

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 of the provisional agenda

LISTING, CLASSIFICATION AND PACKING

Class 8 - Exemption of Batteries (Alkali-Manganese-, Zink carbon-, Nickel-Metal hydride and Nickel-Cadmium-Batteries as well as Button cells, UN3028) from the provisions of the UN Model Regulations

Transmitted by RECHARGE on behalf of the Portable Rechargeable Battery Association
(PRBA), RECHARGE, the Battery Association of Japan (BAJ), and the European Portable
Battery Association (EPBA)

1. The Portable Rechargeable Battery Association (PRBA), RECHARGE, Battery Association of Japan (BAJ), and European Portable Battery Association (EPBA) appreciate the issues raised by the Expert from Germany regarding the safe transport of nickel metal hydride (NiMH) batteries, UN3028, and Special Provision 304. Members of PRBA, RECHARGE, BAJ, and EPBA approximately 90% of the world's manufacturers of nickel metal hydride batteries and have safely shipped billions of these batteries over the past ten years. Our first priority is the safe transport of nickel metal hydride batteries by all modes of transport. As a result of our experience with shipping these products we offer the following comments and alternative proposals to ST/SG/AC.10/C.3/2007/45 for amending the UN Model Regulations applicable to nickel metal hydride batteries and UN3028.
2. The portable nickel metal hydride batteries involved in the 2005 cargo vessel incident were small, consumer-type batteries that are recognized as "dry batteries," which are used in many portable electronic equipment applications. Stowing these nickel metal hydride batteries, or other cargo for that matter, next to sources of heat that can reach 70° C for extended periods of time on a cargo vessel may create a hazard but it does not necessarily mean the batteries themselves are hazardous and thus warrant being classified and shipped as fully regulated dangerous goods.
3. We do not believe it is necessary to establish a new UN number for portable nickel metal hydride batteries in the UN Model Regulations as proposed in ST/SG/AC.10/C.3/2007/45.

A better alternative is to add a Special Provision with new requirements applicable to portable nickel metal hydride batteries to prevent exposure to high temperature in the future.

4. Therefore, PRBA, RECHARGE, BAJ and EPBA propose to add a new Special Provision applicable to portable nickel metal hydride batteries that includes additional documentation and marking requirements for large consignments of these products but only when transported by sea. Members of PRBA, RECHARGE, BAJ and EPBA that offer cargo transport units (CTU) of these batteries for transport by sea already have taken steps to implement these measures and are working with freight forwarders and cargo vessel operators to alert them to these issues. PRBA, RECHARGE, BAJ and EPBA also intend to take additional measures to address the safe transport of portable nickel metal hydride batteries such as working with IMO to prepare a DSC circular specific to the hazards associated with stowage of CTU's of portable nickel metal hydride batteries near sources of heat on cargo vessels.

Proposal

5. PRBA, RECHARGE, EPBA, and BAJ propose the following new Special Provision:

Special Provision XXX:

When transported by sea, cargo transport units of portable nickel metal hydride batteries shall be accompanied by a document stating that the consignment must be stowed away from sources of heat. The batteries shall be separated to prevent short circuits and packed in strong outer packaging. Cargo transport units shall be suitably marked on the exterior "BATTERIES (NiMH) - STOWAGE AWAY FROM SOURCE OF HEAT" in letters not less than 65 mm high. These requirements do not apply nickel metal hydride button cells.
