

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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MISCELLANEOUS PROPOSALS OF AMENDMENTS TO THE MODEL REGULATIONS ON THE TRANSPORT OF DANGEROUS GOODS

Fumigated cargo transport units and cargo transport units containing dangerous goods
for cooling or conditioning

Comments to document ST/SG/AC.10/C.3/2008/9

Transmitted by the International Vessel Operators Hazardous Materials Association
(VOHMA)

Introduction

VOHMA would like to thank the expert from the United Kingdom for bringing forth the proposal in ST/SG/AC.10/C.3/2008/9 which includes revisions based on comments by VOHMA and others during the 32nd session on ST/SG/AC.10/C.3/2007/47.

VOHMA agrees that it is appropriate to dedicate a new Chapter within the Model Regulations to address safety issues associated with the treatment or conditioning of cargo transported within cargo transport units (CTUs) by the use of dangerous goods not transported as cargo within such CTU. When these dangerous goods are used for purposes of conditioning or fumigating the interior of the CTU or for controlling temperatures within the unit they may not be subject to the transport requirements applicable to such substances as packaged dangerous goods. VOHMA agrees in principle with the proposal for the General Provisions at 5.5.1 and 5.5.2 however, for the sake of clarity and uniformity, we suggest section 5.5.1.3.4 and 5.5.2.2.4 of their proposal be amended. The text of the proposal by the UK states:

“**5.5.1.3.4** The application to cargo transport units of a Class 9 placard when under fumigation is not required.”

“**5.5.2.2.4** Placards related to the risks of the dangerous goods used for cooling or conditioning shall not be affixed to the cargo transport unit containing such coolants or containers.”(*sic*)

VOHMA feels that the proposed text at 5.5.1.3.4 is confusing and suggests that, even if class 9 dangerous goods were loaded within the fumigated CTU, a class 9 placard would not be required to be displayed when the CTU was under fumigation. Further, the language is permissive in that although not required it is also not prohibited and thus the class 9 placard could be displayed on a CTU containing no other dangerous goods other than the fumigant. Emergency responders or shipboard firefighters would thus be denied effective hazard communication based on the presence of a class 9 placard. Similar discussion of the issue and proposals for text were taken under consideration by the International Maritime Organization, Sub-Committee on Dangerous Goods, Solid Cargoes and Containers (DSC) and a new section 5.3.1.3 was adopted in IMDG Code Amendment 33-06.

Proposal

For the sake of clarity and uniformity VOHMA proposes that, with the indulgence of the expert from the UK, this Sub-committee consider adopting the following text as published with the IMDG Code and in effect since 1 January, 2005 voluntarily and 1 January, 2006 mandatory, to read in Chapter 5.5 of the Model Regulations:

“5.5.1.3.4 Class 9 placards shall not be affixed to a fumigated cargo transport unit except as required for other class 9 substances or articles packed therein.”

Greater clarity could be attained by amending the proposed text at 5.5.2 as follows at:

“5.5.2.2.4 Placards related to the risks of the dangerous goods used for the purpose of cooling or conditioning the cargo transport unit shall not be affixed to the cargo transport unit containing such coolants or conditioners except as required for other substances or articles packed therein.”
