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## Economic Commission for Europe

### Inland Transport Committee

#### Working Party on the Transport of Dangerous Goods

##### Joint Meeting of the RID Committee of Experts and the Working Party on the Transport of Dangerous Goods

Geneva, 13–23 September 2011

Item 6 (a) of the provisional agenda

**Proposals for amendments to RID/ADR/ADN: pending issues**

### **Proposal aiming at amending RID/ADR/ADN in order to include a special provision dealing with the carriage of empty uncleaned packaging wastes**

**Transmitted by the Government of France<sup>1,2</sup>**

#### *Summary*

**Explanatory summary:** Simplification and facilitation of the carriage of uncleaned packaging wastes.

**Decision to be taken:** Choose between including a special provision in Chapter 3.3 and adding this special provision in Table A of Chapter 3.2 UN numbers it affects, or adding a second exemption in paragraph 1.1.3.5.

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<sup>1</sup> In accordance with the programme of work of the Inland Transport Committee for 2010-2014 (ECE/TRANS/208, para 106, ECE/TRANS/2010/8, programme activity 02.7 (c)).

<sup>2</sup> Circulated by the Intergovernmental Organisation for International Carriage by Rail (OTIF) under the symbol OTIF/RID/RC/2011/49.

## Introduction

1. The waste management sector is daily involved with significant quantities of wastes composed of damaged or not fit for re-use packagings, large packagings and intermediate bulk containers (IBCs) that are carried to be treated. Those packaging wastes cannot be regarded as the "empty uncleaned packagings" the ADR refers to. Furthermore, exemptions related to empty uncleaned packagings do not relate to those wastes. This implies a number of issues concerning the possible means to simplifying the carriage of uncleaned packaging wastes while ensuring its safety.

## Background

2. During its session in March 2010, the Joint Meeting decided to dedicate a working group to deal with this issue.

3. During the working group meeting on packaging wastes held in Bonn on 15 and 16 June 2010, it was decided to assign a new special provision to UN numbers 3175, 1479, 3243, 3244 and 3077 to address the problem of the carriage of uncleaned packaging wastes that have contained certain dangerous substances.

4. Unfortunately an actual proposal could not be submitted on time to be discussed at the Joint Meeting session of September 2010.

5. In order not to lose the benefit of the work that has already been done, France submitted document ECE/TRANS/WP.15/AC.1/2011/25 at the Joint Meeting session of March 2011. This document raised several issues, mostly concerning subsidiary risks, as some countries considered the suggested UN numbers list too restrictive.

6. France would like to carry on with the discussion by proposing two alternative options. The first one is to introduce a special provision, according to what had been initially agreed by the working group, and taking account of the commentaries of the last Joint Meeting. The second option is to add an exemption concerning those wastes. Any suggestion of improvement would be welcome.

## Proposal 1

7. Add a new special provision xxx to chapter 3.3, namely :  
**"xxx (1) Scope**

This provision concerns the carriage of empty uncleaned packaging wastes.

For the purposes of this provision, the term "empty uncleaned packaging wastes" means packagings, large packagings or intermediate bulk containers (IBCs) which:

- (a) Are carried to be disposed of because they are broken (parts of packagings), damaged, not fit for use, or meant to be disposed of for any other reason;
- (b) Have contained solids or liquids of classes 3, 4.1, 5.1, 6.1, 8 or 9, and
- (c) Have been emptied to such a point that accumulation of free liquid cannot occur inside the means of containment but can present residues stuck to their internal or external walls.

NOTE 1: This provision does not apply to uncleaned packaging wastes which have contained substances:

- Corresponding to Packing Group I;
- That are not allowed under limited quantities;
- Classified as desensitized explosive substances of classes 3 or 4.1;
- Classified as self-reactive substances of Class 4.1, or
- Which class cannot be determined.

Those types of wastes are treated apart from this provision.

NOTE 2: This provision does not apply to "uncleaned empty packagings" or "wastes" as referred to in other parts of ADR.

NOTE 3: This provision does not apply to uncleaned packaging wastes which contain enough liquid to allow accumulation of a free liquid inside them. These types of packaging wastes shall be considered as if they were full, in accordance with 5.1.3.1.

## (2) Classification, marking and labelling

### (a) UN number

Wastes carried under the conditions of this special provision are assigned to the following UN numbers, with the following classification rules:

- 3175 for packaging wastes which have contained substances of Classes 3 or 4.1;
- 1479 for packaging wastes which have contained substances of Class 5.1;
- 3243 for packaging wastes which have contained substances of Class 6.1;
- 3244 for packaging wastes which have contained substances of Class 8;
- 3077 for packaging wastes which have contained substances of Class 9.

In the case of carriage of a mixture of packaging wastes having contained substances of different classes, one of the UN number above is chosen according to the constituent which most predominantly contribute to the hazard. (see 5.2.1.6 and 3.1.3.3). The table hereafter is given as an information for the most usual situations, according to the table of precedence of hazards of 2.1.3.10:

<i>UN Number assigned (Class, Packing group)</i>	<i>UN 3175 (3 or 4.1, II)</i>	<i>UN 1479 (5,1, II)</i>	<i>UN 3243 (6.1, II)</i>	<i>UN 3244 (8, II)</i>	<i>UN 3077 (9, III)</i>
<b>UN 3175 (3 or 4.1, II)</b>	3175	X	3175	3175	3175
<b>UN 1479 (5,1, II)</b>	X	1479	X	X	X
<b>UN 3243 (6.1, II)</b>	3175	X	3243	3243	3243
<b>UN 3244 (8, II)</b>	3175	X	3243	3244	3244
<b>UN 3077 (9, III)</b>	3175	X	3243	3244	3077

**Table 1: Rules of precedence of hazards in case of a mixture of uncleaned packaging wastes**

X means that the mixture of the two corresponding substances is forbidden.

*(b) Packing group*

According to 2.1.3.5.5, those uncleaned empty packaging wastes are assigned to the following Packing groups:

- (i) Packing group II for packaging wastes having contained at least one substance of Class 3, 4.1, 5.1, 6.1 or 8 ;
- (j) Packing group III for packaging wastes having contained only substances of Class 9.

*(c) Proper shipping name*

The UN number assigned to the packaging waste or mixture of packaging wastes shall be followed by the words "PACKAGING WASTES, EMPTY, UNCLEANED" and by the principal and subsidiary risks taking account of all the principal and subsidiary risks presented by the packaging waste or mixture of packaging wastes.

NOTE: It is not required to indicate the total quantity of each different packaging waste (cf 5.4.1.1.6.1).

*(d) Labelling of packages*

The labels corresponding to each principal and subsidiary risk inherent to each packaging waste that is carried, shall be affixed to the package, even if not shown in Column (5) in Table A of Chapter 3.2.

**(3) Rules of carriage**

Empty uncleaned packaging wastes shall be packed and carried as follows :

- (a) In flexible IBCs for Packing group II and of types 13H3, 13H4 or 13H5, or in bags for Packing Group II and of types 5H3 or 5H4, contained in overpacks with rigid side walls and able to withstand the loadings encountered during handling and carriage of the waste;
- (b) In rigid IBCs for Packing Group II;
- (c) In bulk, in sheeted vehicles, closed containers or large sheeted containers, all having rigid side walls and being leakproof or rendered leakproof thanks to an appropriate material that is thick enough and placed inside.

NOTE 1: It is allowed to carry those uncleaned packaging wastes together with other non-dangerous residues or waste. The operator shall take the necessary steps before loading for preventing dangerous reactions between residues contained in the different uncleaned packaging wastes.

NOTE 2: Packaging wastes which have contained substances which could generate dangerous reactions shall be sorted out and separated from the load. It is forbidden to carry oxidising substances or substances with an oxidising subsidiary risk together with substances from another danger class.

**(4) Placarding**

Placards shall correspond to the labels required in (2)(d) of this provision, even if they are not required in Column (5) of Table A of Chapter 3.2."

8. In table A of Chapter 3.2, add in Column (6) special provision xxx against UN numbers 3175, 1479, 3243, 3244 and 3077.

## Justification of proposal 1

9. The proposed special provision would make the rules of carriage of uncleaned packaging wastes simpler and more precise, while respecting safety requirements, considering the following principles: this provision excludes substances which could generate dangerous reactions, as well as the most dangerous goods (corresponding to Packing group I, with the code LQ0, classified as desensitized explosive substances of classes 3 or 4.1, classified as self-reactive substances of Class 4.1), or goods which entail an unknown risk.

10. In the case of carriage of a mixture of packaging wastes having contained substances from several classes, the UN number is chosen by analogy to Table of precedence of hazards of 2.1.3.10.

11. Comments from the different Contracting Parties have been taken into account as much as possible in this new proposal.

## Proposal 2

12. Add an exemption to 1.1.3.5 after the existing exemption, namely :

"(b) Empty uncleaned packaging wastes (including packagings, large packagings and intermediate bulk containers (IBCs)) which are carried to be disposed of because they are broken (parts of packagings), damaged, not fit for use, or meant to be disposed of for any other reason, and which have contained solids or liquids of classes 3, 4.1, 5.1, 6.1, 8 or 9, and which have been emptied to such a point that accumulation of free liquid cannot occur inside the means of containment, but can present residues stuck to their internal or external walls, are not subject to the provisions of ADR if the following measures are taken:

(i) *Packing group*

According to 2.1.3.5.5, these uncleaned packaging wastes are assigned to the following packing groups:

- Packing Group II for packaging wastes having contained at least one substance of class 3, 4.1, 5.1, 6.1 or 8 ;
- Packing Group III for packaging wastes having contained only substances of Class 9.

(ii) *Documentation*

The documentation provisions of 5.4 apply. The proper shipping name assigned to the packaging waste or mixture of packaging wastes shall be "PACKAGING WASTES, EMPTY, UNCLEANED" and shall be followed by the principal and subsidiary risks taking account of all the principal and subsidiary risks presented by the packaging waste or mixture of packaging wastes.

NOTE: It is not required to indicate the total quantity of each different packaging waste (see 5.4.1.1.6.1).

(iii) *Labelling of packages*

The labels corresponding to each principal and subsidiary risk inherent to each packaging waste which is carried, shall be affixed to the package, even if not shown in Column (5) of Table A of Chapter 3.2.

(iv) *Rules of carriage:*

Empty uncleaned packaging wastes shall be packed and carried as follows :

- In flexible IBCs for Packing Group II and of types 13H3, 13H4 or 13H5, or in bags for Packing Group II and of types 5H3 or 5H4, contained in overpacks with rigid side walls and able to withstand the loadings encountered during handling and carriage of the waste;
- In rigid IBCs for Packing Group II;
- In bulk, in sheeted vehicles, closed containers or large sheeted containers, all having rigid side walls and being leakproof or rendered leakproof thanks to an appropriate material that is thick enough and placed inside.

NOTE 1: It is allowed to carry those uncleaned packaging wastes together with other non-dangerous residues or waste. The operator shall take the necessary steps before loading for preventing dangerous reactions between residues contained in the different uncleaned packaging wastes.

NOTE 2: Packaging wastes which have contained substances which could generate dangerous reactions shall be sorted out and separated from the load. It is forbidden to carry oxidising substances or substances with an oxidising subsidiary risk together with substances from another danger class.

(v) *Placarding*

Placards shall correspond to the labels required in (iii) above, even if they are not required in Column (5) of table A of Chapter 3.2."

13. In 1.1.3.5 replace "Exemptions related to empty uncleaned packagings" by "Exemptions related to empty uncleaned packagings and empty uncleaned packaging wastes".

14. Add "a)" before the current exemption text.

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