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**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-sixth session, 29 November-3 December 2004
Item 2 of the provisional agenda

TEXTS ADOPTED BY THE SUB-COMMITTEE AT ITS TWENTY-THIRD, TWENTY-FOURTH
AND TWENTY-FIFTH SESSIONS AND RELATED PROPOSALS

Packagings of waste aerosols sent for disposal and recycling

Transmitted by the expert from the United States of America

Background

1. During the last three sessions of the Sub-Committee, the expert from the United Kingdom presented proposals to permit the transport of waste aerosols, including damaged and leaking receptacles, in non-bulk and large packagings (ST/SG/AC.10/C.3/2003/7, ST/SG/AC.10/C.3/2003/35, ST/SG/AC.10/C.3/2004/53). The expert from the United States of America expressed concern at each submission and is of the opinion that the text adopted at the July session does not afford an appropriate level of safety for the transport of leaking aerosols. In particular, the following concerns remain unresolved:

(a) The provisions adopted at the 25th session contradict 1.1.3, which states that any substance or article, as presented for transport, may not produce a dangerous emission of toxic, corrosive or flammable gases or vapours under normal conditions of transport. The proposed provisions do not prevent the release of flammable or other dangerous vapors from the outer package or transport unit;

(b) The provisions do not provide for hazard communication. How is an individual handling these packages or opening a transport unit filled with these packages to know about the possibility of vapours emanating from the package or from the transport unit upon opening? What about the risk posed to the transport conveyance of the release and or build-up of dangerous gases?

This is a serious safety concern. There have been numerous explosions and fatalities that have resulted when flammable vapors in transport units have ignited. It is not sufficient to place a sentence in Chapter 7 to state that transport units need to be vented. Do we really want transport units venting when stowed below decks of a ship?

(c) The proposed provisions do not differentiate between the transport of fully intact aerosol containers that may require reprocessing or disposal due to expired shelf-life, from the more serious situation of a damaged or leaking aerosol container. It is unusual in that containers that are less safe (leaking aerosol containers) are subject to less stringent safety requirements as compared to safer materials (compliant aerosol containers). Fully intact (non-leaking) containers, whether being transported for disposal or use, should be transported under the existing requirements. There is no need to make special requirements for these aerosols. The sentence “For UN 1950 only, aerosols transported for the purpose of reprocessing or of disposal are permitted” will lead to confusion and will result in people questioning whether certain other dangerous goods assigned to P003 such as batteries are permitted to be transported for reprocessing or disposal because of the confusing message this sentence conveys.” The purpose for transport (reprocessing or disposal) should not dictate whether a commodity is permitted for transport. If a commodity meets the applicable provisions then it is permitted for transport. Aerosols, batteries and other items covered by P003 are authorized for transport regardless if they are being shipped for disposal. The problem only arises when they are in such a condition that they no longer meet the applicable requirements. An aerosol that has exceeded its shelf life (aerosol can of whipped cream) can be shipped under the description “Aerosol, UN 1950”. The adopted text will lead to significant confusion on the part of shippers;

(d) Does the proposed packaging contradict 4.1.1.5, which requires inner packagings to be packed in the outer packaging in such a way they cannot break, be punctured, or leak their contents into the outer packaging? PPR87 requires absorbent material, but absorbent material is not effective for flammable propellant gases which many of these damaged aerosols will contain. We also do not understand why the aerosols can not be carefully placed in the packaging so as to prevent further damage in transport. Allowing the consignor to haphazardly throw numerous damaged aerosols into large bins is not acceptable;

(e) The Model Regulations in 4.1.1.17 contain provisions for damaged or leaking containers. The requirements for salvage packaging are designed taking into account the safety concerns associated with leaking containers. We view the current salvage packaging provisions to be more appropriate for the shipment of leaking aerosol containers;

(f) Operational requirements will need to be imposed for leaking aerosols. For instance, leaking aerosols should not be stowed below decks or adjacent to heated bulkheads or living quarters. Similarly these packagings should be banned from carriage on aircraft. However, the requirements adopted in July provide no communication on shipping papers for alerting operational personnel (e.g. cargo planners) that these dangerous goods are present. The expert from the United States of America suggested that leaking aerosols could presently be transported in salvage packagings. At least this way the carrier would know due to the requirement in 5.4.1.5.3 that salvage packagings are contained in the consignment. On the basis of what was adopted in July the modal authorities will have difficulty imposing restrictions on these goods. The packaging and transport document should have an indication such as “Salvage Aerosols”.

Proposal

The expert from the United States of America proposes the new text not be incorporated into the UN Model Regulations until these significant safety concerns have been fully and appropriately addressed.
