

OTIF



**ORGANISATION INTERGOUVERNEMENTALE POUR
LES TRANSPORTS INTERNATIONAUX FERROVIAIRES**

**ZWISCHENSTAATLICHE ORGANISATION FÜR DEN
INTERNATIONALEN EISENBAHNVERKEHR**

**INTERGOVERNMENTAL ORGANISATION FOR INTER-
NATIONAL CARRIAGE BY RAIL**

**Office Central
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TO THE GOVERNMENTS OF THE MEMBER STATES OF OTIF

**Final report of the 42nd session of the
RID Committee of Experts on the
Transport of Dangerous Goods
(Madrid, 21 – 25 November 2005)**

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ITEM 1: APPROVAL OF THE AGENDA

1. The agenda, which was amended in line with the availability and presence of various experts, was adopted.

ITEM 2: ELECTION OF BUREAU

2. Mr Helmut Rein (Germany) was re-elected Chairman. Mrs Caroline Bailleux (Belgium) was elected Vice-Chairman on a proposal from Germany.

ITEM 3: PRESENCE AND QUORUM

3. As 17 of the 42 Member States were represented, there was a quorum ($\frac{1}{3}$ of the Member States) and the RID Committee of Experts was able to proceed with its business.

ITEM 4: HARMONISATION WITH THE 14TH EDITION OF THE UN RECOMMENDATIONS ON THE TRANSPORT OF DANGEROUS GOODS AND APPROVAL OF THE AMENDMENTS ADOPTED BY THE JOINT MEETING IN 2004 AND 2005

Documents: OCTI/RID/CE/42/4a) (Secretariat)
OCTI/RID/CE/42/4d) (EIGA)
OCTI/RID/CE/42/4e) (Secretariat)
OCTI/RID/CE/42/4f) (CIT)
OCTI/RID/CE/42/4g) (Belgium)

Informal documents: INF.4b) (Secretariat)
INF.4a) (UNECE Secretariat)

4. The authors of documents OCTI/RID/CE/42/4d), .../4e) and .../4g) and of informal document INF. 4a) had also submitted them to the 79th session of WP.15 (Geneva, 7 – 11 November 2005). The decisions WP.15 took with regard to these documents and other amendments and additions WP.15 adopted in respect of the base document OCTI/RID/CE/42/4a), which were set out in informal document INF.4b), were adopted by the RID Committee of Experts, with the following exceptions (see Annex 1):
 - a) In RID, 5.4.1.1.6.2.3 will be reserved, as using the transport document for running under load when running empty would lead to major problems in rail transport (see document OCTI/RID/CE/42/4f)). As the author of the newly formulated 5.4.1.1.6, the representative of Austria acknowledged that in drafting the text, he had recognised the problems surrounding the physical use of the original transport document in rail transport, but that his aim had been that information that was already available for running under load need not be removed for returning the empty, uncleaned means of containment.
 - b) 5.4.1.2.1 (d) and 5.4.1.2.3.3: as in RID 5.4.1.2.1 (c), in addition to the use of German, English and French, the use of Italian will also be allowed in RID. A reference to possible derogations in the context of international tariffs by the railways, as in RID 5.4.1.2.1 (c), was rejected (see also document OCTI/RID/CE/42/5m); paragraphs 29 to 32 of this report).
 - c) 6.8.2.3.1: as in 6.8.2.5.2, "the alphanumeric codes of" will be inserted before "special provisions". WP.15 was asked to emulate this editorial clarification. The RID Committee of Experts considered that a transitional provision requested by the representative of UIP was unnecessary, as for those States that have already been using a substance-related marking, no change had occurred and a marking as used in other States in accordance

with the information in column 13 of Table A constituted **more** marking **than was required** according to the new provisions, which was not a problem.

UN 1203 Petrol

Document: OCTI/RID/CE/42/5o) (United Kingdom)

5. In its document, the United Kingdom proposed to prohibit the use of special provision 534 for the carriage of UN 1203 Petrol in IBCs. The RID Committee of Experts adopted this proposal as amended by WP.15 (see informal document INF.4b)) (see Annex 1).
6. While the representative of France pointed out that special provision 534 on the allocation of a notional vapour pressure led to underdimensioned tanks and should therefore be deleted completely, the representative of Switzerland reminded the meeting that for the carriage of petrol, its different properties in summer and winter had to be taken into account.
7. The representative of the United Kingdom said that together with the representative of France, she would submit a proposal on this problem to **a future** Joint Meeting.

4.1.3.6.7 (Inspection of pressure receptacles for liquids and solids)

8. The Secretariat pointed out that in the last sentence of this paragraph, as in the first sentence, the term "packer" should be used instead of "consignor", as according to the assignment of obligations in Chapter 1.4, inspection of the leakproofness of the closures and equipment was more the responsibility of the packer.
9. While some delegates supported this proposal, other delegates preferred a passive formulation in order to change the text taken from the UN Recommendations as little as possible. As it was not possible to anticipate whether WP.15 would follow this amendment, the text remained unchanged. The Joint Meeting was asked to check the assignment of obligations in 4.1.3.6.7 and in 4.1.6.5 of the current text.
10. The representative of Austria will submit a proposal to the UN Sub-Committee of Experts to do away with the allocation of specific obligations in the UN Recommendations and to leave it to the mode-specific provisions to deal with this.

5.3.2.2.1 (Design of orange-coloured plates)

11. The representative of UIC confirmed that the railways no longer had any safety concerns about using reflectorized plates. The RID Committee of Experts nevertheless decided to continue to allow both non-reflectorized and reflectorized orange-coloured markings in rail transport.
12. An indicative vote in the Joint Meeting had shown that nine States would support deleting the possibility of using self-adhesive sheets on tank-wagons; seven States voted in favour of keeping this option (see report OCTI/RID/GT-III/2005-B – TRANS/WP.15/AC.1/100, paragraph 70).
13. In the discussion on this issue at the RID Committee of Experts, delegates only put forward arguments for retaining the possibility of using self-adhesive sheets:
 - As the use of self-adhesive sheets was not being called into question for tank-containers and portable tanks, there seemed no reason to discriminate against tank-wagons.
 - In rail transport, the information available on the orange-coloured markings can be obtained elsewhere (see document OCTI/RID/CE/42/6a); paragraphs 80 to 84 of this report).

- Not all dangerous goods are flammable, so the orange-coloured marking would not be destroyed in every case.
 - If it is noticed during transport that a plate is missing, self-adhesive sheets can be used to provide a quick and relatively cheap replacement marking.
14. The RID Committee of Experts decided to maintain the alternative use of self-adhesive sheets by 11 votes to 1. As the use of self-adhesive sheets in rail transport has previously been allowed for all means of transport, the text was adapted accordingly (see Annex 1).

6.2.2 (Reference to pressure receptacle standards)

15. With regard to the standards in 6.2.2 that were in square brackets, the RID Committee of Experts mandated the Secretariat to delete those standards from the notification texts that have not been published by the time of the next session of WP.15 (Geneva, 8 – 12 May 2006). This would ensure that the same standards are referred to in RID and ADR.

6.2.4.3.2.2.3 (Alternative test methods for aerosol dispensers)

16. Although in RID/ADR the filler is only the person who fills dangerous goods into tanks or dangerous goods in bulk, the RID Committee of Experts decided not to replace the term "filler" with "packer" or "filler of the aerosol dispenser" in 6.2.4.3.2.2.3. This problem too should be brought to the attention of the Joint Meeting (see also paragraphs 8 to 10).

6.8.2.2.3 (Hermetically closed tanks)

Document: OCTI/RID/CE/42/4c) (Germany)

17. Germany's proposal to provide clarification in the text of RID 6.8.2.2.3 because of the alternative use of vacuum valves and self-operating ventilation valves, was adopted. **In response to a remark by** the representative of Belgium, only self-operating spring-loaded valves were excluded for hermetically closed tanks, as in current special provision TE 15 (see Annex 1).

6.8.2.5.2 (Marking the next test on tank-wagons)

Document: OCTI/RID/CE/42/4b) (Belgium)

18. In her document, the representative of Belgium proposed that the decision taken in respect of 6.8.2.5.1 (when indicating the date of the last test performed, make a distinction between "P" and "L") should also be applied to 6.8.2.5.2 (marking the tanks of tank-wagons with the next test), in order to make the workshops' task easier by enabling them to pre-plan the work to be carried out.
19. Several delegates did not support the proposal, as the information could also be obtained from the tank plate in accordance with 6.8.2.5.1 and from the tank certificate. In addition, delegates expressed concern that this additional information would lead to uncertainties, as other tests were possible in addition to the periodic and leakproofness tests (e.g. exceptional test, internal inspection, coating inspection). Moreover, it would be more appropriate to submit the proposal to the Joint Meeting's working group on tanks in order that it could be checked for all tanks.
20. In the light of this, the representative of Belgium withdrew her proposal.

Final vote on ITEM 4

21. In a final vote, 16 States voted in favour of the amendments contained in document OCTI/RID/CE/42/4a) for a date of entry into force of 1 January 2007 with a transitional period until 30 June 2007, including the above amendments and additions.

ITEM 5: OTHER PROPOSALS

Consignment note

Languages to be used in the consignment note

Documents: OCTI/RID/CE/42/5a) (Belgium)
 OCTI/RID/CE/42/5k) (CIT)

22. In the 2005 edition of RID, the use of English in the consignment note is permitted. In addition, the reference to the tariffs applicable at the station of departure has been deleted. As it was no longer possible to use Dutch for transport operations between Belgium and the Netherlands following these amendments, Belgium initiated multilateral special agreement RID 3/2005 so that Dutch could continue to be used for these transport operations. In her proposal, the representative of Belgium proposed that 5.4.1.4.1 should allow the possibility of derogating from the general language rules by means of tariffs applicable at the station of departure or agreements between the States involved in the transport operation.
23. The RID Committee of Experts decided that only States concerned by the transport operation should be entitled to agree a different requirement with regard to the language to be used and rejected the additional reference proposed by Belgium to the tariffs of the station of departure and the reference proposed by CIT in document OCT/RID/CE/42/5k) to agreements between the parties to the contract of carriage (see Annex 1). **Any such agreements on the languages to be used concluded between States would not be considered as temporary derogations in the sense of 1.5.1.**

Replacement of the term consignment note

Document: OCTI/RID/CE/52/5b) (CIT)

24. In addition to the CIM consignment note, the new Appendix D of COTIF 1999 (CUV – Uniform Rules concerning Contracts of Use of Vehicles in International Rail Traffic) also permits the use of a CUV consignment note for the carriage of empty wagons. In its document sponsored by the representative of Austria, CIT therefore proposed that in RID 2007, reference should only be made to the transport document and in a Note to 5.4.1, it should be pointed out that the transport document could be either a CIM consignment note or a CUV consignment note.
25. The proposal was adopted, but with the explanation of the term transport document transferred to the definitions in 1.2.1, at the suggestion of the Secretariat (see Annex 1).

Hand luggage and registered luggage

Document: OCTI/RID/CE/52/5n) (CIT)

26. In his document, the representative of CIT proposed a text for Chapter 7.7 (Carriage of dangerous goods as hand luggage and registered luggage), which must be amended in connection with the entry into force of COTIF 1999.

27. This proposal was adopted in principle, although the cross-reference to the Uniform Rules concerning the Contract of International Carriage of Passengers by Rail (CIV) and to Appendix C (RID) of COTIF, which refer to the rules of RID, and the reference to wider-reaching restrictions on the basis of conditions of transport under private law were only incorporated as Notes. In addition, the carriage of dangerous goods as hand luggage or registered luggage would only be permitted if the exemptions under 1.1.3.1 (a) or (b), 1.1.3.2 (b), (d) or (f) or 1.1.3.3 apply (see Annex 1). The proposed reference to 1.1.3.4 was not included, as the RID Committee of Experts was of the view that these exemptions were already sufficiently covered by the reference to 1.1.3.1 (a).
28. With regard to the leaflet for the carriage of dangerous goods as hand luggage and registered luggage, both in and on board vehicles, the RID Committee of Experts supported the second alternative, which CIT should revise on the basis of the text adopted for Chapter 7.7. The RID Committee of Experts suggested using the expression "publication" instead of "leaflet", as in most cases, it should be a poster. The representative of CIT was also asked, together with a representative of a State, to prepare a similar proposal (private vehicles and coach transport) for WP.15.

References to railways

Deletion of references to railway tariffs

Document: OCTI/RID/CE/42/5m) (Secretariat)

29. As the obligation to conclude tariffs will disappear once COTIF 1999 enters into force, the reference to international tariffs must be deleted in various places in RID. In its document, the Secretariat proposed to refer only to agreements between States or also to permit derogating agreements between the parties to the Contract of Carriage.
30. A large majority of delegates supported the more restrictive option 1, as the information was also necessary for control purposes and a different rule concerning the languages should not therefore be implemented solely by means of agreements between the parties to the Contract of Carriage, particularly in view of the ever growing number of rail transport undertakings.
31. The representative of CIT pointed out that under CIM 1980, the States had never been involved in arranging the tariffs and hence in the choice of language to be used, and therefore supported option 2, which accorded with the CIT's CIM Consignment Note Manual.
32. The RID Committee of Experts adopted option 1 by 12 votes to 1 (see Annex 1).

Adaptation of certain provisions of Chapter 6.8 to the European Directives on railway interoperability

Document: OCTI/RID/CE/42/5e) (Belgium)

33. In this document, Belgium proposed that 6.8.2.1.2 should no longer make reference to the "competent railway authorities" but to the "competent authority" in order to align with the European Directives on railway interoperability.
34. The RID Committee of Experts adopted this amendment without discussion (see Annex 1). Following the amendment that had been made to 6.8.2.7 in the meantime, the representative of Belgium withdrew the second proposal concerning the addition of a footnote to 6.8.2.6.

Amendment to 5.3.1.3.2

Document: OCTI/RID/CE/42/5g) (Belgium)

35. In this document, Belgium proposed that in 5.3.1.3.2 (a), "railway" should be replaced by "railway undertaking" or "railway infrastructure manager", along the lines of the European Directives, or to do away completely with the possibility of allowing "the railways concerned on a particular route [to] decide to the contrary".
36. The RID Committee of Experts adopted option a (deletion of "unless the railways concerned on a particular route decide to the contrary" – see Annex 1), as according to information from the representative of UIC, this possibility had never been used.

Experts

Editorial clarification in 6.8.2.4.6

Document: OCTI/RID/CE/42/5c) (UIP)

Informal documents: INF.5a) (Belgium)
INF.5b) (Switzerland)

37. For the new requirements for experts included in the 2005 edition of RID, the representative of UIP proposed a clarification whereby the aim of mutual recognition of experts would be better described.
38. The representative of Belgium supported UIP's proposal in principle, but in her informal document INF.5a), preferred the incorporation of an additional paragraph from multilateral special agreement RID 4/2002, which Germany had initiated in order to use the provisions of 6.8.2.4.6 in advance.
39. In his document INF.5b), the representative of Switzerland pointed out that the wording proposed by UIP could be interpreted to mean that the expert may be recognised by the competent authority of any COTIF Member State and would not therefore always be subject to supervision by the competent authority of the Member State on whose territory he was carrying out the tests and inspections. In his view, this contradicted the principle of territoriality.
40. At the request of the Chairman, the representative of UIP explained that the intention of his proposal was not to introduce freedom of services for experts, and suggested that the words "of a COTIF Member State" be deleted from his proposal.
41. There was lengthy discussion on the performance of tests and inspections by experts outside the State in which they are recognised. While some delegates were in favour of full freedom of services, as permitted in the TPED Directive in respect of gas tanks, other delegates referred to national sovereignty and to the problem that for an expert operating abroad, the competent authority that has declared the recognition can no longer check whether this expert still meets the conditions for being recognised. Other delegates were of the view that a test on a tank-wagon abroad carried out by an expert recognised there was only possible with the agreement of the competent authority of the country where the tank-wagon owner was domiciled. Other delegates thought that a more important question than who could carry out tests where, was how harmonised requirements for experts could be laid down in order to ensure a high level of quality.

42. Following this discussion, the RID Committee of Experts decided not to amend the current text. Based on the existing legal situation, the RID Committee of Experts assumed the following situation:
- a) A tank-wagon used in a COTIF Member State may be tested by an expert recognised in that State.
 - b) A tank-wagon used in a COTIF Member State may be tested in another COTIF Member State by an expert recognised there.
 - c) However, under the existing law, it is not possible for a tank-wagon used in a COTIF Member State to be tested in another COTIF Member State by an expert recognised in a **third** Member State.

The RID Committee of Experts agreed that the discussion on c) should be continued, taking into account the outcome of the working group on the revision of Chapter 6.2 in relation to the cross-border activities of notified bodies, which would also have an effect on Chapters 6.7 and 6.8.

43. The representative of the Czech Republic entered a reservation in respect of this interpretation.

Exchange of experiences to ensure a uniform level of inspections

Document: OCTI/RID/CE/42/5d) (Germany)

44. Paragraph 6.8.2.4.6 on the mutual recognition of experts prescribes an annual exchange of experiences to ensure a uniform level of inspections. In multilateral special agreement RID 4/2002, Germany took on the organisation of this exchange of experiences, but this had to be cancelled twice because of the lack of participation. In his document, the representative of Germany proposed an amendment to the text of 6.8.2.4.6 to improve participation.
45. The representative of Belgium feared that the text proposed by Germany would not lead to improved participation, and **suggested** making it compulsory for recognised experts to attend. In an indicative vote, 7 delegations supported prescribing the obligatory participation of recognised experts. If need be, the representative of Belgium would submit a suitable proposal. **Participation in the exchange of experiences should also continue to be open to the competent authorities' experts.**
46. The RID Committee of Experts adopted Germany's proposed amendment to the text (see Annex 1). Together with the Secretariat, the representative of Germany will set a date for the next exchange of experiences.

Amendment of the reference to standard EN 45004

Document: OCTI/RID/CE/42/5j) (Belgium)

47. The RID Committee of Experts adopted Belgium's proposal to replace the reference to standard EN 45004 in 6.8.2.4.6 with a reference to standard EN ISO/IEC 17020:2004, which, according to a communication from the European Commission, is identical (see Annex 1).

Placards and orange-coloured marking on carrying wagons

Placarding of carrying wagons

Document: OCTI/RID/CE/42/5h) (Belgium)

Informal document: INF.5e) (UIC)

48. As a result of the Secretariat's remark in the document, the representative of Belgium withdrew the first proposal in her document concerning the extension of the requirement in 5.3.1.3.1 to cover small containers, and will submit a new proposal to the Joint Meeting. In connection with this, the representative of UIC pointed out that at the last Joint Meeting, the reference to UIC leaflet 590 concerning small containers had been deleted after UIC had withdrawn this leaflet, with the justification that small containers were deemed to be packages.
49. The second proposal was aimed at removing a practical problem in transshipment stations and proposed to do away with placards on carrying wagons if the road vehicles bear the placards corresponding to the packages being carried. However, according to ADR, placards are only prescribed for road vehicles carrying packages containing substances of classes 1 and 7.
50. In its informal document INF.5e), UIC suggested simplifying the whole of 5.3.1.3.2 and to do away with placards on carrying wagons in all cases where the road vehicles bear the placards prescribed under ADR. It was also proposed to broaden the Note in 5.3.1.5.2 of ADR to cover combined road/rail traffic as well. **(Note by the Secretariat: WP.15 decided to delete the Note to ADR 5.3.1.5.2 in the 2007 edition and to insert a new 1.1.4.2.2 instead).**
51. The following points of view were expressed in the discussion:
 - 5.3.1.3.2 should be deleted completely and the principle of 5.3.1.3.1 should also be extended to cover piggyback transport (Netherlands).
 - To facilitate intermodal transport, 5.3.1.3.2 should be deleted completely, as orange-coloured marking on carrying wagons is not prescribed either. As the instructions in writing have to be attached to the consignment note, sufficient information was available. All the requirements concerning piggyback transport could be put together in 1.1.4.4 (United Kingdom).
 - It did not make sense to affix placards to carrying wagons if they were not necessary for the road journey. The question also arose in rail transport as to whether there was any advantage for the fire services in affixing different placards for different dangerous goods for the carriage of packages (Austria).
 - 5.3.1.3.2 should be kept, as the fire services and railway staff had to have as much information as possible (France and Belgium).
52. As the UIC proposal required a decision by WP.15, only the Belgian proposal was put to the vote. Following an editorial amendment (see Annex 1), the proposal was adopted by 9 votes in favour.
53. The representative of the United Kingdom announced a proposal to group together all the provisions for piggyback transport in RID 1.1.4.4. Several delegations recommended that a discussion be held in the Joint Meeting on placarding and orange-coloured marking in piggyback transport so that the amendments required in ADR could also be debated there.

Orange-coloured marking of road vehicles carried in piggyback transport

Document: OCTI/RID/CE/42/5l) (Secretariat)

Informal document: INF.5d) (UIC)

54. In its document, the Secretariat noted that there is no information in RID on whether in piggyback transport the orange-coloured markings prescribed in ADR are sufficient or whether orange-coloured markings are also required on carrying wagons. In its informal document, UIC supported option 1 (orange-coloured marking on carrying wagons only if the road vehicles do not bear the orange-coloured plates prescribed under ADR), but also proposed including a Note in 5.3.2.1.3 and 5.3.2.1.6 of ADR.
55. As option 2 in the proposal (marking the carrying wagon if the orange-coloured marking on the sides of road vehicles is not visible) and as UIC's proposal would need to be discussed in the Joint Meeting (see also paragraph 53 concerning the discussion on placards on carrying wagons), the RID Committee of Experts supported option 1 with 10 votes in favour, but with a restriction with respect to the relaxations in 5.3.2.1.3 and 5.3.2.1.6 of ADR (see Annex 1).
56. As already explained for placards (see paragraph 53), a requirement should subsequently be brought in at the Joint Meeting to rule out having to affix marking later in transshipment stations.

Questions of interpretation

Carriage of dangerous goods in machinery

Document: OCTI/RID/CE/42/5f) (United Kingdom)

57. The United Kingdom asked the delegates of the RID Committee of Experts to give their opinion on the exemptions for dangerous goods in machinery in the context of 1.1.3.1 (b) and 1.1.3.2 (c) and in the context of UN number 3363. An initial discussion had already taken place at the 79th session of WP.15, which was set out at the end of informal document INF.4b).
58. The representative of Austria was of the view that a rule should be introduced in 1.1.3.3 (Exemptions related to the carriage of liquid fuels). This should lay down upper limits and rules in the event of the upper limits being exceeded.
59. The representative of Germany explained that in Germany, 1.1.3.1 (b) was interpreted to mean that the dangerous goods may be contained in machinery or equipment itself (e.g. in pipes or filters), but not in tanks.
60. The representative of the United Kingdom would submit a proposal to the Joint Meeting to clarify the interaction between 1.1.3.1 (b), 1.1.3.2 (c) and 1.1.3.3.

Transitional provisions for tank-wagons built before 1978

Document: OCTI/RID/CE/42/5i) (Belgium)

Informal document: INF.5c) (Secretariat)

61. In view of the discussion at the 33rd session of the RID Committee of Experts as reproduced in informal document INF.5c), the representative of Belgium withdrew her document.

Other proposals

Deletion of the Note in 6.1.3.1 (d)

Informal document from the UNECE Secretariat

62. The RID Committee of Experts adopted the UNECE's proposal to delete the Note in 6.1.3.1 (d), as 6.1.1.1 (b) already says that the provisions of Chapter 6.1 do not apply to packages containing infectious substances of Class 6.2 (see Annex 1).

ITEM 6: WORKING GROUP ON TANK AND VEHICLE TECHNOLOGY

Document: A 81-03/503.2005 (Secretariat)

63. The Chairman of the working group on tank and vehicle technology, Mr H.-J. Kellerhaus (Germany) described the progress that had been achieved at the sixth session of the working group (Bonn, 21 and 22 April 2005), which was set out in report A 81-03/503.2005.

Measures to prevent and reduce damage caused by the overriding of buffers

Devices to protect against the overriding of buffers

Document: A 81-03/503.2005 paragraphs 8 to 14

Informal document: INF.6c) (France)

64. The representative of France recalled that at the last session of the RID Committee of Experts, devices to protect against the overriding of buffers had been considered equivalent to the measures listed in Annex 1 to report A 81-03/511.2004 under 6.8.4 (b), special provision TE xx (see paragraph 16 of report A 81-03/511.2004). The working group had already adopted the text he proposed in informal document INF.6c) by a large majority and it had only been revised slightly thereafter.
65. Following discussion of the proposal, the following amendments were made:
- The first sentence was deleted to avoid the interpretation that this sentence sets out the aim and that the requirements that follow are only examples of how to achieve this aim.
 - In the second indent, "spring travel and fusible travel" was replaced by "elastic and plastic deformation" and a reference to special provision TE 22 (energy absorption elements) was added.
 - As the fifth indent only addresses the compatibility of wagons with devices to protect against the overriding of buffers and wagons without such devices, an additional sentence was added to exclude the mutual obstruction of devices to protect against the overriding of buffers.
 - Another indent was added to ensure that the design of the devices to protect against the overriding of buffers cannot lead to an increased risk of penetration for the tank ends if overriding does occur.
66. The proposal as amended was put to the vote and adopted by 9 votes in favour and none against.

Applicability of the test method of standard EN 13094 Annex B to sandwich-covers

Document: A 81-03/503.2005 paragraphs 15 to 17

67. As the representatives of Germany and France had not yet found a more appropriate test method for sandwich-covers, the reference to standard EN 13094 in paragraph (c) of new special provision TE xx was maintained. The subject would remain on the working group's agenda in order to adapt either the standard or the text of the special provision at a later date.

Equivalent measures for tank-containers

Document: A 81-03/503.2005 paragraphs 18 to 20

68. The representative of Belgium explained that initial discussions had been held with the UIRR, but that owing to the lack of support from the other modes, **he** would not be pursuing the project to prescribe equivalent measures for tank-containers.
69. The subject would remain on the working group's agenda, but would only be taken up again when new proposals on it were available.

Transitional provisions

Document: OCTI/RID/CE/42/6b) (Switzerland)

70. The first proposal from the representative of Switzerland to delete the square brackets around the special provision contained in Annex 1 to the report of the 41st session of the RID Committee of Experts (document A 81-03/511.2004) was adopted, in view of the newly adopted provisions for devices to protect against the overriding of buffers (see paragraphs 64 to 66).
71. The second proposal to delete "and battery-wagons" from the transitional provision led to a lengthy discussion. Some delegates considered that the measures set out in special provision TE xx had only been discussed for tank-wagons, as only they have a tank end that can be penetrated by climbing buffers. In contrast, other delegates were of the view that in the past, battery-wagons and tank-wagons had always been dealt with equally (see e.g. energy absorption elements in special provision TE 22) and that it was also possible for buffers to override in the case of battery-wagons, which could cause damage to the tubing and valves.
72. However, in a vote of principle, no delegation spoke against deleting battery-wagons from the transitional provision. If battery-wagons were to be included, an official proposal would have to be submitted.

Telematics

Document: A 81-03/503.2005 paragraphs 21 to 24

73. The Secretariat explained that in accordance with the wishes of the working group and the RID Committee of Experts, it had invited the European Railway Agency (ERA) to attend this session of the RID Committee of Experts. The representative of the European Commission assured the meeting of his support in persuading ERA to participate in future sessions.

Drip leaks

Document: A 81-03/503.2005 paragraphs 25 to 27

74. The representative of the Netherlands reported that initial consultations had been held, but he was still waiting for an official reaction from **Railtech**.
75. The discussion revealed that drip leaks pose a real problem because of the associated line closures and soil decontamination. The subject would remain on the working group's agenda and the Member States were asked to provide the working group with information on these problems in order that a solution could be sought. It was recommended that the cause be investigated in each individual case and that the filling body be informed so that quality could be improved there.

Proposals for measures to be considered in future

Informal document: INF.6a) (Switzerland)

76. In his document, the representative of Switzerland proposed two measures to increase safety that could be discussed in the working group in future. The first measure concerned extending the "barrier wagon rule" in 7.5.3 to other very dangerous substances, the second measure the reduction of the risk of derailment by using four-axle wagons.
77. In principle, the RID Committee of Experts thought the measures proposed were worth considering. However, the measures would have to be well-founded and supported by a positive cost/benefit analysis.
78. With regard to the first measure, investigations would also have to be made to find out whether more frequent marshalling manoeuvres led to an increased risk and whether the running performance of the mostly empty barrier wagons was stable enough. The representatives of Finland and Sweden said they were prepared to provide the working group with provisions for barrier wagons that existed or had existed in their countries. **The representative of the Netherlands emphasised the importance of having a protective gap between tank-wagons carrying flammable liquids and tank-wagons carrying flammable gases, in order to avoid the risk of a "warm" BLEVE (Boiling Liquid Expanding Vapour Explosion) in the event of a severe accident.**
79. With regard to the second measure, the investigations carried out by UIC-ERRI should be consulted before a proposal was made to the working group. In addition, the discussions in the German working group on tank and vehicle technology concerning four-axle wagons should also be taken into account.

Transmission of data to the railway infrastructure manager

Document: OCTI/RID/CE/42/6a) (Switzerland)

Informal document: INF.6b) (UIC)

80. Based on the discussion at the last session of the RID Committee of Experts with regard to the transmission of data to the railway infrastructure manager so that in the event of an incident, the emergency services can obtain information from him, the representative of Switzerland submitted a document with an appropriate proposal for a text setting out the obligations of the carrier and the railway infrastructure manager. He also said he agreed with the alternative text submitted by the representative of UIC in informal document INF.6b), which only suggested that data should always be available, but not that they should always be communicated in advance.

80a. The representative of the Netherlands pointed out that the proposal was significant not only for the emergency services but also for the collection of transport data for a quantitative risk assessment.

81. Most delegates supported the advance communication of data proposed in Switzerland's document, in order that when an accident occurred, there would be no need to make telephone calls asking for information and to enable the railway infrastructure manager to set alternative routes or, for example, to avoid dangerous goods trains and passenger trains meeting in tunnels.
82. However, as these were questions that are dealt with differently between the railway infrastructure manager and the carrier in each country, the RID Committee of Experts decided by 14 votes in favour to adopt the text proposed by UIC and with regard to how the data are transmitted, to refer in a Note to the **rules for** the use of infrastructure. The text was also amended slightly so that the data need not be kept indefinitely (see Annex 1).
83. At the request of the United Kingdom, the text concerning the disclosure of data proposed in 1.4.3.6 (b) of Switzerland's document was broadened to cover all parties that require these data for safety, security or emergency response purposes (see Annex 1).
84. This further-reaching 1.4.3.6 (b), which also takes into account the additions to 1.4.2.2.5, was adopted by 12 votes to 2.

Special provisions for ammonia tank-wagons

Informal document: INF.6d) (CEFIC)

85. The representative of CEFIC withdrew the proposal in this informal document to prohibit the use of copper and copper alloys for tanks and accessories of tank-wagons for the carriage of ammonia, because of its significance to multimodal transport. It would be resubmitted to the Joint Meeting and the UN Sub-Committee of Experts. In so doing, it must be taken into account that for the carriage of ammonia in pressure receptacles, the special provision for packaging b of packing instruction P200 prescribes that valves made of copper may not be used.

Next meeting of the working group on tank and vehicle technology

86. At the invitation of the United Kingdom, the next meeting of the working group on tank and vehicle technology will be held in London on 6 and 7 April 2006. This working group will have to deal with the unresolved questions concerning speed reductions for trains carrying full loads of dangerous goods, the avoidance of built-up areas and stations, emergency management and the dangerous goods atlas (see paragraph 53 of report A 81-03/511.2004 on the 41st session of the RID Committee of Experts). It was pointed out that when dealing with these questions, operations and risk specialists would be needed in order to consider the various risks that arise in route diversions.
87. At the next session of the RID Committee of Experts, the working group's future tasks must be decided.

ITEM 7: WORKING GROUP ON STANDARDIZED RISK ANALYSIS

Document: OCTI/RID/CE/42/7a) (Secretariat)

88. The Chairman of the working group, Mr G. Hundhausen (Germany), informed the meeting about the progress the working group on standardized risk analysis had achieved. The working group had drafted guidelines for calculating risks in the carriage of dangerous goods by rail, which should ensure transparency of the decisions taken on the basis of risk analysis and which reflected the current state of the art (see document OCTI/RID/CE/42/7a)). The next step planned was to observe more closely the practices in Switzerland and the Netherlands.

Document: OCTI/RID/CE/42/7b) (Secretariat)

89. Document OCTI/RID/CE/42/7b) setting out proposals for amendments to document OCTI/RID/CE/42/7a) from France and the Netherlands was entrusted to a small ad hoc working group, which met in parallel at the beginning of the session, for an initial examination by experts from Germany, France, the Netherlands **and Spain**. The RID Committee of Experts adopted the version of document OCTI/RID/CE/42/7a) revised by the ad hoc working group (see Annex 2) without discussion.
90. The RID Committee of Experts decided to place this revised version of the guidelines on OTIF's website and to refer to the website in a footnote to 1.9.3 (see Annex 1). The Secretariat was also asked to submit the guidelines to the Joint Meeting and WP.15 so that they could check the multimodality aspect. The Chairman thanked the Chairman of the working group and the working group for their work.

Informal document: INF.7a) (France)

91. For the continuation of the work, the representative of France proposed in his informal document INF.7a) a research project, to be financed jointly by the Member States, the railway industry and the European Commission. In this research project, comparative appraisals of the risk assessment models applied in different States should be carried out in order to highlight current practice, propose harmonisation of practice and to lay down common minimum requirements for the mutual recognition of transit restrictions.
92. The Chairman reminded the meeting that the funding for such a research project had already been discussed in the past. While the European Commission had said that it was prepared, in principle, to help finance a project, reciprocal funding from contributions paid by States or associations had not been successful.
93. It was agreed that the working group would accept Switzerland's and possibly the Netherlands' offer to observe more closely the practical execution of a risk analysis in these countries. The evaluation of these observations would be communicated to the RID Committee of Experts. At the same time, the working group would look at France's proposal to undertake a research project and would assess whether the States and associations could make resources available. A representative of ERA should be invited to participate in the group's work in order to avoid parallel work and conflicts.

Final vote on ITEMS 5, 6 and 7

94. In a final vote, 14 States voted in favour of the amendments adopted under agenda items 5, 6 and 7 for a date of entry into force of 1 January 2007 with a transitional period until 30 June 2007.

ITEM 8: AMENDING THE RULES OF PROCEDURE OF THE RID COMMITTEE OF EXPERTS

Amending the Rules of Procedure of the RID Committee of Experts in connection with the implementation of COTIF 1999

Document: OCTI/RID/CE/42/8a) (Secretariat)

95. In its document, the Secretariat proposed revised Rules of Procedure for the RID Committee of Experts on the basis of COTIF 1999.
96. At the request of the representative of Austria, references to COTIF were added to Articles 4 § 2, 20 § 2 and 26 § 1 in order to indicate that these provisions could not be amended by the RID Committee of Experts.
97. With regard to the list in Article 5 § 2 of international organisations and associations that would be invited to meetings, the RID Committee of Experts decided to take the list that is used for the Joint Meeting, to which UIRR (International Union of combined Road-Rail Transport Companies) should be added.
98. At the request of the representative of Austria, a rule analogous to Article 16 § 3 was added to Article 17 in a new § 3.
99. With regard to the rule contained in Article 20 concerning the quorum, it was established that the presence of the representative of the European Commission did not mean that 23 Member States (EU Member States except Malta and Cyprus, which are not Member States of COTIF) were represented as long as the representative of the European Commission did not exercise the right to vote for them after polling the EU Member States.
100. At the request of the representative of the Netherlands, Articles 22 and 23 were combined, although in the Chairman's view, because of the analogous application of the Rules of Procedure referred to in § 2, there was still the possibility that a standing working group could convene an ad hoc working group without a prior decision by the RID Committee of Experts. In the remaining Article, the words "as a rule" were inserted in § 2 after "shall" in order to make clear that various Articles do not apply (e.g. Article 20 – Quorum or Article 26 – Languages).
101. At the request of the representative of Austria, Article 24 § 4 was made less stringent, because at meetings of the RID Committee of Experts that were not held at the Organisation's headquarters, the Secretariat might not always be in a position to make the adopted texts available by the end of the meeting.
102. In a final vote, 14 Member States supported the amended Rules of Procedure. The new Rules of Procedure, which will enter into force at the same time as the new COTIF, are set out in Annex 3 to the report. In accordance with the decision of the 40th session of the RID Committee of Experts (report A 81-03/501.2004), the "standardized presentation of documents" shown in the Annex to document OCTI/RID/CE/39/11a) was adopted as an Annex to the Rules of Procedure.

CLOSURE OF THE SESSION

Next session

103. At the invitation of Finland, the 43rd session of the RID Committee of Experts might be held in Helsinki. As the decisions to be taken at that session will only be incorporated into the regulations in 2009 and it is not therefore absolutely necessary to hold the session near the same time as WP.15, the session could be held earlier (October 2006).

Mrs M. Vajda (Hungary) and Mr J. Laguna (Spain) step down

104. The Chairman thanked Mrs M. Vajda (Hungary) for her many years of service in the RID Committee of Experts and wished her a happy retirement. On behalf of the RID Committee of Experts, he also expressed his best wishes to Mr J. Laguna (Spain), who had written to the Committee to say that he would be stepping down.

Thanks

105. The Chairman thanked the Spanish Ministry of Transport for the excellent and perfect organisation of the session. He thanked the interpreters for their excellent work.
106. The representative of Belgium thanked the Chairman for his efficient handling of the session and thanked the Secretariat for making the preparations.
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