

Steps forward in the regulation of the transport of hazardous waste in the ADR

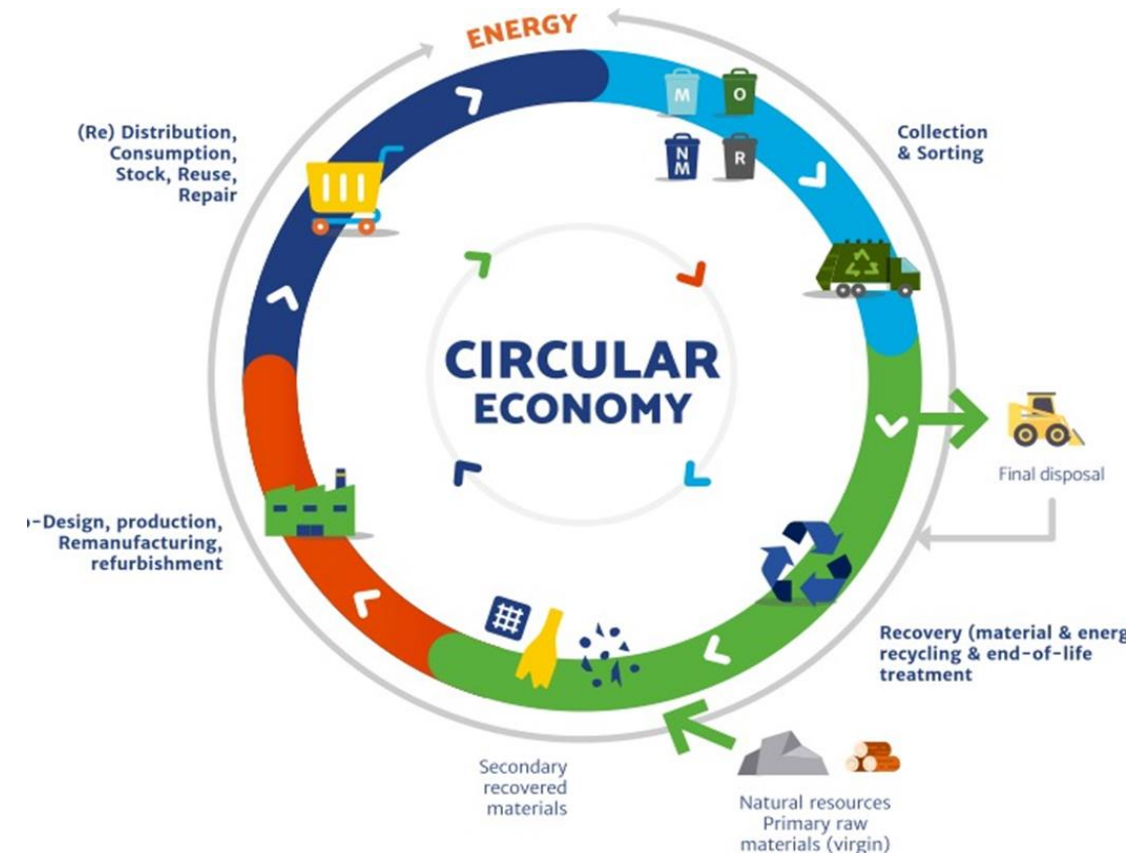
An example of a positive contribution to the circular economy

112th session of the UNECE - Working Party on the Transport
of Dangerous Goods (WP.15)

10 November 2022

Our members consist of:

- **17 national waste management federations from EU + UK and Norway;**
- **3,000 private management companies;**
- **1,100 composting sites;**
- **260 Waste-to-energy plants;**
- **2,400 recycling and sorting centres;**
- **320,000 employees in total;**
- **900 controlled landfills;**
- **5-billion-euro investments per year.**



Waste and the ADR

- **The ADR was initially developed for dangerous goods of commercial nature and therefore did not take into account the specificities of waste.**
- 50 years of waste-related legislation has made the environment and health protection an essential pillar of public policies, which has also structured and stimulated waste management activities to become an essential and highly specialised industry.
- **With the development of the waste management industry and the concept of a circular economy, the collection and transport of waste becomes a more and more important issue:**
 - Separate collection is promoted
 - Waste is increasingly classified as hazardous, especially with the identification and introduction of new hazard classes
 - Waste needs to be transported to adequate and specific facilities for its treatment, recycling or disposal
 - Circular economy business models rely on reverse supply chains and reverse logistics to close material loops, which inevitably require movements of end-of-life products
- **Efficient waste management is integral to the circular economy and therefore, the integration of waste in the ADR means also the integration of the circular economy in the ADR.**

FEAD and the ADR: Informal Working Group on the Transport of Hazardous Waste

- FEAD has actively participated in the development of specific “waste rules” in the ADR since it was appointed as recognised stakeholder by the RID/ADR/ADN Joint Meeting in 2005.
- After several punctual proposals of updating the ADR, FEAD proposed to initiate an ad hoc technical working group on the “Transport of hazardous waste”, which was approved with unanimity by the Joint Meeting RID/ADR/AND on its autumn 2018 session.
- The Joint Meeting asked FEAD to lead the Informal WG
- In order to prepare the Informal Working Group, FEAD prepared a [list of issues](#) regarding the transport of hazardous waste
- Until now, the Informal Working Group has met five times and 12 countries have joined.

Legal certainty for waste needed in the ADR

- Waste are very often **mixtures** of DG of unknown origin or composition
 - Classification was the main problem
 - Simplified classification system according to 2.1.3.5.2 and 2.1.3.5.5
 - Including provision on shipping name for waste in 5.4.1.1.3
- Information on the **quantity** transported waste in the transport document
 - Estimated quantity for waste possible under new 5.4.1.1.3.2 in ADR 2023
- **New UN number 3509 (ADR 2015)**
 - Transport of damaged packaging was not possible
 - New UN number, 3509, for discarded, empty uncleaned packaging to be carried **for disposal, recycling or recovery** was necessary to help the European waste recyclers to comply with the European requirements for the collection and recycling of waste.
 - Some clarifications were then necessary in relation to existing rules and to adapt to WM reality (ADR 2023)
 - Possibility to transport of UN 3509 in sheeted bulk containers or vehicle, and not only closed
 - Clarification of UN 3509 in SP 663
- Carriage of **polymerizing substances** as waste under new SP 676 (ADR 2023)
- IWG currently working on a solution for the carriage of **asbestos waste in bulk**

Ongoing work: packaging

- **Single packaging: chemical compatibility for plastic packaging**

- The rule for collective entries (figure ADR 4.1.1.21.2) requires the *exact composition of the waste*. In most cases, it leads to a declaration of “further testing requested”, which means it will be stored at room temperature for 6 months or on a test piece for 3 weeks under conditions, which is in practice inapplicable for waste.
- FEAD experts and the IWG are working on a proposal to use plastic packaging tested with all the five standard liquids.

- **Transport of packaged waste in combined packaging**

- **Original products are packed in a combined packaging, specifically tested for that purpose** (see ADR 6.1.5). For waste collection, often only the inner packaging remains available. This waste must be sorted, according to its hazardous properties, and be repacked fulfilling all the requirements of the ADR, which is not possible. There is a lack of a simple legal solution available to replace the missing outer packaging.
- During reconditioning, waste is taken out of its original single packaging and brought together with other compatible waste in a ‘new’ waste packaging, UN-tested. As the composition of the mixture is not stable and changes for each used packaging, a solution has to be developed regarding the **chemical compatibility**.



Carriage of waste batteries

- Batteries under Special Provision SP 376, SP 377, SP 598, SP 636 (new in ADR 2001, modified in 2009)
- Problem with button cell and WEEE containing lithium batteries addressed in new SP 670 (ADR 2019)
- Open discussion whether AP8 means that protection against short circuit is needed.
 - Bulk carriage of batteries is a used practice by the waste management industry, but has caused short circuits and fires in certain cases
 - Compared to the volume of shipments, the incidents are not recurrent
- Important topic for FEAD
 - Strongly promote source segregation & separate collection
 - Batteries contain critical raw materials key for the green transition
 - EU ban on sale of new petrol and diesel cars from 2035
 - New EU Batteries Regulation will boost recycling and close material loops
 - **The transition to a low-carbon and circular economy will lead to an exponential increase in the demand for batteries and consequently in the amount and transport of waste batteries**

**Thank you for
your attention.**

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