

ECONOMIC COMMISSION FOR EUROPE

INLAND TRANSPORT COMMITTEE

Working Party on the Transport of Dangerous Goods

Joint Meeting of the RID Committee of Experts and the
Working Party on the Transport of Dangerous Goods

Bern, 8-11 September 2009 and
Geneva, 14-18 September 2009

**HARMONIZATION WITH THE UN MODEL REGULATIONS
ON THE TRANSPORT OF DANGEROUS GOODS**

Dangerous goods packed in limited quantities

Note by the secretariat

1. Reference is made to ECE/TRANS/WP.15/AC.1/2009/16, paras. 33-36, and ECE/TRANS/WP.15/AC.1/2009/28.

2. During the first week of the Joint Meeting session in Bern, the representative of FEA submitted informal document INF.42, proposing inter alia that the current logic of Chapter 3.4 of RID/ADR/ADN should be maintained, i.e. that, rather than mentioning those parts, sections or paragraphs of ADR/RID/ADN which are not applicable in accordance with the UN Model Regulations Chapter 3.4 of RID/ADR/ADN, should only mention those which are applicable. Apart from those paragraphs which are currently mentioned in chapter 3.4 of RID/ADR/ADN, FEA proposes to add Chapter 1.3 and Part 2.

3. However, the secretariat believes that other parts and sections of RID/ADR/ADN should apply as well, in particular:

Part 1;
Part 3 (notably Table A of Chapter 3.2)
Chapter 6.2, as relevant
Chapter 7.1

When those parts or chapters do not apply to limited quantities, this is already mentioned (see e.g. 1.1.3.6.5 and 1.8.3.2 (a)).

4. Nevertheless, in order to take account of the concerns raised by FEA, the secretariat proposes the following changes to ECE/TRANS/WP.15/AC.1/2009/28:

(a) In the fourth sentence of 3.4.1, insert “and 5.3” after “Chapter 1.10”;

(b) In 3.4.7, amend the beginning to read:

“Except for air transport, packages containing dangerous goods in limited quantities need not be labelled nor marked in accordance with the provisions of Chapters 5.1 and 5.2 nor the special provisions of Chapter 3.3, but shall bear the marking shown below. (remainder unchanged).

5. FEA proposes also to maintain the current provisions of Chapter 3.4 of RID/ADR/ADN which could be applied as an alternative to the provisions of the UN Model Regulations. In this respect, the secretariat recalls that document ECE/TRANS/WP.15/AC.1/2009/28 was prepared by the secretariat according to the directions given by the Ad hoc Working Group on the harmonization of RID/ADR/ADN with the UN Recommendations on the Transport of Dangerous Goods, and in particular the following principles:

- (a) The new UN marking for limited quantities should be applied as soon as possible when the quantities per inner packaging are the same as those in the UN Model Regulations;
- (b) In this case, transitional measures beyond the usual 6-month general transitional period were not deemed necessary;
- (c) The application of the current RID/ADR/ADN provisions could be accepted, but only for quantity limits per inner packagings above those accepted in the UN Model Regulations, and only for a limited period of time. It would not be acceptable to use the new UN marking for limited quantities if the packages did not meet the conditions prescribed in the UN Model Regulations. Should the industry wish to continue to offer for shipment packages of dangerous goods packed in limited quantities in greater amount per inner packagings, proposals to amend the limits should be submitted to the UN Sub-Committee of Experts.

6. During the first week of the Joint Meeting session, the representative of FEA said that the general 6-month transitional period would not be sufficient because stocks of packages marked with the current provisions of RID/ADR/ADN before 1 January 2011 would not be completely depleted by 30 June 2011. Should the Joint Meeting concur with the views of FEA in this respect, the secretariat proposes the following transitional provision to be included in Chapter 1.6:

“... Packages containing dangerous goods packed in limited quantities may continue, until 31 December 2011, to be marked and carried in accordance with the provisions of Chapter 3.4 applicable until 31 December 2010. Such packages, marked and prepared for transport before 1 January 2011 may continue to be carried after 31 December 2010.”

7. The texts placed between square brackets by the secretariat require consideration and decision by the Joint Meeting, as follows:

Paragraph 3.4.1: The secretariat believes that the chapters/sections placed between square brackets should not apply to the carriage of dangerous goods in limited quantities, but confirmation by the Joint Meeting or WP.15 is needed;

Paragraph 3.4.2: The UN Model Regulations state that the packagings shall meet the provisions of 4.1.1.1, 4.1.1.2 and 4.1.1.4 to 4.1.1.8. However paragraph 3.4.1 states that all other provisions of the Model Regulations apply. The secretariat believes that this is a mistake in the UN Model Regulations which should state clearly that the other provisions of chapters 4.1 and 6.1 do not apply. Therefore the secretariat suggests to include the text placed in square brackets and to inform the UN Sub-Committee of experts accordingly.

Paragraph 3.4.4: FEA indicates rightly that this paragraph is not included in the IMDG Code,^{*} and the current RID/ADR/ADN. However the secretariat notes that it is included in the UN Model Regulations, in the ICAO TI, and possibly in national inland transport regulations of non-european countries which apply the UN Model Regulations. Therefore, the secretariat believes that if the Joint Meeting decided not to include this paragraph in RID/ADR/ADN, a proposal should be submitted to the UN Sub-Committee of Experts with a view to deleting this paragraph or to associating it to air transport only.

Section 3.4.10: The secretariat believes that sections 5.4.3 and 5.4.4 should not apply to the carriage of dangerous goods in limited quantities.

Section 3.4.15: FEA argues rightly that a special marking “LTD QTY” is currently applicable for cargo transport units containing dangerous goods packed in limited quantities. Nevertheless, and although there are no provisions in this respect in the UN Model Regulations, the secretariat believes that, in the long term, this marking could be replaced by a placard reflecting the UN limited quantities which could be used, with a transitional period allowing the current marking LTD QTY. The Joint meeting may wish to note that the IMO E/T Group also agreed to use the enlarged mark for maritime transport (DSC 14/3, paragraph 3.1.13).

* It disappeared during the restrictions of the IMDG Code, as this requirement was applicable in previous versions (section 18 of the General Introduction of the IMDG Code).