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Working Party on the Transport of Dangerous Goods
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agenda item 5)

NOUVELLES PROPOSITIONS D'AMENDEMENTS AU RID/ADR/ADN

Provisions for empty uncleaned packagings in 5.4.1.1.6

Transmitted by the European Industrial Gases Association (EIGA)

SUMMARY

<i>Executive summary:</i>	The change to the text of 5.4.1.1.6 adopted by the Joint Meeting imposes a huge administrative burden on industry without any commensurate improvement in safety. EIGA requests that the decision to adopt new requirements for identifying empty packagings be reconsidered.
<i>Action to be taken:</i>	Revert to the wording similar to the first paragraph of 5.4.1.1.6 as given in ADR 2003, or adopt a derogation for Class 2
<i>Relevant documents:</i>	TRANS/WP.15/AC.1/94 paras. 94 to 96 TRANS/WP.15/AC.1/94/Add.5 TRANS/WP.15/AC.1/2003/27.

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Introduction

By adopting the text of TRANS/WP.15/AC.1/94/Add.5, the Joint Meeting has included a change to the requirements in identifying empty packagings. Whereas previously when carrying one empty acetylene and one empty oxygen cylinder the transport document stated:

“Empty receptacle, 2, No. – 2”

in 2005/2006 it would have to state:

“Empty receptacle, 2.1 No. – 1
Empty receptacle, 2.2, (5.1) No. – 1”.

EIGA members have about 40 million gas cylinders in circulation in Europe. Each of these is sent by road to customers between 2 and 3 times per year and after use is returned as an empty receptacle. Thus about 100 million empty gas cylinders travel on Europe’s roads annually. If the cylinders of the AEGPL members were added, this total would probably be six times higher.

The safety record of these many trips is such that empty uncleaned packagings in general are designated as being in Transport Category 4 of 1.1.3.6. They can be carried in unlimited numbers, without vehicle placards and are exempted from a number of provisions as regulated by 1.1.3.6.2 of the ADR/RID.

Class 2 has 9 possible combinations of labels as shown below:

2.2	2.3	2.3, (8)
2.2, (5.1)	2.3, (2.1)	2.3, (2.1), (8)
2.1	2.3, (5.1)	2.3, (5.1), (8)

It will challenge our drivers and many of our customers (e.g. small repair shops) to correctly record each of these many combinations. Our drivers are recruited and trained for safe driving and for loading, securing and unloading gas cylinders in a safe way; their skill at paperwork is not highly developed. The extra administrative work will add time at every collection point, while the details from each cylinder label are transcribed onto the transport document.

EIGA supported the original UIC proposal in TRANS/WP.15/AC.1/2003/27. Sub-section 5.4.1.1.6 has always required that the last load of empty tanks, etc. be identified. If substance identification is required, then it is entirely logical that it should be correctly named and in full.

There has never been a requirement to identify the substances in empty packagings and there still remains no requirement to identify them. However, ADR/RID 2005 would be calling for a listing of labels to identify the hazards of the load whilst the hazard of the load itself is recognized to be small according to 1.1.3.6. How would the emergency services interpret and

react to a list of Class 2 labels covering say 50 or 100 empty receptacles? In a real emergency situation, information on residues in individual Class 2 receptacles would only be of value when dealing with receptacles individually, in which case the information and the substance name is already available on the label.

EIGA maintains that this is an unjustified administrative burden which has a negligible safety benefit and is more difficult to enforce. This proposal appears to have been adopted on the basis of symmetry, without a suitable consideration of the work involved for consignors being balanced by benefits gained.

The UIC argue that the information for the empty receptacle will be the same as for the transport document of the full receptacle. In practice, when gas companies collect empty cylinders, the original document is not available; the driver has to create the necessary description. This is then not a simplification as claimed, but a severe complication.

Proposal 1

5.4.1.1.6.1 For empty packagings, uncleaned, which contain the residue of dangerous goods of classes other than Class 7 and for empty uncleaned receptacles for gases with a capacity of not more than 1000 litres, the description in the transport document shall be:

"EMPTY PACKAGING", "EMPTY RECEPTACLE", "EMPTY IBC", "EMPTY LARGE PACKAGING", as appropriate, followed by the ~~information of the goods last loaded, as described in 5.4.1.1.1 (e)~~ class number.

See example as follows: "EMPTY PACKAGING, 6.1(3)".

EIGA has based its considerations on Class 2 only. If there were reasons why the Joint Meeting text should be retained for other classes, then the following proposal would apply.

Proposal 2

5.4.1.1.6.1 For empty packagings, uncleaned, which contain the residue of dangerous goods of classes other than Class 7 ~~and for empty uncleaned receptacles for gases with a capacity of not more than 1000 litres~~, the description in the transport document shall be:

"EMPTY PACKAGING", "EMPTY RECEPTACLE", "EMPTY IBC", "EMPTY LARGE PACKAGING", as appropriate, followed by the information of the goods last loaded, as described in 5.4.1.1.1 (c).

See example as follows: "EMPTY PACKAGING, 6.1 (3)".

For empty uncleaned receptacles containing residues of dangerous goods of Class 2, this provision applies only to receptacles with a capacity of not more than 1000 litres.

and in addition, the description may be followed by the class number only, i.e. as follows: "EMPTY RECEPTACLE, 2".

For empty uncleaned receptacles with a capacity of more than 1000 litres, see 5.4.1.1.6.2.

Justification

Safety: The identification of substances previously contained in empty packagings has never been thought necessary and by requiring label numbers, this information is still not made available. The information given by label numbers has little or no value in an emergency, and is already available on the label.

Feasibility: Participants in the carriage of dangerous goods can use the same practice which has been used previously and has been found to be adequate.

Enforceability: The checks by enforcement authorities will be simplified, since it will simply require a check of the total number of empty receptacles, not cross-checking to individual cylinder labels.
