

## 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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### GLOBAL HARMONIZATION OF TRANSPORT OF DANGEROUS GOODS REGULATIONS WITH THE MODEL REGULATIONS

The position of the word WASTE on the transport document in the Model Regulations and RID/ADR/AND – Comments on ST/SG/AC.10/C.3/2009/34

Transmitted by the expert from the United States of America

1. Document 2009/34, transmitted by the expert from the United Kingdom, concerns the position of the word “WASTE” on the transport document.
2. Currently, the Model Regulations address the issue specifically and require the following in 5.4.1.4.3 (c):
  - (c) *Wastes: For waste dangerous goods (other than radioactive wastes) which are being transported for disposal, or for processing for disposal, the proper shipping name shall be preceded by the word “WASTE”, unless this is already a part of the proper shipping name;”*
3. The requirement for this indication in association for the proper shipping name has been in place within the model regulations for well over twenty years, and adopted accordingly in the IMDG Code, the ICAO Technical Instructions, and other regional and national legislation. However, the ADR/RID/ADN have incorporated a different approach not aligned with the Model Regulations or other international modal regulations.
4. Document 2009/34 suggests that “an amendment following the decision on the sequence of information to be the UN number followed by the proper shipping name was simply overlooked”. The United States can find no evidence that this statement is correct. A search of the relevant documentation has not shown that at any time the Sub-Committee agreed that the position of the word “WASTE” should be at any location other than preceding the proper shipping name. Moreover, in accordance with both 5.4.1.4.3 (c) and as proposed in 2009/34, the requirement is in fact waived when the word “WASTE” is a part of the proper shipping name. It seems illogical to expect that the word waste should either be a part of the proper shipping name or in a location far removed from the proper shipping name (i.e. preceding the UN number).

5. The Sub-Committee will recall that the major rationale for ensuring that the UN number was the first of the elements required to be listed in sequence pertained to its direct relation to the hazard posed by the material, and the fact that it immediately communicated valuable information to emergency response personnel. This was noted in ST/SG/AC.10/C.3/1999/91 (The Netherlands), which observed that:

*“The introduction of this sequence in the transport document will make the UN number the first and most prominent part of the information. The advantage to use the UN number, as the internationally agreed identification numbering system for the transport of dangerous goods, as first item of information is that it will not lead to misinterpretation and problems in identification and emergency situations.”*

6. Positioning the word “WASTE” as the first element of the sequence, on the other hand, provides no information relative to the hazard posed by the material, is not immediately useful to emergency response personnel, and is a language-specific element rather than a universal number that facilitates identification. The proposal in 2009/34 seems to be contrary to safety interests. It seems to be based on providing a ready identification of the reason the material is being transported rather than the hazard posed by the material in transport.

7. Lastly, the amendment to require the UN number first was transitioned over time. The Model Regulations first allowed either the UN number or the proper shipping name to be shown first in the sequence, before eventually transitioning to the requirement for the UN number. This was done, in part, to allow the shipping and carrier industry to provide for an orderly transition in the necessary data systems. Directing this new amendment would cause significant cost and other logistical difficulties that are not safety based.

8. The Sub-Committee has agreed to make global harmonisation a priority for this biennium. A review of the history clearly shows that the Sub-Committee made a conscious decision to ensure that the UN number be the first element of the sequence of information required on the transport document. Rather than align the UN Model Regulations, the ICAO TI, the IMDG Code, and many other national and regional regulations with a decision taken solely by a particular regulatory body, it is proposed that the proper course of action would be rather to encourage that body to align with the UN Model Regulations.

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