DGP-WG/04-IP/6
27/9/04

DANGEROUS GOODS PANEL (DGP)

MEETING OF THE WORKING GROUP OF THE WHOLE

Abu Dhabi, 4 to 8 October 2004

CANADA'S RESPONSE TO THE LIMITED QUANTITY SURVEY

(Presented by J. Code)

Canadian Perspective

The UN Sub-committee of experts should be commended on their commitment to exploring ways of enhancing intermodal harmony. Everyone benefits when the transportation requirements are consistent and easy to apply across the modes.

The current initiative regarding Limited Quantities, although posing many challenges, offers an opportunity to further promote this harmony. However, prior to making a decision regarding the proposals being put forward at the UN it is important to follow two steps:

1. Conduct a comparison analysis between the existing affected regulatory text and the proposed change which clearly outlines what is being lost and what is being gained, and

2. Conduct a risk assessment on the results of the analysis.

Analysis

- **Initial Guidelines**

A Canadian Working Group was formed to review the proposal put forward in the UN WP developed by Canada and France. After extensive discussions the group established the following guidelines for the discussions.

1. Option #1 of the WP was not well enough described for them to offer an educated opinion.

2. The focus of their analysis would be on Option #2.

3. The focus would be further limited to considering the impact of amalgamating the ICAO TI Limited Quantity provisions to the provisions proposed in Option #2[*].

[*] *Footnote: The group chose not to examine the ICAO TI Consumer Commodity provisions against the UN WP Option #2 proposal. As an alternative the Canadian Working Group suggested that further regulatory efficiencies might be achieved if the ICAO DGP conducted a risk assessment on the amalgamation of the current ICAO TI Consumer Commodity provisions into the current Excepted Quantity provisions.*

- **'Surface Level' Comparison Analysis**

In accordance with the process recommended above the Canadian Working Group did a 'surface level' comparison analysis between the proposal put forward in Option # 2 of the UN WP and the current ICAO TI Limited Quantity provisions. They found that Option #2 reflected many of the same requirements as the current ICAO TI provisions for Limited Quantities except in these areas:

- The proposal did not set out a generic list of Classes/Divisions and Packing Groups that were eligible for using the proposed provisions.
- The proposal did not prescribe a Packing Instruction for each of the dangerous goods, but relied on more general criteria. (It was agreed that the issue regarding packaging required further examination.)
- The quantities for the inner packaging and the permissible gross mass per package in the proposal may differ between what would be acceptable for air transport and what would be acceptable for road, rail and marine transport. (It was agreed that the issue regarding quantity limits required further examination.)
- The package-testing regime between the existing Limited Quantity provisions and the proposal requires further examination.
- Segregation requirements require further examination

- **ICAO DGP Questionnaire**

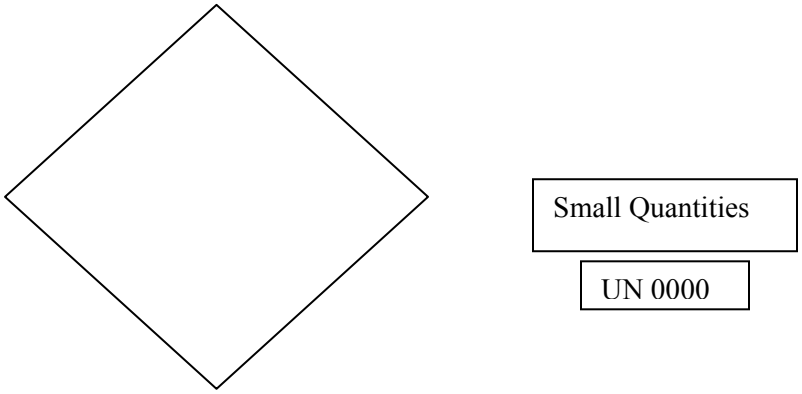
1) ***Does the Panel favor maintaining a distinction between Consumer Commodities and Limited Quantities? Currently the ICAO TI more narrowly defines consumer commodities by the limitations in Special Provision A112 and the provisions of PI 910. Option 2 shown in Annex 2 of 2004/44 would eliminate the distinction, and all limited quantities/consumer commodities would be lumped together into UN 8000.***

   Yes, the Panel should continue to maintain a distinction between Consumer Commodities and Limited Quantities. As indicated above these two provisions are seen as separate. However, there may be an opportunity for the ICAO DGP seek regulatory efficiencies and a risk assessment should be conducted on the amalgamation of the ICAO TI Consumer Commodity and Excepted Quantity provisions.

2) Does the Panel favor maintaining the requirement for a transport document (shipper's declaration) for shipments of Limited Quantities/Consumer Commodities? The revised 3.4.7 in both options given in 2004/44 would not require a formal transport document.

It is believed that aviation will need to inform the pilot-in-command of the types of dangerous goods being put on board an aircraft. The usual method of doing this is by way of a NOTOC. In order to complete the NOTOC sufficient information must be provided to the air operator on an easily identifiable form. The Working Group suggested two options that may satisfy this requirement and be suitable to all modes of transport.

Option # 1

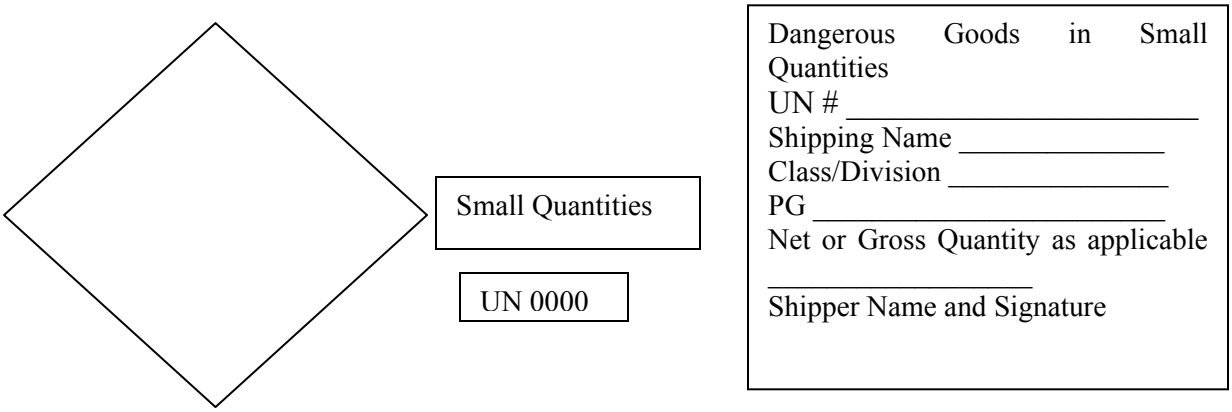


The label shown will be the Class hazard label for the goods and the UN # will be the UN # specific to the goods.

There will be a separate easily identifiable transport document containing the following information:

1. Specific UN # and 'dangerous goods in small quantities
2. Proper Shipping name
3. Class/Division
4. Packing Group
5. Net or Gross Quantity per package, as applicable
6. Shipper Name and Signature

Option # 2



Same as Option #1 except that instead of a transport document the shipper can choose between putting the information on a transport document or putting it on a label as indicated on the right which would be affixed to the package. Such a label would have red hatch marks around its outer perimeter to facilitate identification.

3) ***Does the Panel wish to consider allowing the UN number/diamond marking as an alternative to requiring the Class labels on packages of limited quantities transported by air? Panel members should bear in mind that if the label were not required that segregation would not apply. If the label is removed that would also mean the quantity limits, the inaccessible loading restrictions, and the segregation requirements would not be practical to apply.***

The initial philosophy of the UN Committee of Experts on the Transport of Dangerous Goods to make the tools used to communicate the hazard as easy to understand as possible was sound. Inventing a new label displaying one or more UN numbers does not do this. As can be seen in the response to the previous question maintaining the hazard class label provides for the consistent application of the original philosophy and facilitates the training and ultimate handling (segregation) of these dangerous goods. The addition of the term 'Small Quantities' identifies these goods as being subject to special provisions.

4) ***If it were adopted by the UN, would the panel consider allowing the UN 8000 diamond marking in lieu of the Class 9 hazard label currently required for consumer commodities? Although the answer to question 3 above is assumed to be "no", the Class 9 label is so generic that it may be feasible to allow the UN 8000 marking to substitute for the Class 9 label.***

See above

5) ***If the UN designates a UN number for consumer commodities, does the Panel favor adoption by the UN of a distinct UN number for consumer commodities transported by air? For example, UN8000 could be assigned to Consumer Commodities acceptable for air transport and UN8001 for Consumer Commodities not acceptable for air but acceptable for other modes. This would help preclude the shipment of unauthorized consumer commodities by air.***

See above

6) Does the Panel favor the change of the name "limited quantities" to "dangerous goods packed in small quantities"?

The Working Group recognized that using the term 'limited quantities' may create confusion if there is a difference between the new requirements and the old requirements. The Group also recognized that the term 'dangerous goods in small quantities' was somewhat cumbersome. However, it was suggested using the hazard class label as described above would permit the adoption of new, short term '**Small Quantities**'.

7) Does the Panel favor changing the inner packaging limits for consumer commodities in P910 or limited quantities currently in the Y packing instructions?

As indicated at the beginning the Canadian Working Group did not believe that Consumer Commodities should be integrated into this proposal. Instead the ICAO DGP should consider conducting a risk assessment to evaluate the benefits of amalgamating the ICAO TI Consumer Commodities provisions with the Excepted Quantities provisions.

- **Specific Comments regarding Option #2**

Trays will not provide sufficient protection for articles or inner packaging in air transport and air operators will not uniformly interpret the term ‘liable to break or be easily punctured’. Perhaps trays can be used if they are properly overpacked in a solid / rigid outer package and all marks, labels, etc. required are reproduced on the outer container. That would also lead to an Overpack provision within the new text.

— END —