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Proposals for amendments to RID/ADR/ADN: pending issues

Use of metal IBCs (11A) for the transport of packaged waste as dangerous goods

Transmitted by the European Federation of Waste Management and Environmental Services (FEAD)[*, **]

Background

1. In the waste sector, universally usable containers which have proven to be effective over decades are being used for collection and transport. These containers are currently built, tested and approved in accordance with the design and testing requirements of Chapter 6.1 of ADR (4A) as well as of Chapter 6.5 (11A). Hence, an identical container meets the requirements of both chapters. Therefore, this universally usable transport packaging can be considered appropriate for both unpackaged (loose) waste and waste in small receptacles. There are currently about 500,000 units of this type of container in use throughout Europe.

[*] In accordance with the programme of work of the Inland Transport Committee for 2016-2017, (ECE/TRANS/2016/28/Add.1 (9.2)).

[**] Circulated by the Intergovernmental Organisation for International Carriage by Rail (OTIF) under the symbol OTIF/RID/RC/2017/10.

Discussion

2. In the daily practice, both unpackaged waste and waste in small receptacles/packaging must constantly be packed for the transport as dangerous goods. The required collection systems are the universal metal containers with approvals as box (4A) or IBC (11A). In the last years, manufacturers of containers have given to testing identical containers as both a box and an IBC and received valid approval certificates from the competent authorities for both features. As a result, these steel containers (4A / 11A) have been used for their intended purposes in each individual case. However, the practice also showed that it is a permanent issue for actors involved in waste management processes to select in each case the correct type of container with the correct approval for the waste in question. The waste management industry as well as the waste producers must furthermore operate a cumbersome container management. In principle however, it has been proved that an identical container with approvals pursuant to 4A and 11A offers complete safety for the proposed purpose during the transport of the waste, irrespective of whether the waste is transported as unpackaged waste or in small receptacles in the waste transport container. With a view to the requirements of chapters 6.1 and 6.5, there is a need for adaptation of the regulations to waste management practice in order to create legal certainty for all actors involved.

Application

3. With regard to a practicable application of the ADR for the carriage of waste in small receptacles as well as for unpackaged waste, admissibility of transport of small receptacles (such as buckets, bottles, bags, drums, canisters, etc.) in IBCs of the type 11A must be realised.

4. This scope of application for the transport of waste in small receptacles should be regulated under packing instructions IBC 04 and IBC 08. An additional provision with the following wording should be included in each packing instruction:

"Packaged waste (in small receptacles such as drums, canisters, bags, boxes, cans) may be packed in IBCs (11A)."

This clarification provides legal certainty for all actors involved in the transport and at the same time guarantees safety. It should be limited to the scope of application (packaged waste) mentioned above.

Justification

5. For the transport of small receptacles, placed in a transport packaging, a box (4A) is required as approved outer packaging. However, for the transport of solid unpackaged dangerous goods, which are filled in the container, an approval as IBC (11A) is required. Both cases of application are standard in the European waste management industry. Practice has shown that the transport of small receptacles in type 11A IBCs ensures safety. Moreover, the regulation creates legal certainty for the actors involved in the transport. The application adapts the applicable provisions to a practicable transport.

6. Practice has also proved that IBCs of type 11A are suitable for the transport of packaged waste (in inner packagings) and that safety of the transport of dangerous goods is guaranteed.

7. It is undisputed that the use of collection containers with code 11A ensures flexible use for all users. The applications of filling such containers with unpackaged solid waste or

waste in small receptacles are standard in European waste management industry since decades.

Safety:	No impact
Feasibility:	Optimization
Enforceability:	Immediately implementable