
Economic Commission for Europe**Inland Transport Committee**

11 January, 2019

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)****Thirty-fourth session**

Geneva, 21-25 January 2019

Item 4 (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

Request for interpretation: Heavy Heating Oil as UN 3082 or UN 1202**Transmitted by FuelsEurope***Summary*

Executive summary:	The Safety Committee introduced a specific entry in Table C for Heavy Heating Oil as UN 3082 in 2013. However, it appears that other ways of classifying HFO, leading to an assignment under UN 1202, are being pursued.
Action to be taken:	In paragraph 3, the Safety Committee is requested to give the interpretation.
Related documents:	ECE/TRANS/WP.15/AC.2/2011/39 of the nineteenth session; ECE/TRANS/WP.15/AC.2/40 of the nineteenth session (par. 22-24 and 27) ECE/TRANS/WP.15/AC.2/2012/5 of the twentieth session; ECE/TRANS/WP.15/AC.2/42 of the twentieth session (Annex I, p.15/16).

I. Introduction

1. The discussion on the use of the code UN 3082, HEAVY HEATING OIL has been ongoing for a couple of years in the Netherlands. During 2018, the classification of Heavy Heating Oil as UN 1202 is being pursued, leading to discussions. Our industry is of the opinion that due to the specific entry in Table C introduced by the Safety Committee in 2013 HEAVY HEATING OIL should be further handled as UN 3082. A practise used since many years: HEAVY HEATING OIL as UN 3082 ENVIRONMENTALLY HAZARDOUS SUBSTANCE, LIQUID (HEAVY HEATING OIL), 9 + CMR, (N1, N2, F or S), III.

II. Arguments to maintain the classification of HEAVY HEATING OIL as UN 3082

2. FuelsEurope is of the opinion that the history leading to the decision was reached to include a specific entry for HEAVY HEATING OIL should be considered, meaning:

(a) On June 10, 2011, the German delegation submitted a working document on heavy fuel oil, for discussion during the nineteenth session of the Joint Meeting of Experts. The document outlines the fundamental classification issues and the outcome of these discussions, where emphasis was put on the aquatic properties of Heavy Heating Oil;¹

(b) During the August 22-25, 2011 session, working document 2011/39 is discussed. It was noted that Heavy Fuel Oils are complex mixtures that meet the criteria for pollution in the aquatic environment and that they could be classified as N1, N2, or N3. The Informal Working Group Substances receives the mandate to investigate further and to come up with a proposal under which conditions HFOs can be transported;²

(c) On October 13, 2011, the Informal Working Group Substances discusses the conditions and agrees to propose a new entry for Heavy Fuel Oil under UN 3082, to be discussed during the twentieth session of the Joint Meeting of Experts. 3) ILT is a participant of this IWG Substances meeting;³

(d) During the twentieth session (January 23-27, 2012), the ADN Safety Committee agrees to adopt the proposals of the informal Working Group Substances on HFO as UN 3082 and these will come into force effective ADN 2013;⁴

(e) In ADN 2013, the following entry for HEAVY HEATING OIL appears in Ch. 3, table C and is still in place today:

3082	ENVIRONMENTALLY HAZARDOUS SUBSTANCE; LIQUID, N.O.S. (HEAVY HEATING OIL)	9	M6	III	9+CMR (N1, N2, F or S)	N	2	3		10	97		3	yes		no	PP	0	
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III. Request to the ADN Safety Committee

3. FuelsEurope invites the ADN Safety Committee to take note of the different interpretations which exist regarding the classification of HEAVY HEATING OIL and to clarify whether the existing entry under UN 3082 should be continued to be used, or that changes to are required (e.g. other classification code).