



European Communities (Carriage of Dangerous Goods by Road and Use of Transportable Pressure Equipment) Regulations 2011 to 2019

Competent Authority Exemption 04/2020

Applicable To National Road Transport Only

Exemption from the requirements of ADR 6.8.2.4.3 with respect to the date of performance of the intermediate inspection of a tank

The Health and Safety Authority as competent authority appointed under Regulation 10 of the European Communities (Carriage of Dangerous Goods by Road and Use of Transportable Pressure Equipment) Regulations 2011 to 2019, and in accordance with Regulation 5(4)(a), hereby exempts

ADR road tanker serial number PT 5994 01, user reference M198 BD 10754, ADR tank code L4BN operated by Murphy Transport Limited, Maryfield, Ballinlough Road, Cork

from the requirements of ADR 6.8.2.4.3 with respect to the performance of the intermediate inspection three years after the date of the last periodic inspection, which was due to be performed within three months before or after the specified date of 6 March 2020 and was further extended to 30 August 2020 under multilateral agreement M325.

Multilateral Agreement M325

In response to the Covid-19 crisis, multilateral agreement M325 concerning the periodic or intermediate inspections of tanks in accordance with 6.8.2.4.2, 6.8.2.4.3, 6.8.3.4.6, 6.8.3.4.12, 6.9.5.2 and 6.10.4 of ADR and certificates of approval for vehicles in accordance with 9.1.3.4 of ADR, served to extend the validity of periodic inspection of road tanker M198 BD 10754, and the validity of the certificate of approval of the tank, to 30 August 2020.

Provisions (1) and (2) of M325 are as follows:

- (1) By derogation from the provisions of 6.8.2.4.2, 6.8.2.4.3, 6.8.3.4.6, 6.8.3.4.12, 6.9.5.2 and 6.10.4 of ADR all periodic or intermediate inspections of tanks the validity of which ends between 1 March 2020 and 1 August 2020 remain valid until 30 August 2020. These inspections shall be undertaken in accordance with 6.8.2.4.2, 6.8.2.4.3, 6.8.3.4.6, 6.8.3.4.12, 6.9.5.2 or 6.10.4 of ADR before 1 September 2020. The

related marking shall be in conformity with 6.8.2.5.1 or 6.8.3.5.10 of ADR.

(2) By derogation from the provisions of 9.1.3.4 of ADR all certificates of approval the validity of which ends between 1 March 2020 and 1 August 2020 remain valid until 30 August 2020. These technical inspections shall be undertaken in accordance with 9.1.2.3 of ADR before 1 September 2020. The validity period of the certificate according to 9.1.3.5 of ADR shall begin with the last date of expiry mentioned on the certificate to be prolonged or renewed.

M325 expired on 1 September 2020.

Under this exemption, the period of validity of the certificate of approval for road tanker M198 BD 10754 issued in accordance with Part 9 of the ADR, the validity of which was extended under the provisions of M325, shall be extended to 31 October 2020.

The following supplementary provisions shall be complied with:

1. A copy of this exemption must be carried in the vehicle.
2. An intermediate inspection of road tanker M198 BD 10754 was carried out by British Engineering Services on 8 September 2020, the results of which are attached to this CA exemption.
3. Road tanker M198 BD 10754 must undergo a periodic inspection 6 years from the date of the last periodic inspection, thus no later than 6 March 2023.
4. A copy of this exemption, with the results of the intermediate inspection carried out by British Engineering Services, must be presented to the RSA at the time of performance of the technical inspection in accordance with Part 9 of the ADR, and all technical inspections carried out before 6 March 2023.
5. The vehicle certificate of approval for road tanker M198 BD 10754 shall be issued in accordance with Regulation 52, and the validity period of the certificate shall begin with the last date of expiry mentioned on the certificate prolonged under the provisions of M325.
6. All vehicle certificates of approval shall be issued in accordance with Regulation 52 until the date of expiry of this exemption.
7. Any incident resulting in loss of containment of a substance during the transport journey shall be reported by the operator to:

Health and Safety Authority
The Metropolitan Building
James Joyce Street
Dublin 1
D01 K0Y8

<mailto:wcu@hsa.ie>

8. The Authority may withdraw this exemption for failure to observe any of these conditions or for any other reason, which the Authority deems sufficient.

This exemption is effective immediately and expires on **6 March 2023** subject to point 4 above.

Date: 23 October 2020

A handwritten signature in blue ink, appearing to read 'Sharon McGuinness', written in a cursive style.

Dr. Sharon McGuinness
Chief Executive Officer
Health and Safety Authority