



**Committee of Experts on the Transport of Dangerous Goods
and on the Globally Harmonized System of Classification
and Labelling of Chemicals****Sub-Committee of Experts on the Transport of Dangerous Goods****Forty-first session**

Geneva, 25 June – 4 July 2012

Item 3 (b) of the provisional agenda

Listing, classification and packing: miscellaneous**Special Provision 335: Exemption for small quantities of
environmentally hazardous substances****Transmitted by the International Council of Chemical Associations
(ICCA)¹****Introduction**

1. At the 40th session of the Sub-Committee the industry presented a proposal for extension of special provision 335 (ST/SG/AC.10/C.3/2011/42). This special provision permits the exemption of small quantities of solid environmentally hazardous substances (up to 10 g) and liquid environmentally substances (up to 10 ml) absorbed in a solid. The industry has a strong demand to exempt also small amounts of liquids, mainly for distribution of consumer commodities. The concept of the industry proposal was, to extend the special provision to liquids in a comparable small quantity (up to 10 ml) and with additional packing provisions to compensate the higher risk because of the liquid state.

2. Although some experts believed that the proposal had merit, others considered that the current provisions were satisfactory and that there was no need to complicate the Model Regulations. Many comments suggested using the existing provisions for small quantities, i.e. the provisions for dangerous goods packed in limited quantities or in excepted quantities. If these would not be sufficient, preference was given to extending these provisions rather than SP 335.

¹ In accordance with the programme of work of the Sub-Committee for 2011-2012 approved by the Committee at its fifth session (refer to ST/SG/AC.10/C.3/76, para. 116 and ST/SG/AC.10/38, para. 16).

3. Taking into account these comments, ICCA revised its proposal accordingly by proposing to amend the existing provisions for dangerous goods packed in excepted quantities.

4. If the proposed amendments to the Excepted Quantity provisions would not be acceptable, ICCA would then still be in favour of extending the existing SP 335. The proposal in document ST/SG/AC.10/C.3/2011/42 has been amended taking into account the comments received during the discussion during the 40th session and is herewith attached in annex to this proposal.

Justification

5. The proposal introduces a new Exempted Quantity Code E6 in 3.5.1.2. This code should only be assigned to environmentally hazardous substances of UN 3077 and 3082. The assignment of larger quantities (300 ml for liquids and 600 grams for solids) can be justified by the packing provisions for Excepted Quantities, which are much stricter than for transport of UN 3077 and 3082 without exemptions.

6. Additionally in section 3.5.1.4 (“de minimis provisions”) quantities of 10g and 10 ml have been assigned to Code E6. These quantities are the same which are used in the current special provision 335. The extension to liquid substances is justified by the stricter packaging provisions and the limitation of the maximum net quantity.

7. A barrier for efficient use of the exempted quantity provisions for the distribution of consumer commodities is the limitation of the maximum number of packages in 3.5.5. In principle, we see no reason to limit the package number for these extreme small amounts of substances per package. But to keep the same safety level, we propose to introduce marking provisions in 3.5.5 for cargo transport units carrying more than 1.000 excepted quantity packages. Consequentially the number of packages would no longer have to be indicated on a transport document as required in 3.5.6 if the transport unit would be marked according to 3.5.5.

8. Because of these extra provisions ICCA believes that this proposal provides an adequate level of safety.

Proposal

9. Amend the following sections in chapter 3.5 to read (new text in bold and underlined):

3.5.1.2 Dangerous goods which may be carried as excepted quantities in accordance with the provisions of this Chapter are shown in column 7b of the dangerous goods list of Chapter 3.2 by means of an alphanumeric code as follows:

Code	<i>Maximum net quantity per inner packaging</i> (in grams for solids and ml for liquids and gases)	<i>Maximum net quantity per outer packaging</i> (in grams for solids and ml for liquids and gases, or sum of grams and ml in the case of mixed packing)
E0	Not permitted as Excepted Quantity	
E1	30	1 000
E2	30	500
E3	30	300
E4	1	500
E5	1	300
<u>E6</u>	<u>300 ml / 600 grams</u>	<u>5 000</u>

For gases, the volume indicated for inner packagings refers to the water capacity of the inner receptacle and the volume indicated for outer packagings refers to the combined water capacity of all inner packagings within a single outer packaging.

3.5.1.4 Excepted quantities of dangerous goods assigned to codes E1, E2, E4, E5, **and E6** are not subject to these Regulations provided that:

(a) The maximum net quantity of material per inner packaging is limited to 1 ml for liquids and gases and 1 g for solids, **for E1, E2, E4, and E5, and to 10 ml for liquids and 10 gr for solids for E6;**

(b) The provisions of 3.5.2 are met, except that an intermediate packaging is not required if the inner packagings are securely packed in an outer packaging with cushioning material in such a way that, under normal conditions of transport, it cannot break, be punctured, or leak its contents; and for liquid dangerous goods, the outer packaging contains sufficient absorbent material to absorb the entire contents of the inner packagings;

(c) The provisions of 3.5.3 are complied with; and

(d) The maximum net quantity of dangerous goods per outer packaging does not exceed 100 g for solids or 100 ml for liquids and gases **for E1, E2, E4, and E5, and 500 gr for solids and 500 ml for liquids for E6.**

3.5.2 Packagings

Packagings used for the transport of dangerous goods in excepted quantities shall be in compliance with the following:

(a) ... ;

(b) Each inner packaging shall be securely packed in an intermediate packaging with cushioning material in such a way that, under normal conditions of transport, it cannot break, be punctured or leak its contents. The intermediate packaging shall completely contain the contents in case of breakage or leakage, regardless of package orientation. For liquid dangerous goods, the intermediate packaging shall contain sufficient absorbent material to absorb the entire contents of the inner packaging. In such cases, the absorbent material may be the cushioning material. Dangerous goods shall not react dangerously with cushioning, absorbent material and packaging material or reduce the integrity or function of the materials;

In case the inner packaging passes the drop test prescribed in 3.5.3, cushioning material and/or absorbent material may be placed in the outer packaging instead of the intermediate packaging.

(c) ... ;

3.5.5 Maximum number of packages in any freight vehicle, railway freight wagon or multimodal freight container

The number of packages in any freight vehicle, railway freight wagon or multimodal freight container shall not exceed 1 000.

In case the number of packages exceeds 1000 or the number of packages is not counted, the transport units shall be marked in accordance with 3.5.1 (size 200 mm x 200 mm), without indicating the classes and the name of the consignor or of the consignee) at the positions required for placards except when placards or marks in accordance with chapter 5.3 are displayed.

3.5.6 Documentation

If a document (such as a bill of lading or air waybill) accompanies dangerous goods in excepted quantities, it shall include the statement “Dangerous Goods in Excepted Quantities” and indicate the number of packages.

The number of packages needs not to be indicated, if the transport unit is marked as described in 3.5.5

Consequential amendment:

In column (7b) of the dangerous goods list in chapter 3.2 replace “E1” by “E6” for UN 3077 and UN 3082.

Annex

Alternative proposal to amend SP335 (new text underlined).

335 Mixtures of solids which are not subject to these Regulations and environmentally hazardous liquids or solids shall be classified as UN 3077 and may be carried under this entry provided there is no free liquid visible at the time the substance is loaded or at the time the packaging or cargo transport unit is closed. Each cargo transport unit shall be leakproof when used as a bulk container. If free liquid is visible at the time the mixture is loaded or at the time the cargo transport unit is closed, the mixture shall be classified as UN 3082. Sealed packets and articles containing less than 10 ml of an environmentally hazardous liquid, absorbed into a solid material but with no free liquid in the packet or article or containing less than 10 g of an environmentally hazardous solid are not subject to these Regulations. Inner packagings containing not more than 10 ml of an environmentally hazardous liquid packed in a combination packaging not exceeding 30 kg total gross mass conforming to general packing provisions 4.1.1.1, 4.1.1.2, 4.1.1.4, and 4.1.1.8 and meeting the construction requirements of 6.1.4 are not subject to these Regulations, if the packaging is designed to prevent the release of the liquid content: by using an intermediate packaging (plastic bag, blister or similar) or by adding absorbing material in a part of the packaging (outer or intermediate packaging).
