

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

15 November 2018

Fifty-fourth session

Geneva, 26 November-4 December 2018

Item 2 (f) of the provisional agenda

**Recommendations made by the Sub-Committee
on its fifty-first, fifty-second and fifty-third sessions and pending issues:
miscellaneous pending issues**

Comments on document ST/SG/AC.10/C.3/2018/109 - Provisions for data loggers and other equipment, containing electric energy storage and production systems, in use during transport

Transmitted by the expert from Switzerland

Introduction

1. The experts will probably notice that Switzerland has presented two documents (ST/SG/AC.10/C.3/2018/117 and 118) regarding the subject presented by the Netherlands in document ST/SG/AC.10/C.3/2018/109. This has happened because of the difficulties to reach a consensus by telematics means in intersessional working group without a definitive text.
2. Not knowing the exact content of the final proposal of the Netherlands and given the delays to present documents to the session we decided to present our approach in the two documents. It seems however that the discussions in the intersession working had been fruitful and that the approach we defend in document ST/SG/AC.10/C.3/2018/117 has been taken largely in consideration by the Netherlands. We thank the delegate of the Netherlands for her good work.
3. Because however some points remain not solved and in order to achieve a consensus without unnecessary discussions, we want to present the following changes to the proposals of the Netherlands.

Regarding proposal 1

4. 1.1.1.2 (a) exempts only a small portion of devices containing lithium batteries, those for the operation of its specialized equipment used during transport. Devices not used during transport such as computers, radios, watches, tools for repairs etc, are often present on transport units and are not exempted by 1.1.1.2 (a). Introducing in 1.1.1.2 (a) electric energy storage and production systems in the examples of 1.1.12 (a) is then not enough. It doesn't cover the necessary exemption of devices not used during transport but present as tools in every transport unit. This is why we proposed in our document ST/SG/AC.10/C.3/2018/117 to add a letter (b) exempting all these tools from the UN Regulations. Our list of devices includes container or packaging tracking devices because 1.1.1.2 is an exemption for articles

which are not used during the transport of dangerous goods. Container or packaging tracking devices used in the transport of dangerous goods shall be regulated in the Model Regulations as proposed by Netherlands in 1.1.1.10 and in 5.5.4. So we would propose to specify the scope of 1.1.1.2 and to complete the Proposal 1 as follows:

Proposal 1

5. For electric energy production and storage systems installed in the means of transport, modify 1.1.1.2 (a) by adding electric energy storage and production systems to the list of examples as shown below with additions to ST/SG/AC.10/C.3/2018/109 in underlined font:

“1.1.1.2 These regulations do not apply to the transport of:

(a) Dangerous goods not being part of a consignment that are required for:

- the propulsion of the means of transport, or
- the operation of its specialized equipment during transport (e.g. refrigeration units, electric energy storage and production systems), or
- that are required in accordance with the operating regulations (e.g. fire extinguishers), or
- that are contained in a device not being part of a consignment used or intended for use during transport (e.g. a laptop computer, or container or packaging tracking devices) for the purpose of operating that device;”

Regarding proposal 2

6. The proposed 1.1.1.10 only exempts electric energy storage and production equipment used or intended for use during transport. No however those devices not used or intended to be used during transport. Also in this text we believe it should exempt all electric tools not being involved in a transport of dangerous goods and the text could refer to those devices when they are involved in the transport of dangerous goods as follows.

Proposal 2

7. For electric energy storage and production systems and equipment containing such systems attached to or contained in packaging, large packaging, IBCs or cargo transport units, add a new paragraph 1.1.1.10 in Chapter 11 and a new section 5.5.4 in Chapter 5.5. Additions to the proposal in ST/SG/AC.10/C.3/2018/109 are shown in underlined font:

“1.1.1.10 Electric energy storage and production systems and equipment containing such systems in use or intended for use during transport.

Except if they are in use or intended for use during transport of dangerous goods, eElectric energy storage and production systems (e.g. lithium batteries, electric capacitors, asymmetric capacitors, metal hydride storage systems, and fuel cells) and equipment containing such systems attached to or contained in packaging, large packaging, IBCs or cargo transport units are not subject to these Regulations.

Electric energy storage and production systems (e.g. lithium batteries, electric capacitors, asymmetric capacitors, metal hydride storage systems, and fuel cells) and equipment containing such systems attached to or contained in packaging, large packaging, IBCs or cargo transport units in use or intended for use during transport are only subject to the provisions of section 5.5.4.”

“5.5.4 Special provisions applicable to electric energy storage and production systems in use or intended for use during transport of dangerous goods.

5.5.4.1 This section is not applicable to electric storage and production systems (e.g. lithium batteries, electric capacitors, asymmetric capacitors, metal hydride storage systems and fuel cells) and equipment containing such systems when transported as a consignment. When transported as a consignment, they shall be transported under the relevant entry of the Dangerous Goods List in Chapter 3.2 in accordance with the associated conditions of transport.

5.5.4.2 Electric energy storage and production systems and equipment containing such systems in use or intended for use during transport of dangerous goods attached to or contained in packaging, large packaging, IBCs or cargo transport units, are not subject to any other provisions of these Regulations than those of this section.

5.5.4.3 The electric energy storage and production systems shall meet the construction and test performance criteria specified in these Regulations in 2.9.4 (a)-(g) or in the relevant special provisions such as 328, 339, 361 or 372 as applicable.

5.5.4.4 Equipment containing electric energy and storage systems shall be strong enough to withstand the shocks and loadings normally encountered during transport.”

Proposal 3

8. Delete the text for a new paragraph 1.1.1.2 (c) adopted within square brackets at the fifty-first session (see ST/SG/AC.10/C.3/2018/65).
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