



**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****Fifty-third session**

Geneva, 25 June-4 July 2018

Item 3 of the provisional agenda

Listing, classification and packing**Proposal to amend special provision 375 as it applies to UN
Nos. 3077 and 3082 (Environmentally Hazardous Substances)****Submitted by the Dangerous Goods Advisory Council (DGAC) and the
Council for the Safe Transport of Hazardous Articles (COSTHA)*****Introduction**

1. At the forty-second session (2012) of the Sub-Committee, a new special provision (SP 375) was adopted. The special provision exempts small packages containing environmentally hazardous substances (UN Nos. 3077 and 3082) from the provisions of the Regulations other than the general packaging requirements. The decision to adopt SP 375 was based on the results of discussions during an intersessional working group on this topic.
2. The questions that were considered by the intersessional working group are as follows:
 - Identify and compare approaches used in current national, regional and modal regulations with respect to the transport of small quantities of packaged environmentally hazardous substances.
 - Consider current industry practices and applications with regards to transport of packages containing small quantities of environmentally hazardous substances, and outline the impact that the implementation of the aquatic toxicity criteria based on the Globally Harmonized System of Classification and Labelling of Chemicals (GHS) has had within the transport regime.
 - Consider the current provisions for the transport of packages containing small quantities of environmentally hazardous substances and their applicability based on the risk posed in transport; work to identify where improvements to the current system could be made to address the concerns raised by interested parties that maintain transport safety.

* In accordance with the programme of work of the Sub-Committee for 2017–2018 approved by the Committee at its eighth session (see ST/SG/AC.10/C.3/100, paragraph 98 and ST/SG/AC.10/44, para. 14).

- Include, as appropriate, amendments to SP375 agreed in principle by the Sub-Committee at its forty-second session.

3. The intersessional working group developed the proposal (ST/SG/AC.10C.3/2012/93) which was agreed by the Sub-Committee at its forty-second session. At that time, the expert from the United States of America indicated that a number of participants in the correspondence working group had expressed a wish to continue work in the subsequent bienniums to further facilitate the transport of UN Nos. 3077 and 3082. The Sub-Committee therefore decided to include it in its programme of work.

4. Industry is unaware of any transport incidents involving small packages of UN Nos 3077 and 3082 having occurred since the introduction and application of SP 375 in the 2015 model regulations. However, the quantity limits of 5 kg and 5 L greatly limit the application and utility of the special provision. Supply chain constraints typically require the use of single packages of 25 L/kg to 30 L/kg for efficient distribution and use of products. Limiting the quantity to 5 L and 5 kg requires the transport and use of up to six times the number of packages as proposed in this working paper. This increases the possibility of an incident and also results in a substantially greater volume of waste requiring specialized disposal being generated.

Proposal

5. In Chapter 3.3, amend special provision 375 to read as follows:

“These substances when transported in single or combination packagings containing a net quantity per single or inner packaging of ~~5 L~~ [30 L] or less for liquids or having a net mass per single or inner packaging of ~~5 kg~~ [30 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.”.

Justification

6. The proposed revision to packaging size will not adversely affect safety. The substances have a very low hazard. We are not aware that any transport incidents have been reported with these small packages and the applicable packaging standard is maintained. Additionally the amendment will greatly facilitate the transport of these packages worldwide with the effect of simplifying manufacture, distribution and usage of the products.