

**COMMITTEE OF EXPERTS ON THE TRANSPORT OF
DANGEROUS GOODS AND ON THE GLOBALLY
HARMONIZED SYSTEM OF CLASSIFICATION
AND LABELLING OF CHEMICALS**

Sub-Committee of Experts on the
Transport of Dangerous Goods

Thirty-sixth session
Geneva, 30 November to 9 December 2009
Item 8 of the provisional agenda

**GLOBAL HARMONIZATION OF TRANSPORT OF DANGEROUS GOODS
REGULATIONS WITH THE UN MODEL REGULATIONS**

Outcome of the Joint Meeting RID/ADR/ADN

Note by the secretariat

The secretariat reproduces hereafter excerpts of the report ECE/TRANS/WP.15/AC.1/116 of the Joint Meeting on its session held in Bern from 8 to 11 September 2009 and in Geneva from 14 to 18 September 2009 which may be relevant for the Sub-Committee (*advanced translation based on the CRPs of the meeting*).

**VII. HARMONIZATION WITH THE UN MODEL REGULATIONS ON THE
TRANSPORT OF DANGEROUS GOODS** (agenda item 6)

**A. Report of the ad hoc Working Group on the Harmonization of RID/ADR/ADN
with the UN Recommendations on the Transport of Dangerous Goods**

Documents: ECE/TRANS/WP.15/AC.1/2009/16 and Add.1 (Report of the ad hoc Working Group)

Informal document: INF.7 (UIC/CIT)

58. The Joint Meeting considered the proposals of the ad hoc Working Group and adopted the proposed texts, some subject to editorial correction, others as amended to take account of the specific comments below (see annex ...).

1. Definition of transport unit (1.2.1) (see also ECE/TRANS/WP.15/AC.1/2009/16, para. 6)

59. The new definition would require an amendment to RID clarifying that the term “wagon” covered tank wagons and battery wagons; that would need to be discussed by the RID Committee of Experts.

2. Amendments to 1.3.1 (see also ECE/TRANS/WP.15/AC.1/2009/16, paras. 9-10)

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60. The proposal by CIT and UIC (INF.7) not to add the new second sentence, or at least to omit the second part of the sentence, or to use the word “personnel” instead of “employees”, was not adopted.

3. Prime responsibility for safety in respect of radioactive substances (1.7.1.1)
(see also ECE/TRANS/WP.15/AC.1/2009/16, para. 11)

61. The Joint Meeting considered that the final sentence proposed for 1.7.1.1 was not easy to interpret and was not necessary for RID or ADR, even though the secretariat had not yet checked with IAEA on the purpose of the sentence.

4. Title of Class 9 (See also ECE/TRANS/WP.15/AC.1/2009/16, paras. 12-13)

62. The Joint Meeting agreed not to insert the words “including environmentally hazardous substances” in the title of Class 9.

5. Subsection 2.1.2.3

63. The square brackets in the second sentence were deleted for the sake of reader-friendliness.

6. Criteria for environmentally hazardous substances (section 2.2.9)

64. The Joint Meeting noted that, given the procedures for amending the MARPOL Convention, the implementation of the new GHS criteria relating to substances hazardous to the aquatic environment might be delayed in the case of maritime transport (IMDG Code).

65. Some delegations considered, however, that the harmonization of those criteria with the criteria applied in sectors other than transport in Europe, notably in the use and distribution of chemical products, was also desirable.

66. The Joint Meeting agreed that, if the International Maritime Organization was not able to reflect in the forthcoming edition of the IMDG Code the criteria set out in the third revised edition of the Globally Harmonized System of Classification and Labelling of Chemicals (GHS), transitional measures would have to be envisaged so that multimodal transport was not impeded.

7. Determination of flash-point (See also ECE/TRANS/WP.15/AC.1/2009/16, paras. 15-17)

67. The Joint Meeting decided to adopt the solution proposed by the secretariat, namely to refer to the standards stipulated in GHS and the UN Model Regulations for determining the flash-point, while retaining the existing paragraph 2.3.3.1.2 to indicate the standards to be used for viscous substances (with the amendments proposed by Germany) and paragraphs 2.3.3.1.6 to 2.3.3.1.8, which enabled disputes to be resolved when the application of different standards gave different results (see annex ...).

68. The UN Sub-Committee of Experts should be informed of the problems created by references to undated standards and of the RID/ADR/ADN procedures for resolving disputes.

8. Determination of initial boiling point (See also ECE/TRANS/WP.15/AC.1/2009/16, paras. 18-19)

69. The Joint Meeting noted that the insertion in 2.3.3.2 of references to ISO standards 3924 and 3405 and ASTM standard D86-07a for determining the initial boiling point of petroleum products could create an inconsistency with special provision 649, under which ASTM standard D86-01 alone was to be used.

70. The representative of Germany stated that ISO standard 3405 and ASTM standard D86-07a were acceptable, but that ISO standard 3924 would have to be checked. If the three standards were acceptable, special provision 649 could be deleted.

9. Chapter 5.4

71. The proposal by CIT and UIC (INF.7) not to adopt the amendment relating to 5.4.1.1.6.1 was rejected.

10. Tetranitromethane (UN No. 1510)
(See also -/AC.1/2009/16, paras. 25-26)

72. The Joint Meeting decided that the attribution of tunnel codes was a matter for WP.15 alone.

73. The Joint Meeting agreed that UN No. 1510 should be assigned the hazard identification number 665; UN Nos. 1810, 1834 and 1838 should be assigned the number X 668, and 5.3.2.3.2 should be amended to define the new number (see annex ...).

11. UN No. 1838, titanium tetrachloride and UN No. 2668 chloroacetonitrile
(See also -/AC.1/2009/16, para. 27)

74. The Joint Meeting confirmed that the carriage of these materials in IBCs would no longer be allowed, and that there would be no transitional measure other than the usual six months.

12. Special provision 589
(See also -/AC.1/2009/16, para. 28)

75. The Joint Meeting decided to dispense with special provision 589, since the descriptions in the various items relating to calcium hypochlorite ought to give indication enough of the appropriate classification under the rules in Part 2.

13. New UN No. 3495 for iodine

76. The Joint Meeting noted that iodine had been classified as a corrosive and toxic substance on the basis of its observed effects on humans. That classification was not consistent with Regulation (EC) No. 1272/2008, but several delegations pointed out that during the early days of the Global Harmonized System of Classification and Labelling of Chemicals there were very likely to be some contradictions among the current different classifications, and those would

need to be resolved as time went on. There was no reason for the Joint Meeting to reopen discussion on this carriage classification. Any delegation wishing to challenge it should request a fresh discussion, supported by the appropriate data, in the United Nations Sub-Committee of Experts.

14. Special provision 356
(See also -/AC.1/2009/16, paras. 31 and 32)

77. The Joint Meeting agreed that in the case of special provision 356, concerning hydrogen in a metal hydride storage system (UN No. 3468), the term “competent authority” meant the competent authority of the country of manufacture. If the country of manufacture was not a party to ADR or a State member of COTIF, the approval by the competent authority of the country of manufacture must be recognized by the competent authority of a State party to ADR or member of COTIF (see annex ...).

15. Packing Instruction P200, paragraph (10), special packing provision “k”
(See also -/AC.1/2009/16, para. 37)

78. It was decided that the current provision of RID/ADR setting out requirements for the compatibility of plugs or caps fitted on valve outlets with the contents should be retained.

16. Packing Instruction P203 (cryogenic receptacles)
(See also -/AC.1/2009/16, paras. 38 and 39)

79. The Joint Meeting decided by a vote that paragraph (8) of the proposed new Packing Instruction 203 for closed cryogenic receptacles (existing paragraph (9) of P203) concerning periodic inspections was unnecessary and could be deleted. As a result, paragraph 6.2.3.5.2 and the last sentence of 4.1.6.10 of RID/ADR were also deleted (see annex ...).

18. Chapter 5.4 Electronic data interchange (EDI)

80. The Joint Meeting welcomed the introduction of new provisions in the United Nations Model Regulations facilitating the use of electronic data interchange (EDI) techniques. It noted, however, that RID, ADR and ADN already contained such provisions.

81. Some delegations were not in favour of inserting into the Model Regulations a new paragraph 5.4.1.4.3 requiring the consignor to be able to produce the information required in the transport document without delay as a paper document; such a requirement seemed difficult to comply with during transport and was not in line with the spirit of facilitation through the use of EDI.

82. A lunchtime working group met to resolve the issue (informal document INF.53) and ultimately agreed that the consignor should only be required to give the information to the carrier on paper.

83. The working group’s deliberations (INF.53) led to the adoption of other amendments to chapter 5.4 and paragraph 1.4.2.2.1 (b) (see annex).

84. The Joint Meeting noted that the amendments to section 5.4.2 of the IMDG Code, as contained in footnote 4 to 5.4.2 of RID/ADR/ADN, would need to be checked by the secretariat after consideration by the International Maritime Organization (IMO).

19. Excepted packages of radioactive material (see also ECE/TRANS/WP.15/AC.1/2009/16, para. 42)

85. Following the decision of the United Nations Sub-Committee of Experts at its June 2009 session (ST/SG/AC.10/C.3/70, para. 65), the Joint Meeting decided to maintain the requirement to include the names and addresses of the consignor and the consignee in the documentation related to excepted packages (see annex ...).

B. Carriage of dangerous goods packed in limited quantities

Documents: ECE/TRANS/WP.15/AC.1/2009/28 (Secretariat)
ECE/TRANS/WP.15/AC.1/2009/40 (CEFIC)

Informal documents: INF.16 (CEPE, AISE)
INF.30 (FEA)
INF.42 (FEA)
INF.48 (Secretariat)
INF.49 (FEA)

86. The Joint Meeting noted that the proposal by the secretariat was intended to align the provisions of Chapter 3.4 of RID/ADR/ADN relating to the transport of dangerous goods packed in limited quantities with those of Chapter 3.4 of the UN Model Regulations in accordance with the following principles established by the Ad Hoc Working Group on the Harmonization of RID/ADR/ADN with the UN Recommendations on the Transport of Dangerous Goods (see also -/AC.1/2009/16, paras. 33-36):

(a) The text of Chapter 3.4 should conform to the extent possible to the corresponding text in the Model Regulations when the quantity limits per inner packaging corresponded to those established in the Model Regulations and should become applicable as soon as possible, with no transitional measures other than the general measure of six months;

(b) The current provisions of RID/ADR/ADN could continue to be applied when the quantity per inner packaging exceeded those prescribed in the Model Regulations, but only for a limited time, e.g. until 31 December 2017.

87. In informal documents INF.16, INF.30 and INF.42, CEPE, AISE and FEA had requested an additional transitional period for limited quantities conforming with the quantities established in the UN Model Regulations, running until 31 December 2011 for AISE and CEPE and until 30 June 2017 for FEA.

88. After a lengthy discussion, the Joint Meeting decided that Chapter 3.4 of RID/ADR/ADN would be brought into line with the UN Model Regulations but that the current RID/ADR/ADN system could continue to be used in parallel until 30 June 2015 by virtue of a transitional provision inserted in Chapter 1.6, except in the case of the chlorosilanes referred to in document ECE/TRANS/WP.15/AC.1/2009/40, which would no longer be able to be carried under the provisions of Chapter 3.4 (see annex ...).

89. The Joint Meeting requested that the ECE and OTIF secretariats should keep the 2009 versions of ADR, ADN and RID available on their websites until 30 June 2015 so that users could check the applicable provisions during the transitional period.

90. FEA also questioned the principle of bringing the form of RID/ADR/ADN into alignment with that of the UN Model Regulations, preferring instead that Chapter 3.4 should spell out exactly which provisions were applicable.

91. *La Réunion commune a partagé le point de vue de la FEA qu'une énumération des seules dispositions applicables du RID/ADR/ADN pour le transport des marchandises dangereuses emballées en quantités limitées dans le chapitre 3.4 serait plus conviviale que l'approche du Règlement type de l'ONU (document informel INF.56B) qui cite certaines mesures applicables et d'autres non applicables. Elle a donc adopté l'option présentée dans le document informel INF.56A qui permet, sous une présentation différente, d'aligner les dispositions du chapitre 3.4 du RID/ADR/ADN sur celles du chapitre 3.4 du Règlement type. (Translation not available)*

C. Miscellaneous proposals for harmonization with the UN Model Regulations

1. Waste - Information on the transport document

Document: ECE/TRANS/WP.15/AC.1/2009/19 (United Kingdom)

92. The proposal to align RID/ADR 5.4.1.1.3 with 5.4.1.1.3 (c) of the UN Model Regulations was adopted (see annex ...).

2. Hazard identification numbers for toxic by inhalation substances

Document: ECE/TRANS/WP.15/AC.1/2009/35 (Switzerland)

93. The representative of Switzerland withdrew his proposal.

3. Carriage in bulk and in bulk containers

Document: ECE/TRANS/WP.15/AC.1/2009/48 (United Kingdom)

Informal document: INF.12 (United Kingdom)

94. Several delegations supported the proposal of the United Kingdom to review the provisions concerning carriage in bulk with a view to retaining a single system based on the multimodal

system of the UN Model Regulations rather than the two systems currently in use, subject to a more thorough review of the question in order to take into account the conditions currently stipulated in RID/ADR.

95. It was pointed out that using BK1 and BK2 codes could be misleading in the context of multimodal transport. Furthermore, some delegations were not in favour of adding administrative measures for the approval of vehicles or containers for carriage in bulk, which were currently unnecessary under the RID/ADR system.

96. The representative of the United Kingdom said that he would prepare a new document setting out the proposed provisions more clearly, and he invited interested delegations to transmit their comments to him in writing so that he could draft a new formal proposal for submission at the next session.

4. Official designation of transport for UN No. 2447

Informal document: INF.10 (OTIF)

97. The Joint Meeting noted that the designation “PHOSPHORUS, WHITE” or “PHOSPHORUS, YELLOW” in the UN Model Regulations was acceptable when the substance was dry, in solution or under water (UN No. 1381), but that only the designation “PHOSPHORUS, WHITE” was authorized when the substance was molten (UN No. 2447), even though there was no difference between white and yellow phosphorus. It was decided to align the designation for UN No. 2447 in RID/ADR/ADN with the designation contained in the UN Model Regulations (see annex ...).

5. Special provision W12/V12 in 7.2.4

Informal document: INF.11 (United Kingdom)

98. The Joint Meeting decided to retain special provision W12/V12 for all substances covered by packing instructions IBC03 and IBC100, taking into account paragraph 4.1.2.3 of the UN Model Regulations, which required that IBCs of type 31HZ2 must be carried in closed transport units.

20. Lithium batteries

Informal documents: INF.20 (Switzerland)
INF.50 (United States of America)
INF.54 (Secretariat)

99. The Joint Meeting noted that, at its June 2009 session, the United Nations Sub-Committee of Experts had adopted provisional amendments to special provision 188 (b) and (c), permitting lithium batteries that did not display a Watt-hour rating to continue to be carried after 31 December 2010 and to exempt certain devices that were intentionally active in transport.

100. The Joint Meeting decided, exceptionally, to introduce these amendments into RID/ADR/ADN even though they had not yet been ratified by the United Nations Sub-Committee of Experts. In order to avoid inconsistencies of wording with special

provision 188 as contained in the sixteenth revised edition of the United Nations Model Regulations, a special provision on the subject would be inserted in RID/ADR/ADN (special provision 656).

VIII. MISCELLANEOUS PROPOSALS FOR AMENDMENTS TO RID/ADR/ADN

A. Pending issues

Batteries, nickel-metal hydride

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INF.33 (France)

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102. The Joint Meeting adopted the proposal of France to introduce in advance UN No. 3496 for nickel-metal hydride batteries, indicating that such batteries were not subject to RID/ADR/ADN, and to amend Special Provision 304 by specifying the scope of UN No. 3028, in accordance with the decisions taken by the United Nations Sub-Committee of Experts on the Transport of Dangerous Goods at its June 2009 session. That would prevent any misunderstandings in the event that IMO decided to introduce any provisions regarding the carriage of nickel-metal hydride batteries in the IMDG Code.

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Classification of fireworks

Document: ECE/TRANS/WP.15/AC.1/2009/23 (Germany and United Kingdom)

Informal document: INF.57 (Germany)

105. The proposal relating to 5.4.1.2.1 (g) was adopted with some changes to take account of the decisions taken by the United Nations Sub-committee of Experts on the Transport of Dangerous Goods at its June 2009 session (ST/SG/AC.10/C.3/70, para. 22 and annex, amendment to 5.4.1.5.10).

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