

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

Geneva, 12-16 September 2022

Item 5 (b) of the provisional agenda

Proposals for amendments to RID/ADR/ADN:

new proposals

7 September 2022

Dangerous goods in machinery, apparatus or articles, Deletion of 1.1.3.1 (b) and expiry of transitional period in 1.6.1.46 ADR and RID

**Transmitted by the European Chemical Industry Council
(Cefic)**

Summary

Related documents: ECE/TRANS/WP.15/AC.1/148
ECE/TRANS/WP.15/AC.1/2017/26
ST/SG/AC.10/C.3/2016/34
UN/SCETDG/49/INF.17

Background

1. The Joint Meeting of the RID Committee of Experts and the Working Party on the Transport of Dangerous Goods decided at its autumn 2017 session to delete the exemption 1.1.3.1 (b) for the “*carriage of machinery or equipment not specified in this Annex and which happen to contain dangerous goods in their internal or operational equipment, provided that measures have been taken to prevent any leakage of contents in normal conditions of carriage*”.
2. New provisions for the carriage of articles, in particular UN No. 3363 and UN Nos. 3537 to 3548 have been assessed as an appropriate alternative to replace the exemption.
3. It was also decided “...to provide a four-year transitional measure related to the deletion of 1.1.3.1 (b), specifically to avoid unforeseen problems, as the number and kind of articles concerned had not yet been clearly determined”.
4. The transitional measure according to 1.6.1.46 ends on 31.12.2022.

Discussion

5. The decision to delete the exemption 1.1.3.1 (b) was mainly driven by the intention for more harmonization of the dangerous goods regulations between the transport modes. The decision is not justified by reported incidents with dangerous goods in articles, machinery or apparatus.
6. The industry welcomes the new provisions for the carriage provided by UN No. 3363 and UN Nos. 3537 to 3548 and uses it since the implementation. However, it became very clear that these possibilities do not solve some still existing problems. It was always

imperative to use the exemption during the transitional period in addition to the new possibilities.

7. Some major problems exist with articles, machinery and apparatus which are removed e.g. from production plants during shutdown for the purpose of repair, maintenance or turnaround. Those parts like e.g. pressure regulators, pumps, flowmeters, valves, etc. may contain dangerous goods in dead spaces which even by washing cannot be removed completely.

8. The following examples show the problems with transport preparation:

Shipping as UN No. 3363 or a UN No. 3537 to 3548:

- A clear classification is often very difficult, but imperative:
 - (a) to determine the admissibility and quantitative limits for LQ; or
 - (b) to be able to make the assignment to UN numbers 3537 to 3548;
- A determination of the quantities of dangerous goods (UN 3363) is very difficult and can often only be estimated;
- A limitation of the scope of application by the requirement that “dangerous goods or residues of these goods must be an integral part of the article, necessary for its function and cannot be removed for transport purposes”;
- The requirements of special provision 301 as well as the packaging instructions 907 or P006 and LP03 must be observed;
- No further exemptions for UN numbers 3537 – 3548 are foreseen.

Request

9. In view of the problems the industry identified with the expiration of the transitional period for the use of the exemption under 1.1.3.1 (b) Cefic is interested in receiving the opinions and discussing the options under which an ADR compliant carriage of dangerous goods in articles, machines and apparatus, in particular for such ones for the purpose of repair or maintenance, can be carried out if the existing possibilities are not applicable.

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