

# Submission for Consideration of Competent Authorities Panel (CAP)

..... **CAP Meeting** ..... 2011 .....

**Agenda Item:** .....

**CAP Reference:** CA2011 . / .....

<b>1. Subject:</b>	<b>LPG Road Tanker Ullage</b> Determination
<b>2. Executive Summary:</b>	LPG Australia is making a further submission regarding the ullage requirements for road tankers filled with LP Gas.
<b>3. :</b>	Steve Reynolds Manager Policy and Program Development LPG Australia
<b>4.</b>	Level 1, The Realm 18 National Circuit, Barton ACT 2600
<b>5. Name of person to whom, or the name or a description of the class of people to which, the application relates:</b>	Member companies LPG Australia, their contractors and , agents throughout Australia.
<b>6. The provisions of the Regulations, and/or the ADG Code to which the submission relates:</b>	<u>Model Regulation</u> Division 10.3: <b>Filling Ratio and Ullage.</b>  This Division makes it a strict offence for a prime contractor or rail operator to transport Class 2 in a tank where the quantity exceeds the maximum permitted filling ratio set out in section 10.3.2 of ADG7. <u>ADG7</u> 10.3.2 <b>Maximum Permitted Filling Ratio —Class 2 Liquid</b>  Under 10.3.2.1(a), the ratio is as specified in Portable Tank Instruction T50.  Where, as in the case of UN 1075, Petroleum Gases, Liquefied, no ratio is specified in T50, 10.3.2.1(b) provides for the ratio to be determined by the Competent Authority
<b>7. CAP Action Requested:</b>	Determination
<b>8. Dangerous goods to which the submission relates:</b>	Petroleum Gases, Liquefied UN 1075 Propane UN 1978 Butane UN 1011
<b>9. Issue:</b> <i>(Detail here why deviation from the Regulations / ADG Code is required)</i>	Historically road tankers of LP Gas have been safely filled and transported throughout Australia in accordance with AS/NZS 1596 and AS 2809.1 and AS 2809.3. Clause 10.4.5 and Table 10.1 of ADG6 deferred to AS 1596 for the filling ratio for LPG.  In ADG7, 10.3.2.1(a) inappropriately applies to road tankers the same maximum filling ratios that UN has assigned to portable tanks. For Propane, UN 1978, the maximum filling ratio from T50 is 0.42 whereas 0.45 has been safely applied throughout Australia and USA for many years in accordance with the other Standards.

<p><b>10. (a) Why compliance with the regulations is not reasonably practicable (for exemptions); or (b) Why the determination or approval is required:</b> (for determinations and approvals)</p>	<p>A Determination in accordance with 10.3.2.1(b) is requested specifying that notwithstanding 10.3.2.1(a), the maximum filling ratios specified for Petroleum gases, liquefied in AS/NZS 1596 and AS 2809.3 apply to their transport in road tankers throughout Australia.</p>
<p><b>11. Why the proposed action is not likely to involve a greater risk than the risk involved in complying with the provisions:</b> (for exemptions only)</p>	<p>A long history of safe transport in LP Gas tankers throughout Australia and USA based on filling ratios as determined from AS 1596 and AS2809.3.</p> <p>The filling ratios specified in T50 are intended for portable tanks (tank containers) that are suitable for intermodal transport over long distances and widely varying climatic conditions and which may be used for long-term storage in depots or customer premises. Road tankers built and operated to AS 2809.3 are to a different specification and are never used for long-term storage of gas. Essentially they are filled shortly before transport and must be emptied on arrival at the customers.</p>
<p><b>12. If the submission relates to a vehicle, equipment, packaging or other thing, describe the thing:</b></p>	<p>Road tankers loaded with LP gases</p>
<p><b>13. The period for which the proposed action is sought:</b></p>	<p>Until this issue is rectified in the next edition of the ADG Code and associated regulations.</p>
<p><b>14. Geographical area within which the determination, exemption or approval is sought:</b></p>	<p>National</p>
<p><b>15. Further information to support submission:</b></p>	<p>See attachments</p>
<p><b>16. Other comments or supporting information:</b></p>	
<p><b>17. Priority:</b></p>	<p>High</p>
<p><b>18. Applicant Signature:</b></p>	
<p><b>19. Date of Submission:</b></p>	<p>26 May 2011</p>

COMPETENT AUTHORITY USE	
<p><b>20. Competent Authority recommendation:</b></p>	
<p><b>21. Competent Authority Contact:</b></p>	

## CAP Action

### Decision

- Noted
- Deferred to date: .....
- Referred to: .....
- Proposal Accepted [with amendments / without amendments]
- Proposal Rejected

### Action

- Defer to next meeting
- Discuss with company  
(Member responsible: ..... )
- Letter only (no formal action)
- UN Letter
- Formal Action
  - Exemption;*
  - Determination; or*
  - Approval.*
- Decision expiry date: ...../ ..... / 20..... or  next edition of ADG Code
- CAP Members Responsible: .....
- Other action: .....
- Refer to:
  - DG Maintenance Group*
  - Safe Work Australia*
  - NTC*
  - Other: .....*
- Publicise Decision  
Who / How: .....

### Scope

- Applicant Specific: .....
  - State scope only*
  - National Scope*
- Class of Persons: .....
  - State scope only*
  - National Scope*
- Other: .....

**Ray Clifford**  
Chairman