dangerous goods that are to be carried as cargo.

*Note.— Operator-owned material or "COMAT" in this chapter refers to any property carried on an operator's aircraft for the operator's own purposes. Items that meet the classification as dangerous goods and which are transported in accordance with Part 1;2.2.2 or Part 1;2.2.3 of the Technical Instructions are considered as "cargo".(e.g. aircraft parts, oils, lubricants, cleaning products, fire extinguishers, protective breathing equipment (PBE), etc.)*

### 14.4 Provision of information

14.4.1 The operator shall ensure that all personnel, including contractors, involved in the acceptance, handling, loading and unloading cargo are informed of the operator's operational approval or limitations with regards to the transport of dangerous goods.

14.4.2 **Recommendation.**— *States should develop policies and recommendations for the following situations: New hires or change in job function, third parties that perform work behalf of operators in foreign locations, and third parties that work for more than one operator.*

*Note.— There are many training issues that arise with an operator regarding which persons should be trained considering the operator's authorization to transport dangerous goods. These persons may include third parties contracted out by the operator to perform a transport functions on their behalf, such as terminal passenger handling staff, freight acceptance agents or ground handling agents.*



**14.5 Domestic commercial operations**

**Recommendation.**— *International Standards and Recommended Practices set forth in this Chapter should be applied by all Contracting States also in case of domestic commercial operations (air services).*

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**APPENDIX 6. AIR OPERATOR CERTIFICATE (AOC)**

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OPERATIONS SPECIFICATIONS template

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*Editorial note.*— Remove the option for “No”  
with respect to Dangerous goods.

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**APPENDIX C**

**ANNEX 18 STANDARDS TO BE CONSIDERED FOR AMENDMENT IN ORDER TO  
STRENGTHEN THE RELATIONSHIP WITH ANNEX 6**

**ANNEX 18 — *The Safe Transport of Dangerous Goods by Air***

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**CHAPTER 10. ESTABLISHMENT OF TRAINING PROGRAMMES**

Dangerous goods training programmes shall be established and updated as provided for in the Technical Instructions.

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