



Fédération Européenne des Activités de la Dépollution et de l'Environnement  
European Federation of Waste Management and Environmental Services  
Europäische Föderation der Entsorgungswirtschaft

## PROPOSAL FOR AMENDMENT TO ADR (Review 2011) FEAD proposal on packaging waste 24 February 2009

### Solid waste consisting of mixed packaging

#### Introduction:

The waste management sector is daily involved with significant quantities of waste composed of damaged, not fit for re-use, over-dated packaging, large packaging and IBCs (intermediate bulk containers). These waste fractions consist of a wide variety of volumes (from some millilitres to up to three thousands liters) as well as various components (plastic, metal, glass, cardboard, composite, wood...). This waste is for disposal, energy recovery or material recycling; the purpose is therefore not to re-use the packaging.

These packaging do not correspond to 'empty packaging' as referred to in the ADR. The current ADR provisions are therefore not adapted to these packaging. Moreover exemptions foreseen for empty packaging (1.1.3.5. and 1.1.3.6.) cannot be applied to these packaging.

Considering the above and in order to avoid confusion, FEAD recommends using the terminology '*solid waste consisting of mixed packaging*', even if it is obvious that these packaging are technically empty.

This type of packaging waste is not always in its entirety or closed. It can be damaged, contaminated with external residues and also be labelled. It is practically not possible to organise transport of homogeneous packaging waste. In order to avoid dangerous reactions, stringent mixing rules have to be defined prior to the transport.

The best and safest way to transport and treat solid waste consisting of mixed packaging is in bulk containers. Current ADR provisions are not adapted to this practice and can therefore not be applied.

#### Proposal:

Add a definition under Chapter 1.2.1.

'*Solid waste consisting of mixed packaging*' is waste composed of damaged, not fit for re-use, over-dated packaging, large packaging and IBCs.

Add the following provision under 7.3.1.X :

Solid waste consisting of mixed packaging, belonging to classes 3, 4.1, 6.1, 8 and 9, packaging group II and III, can be transported according to the following provisions:

- a) The transport of solid waste consisting of mixed packaging is authorised under the condition that measures have been taken to avoid dangerous reactions.
- b) Classification according to 2.1.3.5.5 should apply.
- c) Bulk transport is allowed in transport units with cover, closed containers or containers with cover, all with complete walls. The floor of the container must be leakproof or rendered leakproof by means of a suitable and sufficiently stout inner lining.
- d) When the waste is transported in compliance with the above, the following has to be mentioned in the transport document: *waste in accordance with 2.1.3.5.5*
- e) Depending on the type of packaging involved, the following non exhaustive list of UN numbers can be selected, in accordance with 5.4.1.1.3:
  - o UN 3175 solid substances containing flammable liquids n.o.s., 4.1, II, packaging waste
  - o UN 3243 solid substances containing toxic liquids, n.o.s., 6.1, II, packaging waste
  - o UN 3244 solid substances containing corrosive liquids, n.o.s., 8, II, packaging waste
  - o UN 3077 Environmentally hazardous substance, solid, n.o.s., 9, III, packaging waste

**Justification:**

Safety: Solid waste consisting of mixed packaging is not defined as such in the ADR guidelines; this proposal offers a guideline to manage the risk of this kind of waste when transported.

Waste management procedures already include measures to avoid dangerous reactions. Same safety procedures are applied to the mixing of packaging waste as for any other waste.

Feasibility: The waste management sector, municipalities (container parks) and SMEs are concerned by the proposed amendment. It is in line with the measures already taken to make the ADR more workable. No transitional period is required.

Enforceability: Monitoring can be ensured as all waste management companies have to be registered. Monitoring information is available at the licensed facilities.