

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

(Twenty-fourth session, 1-10 December 2003, agenda item 7(a))

Harmonization with the Globally Harmonized System of classification and labelling of chemicals (GHS)

Hazards to the aquatic environment

Transmitted by the expert from the Netherlands

BACKGROUND

As explained in document ST/SG/AC.10/C.3/2003/58, the Netherlands are of the opinion that it is not justified to create a new class for substances and mixtures hazardous to the aquatic environment (henceforth named "aquatic pollutants"). The document proposes to introduce a system whereby aquatic pollutants are identified as such on the documentation and by means of a mark. The annex to this INF paper presents the amendments to the UN recommendations needed to introduce this system.

ELABORATIONS ON THE PROPOSED SYSTEM

The GHS implies that the classification of all substances and mixtures should be done by industry (self classification). This means that these substances need not be identified as such in the Dangerous Goods List.

The proposed system will enable for aquatic pollutants in classes 1 to 9 to be classified and marked or placarded as such, without the introduction of new entries.

PROPOSAL:

The Sub-Committee is invited to consider the proposed amendments to the UN Recommendations in conjunction with document ST/SG/AC.10/C.3/2003/58 and take action as deemed appropriate.

ANNEX

PROPOSED AMENDEMENTS TO THE UN MODEL REGULATIONS

Part 1 General provisions, definitions, training and security

No amendments

Part 2 Classification

I Add new paragraph to sub-section 2.0.0 and renumber subsequent paragraphs and sub-paragraphs accordingly as follows:

"2.0.0 Responsibilities

2.0.0.1 *Except for aquatic pollutants*, the classification shall be made by the appropriate competent authority when so required, or may otherwise be made by the consignor.

2.0.0.2 *The consignor shall identify substances or mixtures transported which are Aquatic Pollutants according to the criteria of Chapter 2.10."*

II Subdivide paragraph 2.0.1.2 into two paragraphs, delete the words "without additional labelling" and replace the words "environmentally hazardous" with "Aquatic pollutants" *as follows:*

"2.0.1.2 *Many of the substances assigned to classes 1 to 9 may also fall within the criteria for aquatic pollutants (see Chapter 2.10).*

2.0.1.2.1 *Wastes shall be transported under the requirements of the appropriate class considering their hazards and the criteria in these Regulations.*

Wastes not otherwise subject to these Regulations but covered under the Basel Convention¹ may be transported under Class 9."

III Amend paragraph 2.0.1.4 to read:

"2.0.1.4 Dangerous goods are determined to present one or more of the dangers represented by classes 1 to 9 and divisions, *aquatic pollutants* and, if applicable, the degree of danger (packing group) on the basis of the provisions in Chapters 2.1 to 2.10."

IV Amend 2.9.2.1 a) to read:

"a) environmentally hazardous substances (*see Chapter 2.10*) which are not covered by other classes;"

V 2.9.3 is moved to new chapter 2.10 and renumbered accordingly, see 2.10 below.

VI Add a new Chapter 2.10 as follows:

¹ *Basel convention on the Control of Transboundary Movements of Hazardous Wastes and their Disposal.*

"Chapter 2.10***Environmentally hazardous substances (aquatic environment)***

VII Include the text of subsection 2.9.3 and renumber as indicated below:

2.9.3.1 to be renumbered 2.10.1

2.9.3.1.1 to be renumbered 2.10.1.1 and amended as follows:

2.10.1.1 *Aquatic pollutants* are liquid or solid substances pollutant to the aquatic environment and solutions and mixtures of such substances (such as preparations and wastes).

2.9.3.1.2 to be renumbered 2.10.1.2

2.9.3.1.3 to be renumbered 2.10.1.3

2.9.3.1.4 to be renumbered 2.10.1.4

VIII Include the text of subsections 2.9.3.2 to 2.9.3.4 as new subsections 2.10.2 to 2.10.4

IX The existing text of 2.9.3.5 is amended and renumbered as follows:

"2.10.5 Properties

Aquatic pollutants shall be transported under the appropriate entry according to their properties if they fall within the criteria of any of the classes 1 to 8. If they do not fall within the criteria of any of these classes, they shall be transported under the entry:

*UN 3077 ENVIRONMENTALLY HAZARDOUS SUBSTANCE, SOLID, N.O.S., or
UN 3082 ENVIRONMENTALLY HAZARDOUS SUBSTANCE, LIQUID, N.O.S.,*

as appropriate, unless there is a specific entry in Class 9."

Part 3 Dangerous goods list and limited quantities exemptions

X Add new 3.1.2.8.1.3 and renumber existing 3.1.2.8.1.3 accordingly:

"3.1.2.8.1.3 For aquatic pollutants shipped under generic or N.O.S. names, the proper shipping name shall be supplemented with the recognized chemical name of the aquatic pollutant, in brackets."

XI Add new chapter 3.1.4

"3.1.4 Aquatic pollutants

NOTE: Aquatic pollutants are not identified as such in the Dangerous Goods List; this identification shall be done by the consignor (see 2.0.0.2)."

XII Add new paragraph 3.4.10

"Aquatic pollutants

3.4.10 The inner packaging limits for aquatic pollutants which are permitted in limited quantities, shall not exceed 5 l for liquids or 5 kg for solids."

Part 4 Packing and tank provisions

No amendments.

Part 5 Consignment Procedures

XIII Add new 5.2.1.6 as follows:

"5.2.1.6 Special marking provisions for aquatic pollutants

5.2.1.6.1 Packages containing an aquatic pollutant (for solutions, mixtures and isomers, see 2.10.5) shall be durably marked with the aquatic pollutant mark with the exception of: packages containing aquatic pollutants in inner packaging with

- contents of 5 l or less for liquids; or
- contents of 5 kg or less for solids.

5.2.1.6.2 The aquatic pollutant mark shall be placed or stencilled adjacent to the dangerous goods label or labels, or, in the absence of such label or labels, in an appropriate place.

5.2.1.6.3 Specification of the aquatic pollutant mark

5.2.1.6.3.1 The provisions of 5.2.2.2.1, 5.2.2.2.1.1, 5.2.2.2.1.2 and 5.2.2.2.1.7 shall also apply to the aquatic pollutant mark.

5.2.6.1.3.2 Aquatic pollutant mark

Figure 5.2.2



Symbol (fish and tree): black
Background: white

XIV Add the words "or the aquatic pollutant mark" to 5.3.2.1.2(b) as follows:

- "(b) on an orange rectangular panel not less than 120 mm high and 300 mm wide, with a 10 mm black border, to be placed immediately adjacent to each placard **or the aquatic pollutant mark** (see Figure 5.3.3)."

XV Add a new 5.3.2.3 as follows:

"5.3.2.3 Aquatic pollutant mark

5.3.2.3.1 Transport units loaded with packages containing aquatic pollutants shall clearly display the aquatic pollutant mark in locations indicated in 5.3.1.1.4, even when the packages themselves are not required to bear the aquatic pollutant mark.

5.3.2.3.2 The marking on transport units shall conform to the specifications given in 5.2.1.6.3 and 5.3.1.2.1(a).

XVI Add the following sentence to 5.4.1.4.3 (a):

“For aquatic pollutants shipped under a generic or N.O.S. entry, the proper shipping name shall be supplemented with the recognized chemical name of the aquatic pollutant (see 3.1.2.8).”

XVII Add a new sub-paragraph 5.4.1.4.3(e):

“(e) Aquatic pollutants: If the goods to be transported are aquatic pollutants, the goods shall be identified as such by adding the words “AQUATIC POLLUTANT” to the dangerous goods description. Examples of such permitted dangerous goods descriptions are:

*“UN 2218 ACRYLIC ACID, STABILIZED 8 (3) II, AQUATIC POLLUTANT” or
“ACRYLIC ACID, STABILIZED, 8 (3), UN 2218, II, AQUATIC POLLUTANT”.*

Part 6 Requirements for the construction and testing of packagings, IBC’s large packagings, portable tanks, MEGC’s and bulk containers

No amendments.

Part 7 Provisions concerning transport operations

No amendments.
