

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

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Item 5 of the provisional agenda

Miscellaneous proposals of amendments to the Model Regulations on the Transport of Dangerous Goods

Permissive use of the EHS mark

Transmitted by the Dangerous Goods Advisory Council

1. Under special provision 331 and 5.2.1.6.1 the Environmentally Hazardous Substance (EHS) mark must be applied to substances that meet the criteria in 2.9.3 when transported under UN3077 and UN3082. Based on 2.9.2 (Environmentally hazardous substances) UN 3077 and UN 3082 may also be used for Basel Convention wastes and substances not meeting the criteria in 2.9.3 but which have been designated as environmentally hazardous by the competent authority of the country of origin, transit or destination. While these substances are not required to bear the EHS mark, their transport is sometimes delayed by acceptance personnel or transport officials questioning the absence of the EHS mark. A solution could be to permit the application of the EHS mark in the case of these substances. Since some competent authorities specifically prohibit unauthorized markings, specific authorization in the Model Regulations is needed to permit the application of the EHS mark under this circumstance.
2. To avoid delays in the future, DGAC proposes that the Model Regulations permit the application of the EHS mark on packages of materials that are classified as environmentally hazardous solids or liquids on the basis of a Competent Authority designation or that are Basel Convention wastes.
3. DGAC proposes to add the following sentence at the end of special provision 331 and 5.2.1.6.1:

"The mark may also be applied to packages containing other substances transported under UN 3077 or UN3082 based on a designation by the competent authority of the country of origin, transit or destination or that are wastes covered under the *Basel Convention on the Control of Transboundary Movements of Hazardous Wastes and their Disposal* (see 2.9.2)."
