

## 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

20 June 2012

### Forty-first session

Geneva, 25 June – 04 July 2012

Item 3 (b) of the provisional agenda:

**Listing, classification and packing: miscellaneous**

## Comments on INF.19: “Transport of packaging waste with residues of dangerous goods”

Transmitted by International Confederation of Container  
Reconditioners (ICCR)

### Introduction and background

1. At the December 2011 session of the Sub-Committee, the United Kingdom presented informal document INF.24 on the subject of transporting packaging “waste” containing residues of dangerous goods. The purpose of the UK paper was to open discussion of this subject, which is apparently of concern to several European nations and has been the subject of discussions among members of the RID/ADR/ADN Joint Meeting.
2. Also at the December 2011 session of the Sub-Committee, several industry groups filed an Informal document (INF.43) describing concerns about proposals that might limit or delete the existing UN authorization allowing the transport of packagings containing residues of dangerous goods from emptiers to plants that perform routine maintenance, repair, remanufacture and reconditioning processes. Informal document INF.40 noted that annually tens of millions of emptied packagings containing residues of dangerous goods are managed safely all over the world in accordance with existing national standards that describe the manner by which such packagings must be prepared for and handled during transport.
3. Based upon these early discussions, the Sub-Committee asked the Joint Meeting to review and discuss this issue, and present a new paper to the Experts for consideration at a later meeting.

### Comments

4. Accordingly, the Joint Meeting, through the Expert from France, has provided a new proposal (INF.19) for consideration. Generally, INF.19 recognizes that most residue packagings present a very low hazard in transportation due to the small quantities of material being transported (relative to the size of the packaging), with exceptions for certain high hazard materials. Onerous new testing requirements are not created and useful sorting requirements are established to ensure safety during sea transport.

Importantly, the paper proposes a clear exemption from any new requirements for packagings in Classes or Divisions 3, 4.1, 5.1, 6.1, 8 or 9, except that are being transported for “...reconditioning, repair, routine maintenance, remanufacturing or reuse, and which

have been emptied to the extent that only residues stuck to the packaging parts are present when they are handed over for carriage.”

5. ICCR strongly supports the exception for emptied packaging being transported for reuse, reconditioning, etc. This provision clarifies and amplifies existing UN Model Regulations, and maintains the global status quo for the transport of such packagings. Any change to this specific proposal would be opposed based upon the fact that transport to packaging reuse and reconditioning facilities has proven to be safe throughout the world and, importantly, many national governments have adopted varying combinations of legal and regulatory systems to promote this activity for safety and environmental purposes.

6. The Joint Committee has proposed the term “packaging waste” to be used as the proper shipping name, but in so doing kept it in square brackets in recognition of the fact that during the December session several experts in the Sub-Committee said that it would lead to some confusion.

7. ICCR recognizes that the term “packaging waste” could be applied to such packagings in some parts of the world with no negative effects due to the structure of certain national and regional legislative and regulatory schemes. However, in other parts of the world – the U.S. is one example – the term “waste” is problematic because it is linked to a series of environmental and transport requirements unrelated to dangerous goods regulation, some of which could limit or even prohibit the recycling of packaging or packaging material.

In addition, the modifier “waste” when applied to used packaging intended for any purpose other than actual disposal, e.g. recycling, has been eliminated by ISO TC 122/SC 4 in its newly finalized standards on “Packaging and the environment.”

For these reasons, ICCR recommends the term “packaging waste” be deleted and invites the Sub-Committee to consider instead the term “packaging discarded with residue.”

8. In addition, we urge the Sub-Committee to add a “note” to new special provision “yyy” in Chapter 3.3 to clarify the meaning of the phrase “residues stuck to the packaging parts...” The clarification is needed to convey to states and regional regulatory authorities that this entry presupposes that small amounts of residue will be retained both inside and outside used dangerous goods packagings. The note would read:

“Note: This special provision applies to packagings that have been emptied but which retain small amounts of residue both inside and adhering to the outside of the packaging.

9. We thank the Sub-Committee for the opportunity to comment on this proposal.

---