

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

20 November 2013

Forty-four session

Geneva, 25 – 29 November 2013

Item 9 of the provisional agenda

Global harmonization of transport of dangerous goods regulations with the Model Regulations

Report of the Editorial and Technical Group of the Sub-Committee on Dangerous Goods, Solid Cargoes and Containers

Transmitted by the International Maritime Organization (IMO)

1. The 20th session of the Editorial and Technical Group took place from 23 to 27 September 2013. The group was instructed to finalize the draft amendment 37-14 to the International Maritime Dangerous Goods (IMDG) Code (See full report E&T 20/WP.1 in informal document IN.31/Add.1).
2. While considering different proposals for inclusion in the draft amendment 37-14, the group identified various issues that should be brought to the attention of the UN TDG Sub-Committee for its consideration.
3. These issues are listed hereunder using the same paragraphs numbers as shown in the report of the E&T group and contained in document E&T 20/WP.1 that is to be considered in September next year by the CCC Sub-Committee.

Replacement of the term "Marine Pollutant" or "Marine Pollutant/Environmentally Hazardous"

3.3 The group noted that the discussion on a possible replacement of the term "Marine Pollutant" or "Marine Pollutant/Environmentally Hazardous" was brought to the attention of the UNSCETDG, and that, since the identification as marine pollutant is not required by the UN Model Regulations, the UNSCETDG took no further decisions. Therefore, the group invited interested delegations and non-governmental organizations to submit this issue to the RID/ADR/ADN Joint meeting.

Draft amendments to packing provisions on water-reactive materials

3.4 Having noted that DSC 18 had agreed to defer the amendments to packing provisions on water-reactive materials to the amendment 38-16 of the IMDG Code, the group modified the draft amendment 37-14 accordingly. Additionally, the group prepared a set of draft amendments to packing provisions on water-reactive materials, as set out in annex 2, for consideration by E&T 23 when preparing the draft amendment 38-16.

Marine pollutants

3.11 The group considered document DSC 18/7/8 (Republic of Korea) addressing the issue of marine pollutant information contained in the dangerous goods list, with regard to the substances that meet the criteria for environmentally hazardous substances according to the GESAMP Hazard Profiles.

3.12 Therefore, having reviewed list of substances presented in document DSC 18/7/8, the group agreed to incorporate the corresponding amendments for various substances in the dangerous goods list and in the alphabetical index of the draft amendment 37-14, as set out in annex 4.

Requirements for the transport of small quantities of environmentally hazardous substances

3.13 The group considered document DSC 18/7/9 (United States), proposing to amend a number of provisions in order to align the IMDG Code with provisions adopted within the eighteenth revised edition of the United Nations Model Regulations on the Transport of Dangerous Goods.

3.14 The group agreed to include the proposed modification and a consequential amendment to 3.4.1.2 of the IMDG Code in the draft amendment 37-14, as set out in annex 4.

Asbestos under UN 2212 and UN 2590

3.15 The group considered document DSC 18/INF.8 (the Netherlands), proposing a consequential amendment to the text for UN 2212 in column 17 of the dangerous goods list as a result of revision of the UN Recommendations (18th revised edition), since the UN/SCETDG amended the name for the entry for UN 2212 to read "Asbestos, amphibole" and the entry for UN 2590 to read "Asbestos, chrysotile". The group agreed to incorporate amendments to the text of column 17 for UN 2212 in the draft amendment 37-14.

3.16 In this context, the group also considered document DSC 18/7/11 (ITF), proposing further amendments to the text of column 17 for asbestos and agreed to draft a new handling code, based on the last two sentences of column 17 in the dangerous goods list for UN 2212 and 2950, and to insert it as a mandatory requirement in column 16a, as set out in annex 4.

Technical name supplementing the proper shipping – MARPOL requirement

3.17 The group considered document DSC 18/7/13 (IPPIC and CEFIC), providing draft amendments to 3.1.2.9.1 of the IMDG Code in order to solve the problem of the technical name for marine pollutants.

3.18 In this regard, the group agreed to modify the proposed text in order to clarify that the requirement applies to documentation in relation to marine pollutants and agreed to include it in the draft amendment 37-14, as set out in annex 4.

Consideration of proposals referred to E&T 20 by DSC 18

Transport provisions for UN 3166

3.19 The group considered document DSC 18/7/3 (Germany), proposing an amendment to the draft text of SP 962 on the transport of flammable liquid powered vehicles and internal combustion engines. In this regard, the group noted the concern raised at DSC 18 (DSC 18/WP.1, paragraph 7.5.4).

3.20 The group was of the view that the concern raised by IACS was probably caused by a different interpretation of what type of cargo spaces are being considered as a "vehicle space" and noted that the vehicles spaces mentioned in SP 961 mean vehicle spaces which are specially designed for the purpose of transporting vehicles. The group also recalled that if vehicles are stowed in such vehicle spaces complying with SOLAS II-2/20, then the IMDG Code does not apply to the transport of those vehicles. On the other hand, if the conditions of 961.2 to 961.7 are complied with, the vehicles can be transported as non-dangerous goods in a cargo space in accordance with the applicable SOLAS requirements. The group further recalled that the fact that a vehicle is shipped as non-dangerous goods in a cargo space does not change its specification as a normal cargo space.

3.21 Furthermore, the group noted that if the conditions of SP 961 are not met, the vehicles have to be transported as Class 9 cargo in cargo spaces that comply with SOLAS II-2/19. The fact that a vehicle is shipped as Class 9 in a cargo space also does not change its specification as a normal cargo space. Therefore, the group was of the opinion that SP 961 and SP 962 do not result in an exemption or in the need for a statement/certificate of equivalence with SOLAS regulation II-2/20. Finally, the group recommended that IACS should be invited to develop a related unified interpretation to avoid this misinterpretation.

3.22 Regarding the issue of the need for a competent authority approval of fuel quantities above 250 litres, the group noted that this approval would be only required occasionally for some specific cases, and agreed to include the proposed amendment to SP 962 in draft amendment 37-14, as set out in annex 4.

Special provisions applicable to certain substances, materials or articles

3.25 The group considered document DSC 18/7/5 (Belgium), proposing a new special provision (SP) on marine pollutants within the IMDG Code, in order to clarify for which entries the proper shipping name for the marine pollutants needs to be supplemented with the chemical name. After an intensive discussion, the group agreed that the proposal has merit but it needs further development of the text to be contained in the special provision and with regard to the list of generic and n.o.s. entries to which the special provision would apply. The group invited interested Member States and international organizations to submit related proposals to CCC 1.

Revision of DSC/Circ.12

3.26 The group considered document DSC 18/INF.15 (United States), providing a draft revised version of DSC/Circ.12 on Guidance on the continued use of existing IMO type portable tanks and road tank vehicles for the transport of dangerous goods.

3.27 Having noted that the transitional period allowing deviating tank instructions ran out, but that tanks of this type are still in use, which were constructed according to the

former construction requirements, the group concluded that a circular on the use of IMO type tanks is still needed. However, taking into account that the purpose of such a circular has changed (no more relaxation from tank instructions), a new circular should be issued considering the following:

- (a) The text of former versions of the IMDG Code regarding construction of tanks, which are included in the DSC/Circ.12, should remain unchanged;
- (b) Identify only those parts that need to be updated; and
- (c) The language of the circular should be in line with the terms used in the IMDG Code.

3.28 Therefore, the group invited the delegation of the United States to note the above recommendations, when coordinating the Correspondence Group on Revision of DSC/Circ.12.

Adoption of amendment 37-14 to the IMDG Code

The IMO Secretariat has prepared the Circular Letter No. 3414 containing the text of the proposed draft amendments to the IMDG Code for consideration by the Maritime Safety Committee, at its ninety-third session (12 to 23 May 2014), with a view to adoption.
