

Multilateral Agreement M 172
under section 1.5.1 of ADR
on the carriage of certain wastes containing dangerous goods

1 Introduction

- 1.1 This Agreement shall apply only in connection with the collection and carriage of wastes in line with the applicable waste legislation framework.
- 1.2 By derogation from the provisions of ADR, the carriage of wastes which are dangerous goods or which contain dangerous goods is allowed under the conditions of sections 2 to 7 below.
- 1.3 This Agreement shall not apply to the carriage of wastes of classes 1, 6.2 and 7.

2 Classification

2.1 Simplified Assignment

2.1.1 Where

- a) a reliable and significant documentation of the waste is not available; and
- b) the production process from which the waste comes is unknown or in its results too variable with regards to its results; and
- c) a testing on sight is not possible or only possible with disproportionately high costs and effort; and
- d) no assignment can be made on the basis of experience (e.g. according to standards),

the assignment of wastes shall be carried out by means of simple test-methods, e.g. the odour of residues, taking into consideration of the origin and likelihood.

- 2.1.2 An assignment which takes the highest probable danger (over-classification) into account is permitted. This also applies to assignment as a liquid substance, if appearance of a liquid phase cannot be excluded.
- 2.1.3 An approach in accordance with section 2.1.4 ADR is acceptable.

2.2 Admixture of other material by mistake

- 2.2.1 Where, according to ADR, wastes are assigned to a UN number or are not subject to the provisions of ADR, an admixture by mistake of items of a waste with a different classification need not be taken into account if no dangerous reaction and no essential impact on the degree of danger of the total load is to be expected from the admixed material.

2.3 Medicines

Special provision 601 of Chapter 3.3 of ADR shall also apply to wastes of medicines (UN 1851, UN 3248, UN 3249) if they are no longer packed in packagings of a type intended for retail sale or distribution.

3 Packaging

- 3.1 The packagings [including intermediate bulk containers (IBCs) or large packagings] specified in Table A of Chapter 3.2 for the relevant UN number shall be used.
- 3.2 For the following wastes, packagings [including intermediate bulk containers (IBCs) or large packagings] which have expired or have not been tested may also be used if their condition, contents and manner of carriage do not endanger the compliance with the protection provisions of section 4.1.1 of ADR:
 - a) Dangerous wastes of Packing Group III.

- b) Dangerous wastes of Packing Group II, which correspond to the wastes defined in the table in the Annex to this Agreement according to their description and UN number.

4 Carriage in bulk

- 4.1 Wastes of UN 1950 AEROSOLS of all classification codes with residue contents and also without caps may be carried in bulk with adequate ventilation.
- 4.2 Wastes of UN 3175 SOLIDS CONTAINING FLAMMABLE LIQUID, N.O.S. may be carried in bulk in closed or sheeted vehicles and closed or sheeted containers with adequate ventilation.

5 Marking of packages

The provisions of chapter 5.2 of ADR on marking of packages shall apply with the following derogations:

- 5.1 The labels may be attached to the package as prescribed in 5.2.2.1.6 ADR, last sentence, including in such cases, where the requirements specified in the provision referred to are not met.
- 5.2 The marking indicating the UN number may also appear in the lower half of the danger label.

6 Information in the dangerous goods transport document

The provisions of section 5.4.1 of ADR on the information in the transport document shall apply with the following derogations:

- 6.1 Where for a UN-number the proper shipping name has to be supplemented with the technical name, this requirement may be dispensed with if the proper waste name is evident from the consignment note according to waste legislation.
- 6.2 The quantity of dangerous goods according to 5.4.1.1.1 (f) may be estimated.
- 6.3 For empty means of containment according to 5.4.1.1.6, a sufficient distinctive general description of the dangerous load or of a part of it concerned may be indicated instead of specifications according to 5.4.1.1.1 (e), without indicating the number of items.

7 Other Provisions

All other relevant provisions of ADR shall apply.

8 Scope

This agreement shall apply to transport between the Contracting Parties to ADR, which have signed this agreement up to 1st August 2010 unless it is revoked before that date by at least one of the signatories, in which case it shall remain applicable only for transport between the Contracting Parties to ADR which have signed but have not revoked this agreement, on their territory, up to that date.

Done in Vienna, 4th August 2005

The competent authority for ADR
in the Republic of Austria:
Dr. Gustav KAFKA

ANNEX – Table according to 3.2 b) of the Agreement

The facilitating provisions according to 3.2 b) of this Agreement may be used only for wastes which comply with the entries of this table			
Description of the waste	EWC	UN-No.	Name according to ADR
Acids and acid-mixture with custom-designed constituents	060106 060704 080316 110105 110106 110115 190808 200114	3264	CORROSIVE, LIQUID, ACIDIC, INORGANIC, N.O.S.
Cleaner solvent	110113 140603 200113	1993	FLAMMABLE, LIQUID, N.O.S.
Cleaning agent; marked as flammable, corrosive and less toxic	200129	3286	FLAMMABLE LIQUID, TOXIC, CORROSIVE, N.O.S.
Filter materials, filters bags with custom-designed dangerous constituents, predominantly inorganic	150202	3088	SELF-HEATING SOLID, ORGANIC, N.O.S.
Lacquer- and paint sludge and paint- and lacquer dilution; solvent based (liquid phase is possible)	080113 080114 080118 080119	1263	PAINT
Lacquers and paint, solvent based and/or containing heavy-metals and not completely cured residues in packagings	080111 080119 200127	1263	PAINT
Liquors and liquors mixture with custom-designed constituents	080121 090121 110107 110115 190807 190808 200115	3266	CORROSIVE, LIQUID, BASIC, INORGANIC, N.O.S
Oily wastes from garages	150202	3175	SOLIDS CONTAINING FLAMMABLE LIQUID, N.O.S.
Packagings with corrosive contents, liquid	150110	3244	SOLIDS CONTAINING CORROSIVE LIQUID, N.O.S.
Packagings with corrosive contents, solid	150110	1759	CORROSIVE SOLIDS, N.O.S.
Packagings with dangerous impurities, predominantly organic	150110	3175	SOLIDS CONTAINING FLAMMABLE LIQUID, N.O.S.
Packagings with dangerous impurities, predominantly organic	150110	1325	FLAMMABLE SOLID, ORGANIC, N.O.S.
Packagings with toxic contents, liquid	150110	3243	SOLIDS CONTAINING TOXIC LIQUID, N.O.S.
Packagings with toxic contents, solid	150110	2588	PESTICIDE, SOLID, TOXIC, N.O.S
Packagings with toxic contents, solid	150110	2811	TOXIC SOLID ORGANIC, N.O.S
Packagings with toxic contents, solid	150110	3288	TOXIC SOLID INORGANIC, N.O.S
Pesticides and insecticides	200119	3021	PESTICIDE, LIQUID, FLAMMABLE, ORGANIC, TOXIC, N.O.S.

Continuation of the table

Description of the waste	EWC	UN-No.	Name according to ADR
Petroleum	070104 070204 070304 070404 070505 070604 070704 130703 140603 200113	1268	PETROLEUM DESTILLATES, N.O.S. or PETROLEUM PRODUCTS, N.O.S.
Resin residues, non cured	080409 080411 101013 100913 160305 200127	1866	RESIN SOLUTION
Solvent based mixtures without halogenated compounds	070104 070204 070304 070404 070504 070604 070704 140603 160114 160115 190208 200113	1993	FLAMMABLE, LIQUID, N.O.S.
Solvent based mixtures, halogenated	070103 070203 070210 070303 070403 070503 070603 070703 140602 160114 190208 200113	1992	FLAMMABLE, LIQUID, TOXIC, N.O.S.
Solvent based sludges, halogenated	040103 070107 070207 070307 070407 070507 140604 190209	1992	FLAMMABLE, LIQUID, TOXIC, N.O.S.
Solvent based sludges, non halogenated (liquid phase possible)	040103 070107 070208 070308 070508 140605 190209	1993	FLAMMABLE, LIQUID, N.O.S.
Solvent based solids or mixture of solids without halogenated compounds (self inflammable)	070110 070210 070310 070410 070510 070610 070710 140605 150202	3175	SOLIDS CONTAINING FLAMMABLE LIQUID, N.O.S.