

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 3 (b) of the provisional agenda

Listing, classification and packing: miscellaneous

Transport of packaging waste with residues of dangerous goods

**Transmitted by the expert from France on behalf of the RID/ADR/ADN
Joint Meeting working group**

Introduction and background

1. The transport of packaging waste containing residues of dangerous goods is a growing issue. In particular this has been identified by the RID/ADR/ADN Joint Meeting in relation with the obligation concerning the treatment of waste regulated within the European Union by directives.
2. The Joint Meeting has addressed this issue in the form of a relaxation of the existing rules as it is not practicable to transport big quantities of packaging waste under the full set of requirements contained in the regulations for the transport of dangerous goods.
3. However, during the discussions it became clear that the issue also concerns intermodal transport and in particular the sea mode, which was confirmed at the December 2011 session of the Sub-Committee (see paragraph 32 of the report). One solution to this issue could be to introduce a new UN number.
4. The United Kingdom has presented document INF. 24 at the December 2011 session of the Sub-Committee to start a discussion at UN level on this subject. In the light of the discussions held in December, the Joint Meeting revised its approach, and gave mandate during its March session to a working group to draft a proposal to be presented at the June session of the Sub-Committee. Given the short delay and the fact that it is urgent to find a solution to this issue, at least in Europe, the Joint Meeting agreed that the proposal drafted by the working group would be sent directly to the Sub-Committee without reviewing it first.
5. The working group met in Brussels the 24th and 25th of April 2012. Experts from Belgium, France, Germany, the Netherlands, Sweden, Switzerland, and the United Kingdom as well as from the organizations EMPAC, CEFIC, FEAD, took part in the meeting.
6. The working group agreed on the attached proposal, which aims at introducing a new entry under Class 9 to cover these transports. Some dangerous goods are excluded from the provisions (e.g. goods of PG I and goods not allowed in limited quantities). However, the provisions cover the most common packaging waste of dangerous goods transported for disposal, recycling or recovery. The scope is also defined in such a way that it excludes empty packagings transported to be reused, repaired or reconditioned, as these

packagings are to be used again. Therefore the new provisions do not interfere with this existing business.

7. Given the low risk of such transports due to the above defined limited scope and the very small quantity of residues in the packaging, and in order to reach a pragmatic solution for these transports, the proposal refers to packing instructions P003 and LP02 with the addition of new special provisions exempting from testing and type approval. The large packagings do not have to comply with the provisions in 4.1.1.3 and 6.6. It has been noted also that a very low density and a variable content would make testing irrelevant. No IBC instructions are proposed since large packagings are the proper containment for the waste (articles and inner packagings). However, since there are already quite a few IBCs in use for this waste, a note is added to LP02 to clarify that IBCs meet the construction requirements for large packagings and therefore IBCs can be used, provided they fulfill the requirements in the drafted special provision Lxx . Also from a practical point of view a rigid IBC would meet the provisions anyway.

8. As mentioned in paragraph 31 of the report of the December 2011 session of the Sub-Committee, appropriate segregation requirements have been introduced, associated with some minimal hazard communication requirements related to the nature of the residues.

9. The word “packaging waste” in the proper shipping name is kept in square brackets because at the last session some experts in the Sub-Committee said that it would lead to some confusion. After having considered several different options, the working group concluded that the proposed proper shipping name is the wording that would cover this entry in the best way. It was also noted that at several occasions the word “waste” is already used in the Model Regulations without creating any problems and without a definition in the UN Recommendations.

10. The Sub-Committee is invited to consider this proposal for comments and/or adoption in the UN Model Regulations.

Proposal

11. In chapter 3.2, Dangerous Goods List, add the following new entry:

(1)	(2)	(3)	(4)	(5)	(6)	(7a)	(7b)	(8)	(9)	(10)	(11)	(12)
3xxx	PACKAGING WASTE	9			yyy	0	E0	P003 LP02	PPxx Lxx Lxy	BK2		

12. Add a new special provision to chapter 3.3, to read as follows:

“yyy This entry may only be used for packagings, large packagings or intermediate bulk containers (IBC), or parts thereof, which are transported for disposal, recycling or recovery of their material, other than reconditioning, repair, routine maintenance, remanufacturing or reuse, and which have been emptied to the extent that only residues stuck to the packaging parts are present when they are handed over for carriage.

The residues shall only be of dangerous goods of Classes or Divisions 3, 4.1, 5.1, 6.1, 8 or 9, except:

- Substances assigned to packing group I or that have “0” assigned in Column (7a) of Dangerous Goods List of Chapter 3.2, or;
- Substances classified as desensitized explosive substances of Class 3 or Division 4.1, or;

- Substances classified as self-reactive substances of Division 4.1, or
- Asbestos (UN 2212 and UN 2590), polychlorinated Biphenyls (UN 2315 and UN 3432) and polyhalogenated Biphenyls or polyhalogenated Terphenyls (UN 3151 and UN 3152).

[Packaging waste] with residues presenting a risk or a subsidiary risk of Division 5.1 shall not be packed together with other [packaging waste], or loaded together with other [packaging waste] in the same bulk container.

In addition to the provisions of Chapter 5.2, packages containing [packaging waste] shall bear all the labels corresponding to the risks or subsidiary risks related to each residue.

[In addition to the provisions of Chapter 5.3, all the placards corresponding to the risks or subsidiary risks related to each residue shall be affixed to the cargo transport units containing the [packaging waste].]¹

Sorting procedures shall be implemented on the loading site to ensure compliance with the provisions applicable to this entry. The relevant documents shall be made available to the competent authority upon request.”

13. Add the following special packing provisions PPxx to P003

“PPxx For UN 3XXX, rigid packaging meeting the construction requirements of 6.1.4, made leak tight or fitted with a leak tight and puncture resistant sealed liner or bag, shall be used provided the packaging has a means of retaining any free liquid that might escape during transport, e.g. absorbent material.

Before being filled and handed over for carriage, every packaging shall be inspected to ensure that it is free from corrosion, contamination or other damages. Any packaging showing signs of reduced strength, shall no longer be used (minor dents and scratches are not considered as reducing the strength of the packaging).

Packagings intended for the transport of [packaging waste] with residues of Division 5.1 shall be so constructed or adapted that the goods cannot come into contact with wood or any combustible material.”

14. Add the following special packing provisions Lxx and Lxy to LP02

“Lxx For UN 3XXX, rigid large packagings meeting the construction requirements of 6.6.4, made leak tight or fitted with a leak tight and puncture resistant sealed liner or bag, shall be used provided the large packaging has a means of retaining any free liquid that might escape during transport, e.g. absorbent material.

Before being filled and handed over for carriage, every large packaging shall be inspected to ensure that it is free from corrosion, contamination or other damages. Any large packaging showing signs of reduced strength, shall no longer be used (minor dents and scratches are not considered as reducing the strength of the large packaging).

Large packagings intended for the transport of [packaging waste] with residues of Division 5.1 shall be so constructed or adapted that the goods cannot come into contact with wood or any combustible material.

¹ EXPLANATORY NOTE (not part of the text of the special provision) : this sentence has been put into brackets since further informal consultation post Brussels working group raised difficulties about the full placarding of the cargo transport unit, that could lead to operational problems, not justified by the low risk level of this transport.

Note: IBCs which only conform to the construction requirements of 6.5.5 may be accepted for the transport of [packaging waste] provided they additionally conform to the requirements of this special packing provision.”

“Lxy For UN 3XXX, large packagings are not required to meet the requirements of 4.1.1.3 and 6.6”.

15. Add a new 4.3.2.7 as follows:

“4.3.2.7 **Bulk goods of UN number 3XXX**

For UN 3XXX , only closed containers (code BK2) may be used. Containers shall be made leak tight or fitted with a leak tight and puncture resistant sealed liner or bag, and shall have a means of retaining any free liquid that might escape during transport, e.g. absorbent material. [Packaging waste] with residues of Division 5.1 may be transported in bulk containers which have been so constructed or adapted that the goods cannot come into contact with wood or any combustible material”

16. Add a new paragraph (e) at the end of 5.4.1.4.3:

“(e) For [Packaging waste], the dangerous goods description specified in 5.4.1.4.1. a) to e) shall be complemented with the words “WITH RESIDUES OF “ followed by the Class(es), Division(s) or subsidiary risk(s) corresponding to the residues, in the Class/Division numbering order.

For example, in the transport document, [packaging waste] having contained goods of Division 4.1 packed together with [packaging waste] having contained goods of Class 3 with a Division 6.1 subsidiary risk should be referred as:

3XXX [PACKAGING WASTE], 9, WITH RESIDUES OF 3, 4.1, 6.1”

[or alternatively:

“3XXX [PACKAGING WASTE] (WITH RESIDUES OF 3, 4.1, 6.1), 9”].
