DANGEROUS GOODS PANEL (DGP)

TWENTY-SECOND MEETING

Montréal, 5 to 16 October 2009

Agenda Item 2: Development of recommendations for amendments to the *Technical Instructions for the Safe Transport of Dangerous Goods by Air* (Doc 9284) for incorporation in the 2011-2012 Edition

APPLICATION OF HAZARD LABEL FOR ENVIRONMENTALLY HAZARDOUS SUBSTANCES

(Presented by D. Brennan)

SUMMARY

This working paper proposes a clarification with respect to the application of the Class 9 hazard label on packages containing environmentally hazardous substances.

Action by the DGP: The DGP is invited to revise Part 5;2.4.9 of the *Technical Instructions for the Safe Transport of Dangerous Goods by Air* (Doc 9284) as presented in the appendix.

1.   **INTRODUCTION**

1.1   The 2009-2010 Edition of the *Technical Instructions for the Safe Transport of Dangerous Goods by Air* (Doc 9284), based on the changes adopted by the UN Subcommittee into the 15th revised edition of the Model Regulations, introduced a new requirement into Part 5 whereby packages containing environmentally hazardous substances, subject to quantity conditions being met, must have the "dead fish and tree" environmentally hazardous substances (EHS) mark applied to the outside of the package.

1.2   Notwithstanding that the EHS symbol is designated as a "mark", the design, shape and size is seen and generally produced as a label. Because the EHS symbol is seen and produced as a label there is some confusion on the part of shippers and airlines where it is believed that the EHS mark takes the place of the Class 9 hazard label for packages containing UN 3077 or UN 3082.

1.3   A review of the text of Part 5;2.4.9, which specifies the special marking requirements for environmentally hazardous substances, identifies that the placement of the EHS mark in relation to the marking of the UN number and proper shipping name is clearly stated. However, there is no reference in

Part 5;2.4.9 that the EHS mark, when required, must be applied to the package in addition to the Class 9 hazard label.

1.4   The text contained in Part 5;2.4.9 reflects exactly the text set out in paragraph 5.2.1.6 of the UN Model Regulations. It is the intention of the author of this paper to raise this issue at the December meeting of the UN Subcommittee to propose a revision to the provisions of the Model Regulations similar to that set out in the appendix to this working paper. In the normal course of events the correct course of action would be first to have the UN Subcommittee agree on a change to the Model Regulations before any change is adopted into a modal document. However, as this is the last meeting of the ICAO DGP in this biennium it is proposed that the DGP provisionally adopt the amendment proposed in paragraph 2.1 subject to the UN Subcommittee agreeing to the change in December 2009

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APPENDIX

Part 5

SHIPPER'S RESPONSIBILITIES

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Chapter 2

PACKAGE MARKINGS

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2.4   MARKING SPECIFICATIONS AND REQUIREMENTS

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2.4.9.1   Packages containing substances or mixtures dangerous to the aquatic environment not presenting a danger covered by other classes, but classified by the shipper as dangerous goods (UN Nos. 3077 and 3082) (see Special Provision A97), must be durably marked with the environmentally hazardous substance mark, with the exception of single packagings and combination packagings containing inner packagings with:

— contents of 5 L or less for liquids; or
— contents of 5 kg or less for solids.

2.4.9.2   The environmentally hazardous substance mark must be located adjacent to the markings required by 2.4.1.1. The requirements of 2.2.2 must be met.

2.4.9.3   The environmentally hazardous substance mark must be as shown in Figure 5-2. For packagings, the dimensions must be 100 mm × 100 mm, except in the case of packages of such dimensions that they can only bear smaller marks.

2.4.9.4   Regardless of the application of 2.4.9.1, all packages containing environmentally hazardous substances (UN nos. 3077 and 3082) must bear a Class 9 hazard label.

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