



**Committee of Experts on the Transport of Dangerous Goods
and on the Globally Harmonized System of Classification
and Labelling of Chemicals****Sub-Committee of Experts on the Transport of Dangerous Goods****Fifty-eighth session**

Geneva, 28 June-2 July 2021

Item 3 of the provisional agenda

Listing, classification and packing**New special provision to UN 3538****Transmitted by the expert from the United Kingdom*****Introduction**

1. In the fifty-seventh session of the Sub-Committee the expert from the United Kingdom submitted documents ST/SG/AC.10/C.3/2020/49 and informal document INF.54 aimed at amending special provision SP 396 introduced by the expert from Germany in relation to transformers covered by UN 3538. During the discussion various comments were made on the pressure values in both the adopted special provision and the proposed changes. As a result of these comments the expert from the United Kingdom withdrew ST/SG/AC.10/C.3/2020/49 and informal document INF.54 to consider the comments and undertook to submit a new proposal. In researching the comments, the expert from the United Kingdom has concluded that SP 396 can remain unaltered but has found an existing provision in the UN Model Regulations in relation to pressure values and the applicability of the regulations.

2. This particular provision in the UN Model Regulations appears to have been overlooked by the Sub-Committee when UN 3538 ‘Articles containing non-flammable, non toxic gas, N.O.S.’ entry was developed. This proposal seeks to draw attention to the relevant text by adding a new special provision applicable to UN 3538.

Proposal

3. In Column 6 of the dangerous goods list in Chapter 3.2 against entry UN 3538, add new special provision number XXX as follows:

Option 1

“XXX These articles are not subject to these regulations if they meet the conditions of 2.2.2.3”

* A/75/6 (Sect.20), para. 20.51

Or

Option 2

“XXX This entry only applies to articles where the gas pressure is in excess of 200 kPa and to articles with lower gas pressures that do not meet the conditions of 2.2.2.3”

Add the corresponding new text of SP XXX to Chapter 3.3.

Justification

4. It is already specified in 2.2.2.3 that gases of Division 2.2 are not subject to these Regulations if they are transported at a pressure of less than 200 kPa at 20 °C and are not liquefied or refrigerated liquified gases. This proposal aims to ensure that articles containing gases may follow the same exemption if they meet the same conditions.
