

Economic Commission for Europe**Inland Transport Committee****Working Party on the Transport of Dangerous Goods****15 March 2012****Joint Meeting of the RID Committee of Experts and the****Working Party on the Transport of Dangerous Goods**

Bern, 19–23 March 2012

Item 5 (a) of the provisional agenda

Proposals for amendments to RID/ADR/ADN:**pending issues****Carriage of empty uncleaned packaging wastes – alternative proposal to 2012/9****Comments on UK proposal in INF. 29 and on proposal 2012/9****Transmitted by the Government of the Switzerland****Introduction**

1. The advantage of the United Kingdom's text is that it does not enter in changes of the rules for classification in Chapter 2.2. This was one of our concerns in our proposals so we can adhere to the United Kingdom's approach.
2. However we still believe the option of carrying in accordance with the normal rules of classification and carriage of ADR-RID-ADN should remain possible. We should bear in mind the hard reaction of the industry (ICPP, ICCR, ICIBCA, ICDM and EMPAC) in document INF.24 during the UN Sub-committee of December to the proposal of United Kingdom. For the moment being the texts don't give the possibility to the industry to continue to carry as usual their empty packagings.
3. In this respect we find very interesting the NOTE 2 in the SP YYY of the United Kingdom's text. But the reference to the regular carriages in NOTE 2 is not sufficient. Principally because of the existence of an UN Entry UN 3XXX which is specific to the empty packaging uncleaned for disposal which is the only way to classify them according to the principles in 2.1.2. But do we really need a new UN entry?
4. Maybe the solution is there. One of the problems of our approach was that we were not sure where to introduce general rules. Section 2.3.1 is not exactly the appropriate place.
5. Another point of the United Kingdom's proposal is that it doesn't say that the packaging could not be in conformity with the ADR-RID-ADN rules. Of course when one speaks about "parts thereof" in the YYY it becomes obvious that these parts of packaging hardly could be in conformity with the ADR-RID-ADN rules. But because neither in the P9XX, IBC08, in LP9XX nor elsewhere in ADR-RID-ADN the carriage of not conforming packagins is allowed, we believe that it is better to clearly indicate in the text that packaging not being in conformity with RID-ADR-ADN can be carried.
6. We see 3 possibilities:
 - a) Carrying packaging which conform to the rules according the dangerous goods they have contained following the rules of RID-ADR-ADN. That should be the normal way of doing things. This is already solved in 4.1.1.11.

- b) Carrying empty packaging uncleaned conforming or not to the RID-ADR-ADN, or parts thereof classified according to the dangerous they have contained and carried under the conditions of carriage corresponding to the proposal of the new entry, that is applying the packing provisions, carrying in bulk, prohibition of carriage and segregation rules like those in the SP YYY and in P9xx and IBC08 Bxx.
- c) Empty packaging uncleaned conforming or not to the RID-ADR-ADN, or parts thereof being classified and carried following the rules of the new entry.
7. Another question is if it is really not possible to use normal rules of classification defined in 2.1.3.5 for this case? We are not convinced of the necessity to diverge from the normal rules. If however this is really necessary then we should admit the introduction of a new entry in class 9 as proposed in proposal 2.
8. Taking the approach of United Kingdom we have summarized the rules as follows:
Proposal 1 is the general approach without the need of a new UN entry. Proposal 2 takes account of the need of the new entry but integrates it in the structure of RID-ADR-ADN by deleting the reference to SPYYY in the table A of chapter 3.2.

Proposal 1

“4.1.1.11 Carriage of empty packagings, including IBCs and large packagings, that have contained a dangerous substance

- 4.1.1.11.1 Carriage of empty packagings, including IBCs and large packagings, that have contained a dangerous substance are subject to the same requirements as those for a filled packaging, unless adequate measures have been taken to nullify any hazard.
- 4.1.1.11.2 Alternatively to 4.1.1.11.1 empty packaging uncleaned conforming or not to the RID-ADR-ADN, or parts thereof, which is carried for the purposes of recycling or disposal other than reconditioning or reuse, and which has been emptied to the extent that only residues stuck to its internal or external walls (or part of walls) are present when it is handed over for carriage containing residues of hazard Classes 3, 4.1, 5.1, 6.1, 8 or 9 other than solids or liquids assigned to:
- Packing Group I or that have “0” assigned in Column (7a) of Table A of chapter 3.2;
 - Desensitized explosive substances of Class 3 or 4.1, or;
 - Self-reactive substances of Class 4.1;

can be carried under the following conditions:

- In packagings according to the packing instructions P9XX, IBC08 and LP9XX. The testing requirements of 6.5 are not required;
- In bulk according to Chapter 7.3 either following the codes BK1 and BK2 or following the Special provision VW10/VV10 [VV8/VwW] or [Or VV1/VW1,VV2/VW2 AP 7]
- Empty packaging uncleaned, or parts thereof, having contained a risk [or sub-risk] of Class 5.1 shall not be mixed with other empty packaging uncleaned of any other Class of hazard.

NOTE: for exemptions relating to the carriage of empty uncleaned packagings, see 1.1.3.5 or 1.1.3.6.3.”.

Add a new packing instruction to section 4.1.4.1 as follows:

P9XX	PACKING INSTRUCTION	P9XX
This instruction applies to UN 3xxx		
Empty packaging uncleaned, or parts thereof, shall be packed in packagings meeting the provisions of 4.1.1.1, 4.1.1.2, 4.1.1.6, 4.1.1.8 and the relevant provisions of 4.1.3 and be so designed that they meet the construction requirements of 6.1.4.		
Additional requirements: Empty packaging uncleaned, or parts thereof, having contained a risk [or sub-risk] of Class 5.1 shall not be mixed with other empty packaging uncleaned of any other Class of hazard.		

Add a new large packing instruction in 4.1.4.3 as follows:

LP9XX	PACKING INSTRUCTION	LP9XX
This instruction applies to UN 3xxx		
Large packagings are authorized provided the general provisions of 4.1.1.1, 4.1.1.2, 4.1.1.6, 4.1.1.8 and 4.1.3 are met and shall be so designed that they meet the construction requirements of 6.6.4.		
Additional requirements: Empty packaging uncleaned, or parts thereof, having contained a risk [or sub-risk] of Class 5.1 shall not be mixed with other empty packaging uncleaned of any other Class of hazard.		

Justification

9. We don't believe there is a need to say more. Those who are carrying such residues should be able to classify them according to 2.1.3.

10. If however there is a reason to give more help to those carriers, then the text could be completed by saying something in 2.1.3 about this simplified way on line with the environmentally hazardous substance in the new 2.1.3.8 and with the classification of samples in 2.1.4, together with the United Kingdom's proposals in the new UN-entry in the Table A of chapter 3.2. In that case we are not sure of the need to repeat something in 5.4.1.1.7 because like in other cases everything is in 2.1.3, in 4.1.1.11 and in the UN-entry.

Proposal 2

"2.1.3.10 Empty uncleaned packaging waste

2.1.3.10.1 Empty uncleaned packaging waste shall be carried according to 4.1.1.11.

By applying 4.1.1.11.2 the carriage is to be assigned to UN 3XXX and the proper shipping name shall be supplemented with the word "EMPTY UNCLEARED PACKAGING WASTE" (e.g., "UN 3XXX FLAMMABLE LIQUID, N.O.S., EMPTY UNCLEARED PACKAGING WASTE")."

"4.1.1.11.1 Carriage of Empty packagings, including IBCs and large packagings, that have contained a dangerous substance are subject to the same requirements as

those for a filled packaging, unless adequate measures have been taken to nullify any hazard.

4.1.1.11.2 Alternatively to 4.1.1.11.1 empty packaging uncleaned conforming or not to the RID-ADR-ADN,, or parts thereof, which is carried for the purposes of recycling or disposal other than reconditioning or reuse, and which has been emptied to the extent that only residues stuck to its internal or external walls (or part of walls) are present when it is handed over for carriage containing residues of hazard Classes 3, 4.1, 5.1, 6.1, 8 or 9 other than solids or liquids assigned to:

- a) Packing Group I or that have “0” assigned in Column (7a) of Table A of chapter 3.2;
- b) Desensitized explosive substances of Class 3 or 4.1, or;
- c) Self-reactive substances of Class 4.1;

can be carried by assigning the consignment to UN 3XXX.”.

Table A in Chapter 3.2:

(1)	(2)	(3a)	(3b)	(4)	(5)	(6)	(7a)	(7b)	(8)	(9a)	(9b)	(10)	(11)	(12)	(13)	(14)	(15)	(16)	(17)	(18)	(19)	(20)
3xxx	EMPTY PACKAGING UN-CLEANED FOR DISPOSAL	9	M11		9	YYY	0	E0	P9XX IBC08 LP9XX			BK1 BK2					4 (E)		VV8/VW8 [Or VV1/VW1, VV2/VW2 AP 7*]			90

Add a new packing instruction to section 4.1.4.1 as follows:

P9XX	PACKING INSTRUCTION	P9XX
This instruction applies to UN 3xxx		
Empty packaging uncleaned, or parts thereof, shall be packed in packagings meeting the provisions of 4.1.1.1, 4.1.1.2, 4.1.1.6, 4.1.1.8 and the relevant provisions of 4.1.3 and be so designed that they meet the construction requirements of 6.1.4.		
Additional requirements: Empty packaging uncleaned, or parts thereof, having contained a risk [or sub-risk] of Class 5.1 shall not be mixed with other empty packaging uncleaned of any other Class of hazard.		

Add a new large packing instruction in 4.1.4.3 as follows:

LP9XX	PACKING INSTRUCTION	LP9XX
This instruction applies to UN 3xxx		
Large packagings are authorized provided the general provisions of 4.1.1.1, 4.1.1.2, 4.1.1.6, 4.1.1.8 and 4.1.3 are met and shall be so designed that they meet the construction requirements of 6.6.4.		
Additional requirements: Empty packaging uncleaned, or parts thereof, having contained a risk [or sub-risk] of Class 5.1 shall not be mixed with other empty packaging uncleaned of any other Class of hazard.		