



INF. 18

4 March 2022

Original: German

RID/ADR/ADN

Joint Meeting of the RID Committee of Experts and the
Working Party on the Transport of Dangerous Goods
(Bern, 14 - 18 March 2022)

Item 5 (a) of the agenda: Proposals for amendments to RID/ADR/ADN – Pending issues

Carriage of paint residues (waste)

Transmitted by the Government of Germany

SUMMARY

<i>Executive Summary:</i>	The changed classification of paints as environmentally hazardous in accordance with the CLP Regulation as from 1 March 2022 also has an impact on the carriage of such paints as waste.
<i>Action to be taken:</i>	Amend the transitional provision in 1.6.1.51 (see annex II of ECE/TRANS/WP.15/AC.1/162) to include additional options for the carriage of waste.
<i>Related documents:</i>	ECE/TRANS/WP.15/AC.1/2021/37 (CEPE), informal documents INF.26 and INF.46 (CEPE) and informal document INF.37 (Norway) of the 2021 autumn session of the Joint Meeting and current document ECE/TRANS/WP.15/AC.1/2022/15 (Sweden).

Introduction

1. At the last session of the Joint Meeting, based on a proposal by CEPE, transitional provisions were adopted concerning the carriage of paints which, due to an amendment to Annex VI of the CLP Regulation, have to be classified as environmentally hazardous and thus assigned to UN 3082 as from 1 March 2022. The transitional provision found allows the use of packagings that are not type-tested and grants the industry a longer period to develop and procure appropriate packagings.
2. However, the amended classification also has an impact on the carriage of such paints and paint residues as waste; this is not sufficiently taken account of in the adopted 1.6.1.51 (see document OTIF/RID/CE/GTP/2021/5) and Multilateral Agreement M343 or RID 8/2021.
3. In document ECE/TRANS/WP.15/AC.1/2022/15, Sweden proposes to allow the carriage of paint residues assigned to UN 3082 under the provisions of special provision 650. If this proposal was adopted, carriage in bulk in sheeted wagons, movable roof wagons/in sheeted vehicles, closed containers or sheeted large containers, all with complete walls, would be permitted.
4. Germany has been informed by the waste industry that the extension of the scope of special provision 650 as proposed is needed but insufficient, as extensive adjustments to the current logistics are required. Currently, dispersion paints and waterborne coating systems as well as paints in powder form including pigments/pigment mixtures as waste as are not collected as dangerous goods, nor carried, transhipped, stored in transit and treated as such up to the final facility. Various packagings that are appropriate but not type-tested are used for collection and carriage or containers for carriage in bulk.
The paints are collected
 - at stationary collection points (recycling centres/depots),
 - by mobile collection points (household hazardous waste collection vehicle),
 - directly from the households and small business/industry customers.Various packagings are used as packagings for collection and carriage (see images in the annex), e.g.
 - 240-litre plastic receptacles (2-wheel bins),
 - 1.1 m³ receptacles (4-wheel large waste bins),
 - wire-mesh boxes with plastic bag,
 - wire-mesh boxes with plastic liner (IBCs with cut-off top),
 - tear-proof plastic bags,
 - plastic and metal boxes,
 - drums in various sizes,
 - open, sheeted, closed containers,
 - open, sheeted, closed vehicles.
5. These bins are not comprehensively covered by the carriage and packaging options set out in special provision 650. Wire-mesh boxes e.g. with liners and receptacles without complete walls and carriage in open containers and wagons/vehicles are not mentioned there. A sizeable amount of paint residues in units of up to 30 litres needs to be disposed, so that a wider transitional provision is necessary to be able to make the required adjustments to the logistics chain. In this context, it also has to be taken into account that the paints now classified as environmentally hazardous should also in the future generally be collected separately from paint residues of class 3 (UN 1263) so that they can be subjected to separate waste treatments.

Proposal

6. The proposal in ECE/TRANS/WP.15/AC.1/2022/15 is supported. In addition, it is proposed that the scope of special provision 650 be extended to include UN 3077 to make it also applicable for solid paint residues. Two of the three substances that result in a classification as environmentally hazardous are solids (ZnPT and DCOIT). They do not change their structure and, as a result, exist also in solid paint residues.
7. Moreover, the transitional provision in 1.6.1.51 should be amended to allow for a sufficient period for the transition within the waste industry. Furthermore, Multilateral Agreement M343 or RID 8/2021 should be updated or supplemented with an additional multilateral agreement.

Option 1 (if the proposal in ECE/TRANS/WP.15/AC.1/2022/15 is not adopted):

Add the following paragraph to the end of 1.6.1.51 in the version set out in Annex II to document ECE/TRANS/WP.15/AC.1/162:

"Wastes consisting of packaging residues, solid, solidified and liquid residues of adhesives, paint and paint related materials, printing inks and printing ink related materials and resin solutions assigned to UN 3082 environmentally hazardous substance, liquid, n.o.s., packing group III or UN 3077 environmentally hazardous substance, solid, n.o.s., packing group III in accordance with 2.2.9.1.10.6 as a consequence of 2.2.9.1.10.5* and containing 0.025% or more of the following substances, on their own or in combination:

- 4,5-dichloro-2-octyl-2H-isothiazol-3-one (DCOIT);
- octhilinone (OIT); and
- zinc pyrithione (ZnPT);

may be packed and carried as follows until 30 June 2025:

- (a) The waste may be packed and carried in accordance with the methods set out in special provision 650 (a) to (d).
- (b) The waste may be carried in appropriate bins and wire-mesh boxes, provided appropriate measures are taken to prevent the release of the substances from the package.
- (c) Carriage in bulk shall be permitted in open containers and open wagons/vehicles.
- (d) If the waste is carried in accordance with (a) to (c) above, this shall be indicated in the transport document in accordance with 5.4.1.1.3 as follows:

"UN 3082 WASTE ENVIRONMENTALLY HAZARDOUS SUBSTANCE, LIQUID, N.O.S. (PAINT), 9, III (ADR only:), (-)" or

"UN 3082 WASTE ENVIRONMENTALLY HAZARDOUS SUBSTANCE, LIQUID, N.O.S. (PAINT), 9, PG III (ADR only:), (-)" or

"UN 3077 WASTE ENVIRONMENTALLY HAZARDOUS SUBSTANCE, SOLID, N.O.S. (PAINT), 9, III (ADR only:), (-)" or

"UN No. 3077 WASTE ENVIRONMENTALLY HAZARDOUS SUBSTANCE, SOLID, N.O.S. (PAINT), 9, PG III (ADR only:), (-)"."

Option 2 (if the proposal in ECE/TRANS/WP.15/AC.1/2022/15 is adopted):

Add the following paragraph to the end of 1.6.1.51 in the version set out in Annex II to document ECE/TRANS/WP.15/AC.1/162:

"Wastes consisting of packaging residues, solid, solidified and liquid residues of adhesives, paint and paint related materials, printing inks and printing ink related materials and resin solutions assigned to UN 3082 environmentally hazardous substance, liquid, n.o.s., packing group III or UN 3077 environmentally hazardous substance, solid, n.o.s., packing group III in accordance with 2.2.9.1.10.6 as a consequence of 2.2.9.1.10.5* and containing 0.025% or more of the following substances, on their own or in combination:

- 4,5-dichloro-2-octyl-2H-isothiazol-3-one (DCOIT);
- octhiline (OIT); and
- zinc pyrithione (ZnPT);

may be packed and carried as follows until 30 June 2025:

- (a) The waste may be carried in appropriate bins and wire-mesh boxes, provided appropriate measures are taken to prevent the release of the substances from the package.
- (b) Carriage in bulk shall be permitted in open containers and open wagons/vehicles.
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"UN 3082 WASTE ENVIRONMENTALLY HAZARDOUS SUBSTANCE, LIQUID, N.O.S. (PAINT), 9, III (ADR only:), (-)" or

"UN 3082 WASTE ENVIRONMENTALLY HAZARDOUS SUBSTANCE, LIQUID, N.O.S. (PAINT), 9, PG III (ADR only:), (-)" or

"UN 3077 WASTE ENVIRONMENTALLY HAZARDOUS SUBSTANCE, SOLID, N.O.S. (PAINT), 9, III (ADR only:), (-)" or

"UN No. 3077 WASTE ENVIRONMENTALLY HAZARDOUS SUBSTANCE, SOLID, N.O.S. (PAINT), 9, PG III (ADR only:), (-)"."

Consideration

8. The Joint Meeting is asked to make a decision regarding the above amendment options. Moreover, there should be an exchange of opinion regarding the way forward with regard to Multilateral Agreement M343 or RID 8/2021, in particular as to whether additional agreements should be initiated or the existing agreements should be supplemented.

Examples of current bins for collection and carriage.




