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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 2017

Item 4 of the provisional agenda

**Harmonization with the United Nations Recommendations
on the Transport of Dangerous Goods****Report of the Ad Hoc Working Group on the Harmonization of
RID/ADR/ADN with the United Nations Recommendations on the
Transport of Dangerous Goods****Note by the secretariat^{*,**}****I. General**

1. The Ad Hoc Working Group on the Harmonization of RID/ADR/ADN with the United Nations Recommendations on the Transport of Dangerous Goods met in Geneva from 25 to 27 April 2017 under the chairmanship of Mr. C. Pfauvadel (France).
2. Representatives of Belgium, France, Germany, Netherlands, Romania, Spain, Sweden, Switzerland, United Kingdom, Central Commission for the Navigation of the Rhine (CCNR) and Intergovernmental Organisation for International Carriage by Rail (OTIF) participated in the session.
3. The session was held in English, without interpretation. The documentation prepared by the secretariat, including the agenda, was issued as informal documents which were made available on the website of the UNECE SustainableTransport Division as follows:

* 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/2017/26.

ECE/TRANS/WP.15/AC.1/HAR/2017/1/Rev.1	Harmonization with the United Nations Model Regulations on the Transport of Dangerous Goods (Secretariat)
ECE/TRANS/WP.15/AC.1/HAR/2017/2	Use of the term «risk» versus «hazard» (Secretariat)
ECE/TRANS/WP.15/AC.1/HAR/2017/3	Comments by the OTIF secretariat

4. The background documents were the report of the United Nations Economic and Social Council's Committee of Experts on the Transport of Dangerous Goods and on the Globally Harmonized System of Classification and Labelling of Chemicals and annexes thereto, circulated by the secretariat as documents ST/SG/AC.10/44 and Add.1-3.

5. The Ad Hoc Working Group adopted the provisional agenda prepared by the secretariat, ECE/TRANS/WP.15/AC.1/HAR/8.

II. Harmonization of RID/ADR/ADN with the United Nations Recommendations on the Transport of Dangerous Goods, Model Regulations

6. The draft amendments to RID/ADR/ADN proposed by the Ad hoc Working Group are reproduced in the addendum to this report (ECE/TRANS/WP.15/AC.1/2017/26/Add.1). The Working Group agreed that the comments below should be brought to the attention of the Joint Meeting and some texts were placed between square brackets pending a decision by the Joint Meeting.

Note to 1.10.3

7. The Working Group invited the Joint Meeting to decide whether the first sentence of the NOTE inserted in 1.4.3.2.1 of the Model Regulations was necessary, bearing in mind that article 4, paragraph 1 of ADR and ADN and article 3 of Appendix C to the COTIF already allows Contracting Parties to ADR and ADN and RID Contracting States to regulate or prohibit, for reasons other than safety during carriage, the entry of dangerous goods in their territories.

Classification as corrosive

8. The Working Group noted that the current provisions of 2.2.8.1.1 of ADR/RID/ADN differ from those of the Model Regulations in the sense that Class 8 of ADR/RID/ADN also covers other substances which form a corrosive liquid only in the presence of water, or which produce corrosive vapour or mist in the presence of natural moisture of the air. Therefore the Joint Meeting is invited to decide whether this difference should be maintained or whether this last sentence of 2.2.8.1.1 should be deleted. In this respect, attention is drawn to 2.2.8.1.4.3 which indicates that the allocation of substances in table A of Chapter 3.2 to packing groups takes account of additional factors such as reactivity with water, including the formation of dangerous decomposition products.

9. The Working Group noted that, according to 2.2.8.1.9, substances, solutions and mixtures which are not classified as corrosive to skin or metal of category 1 according to regulation (EC) No. 1272/2008 may be considered as substances not belonging to Class 8. Now that the Class 8 classification criteria were being brought in line with the GHS criteria which were supposed to be reflected in Regulation (EC) No.1272/2008, the Working Group

wondered whether this paragraph was still relevant and suggested that CEFIC should check whether this paragraph could be deleted.

Lithium batteries installed in cargo transport units

10. The Working Group felt that it would be useful to insert a note in 2.2.9.1.7 referring to special provision 389 of Chapter 3.3 since this special provision explains the scope of the entry UN 3536. This could be brought to the attention of the United Nations Sub-Committee of Experts on the Transport of Dangerous Goods as such a note would be useful in the Model Regulations as well.

Ammonium nitrate based fertilizers

11. The Working Group noted that all provisions concerning the classification of ammonium nitrate based fertilizers had been transferred to a new section 39 of the Manual of Tests and Criteria (see United Nations document ST/SG/AC.10/44/Add.2). As a consequence the detailed composition descriptions of UN No. 2067 in special provision 307, or of UN No. 2071 in the name of the entry, were no longer necessary.

12. For ammonium nitrate based fertilizers not accepted for carriage mentioned in the thirteenth indent of 2.2.51.2.2, it was no longer possible to refer to special provision 307 since this special provision no longer specified the maximum content of ammonium nitrate and of combustible substances. The representative of Sweden proposed a new wording for this thirteenth indent specifying the composition of fertilizers which are not accepted for carriage. There was no consensus on the wording proposed and therefore two options are proposed by the Working Group to the Joint Meeting. The first option consists in specifying the composition of the fertilizers not accepted for carriage, but with a different wording. The second option consists in referring to section 39 of the Manual of Tests and Criteria since this section 39 would be used systematically by the fertilizer industry to classify their products.

Special provision 188, paragraph (c).

13. The Working Group felt that compliance with the provisions of the new 2.2.9.1.7 (f) and (g) should be required in special provision 188 (c) as a condition for exemption of lithium cells and batteries and proposed to amend special provision 188 accordingly, and to bring this to the attention of the United Nations Sub-Committee of Experts on the Transport of Dangerous Goods.

Carriage of fuel gas containment systems

14. The Working Group noted that the new special provision 392 would replace the current special provision 660 of RID/ADR/ADN, therefore it felt that it should be assigned to all UN numbers to which special provision 660 is currently assigned, including UN No. 1972 (methane, refrigerated liquid or natural gas, refrigerated liquid) to which special provision 392 has not been assigned in the United Nations Model Regulations. The Working Group noted also that ECE regulation No. 110 had been amended to cover vehicles using liquefied natural gas (LNG) in their propulsion system and considered that the table in special provision 392 (a) should be amended accordingly. This should also be brought to the attention of the United Nations Sub-Committee of Experts on the Transport of Dangerous Goods.

15. The Joint Meeting is invited to consider whether paragraph (f) of special provision 392, requiring that the fuel gas containment systems be filled with not more than 20% of their nominal filling ratio or nominal working pressure when carried, could be omitted since this is not required by the current special provision 660.

Chemical kits and first aid kits (UN No. 3316)

16. In relation to the amendments to special provision 251 aiming at the determination of packing groups for chemical kits and first aid kits, the Working Group felt that an additional special provision 671 specific to RID/ADR/ADN should be assigned to UN No. 3316 for the purpose of determining the transport category. As there was no consensus on the transport category to which kits should be assigned, two options were drafted. According to the first option, kits containing only substances and articles of transport category 3 would be assigned to category 3, and those containing substances or articles of categories 0, 1 or 2 would be assigned to transport category 2. According to the second option, kits would be assigned to the smallest transport category of the substances or articles contained therein. The Joint Meeting is invited to decide on the preferred option.

17. The Working Group agreed that tunnel code E should remain assigned to the kits, although some participants considered that no tunnel code should be assigned because they felt that, in practice, the total quantity of dangerous goods contained in those kits per transport unit would be very small.

Special provision 387 (lithium batteries in conformity with new 2.2.9.1.7 (f))

18. The Working Group felt that a NOTE should be inserted under paragraphs (a) and (b) of special provision 188 to draw attention to the contents and capacity limits of special provision 387 for lithium batteries in conformity with 2.2.9.1.7 (f). The insertion of such a note in the Model Regulations would also be useful.

New provisions concerning the carriage of articles containing dangerous goods, not otherwise specified

19. The Working Group felt that it would be more appropriate to refer to “classification” rather than to “transport” in the new section 2.1.5 (2.0.5 of the Model Regulations).

20. The Working Group noted that, according to the NOTE under the title of 2.0.5 of the Model Regulations, articles containing dangerous goods within the permitted limited quantity amounts specified in column (7a) of Table A of Chapter 3.2 of ADR/RID/ADN could be carried under UN No. 3363 as indicated in special provision 301 of the Model Regulations, as “dangerous goods in machinery” or “dangerous goods in apparatus”. However, such machinery and apparatus are currently not subject to RID/ADR/ADN as they are exempted by 1.1.3.1 (b), in conformity with the last sentence of special provision 301 of the Model Regulations according to which the competent authority may exempt from regulation machinery or apparatus which would otherwise be carried under UN No. 3363. The representative of Germany felt that the proper shipping name for UN No. 3363 should be modified to cover “dangerous goods in devices” to be in line with the new 2.1.5.1 which defines, for the new entries for articles, “article” as “machinery, apparatus or other devices”. However, the Working Group considered that he should first raise this issue with the United Nations Sub-Committee of Experts on the Transport of Dangerous Goods.

21. The Working Group felt that, since new entries had been added in the Dangerous Goods List for articles containing dangerous goods, n.o.s., UN No. 3363 should be regulated. Paragraph 1.1.3.1 (b) could be deleted, but exemption could remain possible through a special provision 672 provided that minimum packing requirements were complied with. Several options were possible, e.g. an entry with all requirements of the Model Regulations, notably packing instruction P907; or an entry with special provision 672 only, without other requirements; or an entry with all requirements of the Model Regulations and the proposed special provision 672, which could be misleading since compliance with packing instruction P907 would imply compliance with the exemption conditions of special provision 672.

22. All possible provisions concerning UN No. 3363 were placed between square brackets for decision by the Joint Meeting, including a draft transitional provision related to the deletion of 1.1.3.1 (b).

23. For the new entries for articles containing dangerous goods, n.o.s. (UN Nos 3537 to 3548), the Working Group noted that examples of such articles had been provided by the United Kingdom in informal document INF.17 submitted at the forty-ninth session of the United Nations Sub-Committee of Experts on the Transport of Dangerous Goods. According to 5.2.2.1.12, subsidiary hazards not reflected in the proper shipping name could be assigned to any of these entries, and as a consequence some information or transport conditions dependent on subsidiary hazards could not be reflected in table A of Chapter 3.2. For column (3b), the Working Group proposes to assign a classification code reflecting only the hazards indicated in column (2), name and description. For column (5) (labels), the Working Group suggests to include a reference “see 5.2.2.1.12”.

24. For column (15), the Working Group proposes to assign transport category 4 and tunnel code E. A special provision 673 would then have to be assigned in RID only to reflect the exemptions of 1.1.3.6 of ADR/ADN (from the requirements of Chapter 1.10 and 5.3, section 5.4.3 and Chapter 7.2).

25. No hazard identification number would need to be included in column (20). This would also be the case for column (20) of RID as the hazard identification number would need to be defined depending on the subsidiary hazards not reflected in the proper shipping name.

26. The Working Group noted that the articles in question might contain lithium batteries and felt that it would be appropriate to assign special provision 667 of RID/ADR/ADN.

27. The Working Group considered that special provision 391 of the Model Regulations, requiring approval of the transport conditions by the competent authority when the articles contain dangerous goods presenting certain hazards, such as inhalation toxicity, was not relevant for inland transport.

28. Special provision CE3 was included in square brackets in column (19) of RID. For column (18), the Working Group considered that the special provisions to be assigned would depend on the dangerous goods contained but that specific CV/CW provisions might not be necessary for such articles, unless specific proposals were made. A member of the secretariat suggested that CV/CW 13 and CV/CW 28 might be relevant.

Amendments to P200 (3) (e) and P206 (3) of 4.1.4.1

29. The Working Group noted that the current text of P200 (3) (e) and P206 (3) of 4.1.4.1 of RID/ADR was correct, and that only the corresponding texts of the Model Regulations had to be amended. Furthermore, the amendment to P206 (3) as drafted in ST/SG/AC.10/44/Add.1 had to be corrected by the secretariat.

Packing instructions P907, P911, LP905, LP906

30. The Working Group suggested editorial amendments that should be brought to the attention of the United Nations Sub-Committee of Experts on the Transport of Dangerous Goods. Similar modifications might concern LP903 and LP904 as well. Some participants requested clarification of the interpretation of paragraph (1) (a) of LP905, in particular of what was meant by “battery of different size, shape or mass” since in practice the large packaging is not tested with a battery inside.

Placarding of cargo transport units containing lithium batteries

31. It was recalled that, according to the IMDG Code, RID, ADR and ADN, the placard to be affixed to cargo transport units containing lithium batteries of UN Nos 3090, 3091, 3480 and 3481 was that corresponding to label model No.9 and not that corresponding to label No.9A, but this had not been brought to the attention of the United Nations Sub-Committee. The Model Regulations were not very clear in this respect and could be interpreted as requiring that the placard to be affixed correspond to model No.9A. This should be brought to the attention of the United Nations Sub-Committee. For the new UN No.3536, lithium batteries installed in cargo transport unit, special provision 389 indicated that lithium batteries installed in the cargo transport unit need not be marked nor labelled, and therefore the Working Group assumed that the placard to be affixed was that corresponding to label No.9 rather than No.9A, but this might need to be clarified with the United Nations Sub-Committee in relation to the interpretation of 5.3.1.2.1 of the Model Regulations.

Portable tank special provision TP10 in 4.2.5.3

32. The Working Group felt that the new provision concerning carriage of empty uncleaned portable tanks having contained bromine after the date of expiry of the last lining inspection was relevant for ADR/RID tanks as well and that this should be brought to the attention of the Working Group on Tanks since a corresponding provision could be included in Chapter 4.3.

Note concerning GHS pictograms in 5.1.1

33. The Working Group considered that the Note inserted in 5.1.1 of the Model Regulations should rather be placed in 5.2.1 and after the heading of Chapter 5.3.

Provisions concerning temperature control in Chapter 7.1

34. The Working Group noted that the provisions concerning temperature control in Chapter 7.1 of the Model Regulations reflected to a large extent those contained in special provisions V8 and S4 of ADR. The Working Group considered that these provisions should be contained in Chapter 7.1 as general provisions applicable to the carriage of substances requiring temperature control while special provisions V8 and S4 of ADR could continue to be assigned to individual entries for which carriage under temperature control is required, but the text of these special provisions would simply refer to section 7.1.7. Some differences with the current text were identified and the texts concerned were placed between square brackets for consideration by the Working Party on the Transport of Dangerous Goods since this did not affect RID.

III. Adoption of the report

35. The Ad Hoc Working Group adopted the report on its session by correspondence on the basis of a draft prepared by the secretariat.
