

**Multilateral Agreement M329 under 1.5.1 ADR
on the carriage of certain wastes containing dangerous goods**

1. Introduction

- 1.1 This Agreement shall apply only in connection with the collection and carriage of wastes in line with the applicable waste legislation framework.
- 1.2 By derogation from the provisions of ADR, the carriage of wastes which are dangerous goods or which contain dangerous goods is allowed under the conditions of sections 2 to 8 below.
- 1.3 This Agreement shall not apply to the carriage of wastes of
- a) Class 1,
 - b) Class 6.2,
 - c) Class 7,
 - d) Class 2, for which labelling as toxic (label 2.3 or 6.1) is required,
 - e) Classes 4.1 and 5.2, if requiring temperature control (classification code SR2, PM2 or P2), and
 - f) Genetically modified microorganisms and organisms of UN No. 3245.

2 Classification

2.1 Simplified Assignment

- 2.1.1 The assignment according to 2.1.3.5.5 ADR may also be applied to
- a) UN 1950 waste aerosols and
 - b) the classification as a liquid substance, if the development of a liquid phase cannot be excluded.
- 2.1.2 Classification as UN 3509 packagings, discarded, empty, uncleaned, may also be applied if the packages contain residues, which remain in the packaging after proper discharging and which cannot be removed without major effort.

2.2 Admixture of other material by mistake

Where, according to ADR, wastes are assigned to a UN number or are not subject to the provisions of ADR, an admixture by mistake of items of waste with a different classification need not be taken into account if no dangerous reaction and no essential impact on the degree of danger of the total load is to be expected from the admixed material.

This does not apply for wastes and admixtures that are assigned to packing group I.

3 Packaging

Packagings may be used with the following derogation from the provisions of ADR, as long as their condition and content, as well as the manner of carriage, do not jeopardize the compliance with the protection provisions for packagings of section 4.1.1 ADR

- 3.1 The packagings may have buckles, dents and contaminations.
- 3.2 For wastes of packing group II and III the following packagings may be used:
- a) tested packagings which have expired,
 - b) packagings which have not been tested, and
 - c) for solid wastes mobile waste containers of EN 840-1 to 840-4.
- Lit. b) and c) do not apply for wastes of packing group II of the following classes and classification codes:
- Class 3, with the exception of UN Nos. 1228, 1263, 1268, 1866, 1986, 1988, 1992, 1993, 2478, 2733, 2924, 2985, 3021, 3248, 3273, 3274, 3286, 3469,

Class 4.1 FO, FT, FC, SR1, PM1,
Class 4.2 SW, SO, ST1 to 4, SC1 to 4,
Class 4.3,
Class 5.1 OF, OS, OW, OT1, OT2, OC1, OC2, OTC,
Class 5.2 P1,
Class 6.1 TS, TW1, TW2, TO1, TO2, TC1-4, TFC, TFW,
Class 8, with the exception of UN Nos. 1759, 2683, 2734, 2920, 2921, 2922, 2923, 2986,
3084, 3093, 3094, 3095, 3096, 3244, 3264, 3266, 3301, 3470, 3471 and
Class 9 M1.

Lit. a) to c) do not apply to wastes of packing group II of classes 3 and 4.1 with classification code D or DT.

4 Carriage in bulk

For carriage in bulk the following derogations shall apply:

- 4.1 UN 1950 waste aerosols, except those that are leaking or severely deformed, may be carried in closed or sheeted vehicles, closed containers or sheeted large containers in bulk.

They need not be protected against inadvertent discharge provided that measures to prevent the dangerous build-up of pressure and dangerous atmospheres are addressed. It shall be assured by means of constructional or other measures (such as the use of absorbent material or leak proof tray) that there will be no leakage of liquids from the load compartments of vehicles or containers during carriage.

Before loading, the load compartments of vehicles or containers, including their equipment, shall be inspected for damage. Vehicles or containers with damaged load compartments shall not be loaded. The load compartments of vehicles or containers shall not be loaded above the top of their walls.

- 4.2 UN 3509 packagings, discarded, empty, uncleaned, may be carried under the terms of BK1 or VC1 instead of BK2 or VC2, provided all the other conditions remain the same. In no case the environmentally hazardous substance mark is required.

5 Carriage of certain wastes

- 5.1 *Machinery or equipment which happen to contain dangerous goods in their internal or operational equipment*

The carriage of machinery or equipment which happen to contain dangerous goods in their internal or operational equipment and which are therefore assigned to UN Nos. 3537, 3538, 3540, 3541, 3544, 3546, 3547 or 3548, is exempted from the provisions of ADR provided that measures have been taken to prevent any leakage of contents in normal conditions of carriage.

- 5.2 *Medicines*

Special provision 601 shall also apply if the pharmaceutical products (medicines) are no longer packed in packagings of a type intended for retail sale or distribution, or are no longer intended for consumption.

- 5.3 *Fire extinguishers*

Special provision 594 shall also apply for the carriage of fire extinguishers with UN No. 1044 if the fire extinguishers are carried

- In a strong rigid outer packagings (lattice box, pallet box, etc.) or
- lying secured on a pallet

in such a way that inadvertent discharge is prevented in normal conditions of carriage.

6 Marking of packages

The provisions of 5.2 ADR on marking of packages shall apply with the following derogations:

- 6.1 The labels may be attached to the package as prescribed in 5.2.2.1.6 ADR, last sentence, including in such cases where the requirements specified in the provision referred to are not met.
- 6.2 The environmentally hazardous substance mark is not required.
- 6.3 The packages do not have to bear marks and labels in accordance with the latest ADR in effect if they bear different ones according to previous versions of ADR.

7 Information in the dangerous goods transport document

The provisions of 5.4.1 ADR on the information in the transport document shall apply with the following derogations:

- 7.1 The supplemented technical name according to 5.4.1.1.1 (b) ADR is not required.
- 7.2 The quantity of dangerous goods according to 5.4.1.1.1 (f) ADR may be estimated.
- 7.3 For empty means of containment, uncleaned according to 5.4.1.1.6 ADR, a sufficient distinctive general description of the dangerous load or of a part of it concerned may be indicated instead of specifications according to 5.4.1.1.1 (e) ADR, without indicating the number of items.
- 7.4 The additional inscription "environmentally hazardous" according to 5.4.1.1.18 ADR is not required.
- 7.5 The following additional entry shall be made in the transport document: "Carriage agreed under the terms of 1.5.1 ADR (M329)".

8 Other Provisions

- 8.1 The total gross mass of dangerous goods according to 3.4.12 ADR may be estimated, unless otherwise required by the carrier.
- 8.2 All other relevant provisions of ADR shall apply.

9 Scope

This agreement shall be valid until 21 September 2025 for the carriage on the territories of those ADR Contracting Parties signatory to this agreement. If it is revoked before then by one of the signatories, it shall remain valid until the above-mentioned date only on the territories of those Contracting Parties signatory to this Agreement which have not revoked it.

Vienna, 21 September 2020

The competent authority for ADR
in the Republic of Austria:



Othmar Krammer