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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

Ad hoc Working Group on the Harmonization of RID/ADR/ADN
with the UN Recommendations on the Transport of Dangerous Goods

Geneva, 24-26 April 2013
Item 3 of the provisional agenda

**Conditions of carriage for UN 3509 packaging discarded,
empty, uncleaned**

Transmitted by the expert from France

Summary

Executive summary:	The proposal will harmonise the conditions of carriage of UN 3509 amongst RID/ADR/ADN contracting Parties.
Action to be taken:	Amend Chapters 3.2, 3.3, 4.1, 5.4 and 7.3.
Related documents:	Document ST/SG/AC.10/C.3/2012/85 of the 42 nd session of the Sub-Committee of Experts on the Transport of Dangerous Goods (SCETDG). Annex to the report of the 42 nd session of the SCETDG, draft amendments: document ST/SG/AC.10/C.3/2012/CRP.4/Add.3. Document INF.9 of France submitted at the Joint Meeting during its session of March 2013.

Introduction

1. During its 42nd session, the Sub-Committee of Experts on the Transport of Dangerous Goods (SCETDG) has introduced a new UN number : UN 3509 PACKAGING DISCARDED, EMPTY, UNCLEANED, assigned to Special Provision 374. This enables each competent authority to define further conditions for the carriage of this UN number.

2. The text adopted at the UN Sub-Committee cannot be implemented as such in RID/ADR/ADN. Although this group mainly aims at verifying the formal inclusion of UN text in RID/ADR/ADN, in this specific case we think it is in its remit to look at a more elaborate text using the possibility offered by the new UN number. It is indeed at the limit of its mandate, but the group could at least verify if the proposed text is formally correct and deals with all aspects that should be clarified. The final adoption will be decided by the plenary in September.

3. France proposes this document to develop the conditions of carriage of UN 3509 in the RID/ADR/ADN, based upon the decisions that have already been made by the dedicated working group that was held in Brussels on 24-25 April 2012 (see document ST/SG/AC.10/C.3/2012/85 of the 42nd session of the SCETDG), with some adaptations to the modal regulations (e.g. reference of chapters and means of filling Table A). We have as much as possible accommodated most of the comments provided by other delegations as agreed during the March session of the Joint Meeting. Some late comments made by CEFIC appear into brackets and underlined text. Some explanatory notes appear in highlighted text.

Proposal

4. Add the following new paragraph 2.1.3.10 in 2.1.3 :

“Empty uncleaned packagings, large packagings or IBC, or parts thereof, carried for disposal, recycling or recovery of their material, other than reconditioning, repair, routine maintenance, remanufacturing or reuse, shall be classified according to 4.1.1.11. They may be assigned to UN 3509 if they meet the requirements of this entry.

5. In Table A in 3.2.1, add the following new entry (see also this table in Annex of this document):

UN No.	Name and description	Class	Labels	Special provisions	Limited and excepted quantities		Packaging			Port. tank & bulk		Transport category (Tunnel restriction)	Special provisions for carriage				Hazard identification No.	
					Packing instructions	Special packing provisions	Mixed packing provisions	Instructions	Special provisions	Packages	Bulk		Loading, unloading and	Operation				
(1)	(2)	(3a)	(5)	(6)	(7a)	(7b)	(8)	(9a)	(9b)	(10)	(11)	(15)	(16)	(17)	(18)	(19)	(20)	
3509	PACKAGING DISCARDED, EMPTY, UNCLEANED	9	(see also Special Provision XYZ)	XYZ	0	E0	P003 LP02	RRxy LLxz Llyz		BK2		4 (E)		VC2 AP10				90

EXPLANATORY NOTES, not part of the proposition :

– Labels (Column 5) : a delegation suggests to add “9”. Indeed this might clarify, and a reference to SP XYZ could clarify even more.

– Special packing provisions (Column 9a) : a delegation points out that using “PPxy”, “Lxy” or “Lyz” might be confusing in case the UN Recommendations uses the same references for different provisions. Therefore it is more relevant to use specific RID/ADR/ADN references, such as “RRxy”, “LLxz” and “LLyz”.

– Instructions for carriage in bulk (Columns 10 and 17) : the text adopted by the UN Sub-Committee is now adapted to the Modal Regulations.

– Transport category (Column 15) : during the March 2013 session of the Joint Meeting most delegations that expressed their opinions were in favour of transport category 4 like other empty, uncleaned packagings, given that the goods carried here are

mostly empty packagings (presenting an important volume but very small quantities of dangerous residues, not likely to rise above 333kg, let alone 1000kg).]

6. Add special provision XYZ in 3.3.1 as follows:

[EXPLANATORY NOTE, not part of the proposition : Some delegations suggested that instead of having SP 374 together with a new SP XYZ, we could have a unique SP XYZ which would start with the contents of SP 374 without the phrase "as authorized by the competent authority", which seems to be a lighter solution.]

"XYZ

This entry may only be used for packagings, large packagings or intermediate bulk containers (IBC), or parts thereof, which have contained dangerous goods, other than radioactive material, which are carried for disposal, recycling or recovery of their material, other than reconditioning, repair, routine maintenance, remanufacturing or reuse, and which have been emptied to the extent that only residues of dangerous goods adhering to the packaging parts are present when they are handed over for carriage.

Scope

Residues present in the packagings discarded, empty, uncleaned shall only be of dangerous goods of Classes 3, 4.1, 5.1, 6.1, 8 or 9. In addition, they shall not be:

- Substances assigned to packing group I or that have "0" assigned in Column (7a) of Table A of Chapter 3.2, or;

- Substances classified as desensitized explosive substances of Class 3 or 4.1, or;

- Substances classified as self-reactive substances of Class 4.1, or

- Asbestos (UN 2212 and UN 2590), polychlorinated Biphenyls (UN 2315 and UN 3432) and polyhalogenated Biphenyls or polyhalogenated Terphenyls (UN 3151 and UN 3152).

General Provisions:

Packagings discarded, empty, uncleaned with residues presenting a risk or a subsidiary risk of Class 5.1 shall not be packed together with other packagings discarded, empty, uncleaned, or loaded together with other packagings discarded, empty, uncleaned in the same bulk container.

In addition to the provisions of Chapter 5.2, packages containing packagings discarded, empty, uncleaned shall bear all the labels corresponding to the risks or subsidiary risks related to each residue.

[In addition to the provisions of Chapter 5.3, all the placards corresponding to the risks or subsidiary risks related to each residue shall be affixed to the [transport unit containing/containers loaded with] the packagings discarded, empty, uncleaned.]

[EXPLANATORY NOTE, not part of the text of the special provision : During the March 2013 session of the Joint Meeting, most delegations that expressed their opinions were in favour of the indication of placards. CEFIC in a later comment document proposes to refer to containers instead of transport units(see underlined text)]

Sorting procedures shall be implemented on the loading site to ensure compliance with the provisions applicable to this entry. [The documents relating to these sorting procedures shall be made available to the competent authority upon request. / The transport document shall provide information on the sorting procedure]"

[EXPLANATORY NOTE, CEFIC proposes an alternative text requiring an information in the transport document. The intention is probably aiming at a simplification however we

would like to recall that such provision have been deleted from the regulation because they usually led to infringement consisting only of the missing declaration without anything else being wrong. There must be some misunderstanding about the initial text that simply means that information on the procedures shall be available to authorities for checks.

7. Add a NOTA under existing paragraph 4.1.1.11 as follows :

“NOTA : Empty, uncleaned packagings, large packagings or IBCs, or parts thereof, carried for disposal, recycling or recovery of their material, other than reconditioning, repair, routine maintenance, remanufacturing or reuse may be assigned to UN 3509 and carried in accordance with the corresponding provisions if they meet the requirements of this entry.

8. Add a special packing provision PPxy to packing instruction P003 in 4.1.4.1 as follows:

“RRxy

[EXPLANATORY NOTE , in this packing instruction and the following the word rigid is kept in square brackets. CEFIC proposes to allow the use of flexible packagings because outside the usual waste management business some CEFIC members are shipping small quantities of packaging waste having contained solids only and mostly consisting in flexible packagings (bags big bags). It is recalled however that most of the competent authorities thought the use of flexible packagings in general was unsafe. Maybe an intermediate solution may be found by authorising them for packaging wastes having contained solids only as residues as these are in general allowed in flexible packaging anyway. If the group agrees text could be developed in that direction.

For UN 3509, [rigid] 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 provided the packaging has a means of retaining any free liquid that might escape during carriage, e.g. absorbent material.

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

Packagings intended for the carriage of packagings discarded, empty, uncleaned with residues of Class 5.1 shall be so constructed or adapted that the goods cannot come into contact with wood or any other combustible material.”

9. Add two special packing provisions Lxz and Lyz to packing instruction LP02 in 4.1.4.3 as follows:

“LLxz

For UN 3509, [rigid] large packagings 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 provided the large packaging has a means of retaining any free liquid that might escape during carriage, e.g. absorbent material.

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

Large packagings intended for the carriage of packagings discarded, empty, uncleaned with residues of Class 5.1 shall be so constructed or adapted that the goods cannot come into contact with wood or any other combustible material.

Note: IBCs which only conform to the construction requirements of 6.5.5 may be accepted for the carriage of packagings discarded, empty, uncleaned provided they additionally conform to the requirements of this special packing provision Lxz.”

and:

“LLyz

For UN 3509, large packagings are not required to meet the requirements of 4.1.1.3 and 6.6”.

10. Add a new 7.3.2.9 in 7.3.2 as follows:

“7.3.2.9 *Goods of Class 9*

7.3.2.9.1 For UN 3509, only closed bulk containers (code BK2) may be used. Bulk containers shall be made leak tight or fitted with a leak tight and puncture resistant sealed liner or bag, and shall have a means of retaining any free liquid that might escape during carriage, e.g. absorbent material. Packagings discarded, empty, uncleaned with residues of Class 5.1 may be carried in bulk containers which have been so constructed or adapted that the goods cannot come into contact with wood or any other combustible material”.

11. In 7.3.3.2.7 add a new AP10 as follows

AP 10 Containers, vehicles and bulk containers shall be made leak tight or fitted with a leak tight and puncture resistant sealed liner or bag, and shall have a means of retaining any free liquid that might escape during carriage, e.g. absorbent material. Packagings discarded, empty, uncleaned with residues of Class 5.1 may be transported in vehicles, containers and bulk containers which have been so constructed or adapted that the goods cannot come into contact with wood or any combustible material”

12. Add a new 5.4.1.1.19 in 5.4.1.1 as follows:

“5.4.1.1.19 Special provision for UN 3509 PACKAGING DISCARDED, EMPTY, UNCLEARED

For packagings discarded, empty, uncleaned, the proper shipping name specified in 5.4.1.1.1 (b) shall be complemented with the words “(WITH RESIDUES OF [...])” followed by the Class(es) and subsidiary risk(s) corresponding to the residues, in the Class numbering order. Moreover, 5.4.1.1.1 (f) does not apply.

For example, packagings discarded, empty, uncleaned having contained goods of Class 4.1 packed together with packagings discarded, empty, uncleaned having contained goods of Class 3 with a Class 6.1 subsidiary risk should be referred in the transport document as:

“UN 3509 PACKAGINGS DISCARDED, EMPTY, UNCLEARED (WITH RESIDUES OF 3, 4.1, 6.1), 9”.

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