

Fifth meeting of the Informal Working Group on the Transport of Hazardous Waste

15 June 2022

10h00 – 18h00

16 June 2022

9h30 – 12h30

Technical practicalities

For an efficient and clear meeting

House rules

Technical practicalities

- Keep your microphone muted; activate it only if you want to talk;
- Camera is optional; if connection is bad, it is advisable to switch it off;
- If you want to talk, raise your hand (TEAMS icon);
- Subtitles will be activated (English only).



Organizational practicalities

- Keep your intervention structured and clear (target max 90 sec.);
- Use the chat function for short communications;
- Ask the moderator if you want to share documents/screen.



Tour de table

Who is participating

Name	Country/Organisation	Participation
François Pondant	Belgium	In person
Claude Pfauvadel	France	In person
Jean-Michel Piquion	France	In person
Gudula Schwan	Germany	In person
John Bethke	Germany	In person
Soedesh Mahesh	The Netherlands	In person
Hennie C. van der Stokker	The Netherlands	In person
Maurits van den Adel	The Netherlands	In person on the 15th
Majken Strange	Denmark	Remote
David Boland	Ireland	Remote
Iliass Zerktouni	Luxembourg	Remote
Silvia García Wolfrum	Spain	Remote on the 15th
Camilla Oscarsson	Sweden	Remote on the 15th
Malin Jonsson	Sweden	Remote
Wonett Hall	UK	Remote
Dario Pinna	Cefic	In person
Rikarnto Bountis	EuRiC	Remote
Jan Goedhart	FEAD	In person
Roland Schüler	FEAD	In person
Willy Van Praet	FEAD	In person
Baudouin Ska	FEAD	In person
Damian Rambault	FEAD	In person
Aizea Astor	FEAD	In person
Aline Fussien	FEAD	Remote
Olivier Deweerdt	FEAD	Remote
Frederik Van Braekel	FEAD	Remote on the 16th

Proposed agenda

Agenda proposal



Wednesday, 15 June 2022, 10h00-18h00
Hybrid meeting - The Hague and hosted online via TEAMS

Agenda Item		Action	Time (approx.)
Welcome coffee and opening of online participation			10h00-10h30
Introduction	Opening of the meeting: presentation of the protocol to guarantee a quality hybrid meeting.	Information	10h30-11h00
	Tour de table	Information	
	Approval of the proposed agenda – AOB?	Adoption	
	Short recap of previous meetings	Information	
Issue 5.2	Presence of hazardous household waste in the (selective) collection of non-hazardous waste (e.g. empty packaging)	Tour the table to document the current situation in each country and decision on further action	11h00-11h45
Comfort break			11h45-12h00
Issue 2.2	Transport of packaged waste: inner packagings packed together	Presentation of FEAD's proposed solutions and decision on further action	12h00-13h00
Lunch			13h00-14h00
Issue 2.2	Transport of packaged waste: inner packagings packed together	Presentation of FEAD's proposed solutions and decision on further action	14h00-16h00
Coffee break			16h00-16h30
Issue 2.5	Chemical compatibility of plastic packaging for liquids	Information and decision on further action	16h30-18h00
Dinner offered by Renewi			19h30

Agenda proposal



Thursday, 16 June 2022, 9h15-12h30
Hybrid meeting - The Hague and hosted online via TEAMS

Agenda Item		Action	Time (approx.)
Welcome coffee and opening of online participation			9h15-9h30
Summary of decisions taken on 15 June 2022			9h30-9h45
Issue 3.1	Transport of fixed asbestos and manufactured articles containing asbestos	Update and decision on further action	9h45-10h30
Coffee break			10h30-11h50
AOB (monkey pox virus), finalising of decisions taking, summary, conclusions and next steps			11h15-12h00
Lunch			13h00

History of the informal WG

See previous reports

History of the Informal Working Group

- After several punctual proposals of updating the ADR, FEAD proposes to initiate an informal WG on ADR and waste
- The Autumn session 2018 of the Joint Meeting asks FEAD to lead the Informal WG
- April 2019: first Informal WG in Brussels: selection of issues for further consideration
- Joint Meeting autumn 2019: confirmation of the selection + 1 issue
- March 2020: second Informal WG Utrecht: 10 issues selected, 5 working documents to be finalised
- September 2020: Joint Meeting approves 2 working documents
- 07 October 2020: third Informal Working Group held online (9 MS present)
- 19 November 2020: fourth Informal Working Group held online (8 MS present)
- March 2021: Joint Meeting approves 2 working documents

Summary previous Informal WG

See meeting Report

Fourth Informal Working Group meeting (19 November)

- **Need for further analysis:**
 - issue 3.1 (working document 57 by France) on the transport of fixed asbestos and manufactured articles containing asbestos
 - document 0.2 on “carriage of waste batteries in bulk”
 - issue 4.2. on additional information responsible person for class 6.2
- **Need for finalisation:** issue 4.1 (working document 61) on “weight estimation” (all) and issue 5.1 (document 51) on “polymerizing substances” (by Germany)
 - Both approved by the JM in Spring 2021
- **Need for finalisation:** issue 1.1 on “exemption of pharmaceutical products (medicines) ready for use” (by FEAD)
- **Closed issues:** working document 54 on removable dumpster placarding
- **Need for further information from MS:** issue 1.1, document 0.2, proposal for multilateral agreement for document 62 (Belgium, Finland), issue 3.3 on “transport of aerosols in bulk” (Austria)
 - MA no longer necessary (ADR 2023)
- **Introduction of** point 2.2 on “transport of packaged waste” and point 2.5 on “chemical compatibility”

Issue 5.2: presence of hazardous household waste in the (selective) collection of non-hazardous waste (e.g. empty packaging)

Issue 5.2: hazardous household waste in waste collection

Context

As presented to the JM in April 2019:

- *This problem is increased by the introduction of the CLP-classification and the increase of household products bearing hazardous CLP-labels (GHS 02, 05, 07), which is considered in certain conditions as non-hazardous waste by local environmental legislations. **How can such legislation be harmonized with the ADR?***
- *Examples of such issues include aerosol containers with remnants of gas within, which are considered dangerous. Likewise, bleach containers with small remnants of liquid have the potential to be dangerous, particularly with consideration to the burdensome nature of checking each container for small amounts of dangerous substances.*
- *Batteries mixed with residual waste generate similar problems (increasing fire risk due to lithium batteries).*

Conclusions of the second IWG in March 2020:

- *The IWG rejected FEAD's proposal to include a paragraph in new section 1.8.XX requiring the formal approval of each environmental waste legislation by the RID/ADR competent authorities as far as transport of dangerous goods with a waste status is involved.*
- *The participants recognised the existence of the problem: wrong sorting instructions for waste producers (household as professionals) are included in environmental legislation. ADR roadside checks of transports loaded with such type of waste (aerosols, empty packaging of chemicals mixed with e.g. residual waste or empty beverage packaging, etc.) would systematically generate non-conformities.*
- ***The IWG asked FEAD to address the issue documented by a clear summary during the Joint Meeting in order to collect the position of the administrations in different countries.***

Issue 5.2: hazardous household waste in waste collection

Additional information

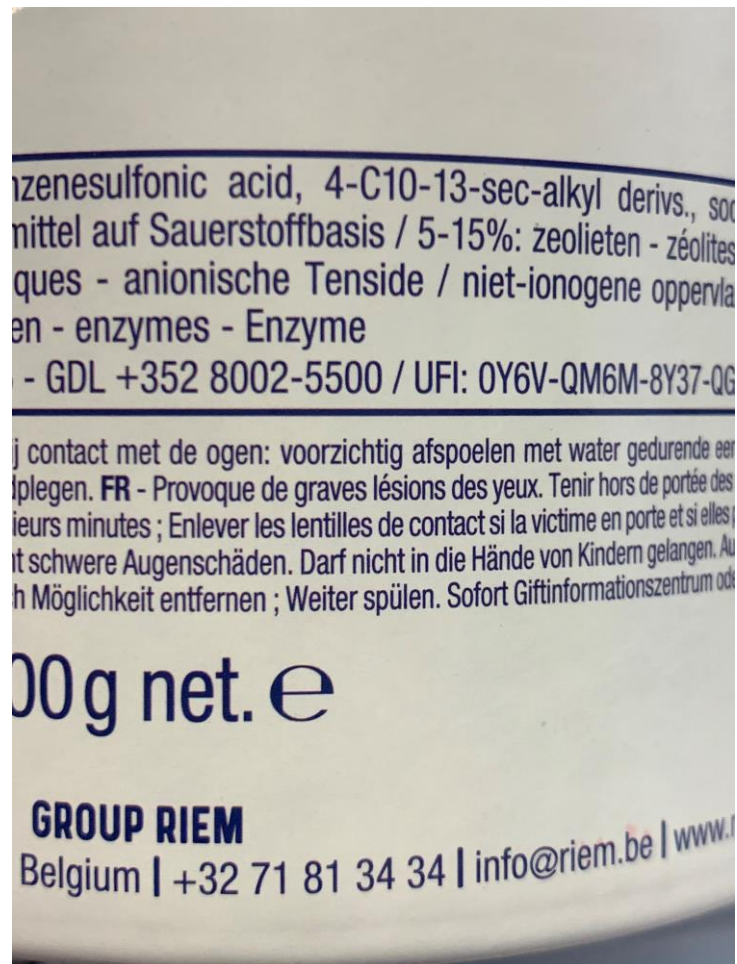
- Problem of correspondence between Hazard labels, Hazard -codes and ADR, e.g. GHS 05 – H318 (causes serious eye damage/ H314 (causes severe skin burns and eye damage)
- Problem of labelling and safety instructions
- Problem of quantities (ratio hazardous / non-hazardous)
- Problem of 'empty', e.g. for aerosols still under pressure
- Within EU-27 is the selective collection of empty household packaging mandatory since 1994. Selective collection of household hazardous waste will be mandatory as from 2025

➤ **Tour the table to document the current situation in each country and decision on further action**

Overview of aerosols (1)



Overview of aerosols (2)



Comfort Break ~ 15 minutes

Issue 2.2: transport of packaged waste, inner packagings packed together

Issue 2.2: packaged waste in combined packaging

Context

Original products are packed in a combined packaging, specifically tested for that purpose (see ADR 6.1.5). For waste collection, only the inner packaging remains available. This waste must be sorted, according to its hazardous properties, and be repacked fulfilling all the requirements of the ADR, which is not possible. There is a lack of a simple legal solution available to replace the missing outer packaging.

During reconditioning, waste is taken out of its original single packaging and brought together with other compatible waste in a 'new' waste packaging, UN-tested. As the composition of the mixture is not stable and changes for each used packaging, a solution has to be developed regarding the chemical compatibility.

The IWG recognised the need for a definition of the minimum requirements for the outer packaging and the nature of the transported waste in each inner packaging. However, the provision should under no circumstances apply to unknown waste. It is also unclear how Packaging Group 1 should be dealt with.

Proposal and actions

- The IWG agreed with the suggestion moved by FEAD to prepare a document compiling all national derogations. This summary document should present specific issues (i.e. on max inner packaging, on type testing, combined/non-combined classes of waste) and review how different national derogations tackle the latter.
- On this basis, the IWG should discuss the harmonisation at ADR level.

Issue 2.2: packaged waste



Overview of used outer packagings (1)



Overview of used outer packagings (2)



Overview of used outer packagings (3)



Overview of used outer packagings (4)



Overview of used outer packagings (5)



IBC 11H2



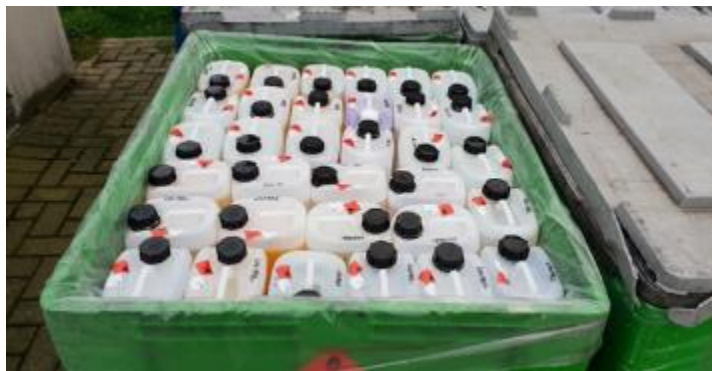
Small hazardous
waste box



Overview of used outer packagings (6)



Outer
receptacles



Overview of used outer packagings (3)

UN-tested
open drum



UN-tested
big bags



Overview of used outer packagings (7)


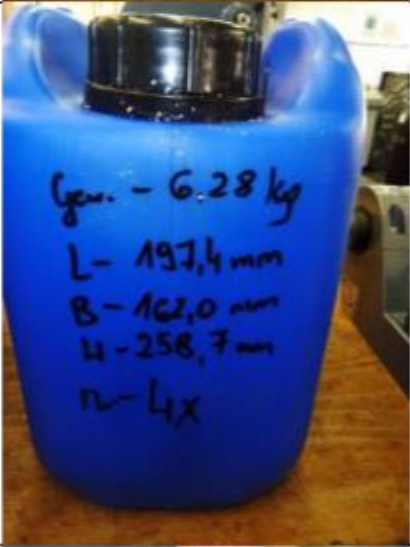


Safety truck

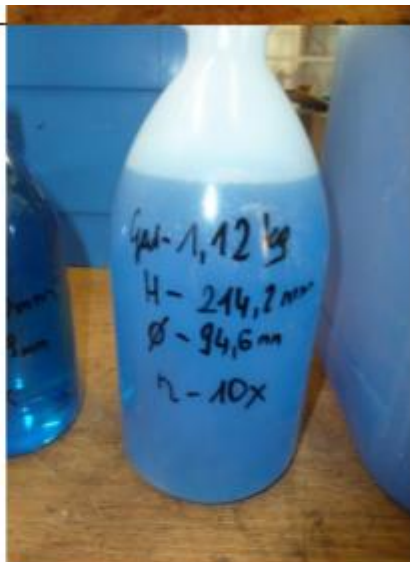
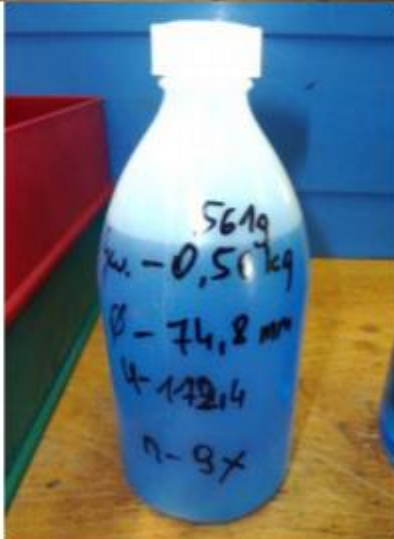


Waste drums
inside safety
truck

Summary test results from The Netherlands (1)

Anzahl Numbers	Beschreibung: Description	Bilder: Picture	Gewicht Weight
2	HDPE Kanister, 10 l 232 x 197 x 291 mm		11,97 kg
4	HDPE Kanister, 6 l 197 x 162 x 259 mm		6,28 kg

Summary test results from The Netherlands (2)

10	HDPE Flasche, 1 l 214 x Ø 95 mm		1,12 kg
9	HDPE Flasche, 0,5 l 172 x Ø 75 mm		0,56 kg

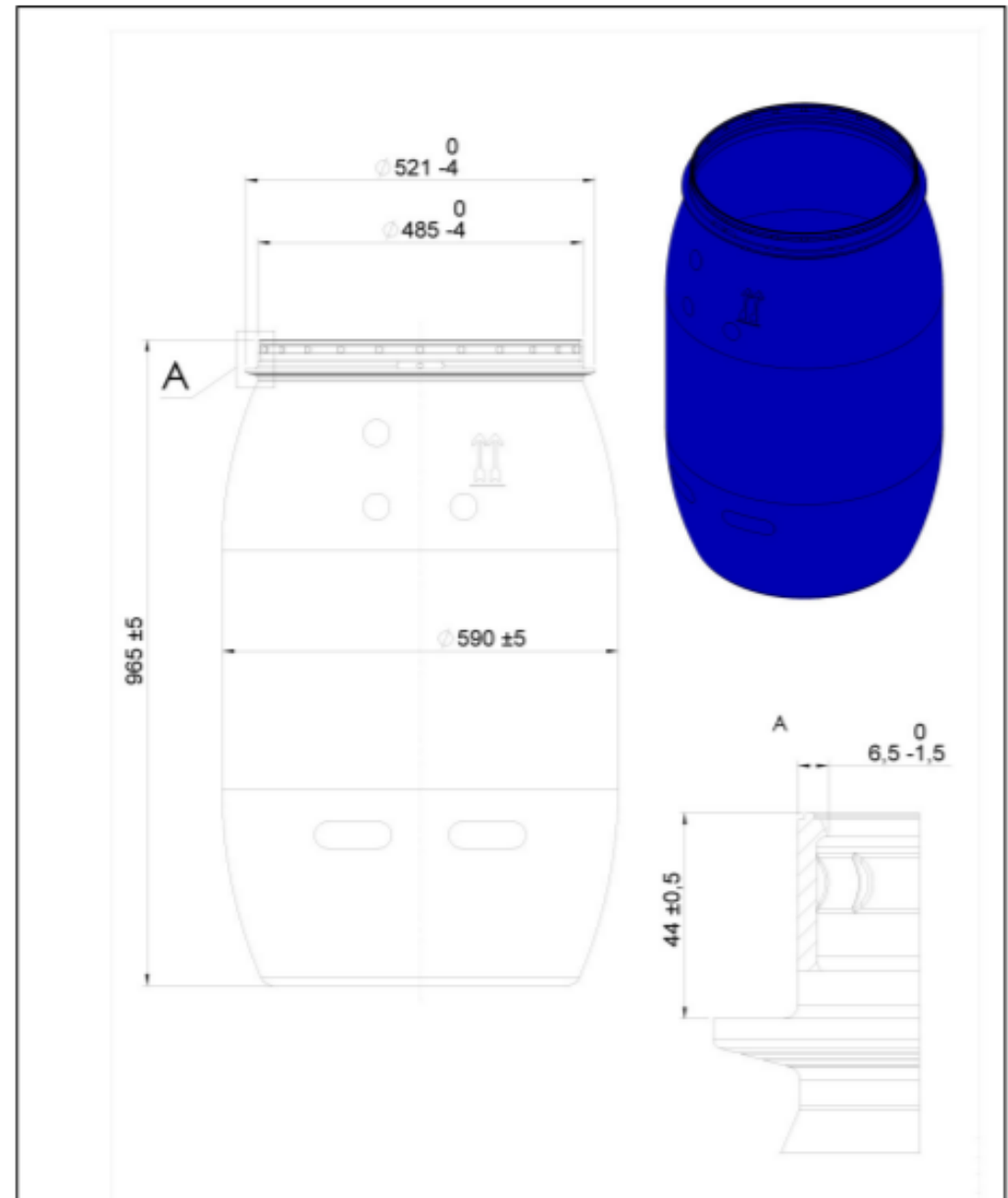
Summary test results from The Netherlands (3)

Anzahl Numbers	Beschreibung: Description	Bilder: Picture	Gewicht Weight
10	Glass-Flasche, 0,7 l 188x Ø 76 mm		0,87 kg
	Aufsaugmittel Vermiculit Körnung 2 – 6 mm		19 kg

UN-tested waste drum from The Netherlands



Artikelzeichnung 220 Liter Standard-Deckelfass:
Construction drawing 220 l standard open top drum:



National derogations



Microsoft Excel
Worksheet

FEAD proposed common solution

Item	ADR	FEAD proposed common solution
Applicability		<ul style="list-style-type: none"> - Packaged dangerous goods having a waste status (household and industrial) - For all transport steps (complete transport) <p>→ IWG: No specification</p>
Scope		<ul style="list-style-type: none"> - IWG: Out of scope as per ADR 2.1.3.5.3
Statistics		No incidents reported on transports performed under national derogations
Responsibilities		<p>Expert appointed before the transport by the contracting parties (who?)</p> <ul style="list-style-type: none"> ▪ Official training and license required ▪ Harmonisation of minimum requirements to be discussed <p>IWG:</p> <ul style="list-style-type: none"> - Expert to hold safety adviser certificate + specific training under 1.3 on classification of waste - Responsibilities as per 1.4
Packaging - Outer	4.1.1.3	<ul style="list-style-type: none"> - COMBINED PACKAGING: Dangerous goods having a waste status of ALL packing groups, need ALL to be packed in outer UN-tested packagings (except waste stream existing specific derogations, e.g. asbestos, batteries, etc.) - UN tested for single packaging to be used for outer packaging
Packaging - inner (original inner packaging or a former single packaging, becoming an inner packaging)		<ul style="list-style-type: none"> - No construction requirements for inner packaging - No volume limitations as long as it can be correctly packed in a <u>closed</u> outer packaging

FEAD proposed common solution

Item	ADR	FEAD proposed common solution
Packaging - Respecting the test combination	4.1.1.5.1	COMPATIBILITY: solid and liquid waste can be packed in UN-tested single packages (tested for solids). The construction material (plastic) must then be the same as the one tested for liquids. <ul style="list-style-type: none">▪ E.g.: Drums tested with solids are allowed for liquids if the material of the drum is the same material as the material of the drums tested for liquids.
Packaging Maximum filling degree	4.1.1.4	Not applicable for inner packaging
Packaging - chemical compatibility of inner packaging	4.1.1.21	No ADR rules for chemical compatibility on inner packaging
Packaging chemical compatibility of outer packaging	4.1.1.21	See above on COMPATIBILITY <ul style="list-style-type: none">▪ For packagings of codes 1H2, 3H2 and 4H2, proof of sufficient chemical compatibility shall be deemed to have been furnished if the compatibility of the material with the respective standard liquids has been demonstrated within the framework of a design type test and approval for packagings of codes 1H1 or 3H1.

FEAD proposed common solution

Item	ADR	FEAD proposed common solution
Packaging maximum age after production	4.1.1.15	<ul style="list-style-type: none"> - No rules for inner packaging - Outer packaging according to ADR except large packaging and specific case by case derogations <p>OR</p> <ul style="list-style-type: none"> - No maximum age applicable for outer packaging as for large packaging? → IWG: No derogation from ADR
Packaging mixed packaging (5kg/liter max. content is applicable if different classification codes are packed together)	4.1.10	Only compatible waste (4.1.1.6) without volume limitation should be packed together in the same outer packaging as long as it can be correctly packed in a closed outer packaging.
Transport		<ul style="list-style-type: none"> - No need of additional rules - Drivers cabin to be separated from load
Transport documents		<ul style="list-style-type: none"> - ADR applicable: As far as specific waste rules are integrated in the ADR, no specific mention in the transport document is needed. <p>OR</p> <ul style="list-style-type: none"> - Reference to special rule applicable to waste <p>OR</p> <ul style="list-style-type: none"> - Specific document (problematic with digital systems)
Marking and labelling		ADR applicable (including subsidiary labels)

Coffee Break ~ 30 minutes

Issue 2.5: chemical compatibility

Issue 2.5: single packaging: chemical compatibility for plastic packaging

Context

As presented to the JM in April 2019:

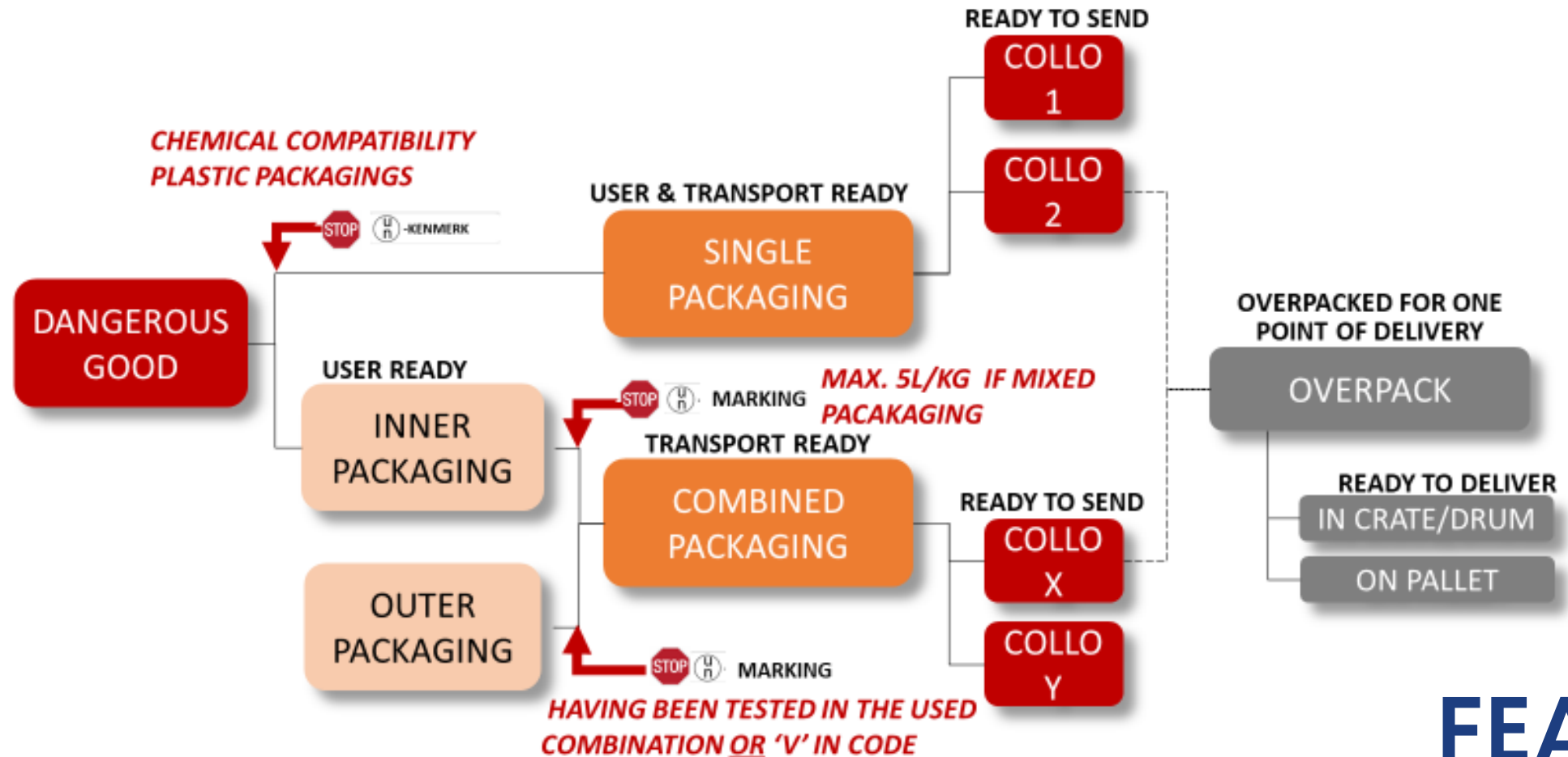
- *The rule for collective entries (figure ADR 4.1.1.21.2) requires the exact composition of the waste. In most cases, it leads to a declaration of “further testing requested”, which means it will be stored at room temperature for 6 months or on a test piece for 3 weeks under conditions, which is in practice inapplicable for waste.*
- *Rules concerning compatibility for chemical packaging were simpler and more practical in ADR 2001.*
- *The sole national derogation dealing with this issue is Ausnahme 20 in Germany. This derogation is based on “Abfallgruppe” (waste groups), and not on UN numbers.*
- *Such an approach could be inspiring for the ADR.*

Conclusions of the second IWG in March 2020:

- *The informal working group was open for an inclusion in 4.1.1.21 of a sub-paragraph 4.1.1.21.X dealing with waste, including a simplified table keeping the following data: class, classification code, packing group, name and standard liquids.*

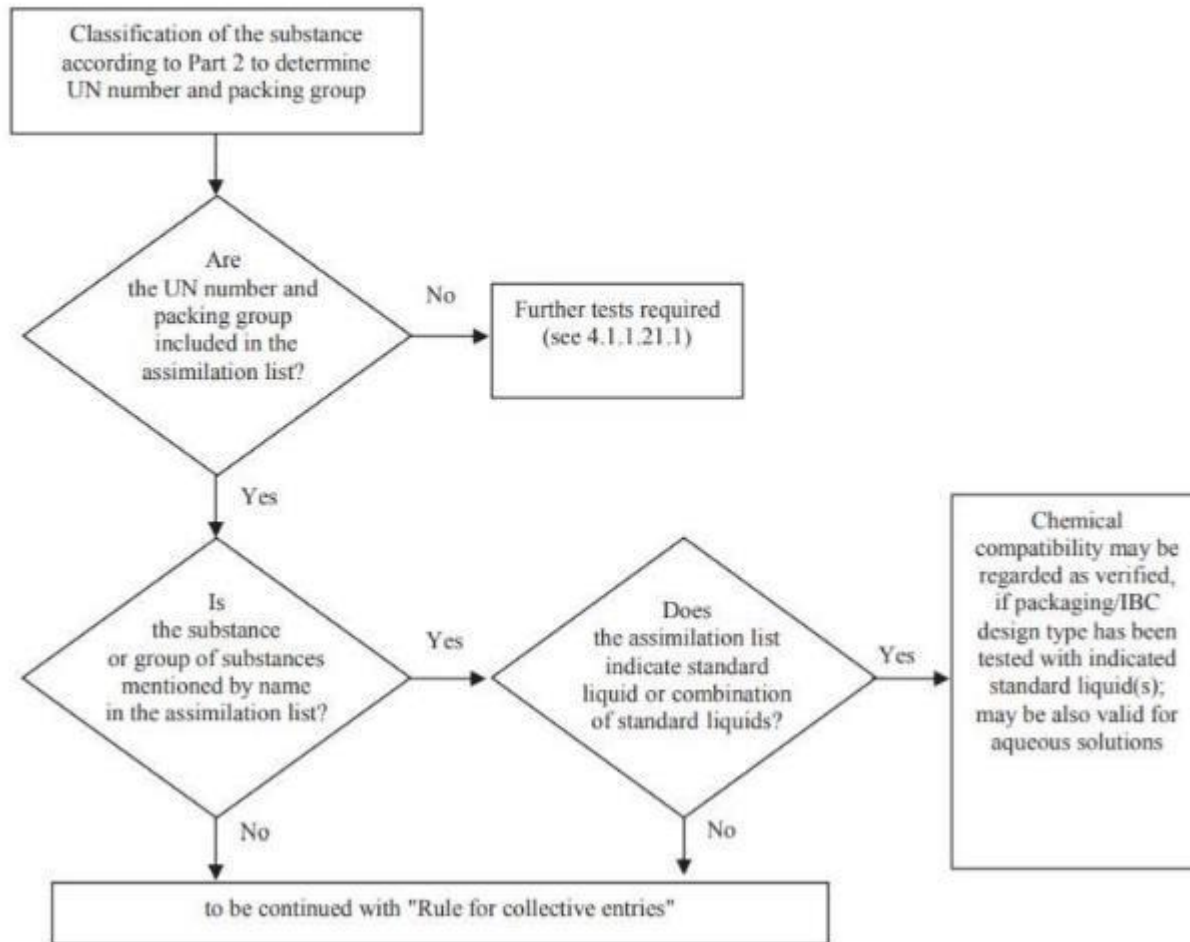
Issue 2.5: chemical compatibility

PACKAGING RULES FOR DANGEROUS GOODS HAVING WASTE STATUS ARE NOT APPLICABLE



Issue 2.5: chemical compatibility

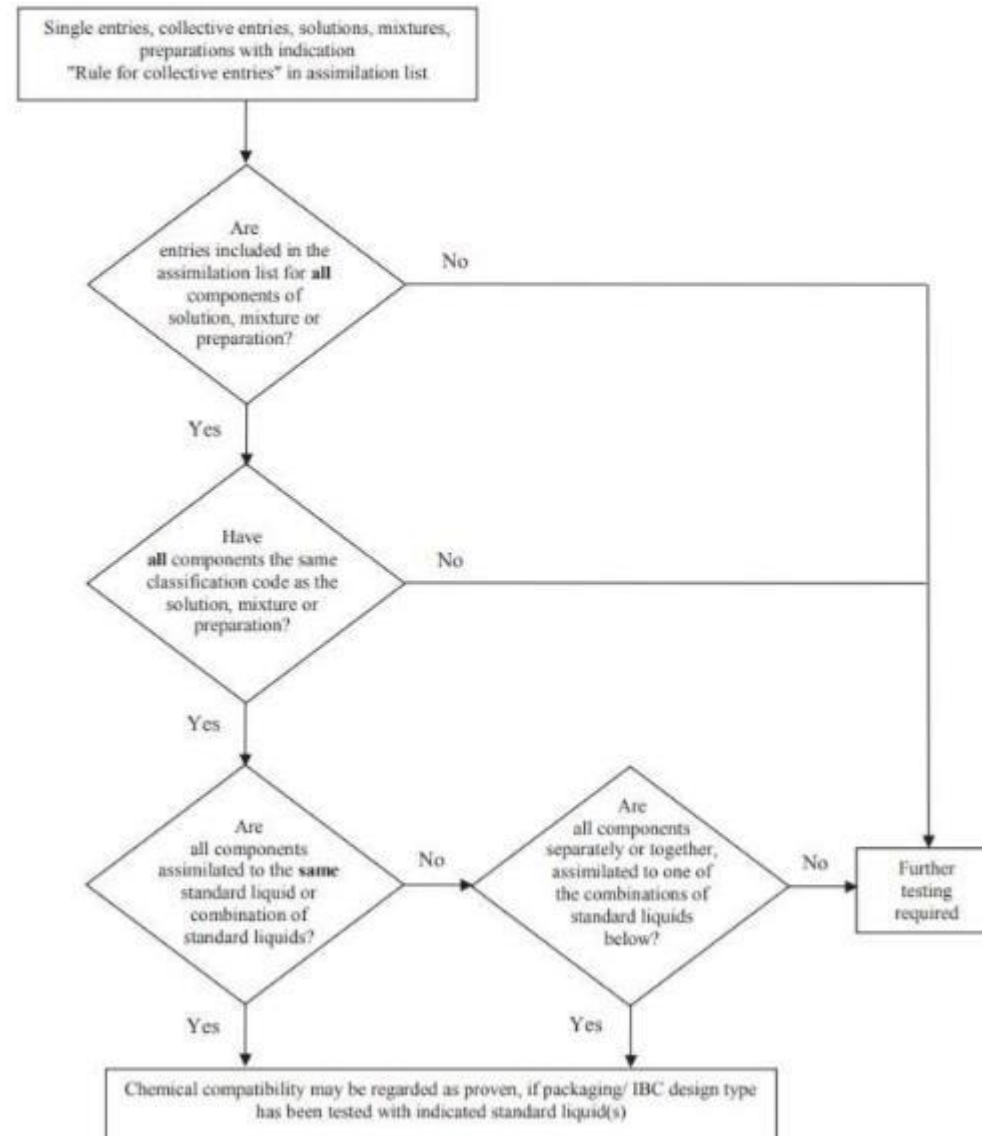
Figure 4.1.1.21.1: Scheme for the assimilation of filling substances to standard liquids



- Waste is in practice always synonymous with mixing and even with each mixing being generally unique.
- The proposed procedure in Ausnahme 20 (Germany) is based on such a simplified table, but as this national derogation is not based on UN-numbers but on waste groups, a 'bridge' must be built to introduce such approach in the ADR. D. Rambault (FNADE) tried the exercise of introducing UN-numbers in the table used in the German derogation. FEAD proposes to start with this document to elaborate a new paragraph 4.1.1.21.X.

Issue 2.5: chemical compatibility

Figure 4.1.1.21.2: Scheme "Rules for collective entries"



Issue 2.5: chemical compatibility

English translation of the table of hazardous waste in German “Ausnahme 20” –
Exemption 20



Adobe Acrobat
Document

Summary of 15 June

- FEAD will submit a proposal under 1.1.3.1.a on the collection of hazardous household waste (empty packaging)
- Discussion on cigarette butts toxicity
- Proposal to organise a dedicated IWG meeting on asbestos
- MA on monkeypox virus proposed by Germany
- FEAD proposal on
 - Chemical compatibility for single plastic packaging
 - Combined packaging

Issue 3.1: Transport of fixed asbestos and manufactured articles containing asbestos // Working document 57: transport of asbestos in bulk (France)

Issue 3.1: carriage of asbestos in bulk

Context

RID/ADR prohibits the carriage of asbestos in bulk (UN Nos. 2212 and 2590). The informal working group on the transport of hazardous waste discussed this item and found it necessary in certain cases to allow for the carriage of asbestos in bulk under certain conditions.

Participants discussed the fact that SP 168 already deals with asbestos that is inside another material but does not consider separate asbestos dust. Participants agreed that this issue is important, as the demolition of certain buildings, and similar activities, inevitably gives rise to asbestos dust. RO-bi-FR-6 tries to address the issue that there is no way of avoiding the production of asbestos dust during the demolition of damaged buildings.

After previous informal WG extra input from France was asked (updated document).

Discussion on special provision 168: need for interpretation, definition and clarification of scope.

Issue 3.1: carriage of asbestos in bulk

Historical overview

Meeting December 1974

Introduction of UN 2212 Crocidolite (Blue asbestos)

Meeting December 1984

UK proposal clarifying the definition of

- UN 2212: Blue asbestos (crocidolite) or Brown asbestos (amosite)
- UN 2590: Asbestos, all forms other than blue or brown

Subsequent working group (1984) recommending:

- Updated proposal of definitions:
 - UN 2212: Blue asbestos (crocidolite) or Brown asbestos (amosite , mysorite) – Class 9 PG II
 - UN 2590: White asbestos, includes all types other than crocidolite, amosite or mysorite – Class 9 PG III
- Addition of a Special Provision for UN 2590, enlarged also to UN 2212 (Part 1 of present SP 168)

Meeting December 1990

Addition of the second sentence in SP 168 (efficient packaging).

Special provision 168

168

Asbestos which is immersed or fixed in a natural or artificial binder (such as cement, plastics, asphalt, resins or mineral ore) in such a way that no escape of hazardous quantities of respirable asbestos fibres can occur during carriage is not subject to the requirements of ADR. Manufactured articles containing asbestos and not meeting this provision are nevertheless not subject to the requirements of ADR when packed so that no escape of hazardous quantities of respirable asbestos fibres can occur during carriage.

Issue 3.1: carriage of asbestos in bulk

Discussion on special provision 168: need for interpretation, definition and clarification of scope.

- How is SP 168 applied in each MS?
- Divergencies?
- How is “manufactured articles” understood?
- Can a waste still be a “manufactured article” under SP 168?
- Does the packaging need to be UN tested for SP 168 to be applicable, hence ADR not being applicable?
- Need for clarification? If so, should it be managed by the JM or the UN Sub-Committee of experts on the transport of dangerous goods?

Conclusion

Conclusion

- Finalising of decisions taking
 - Chemical compatibility for single plastic packaging

Under 4.1.1.22 add the following paragraph:

“In the case of liquid waste classified under 2.1.3.5.5 the use of plastic packaging tested with all the five standard liquids is allowed. The packaging shall follow the testing procedure for packing group I (X-code)”

- List of liquids to be included

Conclusion

- **Finalising of decisions taking**
 - **Combined packaging**

Under 4.1.1.5.3?

In the case of waste classified under 2.1.3.5.5, mixed inner packaging in one outer packaging shall comply with the following provisions:

- An outer packaging tested for solids is also allowed to be used for combined packaging (reference to 6.1.3.1d?)
- The outer packaging shall be tested for packaging group I
- In derogation from 4.1.1.5.1 inner packaging of different sizes, shapes and materials are allowed provided that the outer packaging can be properly closed
- Sufficient cushioning and absorbent material are used to take up void spaces and leakages, and to prevent significant movement of the inner packagings
- In case of plastic outer packaging, the type of construction material (plastic) used for the packaging tested for solids must be the same as the one used for packaging tested for liquids and chemically compatible with all the five standard liquids
- 4.1.10.4 is not applicable
- ~~Only chemically compatible waste under one UN number can be packed in one/the same outer packaging~~

Conclusion

- **AOB**
- **Summary**
 - FEAD will submit a proposal under 1.1.3.1.a on the collection of hazardous household waste (empty packaging)
 - Discussion on cigarette butts toxicity
 - Proposal to organise a dedicated IWG meeting on asbestos
 - MA on monkeypox virus proposed by Germany
 - FEAD proposal on
 - Chemical compatibility for single plastic packaging
 - Combined packaging
- **Conclusions and next steps**
 - Date for asbestos meeting November → Doodle to be sent by FEAD Secretariat (16/17), half day afternoon (2pm – 5pm)
 - FEAD to prepare INF documents for September session of the JM. Official proposals will follow according to the feedback of the JM.
- **Planning of next meeting**

**Thank you for
your attention**