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Inland Transport Committee

Working Party on the Transport of Dangerous Goods

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-fifth session

Geneva, 26-30 August 2019

Item 3 (c) of the provisional agenda

Implementation of the European Agreement concerning the International Carriage of Dangerous Goods by Inland Waterways (ADN): interpretation of the Regulations annexed to ADN

Substances with 60 °C < Flash Point ≤ 100 °C and Environmentally Hazardous Substance (EHS) classified under UN No. 3082 or ID 9003

Transmitted by the European Chemical Industry Council (CEFIC)

Summary

Executive summary:	Based on paragraph 2.1.3.5.4 of Chapter 2.1 – applicable to determine the hazard class and within each class the appropriate UN number - if hazard characteristics of the substance are such that the substance can be assigned to a UN number or an identification number (ID), then the UN number shall take precedence.
Action to be taken:	In paragraph 9, the Safety Committee is requested to give the correct interpretation.
Related documents:	ECE/TRANS/WP.15/AC.2/2011/20 ECE/TRANS/WP.15/AC.2/40 (paragraph 8) ECE/TRANS/WP.15/AC.2/40/Add.1 ECE/TRANS/WP.15/AC.2/42

Introduction

1. The use of UN No. 3082, ENVIRONMENTALLY HAZARDOUS SUBSTANCE, LIQUID, N.O.S. is under discussion since last year in the Netherlands. During 2018, the classification of liquid substances with flash-point above 60 °C and below/equal to 100 °C

and considered Environmentally Hazardous Substance (EHS) is being questioned, arguing that ID 9003 should be used in this case instead of UN No. 3082.

2. Based on paragraph 2.1.3.5.4 of Chapter 2.1 – applicable to determine the hazard class and, within a class to select the appropriate UN or ID number – if hazard characteristics of the substance are such that the substance can be assigned to a UN number or an identification number (ID), then the UN number shall take precedence.

3. Therefore, in the case above as both UN No. 3082 and ID 9003 belongs to Class 9, UN No. 3082 shall take precedence over ID 9003.

Arguments to request formal interpretation on the classification of Substances with flash-point above 60 °C and below/equal to 100 °C and EHS

4. On May 31, 2011, the Belgium delegation submitted working document ECE/TRANS/WP.15/AC.2/2011/20 on the classification criteria of substances with more than one hazard. Particularly, the document outlined the need to clarify the order of precedence to be followed for classification of substances having flashpoint between 60 °C and 100 °C and with an additional environmental hazard;

5. During the August 22-25, 2011 session, working document ECE/TRANS/WP.15/AC.2/2011/20 was discussed. The Safety Committee discussed on the proposal and considered that classification under UN Numbers (including UN Nos. 3077 & 3082) should take precedence over classification under identification numbers specified to ADN (for example, Nos. 9000 to 9006) and that such principle should be reflected in section 2.1.3 of ADN 2013 Revision. On the other hand, the Safety Committee supported the view of Belgium that identification No. 9003 should take precedence over Nos. 9005 and 9006 (*ECE/TRANS/WP.15/AC.2/40 and Add.1*);

6. During the twentieth session (January 23-27, 2012), the ADN Safety Committee agreed to adopt this proposal on the precedence of UN numbers (including UN Nos. 3077 & 3082) over ID numbers specified to ADN and this came into force effective in 1st January 2013 (*ECE/TRANS/WP.15/AC.2/42*);

7. Currently, in ADN 2019:

- **Paragraph 2.1.3.5.4** of Chapter 2.1 mentions criteria explained above;
- **Paragraphs 2.2.9.1.10.1 and 2.2.9.1.10.2** provide guidance to classify substances under UN No. 3082, UN No. 3077, ID 9005 or ID 9006 based on their environmental hazards and category; and
- **Paragraph 2.2.9.1.14** clarifies that ID 9003 applies for substance carriage in tank vessel or bulk with a FP more than 60 °C and less than 100 °C but which cannot be assigned to another class or another entry of Class 9.

8. But, some discrepancies continue being faced within the industry with respect to the appropriate classification to be assigned to those substances with a FP more than 60 °C and less than 100°C and also EHS (UN No. 3082 vs ID 9003).

Request to the ADN Safety Committee

9. CEFIC invites the ADN Safety Committee to take note of the different interpretations which exist regarding the classification of this type of substances and to provide a formal ADN interpretation and appropriate criteria to apply for classifying substances with 60 °C < flash-point ≤ 100 °C and EHS (e.g.: keep criteria already adopted with respect to the precedence of UN number over ID identification numbers (UN No. 3082 over ID 9003)).