

ADG7.6 Comment from Richard Greenwood, RG Chemical Safety

**Introduction (page xxxv)**

“The requirements of this code do not apply to **waste products and other environmentally hazardous substances** unless those products or substances are also dangerous goods as specified in the code. Enquiries regarding the transport of waste and other environmentally hazardous substances should be directed to the relevant state or territory authority responsible for administering environment protection legislation. “

This statement is misleading, as SP AU01 only exempts some Environmentally Hazardous Substances from the requirements of the code. Phrasing it like this parallels the ADG statement in 2.9.2 that says “These designations are used for substances and mixtures which are dangerous to the aquatic environment that do not meet the classification criteria of any other class or another substance within Class 9” and therefore implies that these goods are never subject to control by the ADG Code. In particular, tankers of chemicals that are EHS remain dangerous goods, and if they are not covered by waste regulations they fall completely within the ADG Code.

You could repair by dropping the “and other environmentally hazardous substances” from the statement.

**Chapter 5 Lithium Batteries mark**

5.2.1.9.2. This has reverted again to the incorrect marking, as only a single asterisk appears. A double asterisk should appear beneath the single one. You currently have:

Figure 5.2.5, Lithium battery mark



- \* Place for UN number(s)
- \*\* Place for telephone number for additional information

Figure 5.2.5, Lithium battery mark



- \* Place for UN number(s)
- \*\* Place for telephone number for additional information

7.6 Draft

March 2017 ADG 7.5

This was corrected in the March 2017 version of ADG 7.5, and this implies that you may have amended an out of date version of the code. You must ensure that any other changes made to 7.5 are not lost.

## **Change in terminology to Hazard from Risk – practical implications for Documentation:**

Subsidiary hazard: Chapter 11 must include recognition that Subsidiary hazard may be referred to as subsidiary risk, and that this is permitted for either a set period, for the life of ADG 7.6, leaving the option to extend in later revisions. While this is included in the definitions: **Subsidiary Risk means Subsidiary Hazard**, and this could be used to support any remaining reference to Subsidiary Risk on transport documentation or other systems or support material, this should be spelled out as widely as possible.

The primary problem is that much software will include hard coded headings which will be expensive for impossible to change for the user. Confirmation of this must in Section 11.1.2.2.2 NOTE 2, to clarify that a document. These will continue to produce documentation which is perfectly clear and includes the correct information, but will refer to 'Subsidiary Risk', and potentially also 'Primary Risk'. There must be no possibility of confusion that this documentation will cease to comply for road and rail once ADG7.6 becomes mandatory. This clarification of continued use of Subsidiary Risk must also be included in the changes to Model Law, which have not been made available for public comment.

## **2.8 Classification of Corrosives**

The new guidance on packing group provided in Section 2.8. runs counter to experience, and imposes a heavy burden on industry, far beyond what is justified by real examples of materials likely to be available diluted.

I have great concern about Corrosive DG out there that isn't being declared, but the 5% cutoff when applied to packing group I (and II) material dilutions is not supported by real examples (see below), and makes those endeavouring to comply face unsustainable and apparently unjustified compliance costs for stronger packaging. Faced with being uncompetitive, some sectors of industry will surely opt to ignore this, or attempt to hide the true nature of the goods.

I am aware that correct classification has previously required skin corrosion testing (or equivalent) as the only means of assigning packing group, leaving those not undertaking testing with no guidance as to what packing group should be assigned, or performing the relatively cheap metal corrosion test only and defaulting to packing group III. I am concerned that by taking a precautionary approach rather than its usual pragmatic approach, the UN has created a cost burden for industry that is not justified for safety.

In many cases, the bridging principles, particularly similar mixtures, may allow for a more appropriate determination of packing group. I would urge Competent Authorities and Regulators to consider this approach before use of the flowchart in 2.8.4.3.

Real examples from the UN List:

Nitric acid – 70% is PG I, 30% is PG II. At 5% you are PG III, not PG I.

Hydrofluoric Acid - >60% is PG I

Nitrating Acid mixture - >50% is PG I

Acetic acid is even more extreme at >80% , but as a weak acid this is to be expected.

These are hugely above the 5% cutoffs. While it is clear that for these materials these Specific Concentration Cutoffs are to be used for mixtures and dilutions, there are many common examples where clear guidance is not available. For hydrochloric acid a 5% solution will remain PG II even though there is test data that indicates the correct cutoff to go to PG III is around 16%.

### 3.4.11 MIXED PACKET (LOWER RISK) DANGEROUS GOODS

Dangerous goods packed in limited quantities (1.2.1.2.5) - other than dangerous goods that are pool or spa cleaners or a Division 2.3 dangerous good – that are dangerous goods:

a) of a kind marketed, labelled, packaged or otherwise clearly intended for use as a household cleaner; and

b) in a package that weighs no more than 10kg containing at least 50% non-dangerous goods (by volume),

may be transported as a Mixed Packet (Lower Risk) Dangerous Goods package.

What is the basis for the assessment that these goods are lower risk? At the UN, there is no recognition consumer products being of lower risk per se, they are limited quantities or they are not. There is no clear reason why hydrochloric acid in a 1L bottle, sold as driveway concrete cleaner for domestic use, could not be sent under this provision, yet this is hardly a 'lower risk' product.

#### Excepted Quantities and Documentation:

##### Excepted Quantities

3.5.1.4 should include E3 as well

3.5.2 Heading should be **Packagings**, not Packings, as with UN20.

3.5.4.3 OVERPACK marking is not required for transport by road and rail within Australia, in line with 5.1.2.1.2. You need to say that here.

##### Documentation

11.1.3.4.2 Dangerous goods that are transported in accordance with sections 3.4.11 and 3.4.12 do not require transport **documentation** under this part.

Fix the highlighted word.

You should also note Chapter 3.5 here, as documentation is not required for Excepted Quantities for road and rail under the ADG Code from 3.5.1.1