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Requirements Profile on Road Haulage and Multimodal Transport

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Responsible Care – ein Beitrag zur
Nachhaltigkeitsinitiative Chemie^3

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Introduction

The companies of the chemical industry have a great interest in their products being transported safely, sustainably and in an environmentally sound manner – taking into account the wishes of customers and without compromising the product quality. The quality of the transport service is of decisive importance in this setting. For this reason, there are exacting requirements to the retained logistics service providers.

The Requirements Profile describes the chemical industry's basic requirements that can be supplemented in a company-specific approach. In addition to quality management, the objective is to ensure the necessary safety and security while giving due consideration to environmental and sustainability aspects in the transport of chemical goods.

With the help of the Requirements Profile, logistics service providers (e.g. forwarding agents, freight carriers) – in the following "contractors" – can more easily adapt to the requirements of their partners from the chemical industry – in the following "clients". This provides companies and their staff with a reliable basis for the carrying out of orders.

The Requirements Profile applies to national and international road haulage, including multi-modal transport, waste transport and self-collectors.

This Guidance does not affect the obligations of the contractor to comply with all legal provisions.

1. Contractor's company profile

The following items of information shall be made available by the contractor as self-disclosure:

1.1. Legal form of its company

1.2. Headquarters

1.3. Management Board

1.4. Corporate affiliation / shareholders

1.5. Organizational chart/ branches / important investments in subsidiaries and affiliated companies

1.6. Range of goods and services offered

1.7. Dangerous goods safety adviser (officer)

1.8. Security officer (in conjunction with Section 4)

1.9. Management system officer

1.10. Status regarding certifications, attestations, approvals (such as ISO 9001, ISO 14001, EN 16258, Good Manufacturing Practice [GMP], Safety Quality Assessment System [SQAS], Authorized Economic Operator [AEO], Regulated agent, Hazard Analysis and Critical Control Points (HACCP) concept for storage and transport)

1.11. Emergency plan / emergency telephone number(s)

1.12. Corporate pandemic plan

1.13. Insurance documentation

Evidence of formal qualification for road haulage operation shall be submitted to the client on request.

Significant changes in the company profile shall be communicated without being asked to do so.

2. Vehicles, containers, and additional equipment

2.1 Vehicles, containers, and additional equipment used for loading and unloading shall be in proper technical condition and in good visual appearance, while complying with legal and other official regulations as well as the additional contractual requirements agreed upon between the parties in individual cases for the goods to be loaded that were specified when the order was accepted. Relevant verification documents shall be submitted to the client on request.

2.2. Vehicles should have equipment designed to increase safety (such as driver assistance systems). Such equipment should be activated during transport.

2.3. Vehicles should be fitted with devices, systems, or processes designed to prevent criminal attack (e.g. damage to goods, cargo theft). At the request of the client, the contractor shall take adequate security measures (e.g. fitting high security seals).

2.4. Vehicles used should be low-pollution, low-noise, and climate-friendly vehicles (see 6.2).

2.5. Swap bodies and semi-trailers for multimodal transport should be equipped with the owner identification system for European loading units (ILU (intermodal loading units) published by the UIRR [Union International Rail – Route]).

2.6. For planned transports by truck ferry (Ro/Ro), the vehicles must be equipped with devices (lashing eyelets, lashing points, equipment to block suspension travel, etc.) to allow secure lashing on board and to prevent the transported unit from moving and overturning during heavy seas.

2.7. The special requirements specified in the requirements profiles included in Annexes 1 and 2 must be heeded (where applicable).

3. Persons involved in the transport

3.1. The contractor shall deploy reliable driving staff who are properly trained and instructed in the activity and have sufficient driving practice.

3.2. The contractor shall provide the drivers with all the relevant information and documents necessary for safe and qualified implementation of the order, e.g. for dealing with

- dangerous goods and wastes,
- the vehicle's technical equipment,
- cargo-securing equipment,
- loading devices and
- personal protective equipment.

3.3. On request, the contractor's driver must present the documents required under § 7b of the German law governing freight haulage (GüKG).

3.4. At the request of the client, the contractor shall expressly confirm that the contractor – and, if applicable, the contractor’s subcontractors – comply with the provisions of the German Minimum Wages Act.

3.5. The contractor undertakes to organize the work of its driving personnel to comply with the required driving and resting times.

3.6. On entering the client's site, no persons or (domestic) animals shall be present in the contractor's vehicle who are not part of the driving crew.

3.7. The announced internal regulations applicable for enclosed company premises together with the plant-specific instructions must be observed at the loading and unloading stations.

3.8. There is a general alcohol and drug ban (for both consumption and carrying).

3.9. The contractor must ensure that the drivers and their vehicles are always effectively secured against unintended rolling (for instance parking brake and, if necessary, use of wheel chocks). If the client provides for separate measures and facilities, the contractor shall ensure that these are implemented by the driver.

4. Security

4.1. The driving staff must be able to present authorization to pick up the load. It must be possible to identify the vehicle and the entire vehicle crew (by official identity card with photo, e.g. personal identity card, passport, driving license, or ID card). This is designed to prevent the goods from being transferred to unauthorized persons.

4.2. The contractor is either a recognized "authorized economic operator" – AEO) F or S, or informs the client on request in the form of a security declaration (e.g. standard "AEO Security Declaration" of the European Commission) that he / she meets the requirements relevant for the security of the delivery chain.

5. Use of Sub-contractors

5.1. If the contractor does not carry out the transport by itself, it may use only carefully selected, reliable sub-contractors.

5.2. The contractor shall ensure and bear responsibility for compliance by the sub-contractor deployed by the contractor with the above requirements profile to the same extent as its own company.

5.3. The contractor's management system shall encompass the use of sub-contractors.

6. Transport

6.1. Safety

6.1.1. Departure check: Before the transport, the operational safety, road safety and completeness of the vehicle equipment shall be checked by the driver. The prescribed or agreed equipment shall be carried on all the vehicles until the transport of the respective assignment has been completed.

6.1.2. Legally prescribed and any further prohibitions of the client regarding the loading of certain goods together in the same transport unit shall be observed.

6.1.3. For loading, vehicles must be provided that have a maximum payload meeting the requirements for the order (taking legal requirements into consideration).

6.1.4. Safe transport routes shall be chosen (particularly for dangerous goods), i.e. preferential use of motorways, if necessary by-passing designated protected areas, and avoiding routes through purely residential areas.

6.1.5. If vehicles with dangerous goods are parked, the relevant provisions must be complied with by guarding the vehicles and, if possible, parking them where sufficient security is guaranteed.

6.1.6. Transloading of complete and partial loads (starting at a gross weight of 3000 kg) requires the consent of the client. If transloading is required during transportation, comparable requirements must be imposed upon the vehicle qualities, drivers, etc. as for loading at the client's plant.

6.1.7. The driver shall deliver the vehicle to the assigned location for unloading.

6.1.8. The driver may unload only after instruction by an authorized agent of the recipient (and under that person's supervision).

6.1.9. The contractor shall provide a 24-h on-call service in case of transport incidents (referring to dangerous goods). In case of emergency, a responsible expert person must be reachable.

6.2. Environment & sustainability

6.2.1. Environmentally harmful influences shall be avoided, and if unavoidable, shall be minimized as much as possible.

6.2.2. The contractor must, to the best of its abilities, through technical and / or organizational measures, reduce the emission of greenhouse gases (regarding the contractor's company and the client's transports).

Possible technical and/or organizational measures can be:

- Certification under ISO 14001 or the Eco-Management and Audit Scheme (EMAS)
- Modal shift (contractor should be able to offer Intermodal transport solutions)
- CO_2 report for the company of the client
- Driver training as per ECO-Drive and Behaviour-Based Safety (BBS) as the standard in the company
- Use of vehicles with favourable exhaust gas values
- Use of technical measures to reduce exhaust gas emission values in vehicles with lower exhaust gas standards (e.g. throttling down the motor)
- Use of high-quality tires
- Use of low-friction oils
- Use of modern telematic trip planning and optimization systems
- Use of alternative drive systems
- Additional aerodynamic measures to reduce air resistance

The effectiveness of the measures taken shall be checked by the contractor.

6.2.3. The contractor undertakes to prepare reports on the greenhouse gases emitted. Shipment-based information on energy consumption and greenhouse gas emissions shall be made available to the client promptly at the requested moments in time, specifying the parameters and methods used (e.g. according to DIN EN 16258 or the VCI guideline for determination of CO_2 emissions in the logistics of the chemical industry).

6.2.4. The contractors are expected to comply with the internationally recognized minimum standards of the UN Global Compact and the core working norms of the International Labour Organization (ILO).

6.2.5. The contractor shall support the client in complying with the requirements of the German Act on Corporate Due Diligence Obligations in Supply Chains (Lieferkettensorgfaltspflicht-gesetz / LkSG). This can include compliance with the client's code of conduct for suppliers (where applicable) as well as participation in the risk analysis (e.g. by providing information) and in the development and implementation of possibly necessary remedial measures.

7. Delivery Service / information

7.1. The contractor shall support to the extent possible the client's efforts to achieve a customer-oriented delivery service, among other things by

- Taking over the goods at the agreed time
- Keeping to agreed schedules and prescribed delivery deadlines, as well as possibly booked time slots
- Compliance with the recipient's instructions and rules at delivery
- Determining the current location of a consignment within an appropriate time period
- Providing position data in real time at the request of the client, possibly also using a real-time visibility tool
- Informing the client immediately about any delays on the transport route and the reason for the delay, measures taken, and the probable new delivery date
- Informing the client immediately about any complaints regarding the quality and quantity of the goods, which the recipient notes in writing on the receipt. Relevant verification documents shall be submitted to the client immediately.

7.2. The contractor shall ensure the correct and timely forwarding of the relevant information – e.g. safety data, order status, reference number of the client or the customer – in order to maintain a chain of information (e.g. to sub-contractors) that is free of gaps.

7.3. All the information and data provided shall be treated as confidential.

8. Transport and accompanying documents

8.1. Transport documents must be filled out correctly and be carried together with the other accompanying documents.

8.2. The driver shall check the delivery documents and the accompanying documents handed over by the client as to completeness and correctness.

8.3. When a forwarding order is issued by the client, the contractor shall enter its company name in the freight note as "sender".

8.4. When a transport contract is concluded between client and con tractor, the contractor shall enter the client in the freight note as "sender".

8.5. The goods may only be handed over after receiving a written or an electronic acknowledgement of reception (receipt) by the recipient. The receipt shall be made available to the client on request within an appropriate time period and can also be archived digitally by the contractor.

8.6. Transport documents / accompanying documents or their contents shall not be made accessible or handed to third parties – with the exception of the official check points.

8.7. Transport documents which do not concern the current transport must be separated from those that do concern the current transport.

8.8. The documentation for the transport of dangerous goods (such as ADR training certificate of the vehicle driver or approval certificates) must be presented in the original, as a matter of principle.

9. Accidents / Damage

9.1 Whenever persons are endangered and / or the environment is at risk, the fire department and / or police must always be notified. Furthermore, the following information must be made available immediately to the body/facility specified by the client in the transport document:

1. Name and company of the reporting person
2. Registration number and type of vehicle, freight carrier, forwarding agent
3. Place, time, and description of the accident / damage incident
4. Number of injured / dead, extent of product leaked, police / fire brigade present at the site
5. Consignment data (order number. destination, transport company, forwarding agent)
6. Measures carried out or arranged by the driver

7. Options for calling back for further information (name, address, telephone, E-mail)

8. If appropriate, the loss adjuster involved (name, address, telephone, E-mail).

9.2 For every accident, damage or incident in connection with the transport, the contractor shall prepare an informal report and send it to the client without delay. Furthermore, a notification according to ADR section 1.8.5 may become necessary, depending on the circumstances.

9.3 The contractor shall inform the client about recognizable transport damage and loss of goods immediately, regardless of cause or responsibility.

10. Management system / Audits

10.1. The contractor shall use a management system to furnish proof of how all legal provisions and special requirements of the client are fulfilled in the contractor's company.

The management system should have been developed based on ISO 9000 ff. or comparable methods.

10.2. On request, the contractor - to the extent permitted by data privacy aspects – will grant the client or a named representative access to the system documentation and allow auditing of the operational processes.

10.3. Safety and quality audits by the client or external inspection companies are based on the "SQAS Transport Service" questionnaire of the European Chemical Industry Council (CEFIC). Contractors are also advised to use this questionnaire for self-assessment.

Annex 1

LIQUID AND DRY UNPACKED GOODS (IN BULK) IN TANKS, TANK / SILO VEHICLES, CONTAINERS, TIPPERS AND DUMP TRUCKS

1. Technical requirements

The contractor requirements are as follows:

1.1. Vehicle equipment, such as containers, emptying devices, pumps and any hose material carried by the vehicle, fittings, and seals shall be clean, dry, and free of odours, unless different product specific agreements have been made.

1.2. Technical and visually fault-free and pressure-tested hose material shall be used that is suitable for the respective cargo.

1.3. Hose material which is used for specified products / product groups, shall be clearly marked, and may only be used for these specific products / product groups.

1.4. For liquids, stainless steel pressure tanks shall be used, unless there are different requirements.

1.5. Vehicle registration certificates shall be carried in the vehicle and presented upon request. On request, tank approvals for the transported goods shall be provided within a reasonable period of time.

1.6. For safety reasons (surge effect), the minimum tank filling level prescribed for the transport of dangerous goods shall also be observed for the transport of non-dangerous goods. The contractor shall therefore provide containers that can meet this requirement.

1.7. Information on the number of surge plates, if present.

1.8. The compartment number shall be marked on the dome lids, filling connections, and corresponding outlets.

1.9. Details of the tank / compartment volume shall be marked clearly and be permanently affixed to the dome lids and filling connections.

1.10. The vehicle shall be fitted with devices (rings) for attaching product signs and lead seals to outlets and dome lids.

1.11. All the emptying devices shall be closed properly before filling; and all the filling devices after filling.

1.12. The vehicle shall be fitted with a clearly marked and fully functional grounding device.

1.13. As a rule, entry into the empty vehicle tanks / containers on the premises of the client or its customers is not permissible. If entry is made, the appropriate safety regulations must be observed.

1.14. When climbing on tank / silo vehicles, drivers must use either personal fall safety equipment provided by the plant or their own inspected equipment. Furthermore, they must be trained in putting on and using such safety equipment.

1.15. Vehicles with a dumping system must be secured against movement when the cargo bed is lifted.

1.16 Information by the carrier to the client about electrical components on transport containers, e.g. telematic devices, to check requirements to explosion protection.

2. Product residues

The aim is to empty the tanks completely. If product residue is still found due to unavoidable technical inadequacies, the tanks may only be cleaned and the contents disposed of after consultation with the client.

Residual products must only be disposed of in facilities approved for this purpose and in compliance with existing legal requirements. The proper disposal of residual products shall be proven to the client on request.

3. Cleaning stations

3.1. The contractor is responsible for the selection of suitable and reliable cleaning stations.

A cleaning station regarded as suitable is a station which has the necessary authorization (with regard to operation and disposal) and carries out cleaning and disposal in line with legal regulations and official approval certificates.

It is assumed that the operators of the cleaning station undertake to carry out the necessary measures (servicing, maintenance, repairs) in due time and document these procedures, only using qualified staff and allowing audits to be carried out if necessary.

The contractor is therefore advised to use cleaning companies that have completed an SQAS assessment for tank cleaning stations.

3.2. Tank cleaning always depends on the last goods loaded and, if known, the next goods to be loaded and is carried out in agreement with the cleaning station.

3.3. The client provides the contractor with product information as needed (e.g. safety data sheet) to ensure proper cleaning and disposal. Proofs of disposal shall be made available to the client on request.

4. Proof of cleaning

4.1. All cleaning companies are required to issue proof of cleaning which clearly states that cleaning has been carried out properly.

4.2. The proof of cleaning, which can also be generated electronically, should include the following minimum standards:

1. Sequential, unique numbering, with technical safeguards to prevent duplication and forgery
2. The document must contain the following information:
   - Type of cleaning, e.g. by stating the valid EFTCO code
   - Identification of the tank cleaning plant with full address, fiscal and commercial information and – where available – national membership
   - Identification of the customer (contractual partner)
   - Identification of the vehicle / tank
   - Arrival and departure times of the vehicle
   - Information about the cleaning work done, stating the defined code for the cleaning process (tank, hoses, pumps, valves)
   - For each cleaned compartment, information about the last loaded product with technical description and UN code
   - Condition of the tank interior after cleaning (dry, wet etc.)
3. Signature of the cleaning manager and the contractual partner's representative (generally the driver)

Remarks:

- Non-binding: Information about the next load.
- The cleaning process is either printed in full and marked with an “X" or printed out in full after successful cleaning with details of the steps carried out.

4.3. Before loading, the proof of cleaning must be made available to the loading unit.

5. Proof of previous load

5.1. All contractors whose tanks/silos are reloaded upon agreement without being cleaned shall guarantee that proof of previous load will be drawn up and provided.

5.2. The proof of previous load shall contain at least the following details:

- Name of the contractor and name of the freight carrier
- Number of the vehicle, tank, chamber

- Product
- Chemical description (not simply the trade name)
- Dangerous goods class
- Voucher number, date, stamp, signature.

These details can also be recorded on the pick-up note.

5.3. The company issuing the proof of previous load shall make sure that no impurities whatsoever (e.g. dust, foreign particles, condensation) have entered the tank / silo after unloading and that the tank / silo is closed on being sent for renewed loading.

6. Inspection before loading

The contractor shall give the client's personnel the opportunity of checking the proper condition of the tank / silo and the emptying equipment before loading.

Annex 2

PACKAGED GOODS (NON-BULK) IN TRUCKS; CONTAINERS AND SWAP BODIES

The contractor requirements are as follows:

1. Provide vehicles / containers / swap bodies with cleanly swept, dry, nail-free cargo areas that can be used by a fork-lift truck (minimum durability as per DIN EN 283).
2. Provide vehicles that have their own on-board re-usable cargo-securing devices in adequate quantity and dimensions and in proper condition, such as
    - Separators (such as clamping plates and inserted rigging boards or adjustable partitions)
    - Lashing equipment such as straps, chains, ropes, nets or tarpaulins; the lashing equipment must be in proper condition
    - Non-slip materials, e.g. non-slip mats
    - Loading areas with retractable lashing points
3. Provide vehicles / containers, in which the walls, floor, and roof as well as doors, door seals, and tarpaulin appear to be in proper technical condition.
4. Driver checks the cargo for external damage and completeness (referring to the number of loading units for packages / packaging units placed on pallets and any packages placed inside outer packaging) if the driver is present during loading.
5. Driver approves the measures taken to secure the cargo and supports the loading staff if requested.
6. The load is secured properly through to the final unloading station, as necessary by means of
    - re-securing the load after partial unloading or reloading,
    - monitoring problems with the load caused by traffic and weather to check the stowing and securing of the cargo during transport, and re-securing the load as needed.
7. No movement of vehicles (empty or loaded) with open sides or open cargo bay doors.