

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

19 November 2015

Forty-eighth session

Geneva, 30 November – 9 December 2015

Item 8 of the provisional agenda

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

Outcome of the Joint Meeting of the RID Committee of Experts and the Working Party on the Transport of Dangerous Goods on its Autumn 2015 session

Note by the secretariat

1. During the autumn 2015 session of the Joint Meeting, some issues were raised in relation to the harmonization of RID/ADR/ADN with the 19th revised edition of the United Nations Recommendations on the Transport of Dangerous Goods, Model Regulations and the secretariat was invited to bring them to the attention of the Sub-Committee.
2. Relevant paragraphs of the report (ECE/TRANS/WP.15/AC.1/140) are reproduced in this informal document.

Extracts from the report of the RID/ADR/ADN Joint Meeting (ECE/TRANS/WP.15/AC.1/140)

A. Report of the ad hoc working group on the Harmonization of RID/ADR/ADN with the United Nations Recommendations on the Transport of Dangerous Goods

7. The Joint Meeting decided to align the terminology with the UN Model Regulations, i.e. to replace the word “apparatus” with “article” in 2.2.9.3, 1.1.3.6.3, 2.2.9.1.2 and 2.2.1.9.5. It would seem logical to do the same for packing instruction P906, but as the Model Regulations used the word “device”, it was agreed that the issue would be brought to the attention of the United Nations Sub-Committee of Experts.

12. Informal document INF.27 submitted by RECHARGE identified an error in the French version of special provision 310 of the UN Model Regulations that should be corrected by the secretariat.

«DS 310 Dans le dernier paragraphe, remplacer «doivent être emballées» par «peuvent être emballées».

14. It was noted that the current 4.1.1.19.1 of RID and ADR permitted the use of IBCs as salvage packagings. Alignment with the UN Model Regulations would no longer permit that and it was suggested that the relevant industry should be consulted before taking a decision on the proposed alignment, as the United Nations Sub-Committee of Experts might not have taken into account the needs of the waste management industry.

The Sub-Committee may wish to consider whether IBCs should be referred to in 4.1.1.19.1, which would lead to the following amendment:

4.1.1.19.1 *Replace* "This does not prevent the use of a bigger size packaging, including intermediate bulk container (IBC) and large packaging, of appropriate type and performance level under the conditions of 4.1.1.19.2 and 4.1.1.19.3." by "This does not prevent the use of a larger size packaging or large packaging of appropriate type and performance level and under the conditions of 4.1.1.19.2 and 4.1.1.19.3."

16. The Joint Meeting confirmed that the term "non-conductive" in packing instruction P910, paragraph (1) (c), referred to electrical conductivity and not the conduction of heat. It was suggested that a definition of that term would be useful, but it would then be necessary to raise the matter with the United Nations Sub-Committee of Experts. The term was also used in other provisions, including instructions P908, P909 and LP904.

17. For the lithium battery mark in 5.2.1.9, it was noted that a proportional reduction in the dimensions was permitted if the size of the package so required. It was suggested that provision should be made for the possibility of a proportional reduction for labels in general. It was noted, however, that a proposal along those lines had been submitted to the United Nations Sub-Committee of Experts by Germany (ST/SG/AC.10/C.3/2015/30) and it did not seem appropriate to anticipate the decision.

Carriage of vehicles, engines and machinery

Document: ECE/TRANS/WP.15/AC.1/2015/23/Add.1 (Report of the ad hoc working group on harmonization)

Informal documents: INF.12 and INF.12/Add.1 (France)
INF.26 (Germany)
INF.35 (Switzerland)
INF.38 (OICA/Germany)
INF.39 (France, on behalf of a drafting group)

34. In respect of option 2 proposed by France, [*merging special provisions 312 and 385 in one specific RID ADR ADN special provision 6WW*], the Joint Meeting was in favour of replacing special provisions 312 and 385 with a single provision 6WW, but thought that a proposal should first be submitted to the United Nations Sub-Committee of Experts.

The new proposed special provision 6WW read as follows:

"6WW This entry applies to vehicles powered by flammable liquid or gas internal combustion engines or fuel cells.

Vehicles powered by a fuel cell engine shall be consigned under the entries UN No. 3166 VEHICLE, FUEL CELL, FLAMMABLE GAS POWERED or UN No. 3166 VEHICLE, FUEL CELL, FLAMMABLE LIQUID POWERED, as appropriate. These entries include hybrid electric vehicles powered by both a fuel cell and an internal combustion engine with wet batteries, sodium batteries, lithium metal batteries or lithium ion batteries, transported with the battery(ies) installed.

Other vehicles which contain an internal combustion engine shall be consigned under the entries UN 3166 VEHICLE, FLAMMABLE GAS POWERED or UN 3166 VEHICLE, FLAMMABLE LIQUID POWERED, as appropriate. These entries include hybrid electric vehicles powered by both an internal combustion engine and wet batteries, sodium batteries, lithium metal batteries or lithium ion batteries, transported with the battery(ies) installed.

Vehicles powered by wet batteries, sodium batteries, lithium metal batteries or lithium ion batteries, transported with the batteries installed, shall be consigned under the entry UN No. 3171 BATTERYPOWERED VEHICLE (see special provision 240).

For the purpose of this special provision, vehicles are self-propelled apparatus designed to carry one or more persons or goods. Examples of such vehicles are cars, motorcycles, trucks, locomotives, scooters, three- and four-wheeled vehicles or motorcycles, lawn tractors, self-propelled farming and construction equipment, boats and aircraft.

Dangerous goods such as batteries, air bags, fire extinguishers, compressed gas accumulators, safety devices and other integral components of the vehicle that are necessary for the operation of the vehicle or for the safety of its operator or passengers, shall be securely installed in the vehicle and are not otherwise subject to these Regulations. However, lithium batteries shall meet the requirements of 2.2.9.1.7, except as provided in special provision 667."

B. Topics of interest under "Proposals for amendments to RID/ADR/ADN" (agenda item 3)

7. Application of CV/CW36 to UN 2211 POLYMERIC BEADS, EXPANDABLE, evolving flammable vapour

Document: ECE/TRANS/WP.15/AC.1/2015/52 (Russian Federation)

48. The Joint Meeting adopted the proposal to assign CV/CW 36 to UN No. 2211 and also to UN No. 3314. As it was pointed out that the IMDG Code required different markings, it was decided to make the marking for CV/CW 36 optional when the vehicle, wagon or container already bore the mark required under special provision 965, paragraph 4, of the IMDG Code (see annex I).

49. It was also noted that currently in contrast to the UN Model Regulations and the IMDG Code, which required a class 9 label and placard, no labelling nor placarding was required under RID/ADR/ADN.

Explanation: In ADR and RID, a special provision CV/CW36 is assigned to all gases, it reads as follows:

"Packages shall preferably be loaded in open or ventilated vehicles or open or ventilated containers. If this is not feasible and packages are carried in other closed vehicles or containers, the cargo doors of the vehicles or containers shall be marked with the following in letters not less than 25 mm high:

"WARNING
NO VENTILATION
OPEN WITH CAUTION"

This mark is not required when the vehicle or container is already marked according to special provision 965 of the IMDG Code^x."

^x Warning mark including the words "CAUTION – MAY CONTAIN FLAMMABLE VAPOUR" with lettering not less than 25 mm high, affixed at each access point in a location where it will be easily seen by persons prior to opening or entering the vehicle or container.

The representative of the Russian Federation informed the Joint Meeting that this special provision was also applicable to UN No. 2211 (POLYMERIC BEADS, EXPANDABLE, evolving flammable vapour) in the SMGS. The proposal to assign it also to UN No. 2211 in RID and ADR was adopted and extended to UN No. 3314 (PLASTICS

MOULDING COMPOUND in dough, sheet or extruded rope form evolving flammable vapour).

A similar provision (SP 965) is assigned to UN Nos. 2211 and 3314 in the IMDG Code.

11. Limited quantities — marking of cargo transport units

Document: ECE/TRANS/WP.15/AC.1/2015/41 (Switzerland)

59. An amendment to 3.4.15, proposed orally by the representative of the Netherlands to resolve the issues of interpretation raised in the document submitted by Switzerland, was adopted (see annex I).

Explanation: It should be brought to the attention of the United Nations Sub-Committee of Experts that in the Model Regulations there are no provisions for marking of cargo transport units when transporting dangerous goods in limited quantities in contrast with RID/ADR/ADN. The relevant text in ADR read as follows:

"3.4.13 (a) Transport units with a maximum mass exceeding 12 tonnes carrying dangerous goods packed in limited quantities shall be marked in accordance with 3.4.15 at the front and at the rear except when the transport unit contains other dangerous goods for which orange-coloured plate marking in accordance with 5.3.2 is required. In this latter case, the transport unit may display the required orange-coloured plate marking only, or both the orange-coloured plate marking in accordance with 5.3.2 and the marking in accordance with 3.4.15.

(b) Containers carrying dangerous goods packed in limited quantities, on transport units with a maximum mass exceeding 12 tonnes, shall be marked in accordance with 3.4.15 on all four sides except when the container contains other dangerous goods for which placarding in accordance with 5.3.1 is required. In this latter case, the container may display the required placards only, or both the placards in accordance with 5.3.1 and the marking in accordance with 3.4.15.

The carrying transport unit need not be marked, except when the marking affixed to the containers is not visible from outside this carrying transport unit. In this latter case, the same marking shall be affixed at the front and at the rear of the transport unit.

3.4.14 Markings specified in 3.4.13 may be dispensed with, if the total gross mass of the packages containing dangerous goods packed in limited quantities carried does not exceed 8 tonnes per transport unit.

3.4.15 The marks specified in 3.4.13 shall be the same as the one required in 3.4.7, except that their minimum dimensions shall be 250 mm x 250 mm. These marks shall be removed or covered if no dangerous goods in limited quantities are carried."

The IMDG Code also contains requirements for marking and placarding cargo transport units containing dangerous goods packed in limited quantities (3.4.5.5 and 3.4.5.5.1 to 3.4.5.5.4).

13. Replacement of the term "boiling point" by "initial boiling point"

Informal document: INF.18 (Germany)

61. The Joint Meeting considered that the proposal should first be put to the United Nations Sub-Committee of Experts.

Justification given in informal document INF.18 read as follows:

In the German version of ADN, the outdated term "Siedepunkt" (English: "boiling point", French: "point d'ébullition") is still used in numerous places. Other instances of

this term have already been replaced with the term "Siedebeginn" (English: "initial boiling point", French: "point d'ébullition initiale") that is commonly used today. Therefore, an informal working group has suggested to the ADN Safety Committee that the terminology of ADN be harmonized to read "Siedebeginn" (English: "initial boiling point", French: "point d'ébullition initiale").

In doing so, it was noticed that some of the concerned text passages are from text taken from RID/ADR and from the Model Regulations. With a view to harmonisation, the ADN Safety Committee decided to submit this matter to the Joint Meeting. Germany does so by way of this paper and at the same time agrees to also bring this update to the attention of the UN Sub-Committee of Experts on the Transport of Dangerous Goods, if necessary.

14. Special provision 188

Informal document: INF.44 (United Kingdom and United States of America)

62. The Joint Meeting noted the opinion of the United Kingdom and the United States of America that the amendments to the Model Regulations adopted by the Sub-Committee of Experts at its December 2014 session in respect of special provision 188 (f) had significant repercussions that had been underestimated. The delegations were asked to give some thought to the matter and, if necessary, consider lengthening the transition period or providing for multilateral agreements.

C. Topics of interest under "Reports of informal working groups (agenda item 4)"

Informal working group on provisions on equipment for tanks and pressure receptacles

Document: ECE/TRANS/WP.15/AC.1/2015/38 (EIGA)

73. The Joint Meeting took note of the progress made on the work. The group's report contained concrete proposals but the group did not wish for the Joint Meeting to take a decision before the proposals regarding the UN Model Regulations were considered by the United Nations Sub-Committee of Experts.

74. The Joint Meeting therefore requested the representative of EIGA to submit relevant proposals to the United Nations Sub-Committee of Experts and invited the informal working group to continue its work, including on issues relating to tanks.

D. Topics of interest under "Accidents and risk management (agenda item 8)"

Fourth workshop on the road map for risk assessment in the context of the transport of dangerous goods by rail, road and inland waterways

Informal document: INF.7 (European Union European Railway Agency) (ERA)

85. The Joint Meeting took note of the progress report on the work of ERA. The next meeting (fifth workshop) would be held from 13 to 15 October 2015 and it was pointed out that the scope of the work extended to the three transport modes and that road and inland waterway transport authorities and organizations concerned by those modes. The work is

directed towards the elaboration of guidelines on collecting and using data, risk assessment processes and decision-making procedures.

E. Topics of interest under "Any other business (agenda item 11)"

Carriage of pressure receptacles approved by the Department of Transportation of the United States of America (DOT)

Informal document: INF.33 (EIGA)

94. The representative of EIGA indicated that, following discussions at the last session (ECE/TRANS/WP.15/AC.1/138, paras. 43-47), EIGA and CGA were going to jointly submit a petition to the DOT for a rulemaking on the recognition in the United States of pressure receptacles approved by contracting parties to RID or ADR in return for acceptance of the carriage according to RID, ADR and ADN of pressure receptacles approved by the DOT.

95. Several delegations remarked however that the timeframe for this procedure was unknown, as were the expected results. Moreover, the continuation of the multilateral agreement M237 allowing the use of DOT receptacles for the carriage of gas between countries contracting parties to RID or ADR – which currently has only 15 signatories – depended solely on the will of each country with a possible interest.

96. Several delegations indicated that they would like more information from the industry on the reasons for this situation which has persisted for many years, for example:

- What are the gases concerned;
- What exactly are the current obstacles in transatlantic exchanges for the use RID/ADR, DOT and UN receptacles;
- What is the number of receptacles concerned;
- What are the problems linked to the filling of receptacles when they are exported from the United States to Europe or imported from Europe into the United States.

97. It was underlined that the maximum duration of a multilateral agreement was limited to five years and that agreement M237 had already followed on from agreement M180. It was therefore suggested that if a new multilateral agreement was established, the duration should be less than five years to ensure that the industry was focussed to undertake the necessary procedures to resolve the situation.

98. The representative of EIGA indicated that he would submit the requested information at the session in March 2016 in the hope that that would facilitate the establishment of a new multilateral agreement and would attract more signatories.
