



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, 19-29 September 2023

Item 5 (a) of the provisional agenda

Proposals for amendments to RID/ADR/ADN:**Pending issues****Dangerous goods in machinery, apparatus or articles – expiry
of the transitional measure in RID/ADR 1.6.1.46****Transmitted by the Government of Germany and by the European
Chemical Industry Council (Cefic) *, *****Summary*

Executive summary:	The provisions on the carriage of dangerous goods in articles, machinery and apparatus cause difficulties when applied to used articles, machinery and apparatus containing residues which cannot be removed for the intended carriage.
Decision to be taken:	Introduction of a special provision to exempt certain transport configurations.
Related documents:	Informal document INF.21 of the Autumn 2022 session of the Joint Meeting; Report ECE/TRANS/WP.15/AC.1/166, paragraph 29.

Introduction

1. At the RID/ADR/ADN Joint Meeting from 12 to 16 September 2022, Cefic pointed out in informal document INF.21 some problems in connection with implementing the provisions on the classification of dangerous goods.

* A/77/6 (Sect. 20), table 20.6.

** Circulated by the Intergovernmental Organisation for International Carriage by Rail (OTIF) under the symbol OTIF/RID/RC/2023/24.

2. At its autumn session in 2017, the Joint Meeting decided to delete the exemption in 1.1.3.1 (b) for the "carriage of machinery or equipment not specified in RID/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". For a transitional period, this exemption could still be applied, but the transitional measure in 1.6.1.46 expired on 31 December 2022.

3. This meant that the provisions were broadly harmonised with the UN Model Regulations. In addition, special provision 672 was created for UN number 3363, which has the effect of largely exempting it from the provisions of RID/ADR/ADN, provided the conditions of this special provision are met.

Background

4. Application of the provisions on the classification of articles (including machinery and apparatus) and compliance with the conditions of carriage does not cause any fundamental problems, provided that the products are newly manufactured. In this case, it is usually known exactly which and how many dangerous goods are present in the article.

5. However, the situation is different for used articles. For example, there are particular problems for articles, machinery and apparatus which are removed from production plants for the purpose of repair, maintenance or use in another plant. These parts, such as e.g. pressure regulators, pumps, flowmeters, valves, etc. may contain dangerous goods in dead spaces which cannot be removed completely, even by cleaning. In addition, it is not possible to determine exactly what quantities are present in the articles, so that no final decision can be made on an assignment to UN number 3363, which depends on compliance with the limits for limited quantities, or to the other UN numbers.

6. When discussing informal document INF.21 at last year's autumn session, several delegates supported a revision of the provisions for dangerous goods in machinery, apparatus or articles, and the possibility of a corresponding special provision was also mentioned. In view of the transitional measure expired on 31 December 2022, Germany has in the meantime initiated a multilateral special agreement for ADR (M 350).

Proposal

7. In Chapter 3.2, Table A, column (6), for UN Nos. 3363, 3537, 3538, 3539, 3540, 3541, 3542, 3543, 3544, 3545, 3546, 3547 and 3548, insert a new special provision "xxx".

8. Insert in Chapter 3.3 the following new special provision to read as follows:

"xxx Dangerous goods contained in used articles, dangerous goods contained in used machinery and dangerous goods contained in used apparatus shall not be subject to the other provisions of RID/ADR/ADN when carried for the purpose of disposal, recycling, repair, inspection or maintenance and provided that measures have been taken to prevent any leakage of contents in normal conditions of carriage."
