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PROPOSALS FOR AMENDMENTS TO ANNEXES A AND B OF ADR

Clarification of quantity limitation as given in 7.5.5.3

Transmitted by the European Chemical Industry Council (CEFIC)*

SUMMARY

Executive summary: The maximum quantity of organic peroxides of Class 5.2 and of self-reactive substances of Class 4.1 that can be carried in a single transport unit is limited. In analogy with a similar provision for explosives in 7.5.5.2.1 it is proposed to clarify that this maximum quantity refers to the net mass.

Action to be taken: Replace “quantity” by “net mass” in 7.5.5.3.

Related documents: ECE/TRANS/WP.15/2006/12

* The present document is submitted in accordance with paragraph 1 (c) of the terms of reference of the Working Party, as contained in document ECE/TRANS/WP.15/190/Add.1, which provides a mandate to “Develop and update the European Agreement concerning the International Carriage of Dangerous Goods by Road (ADR)”.

INF.7 (CEFIC) (October 2008)

Introduction

1. During the eighty-fifth session of WP.15, Informal document 7, on the interpretation of maximum quantities mentioned in 7.5.5.3, was discussed. Several delegations considered that the maximum quantity authorized per single transport unit under subsection 7.5.5.3 referred to the net mass of dangerous goods. There was no consensus on this interpretation, however.

2. CEFIC would like to refer to ECE/TRANS/WP.15/2006/12: this document proposed changing the maximum quantity limits as given in 7.5.5.3, for organic peroxides of Class 5.2 and self-reactive substances of Class 4.1 that can be carried in a single transport unit, and this proposal was adopted and incorporated in ADR 2009. Especially the justification, provided with this proposal, is relevant for the current proposal and is duplicated below (in italics):

(a) *Other modal regulations*

Other modal regulations such as RID, IMDG code, US-DOT (CFR49) do not impose quantity restrictions;

(b) *Other classes*

Even for explosive substances of divisions 1.1 to 1.6, the quantity limitations are equal to or less than 16.000 kg, depending on the vehicle (e.g. EX/III vehicles; closed, metal outer wall with 10 mm wood fire-proof);

(c) *Substance properties*

The SADT of every product and preparation is determined and the control temperature is derived from the SADT, but the actual transport temperature is usually lower for product quality reasons. Unintentional decomposition or external fire would cause:

- (i) *an increase of temperature above the SADT,*
- (ii) *a decomposition of a single package which may initiate a fire of the transport load; package by package,*
- (iii) *no mass explosion, detonation or instant decomposition of the complete mass.*

In addition, CEFIC cannot see a justification for the differentiation in 7.5.5.3 made for temperature controlled and non-temperature controlled substances and for the requirement of ventilation.

(d) *Situation in different ADR countries*

According to the existing regulations for “sea-road” multimodal transport the goods have to be repacked in harbours in order to comply with the ADR quantity limitations. CEFIC considers that this practice does NOT enhance safety, on the contrary.

Therefore, in a number of ADR countries, special approvals have been issued:

- (i) Multilateral agreement M146, initiated by France, to allow the transport of 20.000 kg of solid Organic Peroxide Type C (UN 3104);*
- (ii) Special permit in Germany according to which an exemption to the ADR rule of quantity limitation in the transport chain land-sea, and vice-versa, for all types of organic peroxides has been granted*

Justification

3. The above mentioned arguments are all focusing on the mass of substances (kg), e.g. the effects of decomposition of the substance, the reference to the mass limits used for class 1, the mass in multilateral agreements (kg of organic peroxide) etc.

4. In order to avoid any misinterpretation on the quantity mentioned in 7.5.5.3, CEFIC proposes to align this with 7.5.5.2.1 for explosives of Class 1 where reference is made to net mass.

5. It is evident however that this maximum net mass may be limited by technical constraints imposed by other traffic regulations e.g. total weight of the vehicle

Proposal

6. Amend the text in 7.5.5.3 to read:

The maximum ~~quantity~~ net mass of organic peroxides of Class 5.2 and self-reactive substances of Class 4.1 of Types B, C, D, E or F is limited to 20 000 kg per transport unit.
