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PROPOSALS OF AMENDMENTS TO ANNEXES A AND B OF ADR

Quantity Limits for Organic Peroxides and Self-Reactive Substances in 7.5.5.3

Transmitted by the European Chemical Industry Council (CEFIC)

Summary:	The purpose of this paper is to delete or amend the quantity limits in 7.5.5.3.
Action to be taken:	Delete or amend 7.5.5.3.
Related documents:	TRANS/WP.15/2004/40

Introduction

1. An earlier proposal (TRANS/WP.15/2004/40) was withdrawn by CEFIC and after hearing the arguments from the meeting CEFIC promised to submit a new proposal.
2. In 7.5.5.3 quantity limitations per transport unit for organic peroxides and self-reactive substances are given. These limits cause problems in international multimodal transport, because in other modes of transport (RID, IMDG, US-DOT (CFR)) no quantity limit exists.
3. Depending on the interpretation of the competent authority, in some ADR countries section 1.1.4 cannot be used for multimodal transport of organic peroxides and self-reactive substances when the load exceeds the ADR quantity limitations. This leads to problems in

multimodal transport. In Europe, a number of competent authority approvals or agreements have been issued because of these problems. Based on the arguments given below, CEFIC is of the opinion that the quantity limitations pose an unnecessary obstacle and proposes to change 7.5.5.3.

Justification

4. The following arguments are given which justify the deletion or change of 7.5.5.3:

(a) Other modal regulations

Other modal regulations such as RID, IMDG code, US-DOT (CFR49) do not impose quantity restrictions;

(b) Other classes

Even for explosive substances of divisions 1.1 to 1.6, the quantity limitations are equal to or less than 16.000 kg, depending on the vehicle (e.g. EX/III vehicles; closed, metal outer wall with 10 mm wood fire-proof);

(c) Substance properties

The SADT of every product and preparation is determined and the control temperature is derived from the SADT, but the actual transport temperature is usually lower for product quality reasons. Unintentional decomposition or external fire would cause:

- (i) an increase of temperature above the SADT,
- (ii) a decomposition of a single package which may initiate a fire of the transport load; package by package,
- (iii) no mass explosion, detonation or instant decomposition of the complete mass.

In addition, CEFIC cannot see a justification for the differentiation in 7.5.5.3 made for temperature controlled and non-temperature controlled substances and for the requirement of ventilation.

(d) Situation in different ADR countries

According to the existing regulations for “sea-road” multimodal transport the goods have to be repacked in harbours in order to comply with the ADR quantity limitations. CEFIC considers that this practice does NOT enhance safety, on the contrary.

Therefore, in some ADR countries, special approvals have been issued:

- (i) Multilateral agreement M146, initiated by France, to allow the transport of 20.000 kg of solid Organic Peroxide Type C (UN 3104);
- (ii) Special permit in Germany according to which an exemption to the ADR rule of quantity limitation in the transport chain land-sea, and vice-versa, for all types of organic peroxides has been granted..

Proposal

5. On the basis of:

- the arguments given above in section 2;
- the existing multilateral agreements;
- the absence of any quantity limitations for other modes of transport;
- the need to enhance safety by avoiding a repacking operation in the multimodal transport chain,

CEFIC proposes to delete 7.5.5.3 in order to attain complete harmonization with other modes of transport.

6. However, if full harmonization with other modes, as proposed in paragraph 5 above, cannot be achieved and supported by this working party, CEFIC proposes, as an alternative, to amend 7.5.5.3 to read:

7.5.5.3 Limitations with respect to organic peroxides and self-reactive substances

“The maximum quantity of organic peroxides of Class 5.2 and self-reactive substances of Class 4.1 of Types B, C, D, E or F is limited to 20 000 kg per transport unit.”
