

## Economic Commission for Europe

### Inland Transport Committee

15 January 2018

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

English

#### Joint Meeting of Experts on the Regulations annexed to the European Agreement concerning the International Carriage of Dangerous Goods by Inland Waterways (ADN) (ADN Safety Committee)

#### Thirty-second session

Geneva, 22 - 26 January 2018

Item 5 (b) of the provisional agenda

#### Proposals for amendments to the regulations annexed to the ADN: other proposals

## Proposed amendment to 2.1.3.5.5 in INF.6

### Transmitted by the European Commission

#### *Summary*

**Executive summary:** A new amendment to 2.1.3.5.5 was proposed at the last session of the RID/ADR Joint meeting. The reference to the basic Directive does not need to be removed, but the current wording in 2017 ADN could be amended.

**Reference documents:** INF.6 (WP.15/AC.2 - December 2017), ECE/TRANS/WP.15/AC.1/148/Add.1 (Joint Meeting - September 2017), ECE/TRANS/WP.15/239 (WP.15, November 2017)

## Introduction

1. At the last session of the Joint Meeting, the following amendment was adopted between brackets:

[2.1.3.5.5 Amend the footnote 2 to read as follows:

*“2 Such legislation is for instance the Commission Decision No 2014/955/EU of 18 December 2014 amending Decision 2000/532/EC on the list of waste pursuant to Directive 2008/98/EC of the European Parliament and of the Council (Official Journal of the European Union No. L 370 of 30 December 2014, pages 44 to 86) and Commission Regulation (EU) No 1357/2014 of 18 December 2014 replacing Annex III to Directive 2008/98/EC of the European Parliament and of the Council on waste and repealing certain Directives (Official Journal of the European Union No. L 365 of 19 December 2014, pages 89 to 96).”]*

(Reference document: informal document INF.21)

2. The proposed text aims to update the reference with the latest adopted legal instruments concerning wastes, but it also excludes references to basic acts.

3. The documents that are contained in the amendment are only partial amendments to the basic acts, as follows:
  - [Commission Decision \(EU\) 2014/955](#) amends through its Annex the list of wastes referred to in article 7 of Directive 2008/98/EC;
  - [Commission Regulation \(EU\) 1357/2014](#) replaces Annex III to Directive 2008/98/EC – Properties of wastes which render it hazardous.
4. The correct way of referring to EU legislation is making reference to the basic act, with its entire title, adding then "as amended"
5. [Commission Decision 2000/532/EC](#) and [Directive 2008/98/EC](#) are the basic acts on wastes in the EU legislation. It is therefore proposed that the reference to these legal instruments be kept, adding a mention that the latest version in force applies.
6. The same correction to the proposed amendment to 2.1.3.5.5 in ADR was adopted during the 103rd session of WP.15 in November 2017 (INF. 14 of the European Commission, see V.B.1 of document ECE/TRANS/WP.15/239, page 6).

## Proposal

7. Amend the footnote 2 to section 2.1.3.5.5, as follows (new text is bold and underlined):

<sup>2</sup> *Such legislation is for instance the Commission Decision 2000/532/EC of 3 May 2000 replacing Decision 94/3/EC establishing a list of wastes pursuant to Article 1(a) of Council Directive 75/442/EEC on waste and Council Decision 94/904/EC establishing a list of hazardous wastes pursuant to Article 1(4) of Council Directive 91/689/EEC on hazardous wastes (Official Journal of the European Communities No. L 226 of 6 September 2000, page 3), **as amended**; and Directive 2008/98/EC of the European Parliament and of the Council of 19 November 2008 on waste and repealing certain Directives (Official Journal of the European Union No. L312 of 22 November 2008, pages 3-30), **as amended**."*

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