

## 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

14 November 2012

### Forty-second session

Geneva, 3 – 11 December 2012

Item 2 (b) of the provisional agenda

**Recommendations made by the Sub-Committee on its thirty-ninth,  
fortieth and forty-first sessions and pending issues:**

**Listing, classification and packing**

## **Comments on ST/SG/AC.10/C.3/2012/85 (Transport of packaging waste with residues of dangerous goods)**

**Transmitted by the European Chemical Industry Council (CEFIC)**

### **Introduction**

1. CEFIC has already introduced UN/SCETDG/41/INF.24 at the UNSCETDG meeting of June 2012, providing comments to UN/SCETDG/41/INF.19 of France, submitted on behalf of the RID/ADR/ADN Joint Meeting WG. As the UNSCETDG meeting in June concentrated on the need to introduce a new specific UN number and not so much on the transport provisions, CEFIC would like to re-submit its comments, in case this meeting would also get into further discussions. CEFIC' comments, expressed in UN/SCETDG/41/INF.24 have meanwhile slightly amended in order to take account of comments made.

### **Comments and proposals**

#### **On the new entry in the Dangerous Goods List**

2. The scope of the new entry in Class 9 should cover the transport of empty uncleaned packagings which are not intended for reconditioning, repair, routine maintenance, remanufacturing or reuse (as mentioned in the new SP yyy), but which are taken out of service for whatever reason i.o.w. "discarded". The use of the word "waste" should be avoided since this could result in the application of environmental law regulations besides transport regulations. CEFIC therefore proposes the following name and description for this new entry in column 2 of the Dangerous Goods List, whereas in any case the meaning of "discarded" is properly described in the new SP yyy:

"DISCARDED PACKAGING, EMPTY, UNCLEANNED"

#### **On the new Special Provision yyy**

3. The requirement to affix all the placards corresponding to the risks or subsidiary risks related to each residue on the outside of the cargo transport unit is not justified by the very small quantity of residues present and may even lead to inadequate measures in an

emergency. CEFIC therefore supports the deletion of the respective sentence to which reference is already made in the footnote “EXPLANATORY NOTE”

Alternatively, a similar marking as for Limited Quantities could be considered e.g. by defining a mark bearing the information “Empty uncleaned packaging for discard” to placard the cargo transport unit. This concept could also be considered for the labeling of the packaging to avoid a flood of warning notices which might misguide in case of an emergency.

4. A provision for the implementation of sorting procedures, including keeping documentation for monitoring purposes, is far beyond any requirements already implemented in dangerous goods regulations for dispatch operations such as “Shipper’s declarations” and “CTU packing certificates”. It is also not comparable to “quality systems” required for the manufacturing processes of receptacles. Enforcement into compliant and responsible logistics operations has to be regulated on national level, and has never been the scope of RID/ADR/ADN. Therefore CEFIC proposes deleting this paragraph.

### **On the new Special Packing Provisions**

5. P003 already allows for both rigid as well as flexible packaging to contain any kind of articles. The provision “the packaging shall be designed and constructed to prevent inadvertent discharge of articles during normal conditions of carriage” was sufficient in the past to choose either rigid or flexible packaging as appropriate and required by the nature of the articles to be contained. Therefore there is no need to define the properties of the articles and put restriction to certain packagings. The use of flexible packaging should not be excluded from the new Special Packing Provisions as they can comply with the proposed requirements and are permitted for solid dangerous goods in general. Therefore CEFIC proposes removing the word “rigid” from the proposed new Special Packing Provisions.

6. As referred to in paragraph 7 of UN/SCETDG/41/INF.19, packagings can be exempted from testing and type approval. Although P003 already covers this, it might be useful to re-iterate this in the new Special Packing Provisions, in order to avoid confusion as these provisions may be looked at in isolation from P003.

7. The need for a means of retaining should only be required when there is indeed a risk that any free liquid might escape, which definitely has not to be considered in case of solid residues.

8. In view of the 3 comments above, CEFIC proposes to amend the first sentence of the two proposed Special Packing Provisions as follows

“PPxx For UN 3xxx packaging meeting the construction requirements of 6.1.4, made leak tight or fitted with a leak tight and puncture resistant sealed liner or bag, shall be used. [The packaging is not required to meet the testing requirements of 6.1.5.] When there is a risk that free liquid residues might escape during the transport, the packaging has to provide a means of retaining, e.g. absorbent material.”

“Lxx For UN 3xxx large packaging meeting the construction requirements of 6.6.4, made leak tight or fitted with a leak tight and puncture resistant sealed liner or bag, shall be used. [The large packaging is not required to meet the testing requirements of 6.6.5.] When there is a risk that free liquid residues might escape during the transport, the packaging has to provide a means of retaining, e.g. absorbent material.”

9. There is no reason why IBCs should only be referred to in a Note and why no Special Packing Provision should be added to IBC08 instead, hereby taking into account the comments made in paragraphs 5, 6 and 7 which equally apply to IBCs.

“Bxx For UN 3xxx IBCs meeting the construction requirements of 6.5, made leak tight or fitted with a leak tight and puncture resistant sealed liner or bag, shall be used. [The IBC is not required to meet the testing requirements of 6.5.] When there is a risk that free liquid residues might escape during the transport, the packaging has to provide a means of retaining, e.g. absorbent material.

Before being filled and handed over for carriage, every IBC shall be inspected to ensure that it is free from corrosion, contamination or other damages. Any IBC showing signs of reduced strength, shall no longer be used (minor dents and scratches are not considered as reducing the strength of the IBC).

IBCs intended for the transport of packaging [waste] with residues of division 5.1 shall be so constructed or adapted so that the goods cannot come into contact with wood or any other incompatible material.”

#### **On the new documentation requirement (5.4.1.4.3)**

10. CEFIC supports the second option as it is in line with the requirements of other entries and thus more IT-friendly:

**“3XXX [DISCARDED PACKAGING, EMPTY, UNCLEANED] (WITH RESIDUES OF 3, 4.1, 6.1), 9”**

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