

INLAND TRANSPORT COMMITTEE

Working Party on the Transport of Dangerous Goods

Joint Meeting of the RID Committee of Experts and the
Working Party on the Transport of Dangerous Goods

Geneva, 23-26 March 2009
Item 6 of the provisional agenda

PROPOSALS FOR AMENDMENTS TO RID/ADR/ADN

Used batteries

Position of the European Batteries Industry on the proposals contained in
ECE/TRANS/WP.15/AC.1/2009/7 (Sweden)

Transmitted by EPBA, EBRA and RECHARGE¹

1. The issue.

In document ECE/TRANS/WP.15/AC.1/2009/7, the Government of Sweden proposes an exemption from the dangerous goods regulations for used “household batteries.” In doing so, Sweden assumes that household-type of batteries are classified as UN 3028, “BATTERIES, DRY, CONTAINING POTASSIUM HYDROXIDE SOLID, electric storage.” In fact, this is not an appropriate classification for these batteries because household batteries are not classified or regulated as dangerous goods.

UN 3028 entry does not accurately describe household-type batteries such as alkaline-manganese, zinc- carbon, nickel-metal hydride and nickel-cadmium. These types of household batteries are shipped from the factory containing potassium hydroxide electrolyte dissolved in water while UN 3028 batteries are shipped from the factory in their original dry state and filled with the dry alkali. Water is only added to the battery before first being used.

The European Battery Industries appreciate Sweden’s efforts to address the issues associated with shipping used household batteries. This is a very important issue to our members. However, the UN Sub-Committee of Experts on the Transport of Dangerous Goods appears ready to address the subject of how “Batteries, dry” are regulated under the UN Model Regulations during the next biennium. Until that issue is resolved, the Inland Transport Committee should refer to the UN Sub-Committee for any changes to the dangerous goods regulations for these types of household batteries.

¹ The following Associations are submitting jointly this INF paper : the European Portable Battery Association (EPBA), the European Battery Recyclers Association (EBRA) and the European Portable Rechargeable Battery Association (RECHARGE). They are presented in the text as The European Battery Industries.

2. Background Information.

The UN Recommendations on the Transport of Dangerous Goods Model Regulations describe under the entry UN 3028 (page 260 – 15th Ed.) the following type of batteries: ***“BATTERIES, DRY, CONTAINING POTASSIUM HYDROXIDE, SOLID Electric Storage”***.

The 2009-2010 ICAO Technical Instructions describe in the Attachment 2, Glossary of Terms under the entry UN 3028 the following type of batteries: ***“Batteries filled with potassium hydroxide, solid which are shipped from the factory in their original dry state and filled with the dry alkali. Water would be added to the battery before first being used.”***

A similar description is indicated in the IMDG Code 3.2 Dangerous Goods List – UN 3028 column 17).

An illustration of the type of battery properly classified under UN 3028 where the battery is shipped from the manufacturers containing dry electrolyte and water is added before first being used is supplied in Annex 1 to this INF paper.

Consequently, UN 3028 does not apply to household-batteries such as alkaline-manganese, zinc-carbon, nickel-metal hydride and nickel-cadmium since these are shipped from the factory containing potassium hydroxide electrolyte dissolved in water.

3. Historical Development.

More than 10 years ago the UN Sub-Committee of Experts adopted Special Provision 304 (proposed by Germany) in order to clarify that household batteries are not covered as dangerous goods under UN 3028 and avoid any misunderstanding and misinterpretation between household batteries and the particular types of batteries that are classified as dangerous goods under UN 3028. This ***Special Provision 304 is reproduced below.***

“Batteries, dry, containing corrosive electrolyte which will not flow out of the battery if the battery case is cracked are not subject to these Regulations provided the batteries are securely packed and protected against short-circuits. Examples of such batteries are: alkali-manganese, zinc-carbon, nickel-metal hydride and nickel-cadmium batteries.”

The Working Party on the Transport of Dangerous Goods Joint Meeting of the RID Safety Committee and the Working Party on the Transport of Dangerous Goods session held in Bern from 7 to 11 March 2005 concluded the following, as reported under paragraph 75 of the minutes of this meeting:

The Joint Meeting was of the opinion that the consumer batteries referred to in special provision 304 are not covered by UN No. 3028 of Class 8. If it is considered that if the present text of Special Provision 304 is not clear enough, a proposal to the UN Sub-Committee of Experts should be made.

This opinion of the Working Party is consistent with understanding of the German Dangerous Goods Authority as acknowledged in the letter from Dr. Rennoch, Regierungsdirektor, Head of Section II.21 “Dangerous Goods/Dangerous Substances, Assessment and Coordination”, dated 20 March 1998 to the German industry association, ZVEI and attached to this paper (Annexes 2A and 2B (English translation)).

During the last three meetings of the UN Sub-Committee the issues associated with transportation of household batteries has generated a significant amount of discussion, proposals and informal papers. (See UN Sub-Committee reports ST/SG/AC.10/C.3/68, ST/SG/AC.10/C.3/66 , and ST/SG/AC.10/C.3/64 at <http://www.unece.org/trans/main/dgdb/dgsubc/c3rep.html>.)

4. Conclusions.

It is not appropriate to add a new Special Provision for the transportation of used household batteries under the entry UN 3028 since this is an incorrect classification for these batteries which are not classified or regulated as dangerous goods.

Until the UN Sub-Committee of Experts completes its work on how “Batteries, dry” are regulated under the UN Model Regulations, the European Battery Industries request that the Inland Transport Committee refer to the UN Sub-Committee for any changes to the dangerous goods regulations for these types of batteries.

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ANNEXES

Annex 1. Copy of a commercial brochure representing a battery described under the entry UN 3028: *“BATTERIES, DRY, CONTAINING POTASSIUM HYDROXIDE, SOLID Electric Storage”*.

Annex 2 A. Copy of the letter from Dr. Rennoch, Regierungsdirektor, Head of Section II.21 “Dangerous Goods/Dangerous Substances, Assessment and Coordination”, dated 20 March 1998 to the German industry association, ZVEI.

Annex 2 B. English translation of the document 2 A.