

Multilateral Agreement M259

under section 1.5.1 of ADR
concerning the carriage of damaged or defective lithium cells or batteries
(UN 3090 – 3091 – 3480 - 3481)

1. By derogation from the provisions of 2.2.9.2 and 3.3.1 SP 661 of ADR and in accordance with the new special provision 376 adopted by the UN Sub-Committee of Experts for the Transport of Dangerous Goods in its 41st session, lithium cells or batteries classified under UN 3090, UN 3091, UN 3480 or UN 3481 and complying with the definitions of point 2 hereafter may be carried according to the provisions of point 3 hereafter.
2. This agreement only applies to lithium cells and batteries complying with the following definitions:
 - 2.1. Lithium metal cells or batteries, lithium ion cells or batteries, classified under UN 3090 – UN 3091 – UN 3480 – UN 3481, identified as being damaged or defective such that they do not conform to the type tested according to the applicable provisions of the Manual of Tests and Criteria.
 - 2.2. These cells and batteries include:
 - Cells or batteries identified as being defective for safety reasons;
 - Cells or batteries that have leaked or vented;
 - Cells or batteries that cannot be diagnosed prior to transport; or
 - Cells or batteries that have sustained physical or mechanical damage.
 - 2.3. Cells and batteries liable to rapidly disassemble, dangerously react, produce a flame or a dangerous evolution of heat or a dangerous emission of toxic, corrosive or flammable gases or vapours under normal conditions of carriage are excluded of the present agreement. They shall not be carried except under conditions specified by the Competent Authority.
3. Cells and batteries shall be carried according to the provisions applicable to UN 3090, UN 3091, UN 3480 or UN 3481, except Special Provision 230 and as otherwise stated hereafter.
 - 3.1. Packages shall be marked "Damaged/Defective Lithium Batteries" or "Damaged/Defective Lithium-ion Batteries", as applicable.
 - 3.2. Cells and batteries shall be packed in accordance with Packing Instructions P908 or LP904 defined in the appendix, as applicable.
 - 3.3. The consignor shall enter in the transport document "Carriage agreed under the terms of section 1.5.1 of ADR (M259)"
4. Each carriage done under provisions of the present agreement shall be notified to the Competent Authority of the country of origin.. The notification includes the precise description of the goods being carried as well as the reasons invoked to use the present agreement.

5. This agreement shall be valid until 31 december 2014 for the carriage on the territories of those ADR Contracting Parties signatory to this Agreement. If it is revoked before that date by one of the signatories, it shall remain valid until the above mentioned date only for carriage on the territories of those ADR Contracting Parties signatory to this Agreement which have not revoked it.

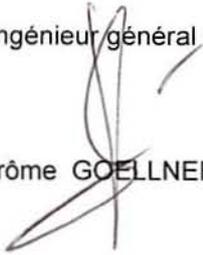
Done in Paris on 16 AVR. 2013

The competent authority for ADR in France

Pour la Ministre et par délégation :

L'ingénieur général des mines,

Jérôme GOELLNER

A handwritten signature in black ink, consisting of several loops and a long horizontal stroke at the bottom, positioned over the printed name Jérôme GOELLNER.

Appendix to Multilateral Agreement M259

P908	PACKING INSTRUCTION	P908
<p>This instruction applies to UN Nos 3090, 3091, 3480 and 3481</p>		
<p>The following packagings are authorized for damaged or defective lithium-ion cells and batteries and lithium metal cells and batteries including those contained in equipment, provided the general provisions of 4.1.1 and 4.1.3 are met:</p>		
<p>For cells and batteries and equipment containing cells and batteries:</p>		
<p>Drums (1A2, 1B2, 1N2, 1H2, 1D, 1G) Boxes (4A, 4B, 4N, 4C1, 4C2, 4D, 4F, 4G, 4H1, 4H2) Jerricans (3A2, 3B2, 3H2)</p>		
<p>Packagings shall conform to the packing group II performance level.</p>		
<p>Each cell or battery or equipment containing such cells and batteries:</p>		
<ol style="list-style-type: none">1. Shall be individually packed in inner packaging and placed inside of an outer packaging. The inner packaging or outer packaging shall be leak-proof to prevent the potential release of electrolyte.2. Each inner packaging shall be surrounded by sufficient non-combustible and non-conductive thermal insulation material to protect against a dangerous evolution of heat.3. Sealed packagings shall be fitted by a venting device when appropriate.4. Appropriate measures shall be taken to minimize the effects of vibrations and shocks, prevent movement of the cells or batteries within the package that may lead to further damage and a dangerous condition during transport. Cushioning material that is non-combustible and non-conductive may also be used to meet this requirement.5. Non combustibility shall be assessed according to a standard recognized in the country where the packaging is designed or manufactured.		
<p>For leaking cells or batteries, sufficient inert absorbent material shall be added to the inner or outer packaging to absorb any release of electrolyte.</p>		
<p>A cell or battery with a net mass of more than 30 kg shall be limited to one cell or battery per outer package.</p>		
<p>Additional requirements:</p>		
<p>Cells or batteries shall be protected against short circuit.</p>		

This instruction applies to UN Nos 3090, 3091, 3480 and 3481

The following large packagings are authorized for a single damaged or defective battery and cell and for a single damaged or defective battery and cell contained in equipment, provided the general provisions of 4.1.1 and 4.1.3 are met:

For cells and batteries and equipment containing cells and batteries:

- steel (50A)
- aluminium (50B)
- metal other than steel or aluminium (50N)
- rigid plastics (50H)
- plywood (50D)

Packagings shall conform to the packing group II performance level.

1. Each battery or equipment containing such battery shall be individually packed in inner packaging and placed inside of an outer packaging. The inner packaging or outer packaging shall be leak-proof to prevent the potential release of electrolyte.
2. Each inner packaging shall be surrounded by sufficient non-combustible and non-conductive thermal insulation material to protect against a dangerous evolution of heat.
3. Sealed packagings shall be fitted by a venting device when appropriate.
4. Appropriate measures shall be taken to minimize the effects of vibrations and shocks, prevent movement of the cells or batteries within the package that may lead to further damage and a dangerous condition during transport. Cushioning material that is non-combustible and non-conductive may also be used to meet this requirement.
5. Non combustibility shall be assessed according to a standard recognized in the country where the packaging is designed or manufactured.

For leaking cells or batteries, sufficient inert absorbent material shall be added to the inner or outer packaging to absorb any release of electrolyte.

Additional requirements:

Cells or batteries shall be protected against short circuit.