MINISTRY
OF INDUSTRY
AND TOURISM

DRAFT ROYAL DECREE AMENDING ROYAL DECREE 948/2003 OF 18 JULY 2003 LAYING DOWN THE MINIMUM CONDITIONS TO BE MET BY INSTALLATIONS FOR THE INTERNAL CLEANING OR DEGASSING AND DEPRESSURISATION, AS WELL AS FOR THE REPAIR OR MODIFICATION OF TANKS FOR DANGEROUS GOODS

The experience gained during application of Royal Decree 948/2003 of 18 July 2003 laying down the minimum conditions to be met by installations for the internal cleaning or degassing and depressurisation, as well as for the repair or modification of tanks for dangerous goods, has revealed the need to update the provisions relating to the periodic inspection system to which installations for the internal cleaning or degassing and depressurisation, as well as for the repair or modification of tanks for dangerous goods, are subject, with the aim of ensuring their conformity with the regulatory requirements applicable to such facilities.

In addition, the aim of the legislation is to adapt the terminology relating to repairs and modifications, as well as the procedures to be followed for such operations, to the requirements of the current regulations on the inspection of tanks contained in the various modal agreements on the international transport of dangerous goods.

Finally, it is necessary to revise the technical requirements for such installations in order to adapt them to technological developments and the current regulatory framework.

This legislative text complies with the principles of good regulation established in Article 129 of Law 39/2015 of 1 October 2015 on the Common Administrative Procedure of Public Administrations. It responds to the principles of necessity and effectiveness, since it is justified for reasons of general interest to update the provisions of Royal Decree 948/2003 of 18 July 2003, with the aim of incorporating the improvements identified and adapting the regulation to the current technical and legal environment, permitting alignment of the applicable regulation on the transport of dangerous goods.

In relation to the principle of transparency, the public consultation procedure was carried out prior to preparation of the text with the aim of obtaining the opinion of the subjects and the most representative organisations potentially affected, and the draft Royal Decree has been subject to the process of hearing and public information, as established by the procedure for drawing up standards.

It is proportionate, since it contains the regulation essential to meeting the need to be covered, without there being other measures imposing fewer obligations on those affected, and it complies with the principles of legal certainty, being coherently incorporated into the legal system.

Finally, with regard to the principle of efficiency, this Royal Decree does not impose unnecessary or ancillary burdens and, in its implementation. It rationalises the management of public resources.

In accordance with Article 26(6) Law 50/1997 of 27 November 1997, the Government, the Autonomous Communities have been consulted for the preparation of this Royal Decree, as have the entities known and considered to be the most representative in the sector.

Similarly, this Royal Decree has been notified to the European Commission and to the other Member States in accordance with Royal Decree 1337/1999 of 31 July 1999 regulating the provision of information on technical standards and regulations and rules on information society services, in application of Directive (EU) 2015/1535 of the European Parliament and of the Council of 9 September 2015 laying down a procedure for the provision of information in the field of technical regulations and of rules on information society services.

This provision is laid down within the framework of Article 149(1)(13) of the Spanish Constitution, which grants the State competence to determine the bases and coordination of the general planning of economic activity, without prejudice to the competences of the Autonomous Communities in the field of industry.

Therefore, at the proposal from the Minister of Industry and Tourism, in agreement with the Council of State and following deliberation of the Council of Ministers at its meeting on XX xxxx 2024,

I HEREBY DECREE THE FOLLOWING:

Sole article. Amendment of Royal Decree 948/2003 of 18 July 2003 establishing the minimum conditions to be met by installations for the internal cleaning or degassing and depressurisation, as well as for the repair or modification of tanks for dangerous goods.

Royal Decree 948/2003 of 18 July 2003 laying down the minimum conditions to be met by installations for the internal cleaning or degassing and depressurisation, as well as for the repair or modification of tanks for dangerous goods, is hereby amended as follows:

One. Article 1 is worded as follows:

'**Article 1. *Scope of application*.**

This Royal Decree applies to installations for the internal cleaning or degassing and depressurisation, as well as for the repair or modification of tanks for dangerous goods.'

Two. Article 2 is worded as follows:

'**Article 2. *Definitions.***

For the purposes of this Royal Decree, the following definitions apply.

a) Tanks for dangerous goods: tanks that are defined as such in the following international agreements: the Regulation on the International Carriage of Dangerous Goods by Rail (RID), the European Agreement concerning the International Carriage of Dangerous Goods by Road (ADR) and the International Maritime Dangerous Goods Code (IMDG Code).

b) Internal cleaning of tanks: such operations as are necessary for a tank to be emptied and cleaned so that there are no visible traces of any chemical upon visual inspection via the manholes and it remains in a safe condition, such that it can be loaded with any other material, even if chemically incompatible with that previously transported, and which is authorised, in accordance with its type approval, by the competent authority.

c) Degassing and depressurisation of tanks: such operations as are necessary in order to eliminate any waste gas and pressure that may remain in these tanks once they are empty of the product.

For the purposes of application of this Royal Decree, the expression 'degassing and depressurisation of tanks' shall be understood to refer exclusively to tanks for the carriage of Class 2 goods.

d) Repair of tanks: correction of a defect. Repair does not include routine maintenance

operations performed on the tank or service equipment, or the replacement of seals or service equipment complying with the same specification.

e) Alteration of tanks: operation performed on an existing tank, following which it remains within the scope of the type approval.

f) Modification of tanks: operation performed on an existing tank resulting in non-conformity with the type approval'.

Three. Article 3 is worded as follows:

'**Article 3.** ***Mandatory cases of cleaning, degassing and depressurisation of tanks for dangerous goods and their compliance with the provisions of this Chapter II*****.**

1. Without prejudice to the provisions of the applicable international treaties, the internal cleaning of tanks for dangerous goods is necessary in the following cases:

a) prior to a periodic, intermediate or exceptional inspection, or non-periodic inspection in accordance with the regulations in force;

b) when there is a change of product that is incompatible with the product previously transported;

c) prior to any repair, alteration or modification of the tank.

2. Degassing and depressurisation shall be performed, in advance, on those Class 2 tanks needing to be repaired or modified, as shall internal cleaning.

3. Tanks other than those in Class 2, which may contain dangerous gases or vapours, shall be steam cleaned after internal cleaning of the tank, in order to ensure a safe atmosphere.

4. The competent body of the Autonomous Community may exempt tanks from cleaning that have contained products that, due to their chemical characteristics, make this type of operation very difficult without serious risk to the staff responsible for carrying it out or to the environment in the case of intermediate inspections. It may also exempt tanks from internal cleaning that are intended for the transport of aviation fuel, on which, in accordance with the provisions of the regulations on the transport of dangerous goods, the pressure test and/or gas tightness test is performed, provided that the internal cleanliness of the tank is ensured by means of an equivalent alternative method.'

Four. Article 5(5) is worded as follows:

'5. Before the installations are brought into operation, an inspection body shall check compliance with the requirements of this Royal Decree.

Subsequently, compliance with these requirements shall be assessed periodically by an inspection body every three years. The first periodic audit shall take place three years after the date of submission of the declaration of responsibility to the competent body of the Autonomous Community.

The inspection bodies must be accredited and authorised in the field of Transport of Dangerous Goods, in accordance with the provisions of this Royal Decree.'

Five. Article 6 is worded as follows:

'**Article 6.** ***General procedure for internal cleaning, or degassing and depressurisation of tanks***.

1. Prior to presentation of the tank to the internal cleaning or degassing and depressurisation by the applicant, the last unloader shall be responsible for fully unloading the tank of the product transported and shall, after unloading, leave the tank empty, purged and drained of residue, where appropriate, using the technical means necessary for this purpose.

2. The tank internal cleaning or degassing and depressurisation station shall require the driver, owner or representative to complete a documented request for the service, including at least the details indicated in Annex III.

3. Following the internal cleaning or degassing and depressurisation of a tank, in special cases where there is to be a change of substances being transported and they are incompatible with each other, the loading and unloading manifolds shall be removed to be cleaned separately.

4. Once the internal cleaning or degassing and depressurising has been completed and once it has been checked that the atmosphere inside is safe, a visual inspection shall be performed via the manholes by different technical staff who have not participated in the cleaning process, in order to check that the tank is clean and empty, without any traces of product.

5. Finally, the necessary valves and openings shall be sealed in order to ensure the cleanliness of the tank, except in cases where the operation is to be carried out immediately after the tank has been cleaned and without it leaving the installation, or in cases where, for duly justified technical reasons, such sealing is not feasible.

6. Sources of atmospheric emissions, discharges of waste water and the generation of waste resulting from the internal cleaning or degassing and depressurisation of tanks at internal cleaning and degassing installations shall be subject to the provisions of the environmental, emissions, waste water and waste legislation in force.

7. Once internal cleaning or degassing and depressurisation of the tank has been completed, the person responsible for the installation shall provide the driver or owner with a certificate whose content includes at least the details indicated in Annex IV.

8. Each cleaning facility shall maintain a record of the issued cleaning certificates, numbered in a correlative and traceable manner. The cleaning facility shall retain these certificates for at least five years. Cleaning certificates may be issued in electronic form.'

Six. Article 7 is worded as follows:

'**Article 7.** ***Requirements to be met by installations for the repair, alteration or modification of tanks for dangerous goods*****.**

1. Repairs and alterations to tanks for dangerous goods may only be carried out in workshops of undertakings constructing dangerous goods tanks or tank repair facilities, in accordance with the requirements and procedures required in Annex V.

2. Any modification shall be made at the original manufacturer's workshop or at a truck manufacturer, with valid passwords for the same construction type, by means of a supplementary approval to the approved type, relating to the modification, in accordance with the provisions of the regulations applicable to the transport of dangerous goods.

3. In the case of tank vehicles or battery vehicles, replacement of the chassis that does not involve any intervention on the tank or battery of receptacles, its service equipment or

structural elements may also be carried out by a vehicle manufacturer listed in the register of authorised manufacturers and signatures provided for in Article 4 of Royal Decree 750/2010 of 4 June 2010 regulating the approval procedures for motor vehicles and their trailers, self-propelled or towed machinery, agricultural vehicles, as well as systems, parts and components of such vehicles, and whose conformity of production certificate is in force at the time of the operation.

4. In the case of tank containers and portable tanks, in repairs affecting their structure and which do not involve any intervention on the tank and its service equipment, the requirements applicable to the workshops shall be regulated by the regulatory requirements on container safety.'

Seven. Article 8(5) is worded as follows:

5. Before those installations that are not tank builders are brought into operation, an inspection body shall check compliance with the requirements of this Royal Decree.

Subsequently, compliance with these requirements shall be assessed periodically by an inspection body every three years. The first periodic audit shall take place three years after the date of submission of the declaration of responsibility to the competent body of the Autonomous Community.

The inspection bodies must be accredited and authorised in the field of Transport of Dangerous Goods, in accordance with the provisions of this Royal Decree.'

Eight. Annex I is worded as follows:

'ANNEX I

Minimum technical requirements for installations for the internal cleaning of tanks for dangerous goods

A) Installations for the internal cleaning of tanks for dangerous goods shall have a minimum of the following systems and equipment:

1. A steam generator with the following minimum characteristics for its hose injection:

a) registered pressure at 6 kg/cm^2

b) generation of steam at 120°C.

2. A water heater using the above generator or another system, enabling the water to reach a temperature of 70–80°C.

3. A pressure system for hot and cold water, with a minimum of two lines as follows.

a) One line for hoses for manual use by the employee with its corresponding pump: water outlet pressure 25 kg/cm^2 with a flow rate of 18 to 20 litres/minute.

b) Another line for a rotary or spray head (minimum 1) or rotary or spray heads suitable for hot or cold water projection at the following pressures:

b.1 in road tank vehicles, the water pressure at the output of the rotary head shall be 50 kg/cm^2 with a flow rate of 50–60 litres/minute;

b.2 in tank-containers or portable tanks of no more than 9 metres (30 feet), the water pressure at the output of the rotary head shall be at least 100 kg/cm^2 and a flow rate of 80–90 litres/minute;

b.3 in rail tankers and containers of 12 metres or more (40 feet) the water pressure at the

output of the rotary head shall be 200 kg/cm² with a flow rate of 120–130 litres/minute;

b.4 in the case of plastic tanks reinforced with glass fibre or tanks with plastic or other similar linings, to which neither the pressures referred to in the preceding paragraphs and the flow rates referred to above can be applied, the water pressure at the output of the rotary head shall be 25 kg/cm² and a minimum flow rate of 50 litres/minute.

4. A cleaning product dosing system for injection of the appropriate products in each case, which will be injected into the water inlet jet or tube of the rotary head or hoses or into the cleaning system.

5. A water pre-treatment system (water softener or other unit) when the characteristics of the water used in the internal cleaning of the tanks so require.

6. A compressor or, in its place, an electrical system, for pneumatic or electrical manoeuvring of the cleaning equipment, which must comply with the applicable regulations.

7. A lifting system for manoeuvring the rotary or spray head or the rotary or spray heads, which, if electric, must include manoeuvring at 24 volts and must comply with the applicable regulations.

8. A waste water treatment plant (minimum with physico-chemical and biological treatment) or a contract for the treatment and management of waste water and sludge with a manager authorised by the relevant competent authority.

9. If other cleaning lines are present for tanks intended for the transport of foodstuffs, there shall be a complete physical separation from floor to ceiling, without gratings or hollows.

B) Installations for the internal cleaning of tanks that, due to the product type, require a post-cleaning drying system (either inside or outside the cleaning tunnel) shall have a tank drying area with a turbine that blows hot air at 60–80°C, or an equivalent device that ensures the tank is adequately dried after cleaning.

C) Each installation for the internal cleaning of tanks shall have documented technical information on the products necessary for cleaning the chemical residues, identified by UN number, for which it is prepared.

D) The technical support staff working in cleaning installations must be familiar with the procedures or operations of the cleaning installation, have the appropriate safety equipment (explosimeters, special suits, gloves, harness, safety lamps for explosive atmospheres, self-contained breathing apparatus, oxygen analyser, etc.) to carry out their work and receive specific training courses organised by the cleaning company.

By way of derogation from points (A), (B) and (C) above, in the case of centres for internal tank cleaning belonging to a chemical manufacturing undertaking and located within the factory itself or in an adjacent area, and in the case of interior cleaning of tanks carrying the dangerous goods manufactured by that undertaking or the dangerous chemical materials combined or handled by the undertaking in the manufacturing process, that undertaking may use different technical means and procedures, albeit equivalent to those referred to above, subject to authorisation by the competent authority, with a favourable technical report from a control body certifying compliance with the safety conditions of the procedure and its effectiveness, as well as compliance with Article 6(6) of this Royal Decree.’

Nine. Annex III is worded as follows:

‘ANNEX III

Application number

1. Identification of the installation for the internal cleaning or degassing and depressurisation of tanks for dangerous goods:

a) Name

b) Address

c) Telephone number and email

d) Tax identification number

e) Number in the register of industrial establishments.

2. Undertaking requesting the service

3. Service requested

4. Date

5. Vehicle registration number

6. Tank identification number

7. Name of driver or owner

8. Product name and UN number

9. Additional services:

a) Cleaning of hoses and hose reels

b) Drying

c) Sealing

d) Other

e) Remarks:

Signature of the cleaning facility operator Signature of the driver’

Ten. Annex IV is worded as follows:

‘ANNEX IV

Certificate of internal cleaning or degassing and depressurisation of tanks for dangerous goods

1. Identification of the installation for internal tank cleaning or degassing and depressurisation:

a) Name

b) Address

c) Telephone number and email

d) Tax identification number

e) Number in the Register of industrial establishments.

2. Date

3. Cleaning certificate number

4. Tank registration number

5. Tank identification number

6. Last product transported (UN number and name), indicating, where appropriate, the information for each compartment

7. That once the interior cleaning of the tank has been completed, it has been completely cleaned of all impurities, it having been verified by visual inspection via the manholes that there are no visible traces of any chemicals inside, in accordance with the national regulations on the transport of dangerous goods by road and rail, as well as with the provisions of the ADR, RID or IMDG that apply in each case, and is ready to be reloaded.

8. Compartments cleaned:

9. Identification of seals or reason for non-application

10. Type of cleaning carried out and procedure used, indicating, where appropriate, the information relating to each compartment

11. Remarks (in this section, provide any other information necessary for the internal cleaning of the tank or relating, where appropriate, to the degassing and depressurisation of the tank) and additional services:

12. The cleaning station is responsible for the veracity of this document and for carrying out the appropriate cleaning, degassing and/or depressurisation protocol, according to the information provided by the transport operator.

13. Cleaning facility stamp and signature of the person responsible for the installation for the internal cleaning or degassing and depressurisation of tanks.'

Eleven. Annex V is worded as follows:

'ANNEX V

Compulsory requirements and procedures for tank alteration and repair installations

A) Technical and human requirements:

1. Equipment for monitoring safety in the internal atmosphere of tanks.

2. Portable explosimeters for the staff performing the operations.

3. A safety valve test bench or an agreement with workshops where such is in place.

4. Procedures for monitoring explosive or toxic atmospheres, which ensure that the correct means are used to ensure the safety of the internal atmosphere of the tanks.

5. A quality manual.

6. If welding work is undertaken:

a) Welding machines suitable for the various tank construction materials: aluminium, stainless steel and carbon steel alloys.

b) Welding procedures approved by the competent technicians, relating to the different construction materials of the tanks to be repaired: aluminium, stainless steel and carbon steel alloys, provided that they are in the appropriate thickness range.

c) Approved welders in approved welding procedures.

7. Staff with sufficient qualifications for the development of work done under contract.

8. A qualified technician competent in provision of the service.

B) Procedures to be followed for the repair or alteration of tanks:

1. Prior to any repair or alteration affecting the tank, it shall be required to be clean and empty, attested by a certificate issued by an approved installation for internal tank cleaning or, in the case of tanks for the transport of Class 2 goods, issued by an installation for the internal cleaning and degassing and depressurisation of tanks.

2. Welding procedures used in repairs or alterations shall be in accordance with the type approval.

In particular, adequate cleaning of the areas of the tank should be taken into account prior to repair or alteration, which shall be carried out prior to the completion of the Pre-repair report, in accordance with the model laid down in the regulations applicable to the transport of dangerous goods by road and by rail. It will be essential in the aforementioned Report to attach graphic documents of the sanitised areas, in the case of impact damage or cracks that are due to be repaired.

Likewise, where the tank service equipment is to be repaired or altered, graphic documents should be provided in annex to the aforementioned Pre-repair report with the technical and operational characteristics of the aforementioned equipment.

3. Where non-destructive tests are to be carried out, they shall be carried out in accordance with the applicable standards or codes.

4. The materials and manufacturing methods to be used must comply with the applicable regulations on the transport of dangerous goods.

5. Both the examination of the welds and the tests to be carried out, following repair or alteration, are defined in the applicable regulations on the transport of dangerous goods.

6. Once the relevant technical documentation has been examined, the inspection authority will issue the pre-repair or pre-alteration report, thereby authorising the operation to be carried out. Upon completion, the inspection report shall be issued following the repair or alteration, which shall also include the results of the tests, in accordance with the model laid down in the regulations applicable to the transport of dangerous goods by road and by rail.'

Sole additional provision. ***Installations for internal cleaning located in island territories.***

With regard to cleaning operations to be carried out on the islands of La Palma, El Hierro, La Gomera, Fuerteventura, Lanzarote, La Graciosa, Menorca, Ibiza, Formentera or Cabrera, where there are no fixed installations for the internal cleaning of tanks, undertakings owning mobile installations may use different technical means and procedures that are equivalent to those indicated in Annex I to Royal Decree 948/2003 of 18 July 2003, laying down the minimum conditions to be met by installations for the internal cleaning or degassing and depressurisation, as well as for the repair or modification of tanks for dangerous goods, subject to prior authorisation from the competent authority, with a favourable technical report from an inspection body certifying compliance with the safety conditions of the procedure and its effectiveness, as well as compliance with Article 6(6) of the aforementioned Royal Decree.

Sole transitional arrangement. ***Installations authorised to undertake the activity*****.**

Those installations for the internal cleaning or degassing and depressurisation of tanks for dangerous goods, as well as for the repair or modification of such tanks, that were authorised prior to the entry into force of this Royal Decree to carry out the activity in accordance with the requirements of Articles 5 and 8 respectively of Royal Decree 948/2003 of 18 July 2003 laying down the minimum conditions to be met by installations for the internal cleaning or degassing and depressurisation, as well as for the repair or modification

of tanks for dangerous goods, must carry out a periodic audit as specified in paragraphs four and seven respectively, of the single article of this Royal Decree, at the latest within three years of the date of its entry into force.

First final provision. *Attribution of powers*.

This Royal Decree is laid down within the framework of Article 149(1)(13) of the Spanish Constitution, which grants the State jurisdiction over the conditions and coordination of general economic planning.

Second final provision. *Entry into force.*

This Royal Decree shall enter into force on 1 July 2025.

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