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Working Party on the Transport of Dangerous Goods

Bern, 22-26 March 2010
Item 5 (b) of the provisional agenda

PROPOSALS FOR AMENDMENTS TO RID/ADR/ADN

New proposals

Environmentally hazardous substances

Transmitted by the Government of Belgium^{1, 2}

Introduction

1. Through paragraph 2.2.9.1.10.5.2 of RID/ADR (2.2.9.1.10.3 of ADN), the European Union Directives 67/548/EEC and 1999/45/EC have been accepted as valid and obligatory systems for the classification of substances as environmentally hazardous :

“2.2.9.1.10.5.2 *Notwithstanding the provisions of 2.2.9.1.10,*

- a) *Substances which cannot be assigned to entries other than UN Nos. 3077 and 3082 in Class 9 or to other entries in classes 1 to 8, but which are identified in Council Directive 67/548/EEC of 27 June 1967 on the approximation of laws, regulations and administrative provisions relating to the classification,*

¹ In accordance with the programme of work of the Inland Transport Committee for 2006-2010 (ECE/TRANS/166/Add.1, programme activity 02.7 (c)).

² Circulated by the Intergovernmental Organisation for International Carriage by Rail (OTIF) under the symbol OTIF/RID/RC/2010/30.

packaging and labelling of dangerous substances, as amended, as substances to which letter N “Environmentally hazardous” (R50; R50/53; R51/53) has been allocated; and

- b) *Solutions and mixtures (such as preparations and wastes) of substances to which letter N “Environmentally hazardous” (R50; R50/53; R51/53) has been allocated in Directive 67/548/EEC, as amended, and which, according to Directive 1999/45/EC of the European Parliament and of the Council of 31 May 1999 concerning the approximation of laws, regulations and administrative provisions of the Member States relating to the classification, packaging and labelling of dangerous preparations, as amended, are also allocated letter N “Environmentally hazardous” (R50; R50/53; R51/53), and which cannot be assigned to entries other than UN Nos. 3077 and 3082 in Class 9 or to other entries in classes 1 to 8;*

shall be assigned to UN Nos. 3077 or 3082 of Class 9 as appropriate.”.

2. The advantages of this provision are obvious:

- (a) For substances already classified according to these EU-Directives, the expensive and time-consuming tests of 2.2.9.1.10 are redundant;
- (b) The list of these substances is publicly available.

3. For no apparent reason, however, paragraph 2.2.9.1.10.5.2 is limited to substances without any other dangerous properties, belonging to UN 3077 or 3082.

Proposal

4. In order to enlarge the scope of 2.2.9.1.10.5.2 to all substances, replace 2.2.9.1.10.5 of RID/ADR with:

“2.2.9.1.10.5 Substances or mixtures classified as environmentally hazardous substances (aquatic environment) on the basis of other criteria

2.2.9.1.10.5.1 Notwithstanding the criteria of 2.2.9.1.10.3 and 2.2.9.1.10.4,

a) Substances which are identified in Council Directive 67/548/EEC of 27 June 1967 on the approximation of laws, regulations and administrative provisions relating to the classification, packaging and labelling of dangerous substances, as amended, as substances to which letter N “Environmentally hazardous” (R50; R50/53; R51/53) has been allocated; and

b) Solutions and mixtures (such as preparations and wastes) of substances to which letter N “Environmentally hazardous” (R50; R50/53; R51/53) has been allocated in Directive 67/548/EEC, as amended, and which, according to Directive 1999/45/EC of the

European Parliament and of the Council of 31 May 1999 concerning the approximation of laws, regulations and administrative provisions of the Member States relating to the classification, packaging and labelling of dangerous preparations, as amended, are also allocated letter N “ Environmentally hazardous” (R50; R50/53; R51/53),

shall be classified as “environmentally hazardous substances (aquatic environment)”.

2.2.9.1.10.6 Substances or mixtures classified as environmentally hazardous substances (aquatic environment), not otherwise classified under ADR

2.2.9.1.10.6.1 Substances or mixtures classified as environmentally hazardous substances (aquatic environment), not otherwise classified under ADR shall be designated:

UN No. 3077 ENVIRONMENTALLY HAZARDOUS SUBSTANCE,
SOLID, N.O.S. or

UN No. 3082 ENVIRONMENTALLY HAZARDOUS SUBSTANCE,
LIQUID, N.O.S.

They shall be assigned to packing group III.”.

5. For ADN, the same should apply to 2.2.9.1.10.3 with appropriate renumbering.
