

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

28 November 2014

Forty-sixth session

Geneva, 1 – 9 December 2014

Item 3 of the provisional agenda

**Global harmonization of transport of dangerous goods
regulations with the Model Regulations**

ICAO Dangerous Goods Panel Working Group Meeting (DGP-WG/14)

Transmitted by the International Civil Aviation Organization (ICAO)

Introduction

1. The Dangerous Goods Panel Working Group Meeting (DGP-WG/14) was held in Rio de Janeiro from 20 to 24 October 2014. This information paper highlights issues which DGP-WG/14 determined should be brought to the attention of the 46th Session of the Sub-Committee. If necessary, issues will be raised formally at the next session of the Sub-Committee.

Status of exceptions

2. Potential discrepancies and redundancies between the new exceptions for UN 3082 — ENVIRONMENTALLY HAZARDOUS SUBSTANCES, LIQUID, N.O.S. and UN 3077 — ENVIRONMENTALLY HAZARDOUS SUBSTANCES, SOLID, N.O.S. provided in SP 375 (reproduced below) (Special Provision A197 of the Technical Instructions) and existing limited quantity provisions were raised.

- 375 These substances when transported in single or combination packagings containing a net quantity per single or inner packaging of 5 l or less for liquids or having a net mass of 5 kg or less for solids, are not subject to any other provisions of these Regulations provided the packagings meet the general provisions of 4.1.1.1, 4.1.1.2 and 4.1.1.4 to 4.1.1.8.

An amendment to delete the limited quantity provisions for these substances was proposed on the basis that the quantities permitted were identical to those included in Special Provision A197 (SP 375). Some panel members were against removing the limited quantity provisions as it was reported that there were shippers who wanted to continue shipping UN 3082 and UN 3077 under the limited quantity provisions. This led to a discussion on whether or not Special Provision A197 (SP 375) was mandatory so that small quantities of these substances were not permitted as fully regulated consignments or if small quantities could be consigned as a fully regulated shipment. Whether or not it was mandatory to apply any of exceptions in the Technical Instructions was also queried. The panel asked that this question be raised to the Sub-Committee.

Comments on working papers related to lithium batteries submitted to the Forty-Sixth Session of the UN Sub-Committee

3. The working group was asked to provide comments on working papers related to lithium batteries which had been submitted to the Forty-Sixth Session of the Sub-Committee. These are provided below.

- a) **ST/SG/AC.10/C.3/2014/89: Appropriate hazard communication — lithium batteries and Class 9.** Comments on this paper are provided in UN/SCETDG/46/INF.58.
- b) **ST/SG/AC.10/C.3/2014/101: Consideration of what constitutes “equipment”.** The DGP strongly supports an amendment to SP 188 to clarify that devices whose sole purpose is to provide power to another piece of equipment are treated as batteries and not as equipment containing batteries. A similar proposal was made to the Twenty-Forth Meeting of the DGP; it was not adopted as the panel determined it was an issue that, for the sake of multi-modal harmonization, should be considered by the Sub-Committee.
- c) **ST/SG/AC.10/C.3/2014/105: Raising the 100 Wh limit for the packaging and labelling requirements of small excepted lithium ion batteries under SP 188.** Members noted the significant increase in watt hours permitted for excepted lithium batteries proposed and raised concerns that this would introduce a new hazard for the air mode, as it would be difficult to prevent these excepted batteries from being loaded on an aircraft. Members also cautioned against introducing new exceptions for specific modes of transport as this would add another level of complexity to the already complex lithium battery provisions.

Compliance with testing requirements for lithium batteries

4. The DGP remains concerned with the number of incidents related to lithium batteries reported and the fact that many involve non-compliant shipments. The panel believes that unintentional and deliberate non-compliance have been a factor in many reported incidents and has recommended that States develop effective oversight and awareness programmes for the safe transport of lithium batteries and that effective enforcement be considered when necessary. However, the complexity of the regulatory framework for lithium batteries makes this difficult to achieve. Panel members have indicated particular difficulties within their States obtaining evidence that batteries have met the requirements of subsection 38.3 of the *Manual of Tests and Criteria*, suggesting it may be impossible for shippers to do the same, particularly when further down the supply chain. The DGP asked that this issue be raised to the Sub-Committee.

Report of the DGP Working Group of the Whole Meeting (DGP-WG/14)

5. The report of DGP-WG/14 can be downloaded from <http://www.icao.int/safety/DangerousGoods/Pages/WG14.aspx>.