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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, 16–20 March 2020

Item 5 (b) of the provisional agenda

**Proposals for amendments to RID/ADR/ADN:
new proposals****Carriage of packagings for disposal or recycling**

Transmitted by the Government of Switzerland*, **

Summary

Executive summary:	Introduce a general rule authorizing the transport of empty packagings, including empty intermediate bulk containers (IBCs) and large packagings, for disposal, recycling or recovery of their material, even if they are not in compliance with the provisions of RID/ADR/ADN.
Action to be taken:	Amend the text of special provision 663.
Related documents:	ST/SG/AC.10/C.3/2019/28, ST/SG/AC.10/C.3/110, para. 40

Introduction

1. At its fifty-fifth session, the Sub-Committee of Experts on the Transport of Dangerous Goods discussed the transport of empty packagings for disposal on the basis of document ST/SG/AC.10/C.3/2019/28, transmitted by Switzerland. The Sub-Committee did not support the proposal to amend the Model Regulations and advocated a solution at the regional level (ST/SG/AC.10/C.3/110, para. 40). Switzerland is therefore submitting the proposal for consideration by the Joint Meeting.

* Subprogramme 2 of the programme budget for 2020 (A/74/6 (Sect. 20) and supplementary information).

** Circulated by the Intergovernmental Organisation for International Carriage by Rail (OTIF) under the symbol OTIF/RID/RC/2020/25.



2. The transport for disposal or recycling of packagings that have contained or contain dangerous goods and that do not meet the requirements of 4.1.1.3 is not authorized by RID/ADR.

3. Expired packagings cannot be transported for disposal with the markings and in the conditions of transport for the dangerous goods that they contain or have contained. When large quantities of such expired packagings are shipped, it is not always in the user's interest to reclassify the shipments under UN No. 3509, PACKAGINGS, DISCARDED, EMPTY, UNCLEANNED. Users may choose to transport them in the conditions of transport applicable to the goods that the receptacle contains or contained, provided the packaging meets all the requirements of RID/ADR. Even if the user chooses to reclassify the shipment under UN No. 3509, there is nothing that specifies that the transport of empty, uncleaned packagings that do not meet the requirements of 4.1.1.3 is authorized under that entry number.

4. The example of the entry UN No. 3509, PACKAGINGS, DISCARDED, EMPTY, UNCLEANNED and special provision 663, which is assigned to it, is a step in the right direction, but the texts as they stand do not offer a solution for packagings that are not in compliance. According to special provision 663, the entry is intended for the transport of packagings, large packagings or intermediate bulk containers (IBC), or parts thereof, which have contained dangerous goods, other than radioactive material, which are transported for disposal, recycling or recovery of their material, other than reconditioning, repair, routine maintenance, remanufacturing or reuse, and which have been emptied to the extent that only residues of dangerous goods adhering to the packaging parts are present when they are handed over for transport.

5. The text of special provision 663 does not exempt packagings from having to comply with the other provisions for the approval, testing and inspection of packagings. The words "or parts thereof" are, in this context, difficult to understand, as it would seem impossible for part of a packaging to meet a design type specification and to pass tests and inspections. We must thus conclude that the intention was to permit the carriage of packagings that no longer comply with RID/ADR, for the purpose of their disposal.

6. If the authors' intent was to permit the carriage of packagings for disposal without their meeting the requirements of RID/ADR, then rather than implying that meaning in the phrasing ("parts thereof"), it would seem more appropriate to say so directly.

7. Thus, both in the case of UN No. 3509 and in the case mentioned above, where transport is carried out under the entry for the product that is or was originally contained, it would seem necessary to authorize the transport of the packagings for disposal as well, even if they do not comply with the regulatory provisions. If this is not done, such transport will still be subject to special authorizations, which does nothing to facilitate the disposal of expired packagings. In respect of the transport of empty, uncleaned packagings in accordance with the provisions applicable to the dangerous goods that they originally contained, it does not appear necessary to require the prior authorization of the competent authority, provided, however, that special provision 663 is applied.

8. If the delegations consider it useful to permit this type of transport, we propose introducing it as a general rule in the special provision.

Proposal

9. Add the following text after the first sentence of special provision 663:

"In this case, the requirements of 4.1.1.3 need not be met."
