

Economic Commission for Europe

Inland Transport Committee

Working Party on the Transport of Dangerous Goods

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Item 9 of the provisional agenda

Any other business

Competent authority approval in accordance with ADR 2.1.2.8 and proposed amendment to the Dangerous Goods list of the UN model Regulations

Transmitted by the Government of Ireland

Introduction

1. Stakeholders in the waste industry in Ireland transport solid waste from pharmaceutical and medical device industrial sites, classified as UN3175, for which carriage in bulk is permitted in accordance with ADR Chapter 7.3. The proper shipping name is 'SOLIDS or mixtures of solids (such as preparations and wastes) CONTAINING FLAMMABLE LIQUID, N.O.S. having a flash point up to 60°C'. This waste is a mixture of solids and may include liners, personal protective equipment (PPE) or wipes contaminated with flammable liquid.

2. Some of our stakeholders' clients have similar waste but with additional toxic hazards (for example, PPE contaminated with Active Pharmaceutical Ingredients) or corrosive hazards (such as PPE contaminated with corrosive raw materials such as sodium hydroxide). Currently, such waste is consigned under the entries

UN2925, Waste Flammable Solid, Corrosive, Organic, N.O.S., Class 4.1 (8), PGII

UN2926, Waste Flammable Solid, Toxic, Organic, N.O.S., Class 4.1 (6.1), PGII

3. These UN entries do not permit carriage in bulk in accordance with ADR Chapter 7.3, and require costly and cumbersome packagings for the carriage of the waste in accordance with 4.1.4.1, for example combination packagings permitted in packing instruction P002.

4. There are currently no UN numbers to match the following two descriptions:

UN XXXX, SOLIDS or mixtures of solids (such as preparations and wastes) CONTAINING FLAMMABLE LIQUID, **TOXIC**, N.O.S. having a flash point up to 60°C.

UN YYYY, SOLIDS or mixtures of solids (such as preparations and wastes) CONTAINING FLAMMABLE LIQUID, **CORROSIVE**, N.O.S. having a flash point up to 60°C.

5. The provisions of 2.1.2.8 permit a consignor, under competent authority approval, to consign a substance listed by name in column 2 of the Dangerous Goods List and which meets classification criteria for a class that is not identified in column 3a or 5, as follows:

"2.1.2.8 A consignor who has identified, on the basis of test data, that a substance listed by name in column 2 of Table A of Chapter 3.2 meets classification criteria for a class that is not identified in column 3a or 5 of Table A of Chapter 3.2, may, with the approval of the competent authority, consign the substance:

- Under the most appropriate collective entry listed in sub-sections 2.2.x.3 reflecting all hazards; or

- Under the same UN number and name but with additional hazard communication information as appropriate to reflect the additional subsidiary risk(s) (documentation, label, placard) provided that the class remains unchanged and that any other carriage conditions (e.g. limited quantity, packaging and tank provisions) that would normally apply to substances possessing such a combination of hazards are the same as those applicable to the substance listed.

NOTE 1: *The competent authority granting the approval may be the competent authority of any ADR Contracting Party who may also recognize an approval granted by the competent authority of a country which is not an ADR Contracting Party provided that this approval has been granted in accordance with the procedures applicable according to RID, ADR, ADN, the IMDG Code or the ICAO Technical Instructions.*

NOTE 2: *When a competent authority grants such approvals, it should inform the United Nations Sub-Committee of Experts on the Transport of Dangerous Goods accordingly and submit a relevant proposal of amendment to the Dangerous Goods List of the UN Model Regulations. Should the proposed amendment be rejected, the competent authority should withdraw its approval.*

NOTE 3: *For carriage in accordance with 2.1.2.8, see also 5.4.1.1.20.”*

Discussion

6. In order to permit carriage in bulk of such waste nationally in Ireland, under the entry of UN 3175 with additional toxic or corrosive hazards, we are in the process of issuing a competent authority approval under the provisions of ADR 2.1.2.8, with particular reference to the second indent.

7. This competent authority approval will permit the carriage of the waste under the entry UN 3175 with additional hazard communication to reflect the toxic or corrosive hazards.

8. The following provisions will apply:

- The class will remain unchanged as 4.1, with the additional subsidiary toxic or corrosive hazards.
- Waste consignments under the approval shall comply with special provision 216, as they are comprised of mixtures of solids with no free liquid visible at the time of loading.
- Placards shall be fitted on the bulk container to indicate the flammable hazard with additional toxic or corrosive subsidiary hazard(s).
- The transport document shall include the subsidiary risk in the proper shipping name, and one of the two technical names shown in parentheses in accordance with 3.1.2.8.
- The provisions of 5.4.1.1.20 shall apply.
- The transport operations will be carried out under similar carriage conditions as those used for UN 3175, UN 3243 and UN 3244, including the provisions of ADR Chapter 7.3, which permit carriage in bulk.

9. It is noted that the carriage conditions for UN 3243, SOLIDS, CONTAINING TOXIC LIQUID, N.O.S. and UN 3244, SOLIDS, CONTAINING CORROSIVE LIQUID, N.O.S. are very similar to those for to UN 3175, including the following:

- Special provision 216 for UN 3175 and special provisions 217 and 218 for UN 3243 and 3244 respectively
- All three are packaged in accordance with P002 and PP9
- All three UN entries permit the provisions of ADR 7.3 for carriage in bulk (BK1 and BK2, VC1 and VC2).

10. However, these entries cannot be used as the waste contains toxic and flammable hazards, or corrosive and flammable hazards.

Proposal

11. ADR 2.1.2.8, Note 2, states the following:

“NOTE 2: *When a competent authority grants such approvals, it should inform the United Nations Sub-Committee of Experts on the Transport of Dangerous Goods accordingly and submit a relevant proposal of amendment to the Dangerous Goods List of the UN Model Regulations. Should the proposed amendment be rejected, the competent authority should withdraw its approval.”*

12. During the validity of the competent authority approval, the competent authority of Ireland intends to make a proposal to the UN Sub-Committee of Experts for two new UN numbers with the following descriptions:

UN XXXX, SOLIDS or mixtures of solids (such as preparations and wastes) CONTAINING FLAMMABLE LIQUID, **TOXIC**, N.O.S. having a flash point up to 60°C.

UN YYYY, SOLIDS or mixtures of solids (such as preparations and wastes) CONTAINING FLAMMABLE LIQUID, **CORROSIVE**, N.O.S. having a flash point up to 60°C.

13. The new entries would thus have special provisions 216 and 217, or 216 and 218 respectively listed in column (6) of the Dangerous Goods List, as consignments would be comprised of mixtures of solids with no free liquid visible at the time the substance is loaded.

14. The remainder of the transport operations would be carried out under similar carriage conditions as those used for UN 3175, UN 3243 and UN 3244, including the provisions of ADR Chapter 7.3, which permit carriage in bulk.

Justification

15. Worldwide supply issues can frequently make it difficult for the waste industry to source the combination packagings permitted under P002. Use of combination packaging increases the requirement for manual handling as the packer needs to carry out several steps to the point where the sealed pallet box is loaded onto a vehicle for carriage by road to the waste treatment facility for incineration.

16. Another consideration is the cost of single use packaging required for entries UN 2925 and UN 2926 currently used. For example, for the carriage of 189 tonnes per annum, the calculated cost of single use packaging (combination packaging of sealed bags placed in UN approved pallet boxes) is €70,000.

17. The use of a re-usable bulk container does not incur such high costs and from an environmental perspective, reduces the amount of single use packaging used by the waste industry.

Request

18. The Irish delegation has contacted the Secretariat of the UN Sub-Committee of Experts and the Secretariat advised that we seek the advice of the ADR experts at WP15.

19. We would be interested to hear the opinions of other delegations in relation to this proposal.

20. We request delegations to consider:

1. If the solid waste from the pharmaceutical and medical device sectors in your country has additional corrosive or toxic hazards and if so, how is it consigned at a national level?
 2. Is solid waste with flammable and toxic, or flammable and corrosive hazards consigned under the entries of UN 2925 and UN 2926?
 3. Do you have any national competent authority exemptions or approvals in place?
 4. If the availability of the proposed UN numbers would be of benefit to the waste industry in your country.
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