

Organisation intergouvernementale pour les transports internationaux ferroviaires Zwischenstaatliche Organisation für den internationalen Eisenbahnverkehr Intergovernmental Organisation for International Carriage by Rail

OTIF/RID/CE/GTP/2022-B

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TO THE MEMBER STATES AND ASSOCIATE MEMBERS OF OTIF AND TO REGIONAL ORGANISATIONS WHICH HAVE ACCEDED TO COTIF

Final report of the 15th session of the RID Committee of Experts' standing working group

(Berne/hybrid, 23 and 24 November 2022)

Table of contents

	Para- graphs	Page
ITEM 1: Approval of the agenda	1	3
ITEM 2: Presence	2 - 3	3
ITEM 3: Interpretation of RID	4 - 8	3
ITEM 4: Proposals to amend RID A. Pending issues B. New proposals	9 - 26 9 - 25 26	4 4 6
ITEM 5: Report of the working group on tank and vehicle technology	27 - 29	6
ITEM 6: Harmonisation of RID and SMGS Annex 2	30	6
ITEM 7: Information from the European Union Agency for Railways (ERA)	31 - 32	6
ITEM 8: Any other business	33 - 40	6

Annex I: Texts adopted by the 15th session of the RID Committee of Experts' standing working group

Annex II: List of participants

ITEM 1: Approval of the agenda

Document: RID-22010-CE-GTP15 (Secretariat)

1. The provisional agenda contained in calling notice RID-22010-CE-GTP15 dated 19 September 2022 was adopted.

ITEM 2: Presence

2. The following RID Contracting States took part in the work of the 15th session of the standing working group (see also Annex II):

Austria, Belgium, Denmark, Finland, France, Germany, Italy, Latvia, Luxembourg, Netherlands, Poland, Spain, Sweden, Switzerland, Türkiye and United Kingdom.

The European Union (European Commission and the European Union Agency for Railways (ERA)) was also represented.

The following non-governmental international organisations were represented: the European Chemical Industry Council (Cefic), the International Association of Dangerous Goods Safety Advisers (IASA), the International Union of Railways (UIC), the International Union of Wagon Keepers (UIP), the International Union of Combined Road-Rail Transport Companies (UIRR) and the Association of the European Rail Industry (UNIFE).

3. At the 6th session of the standing working group, Ms Caroline Bailleux (Belgium) was elected as Chair until further notice. At the 10th session, Mr Othmar Krammer (Austria) was elected as Deputy Chair until further notice.

ITEM 3: Interpretation of RID

Placarding of containers, bulk containers, MEGCs, tank-containers and portable tanks

Informal document: INF.1 (IASA)

- 4. In his informal document, the representative of IASA proposed to include a Note in RID 5.3.1.2, which deals with the affixing of placards to large containers, bulk containers, MEGCs, tank-containers and portable tanks, to clarify that this sub-section also applies to swap bodies.
- 5. He explained that according to ADR 5.3.1.5, placards only have to be affixed to swap bodies containing substances of Class 1 or 7 that are only carried by road. The aim of the proposal was not to align with ADR, but to clarify RID.
- 6. The representative of Austria explained that the Notes in RID 5.2.2, which equate small containers with packages for the purposes of labelling, and in ADR 5.3.1.2, which exempt swap bodies carried exclusively by road from having to bear placards, were of a constitutive nature. However, IASA's proposed Note in 5.3.1.2 would not be of a constitutive nature, because it would regulate something that already applied anyway and could be derived from the definitions in 1.2.1.
- 7. The representatives of UIRR, UIC and CEFIC were also of the view that the current text was sufficient and did not cause any problems.
- 8. The standing working group asked the Secretariat to submit a text to the next session of the standing working group setting out a corresponding interpretation of RID that could be published on OTIF's website once the standing working group had approved it.

ITEM 4: Proposals to amend RID

A. Pending issues

Draft list of corrections to the notification texts OTIF/RID/NOT/2023 of 1 July 2022

Document: OTIF/RID/CE/GTP/2022/11 (Secretariat)

- Document 2022/11 from the Secretariat contained a list of corrections of errors in the notification texts OTIF/RID/NOT/2023, which had been noticed when finalising the 2023 edition of RID.
- 10. The standing working group instructed the Secretariat to publish this list of corrections, which included an additional amendment to 1.1.4.7.1 of the French version, in a depositary notification. The Secretariat was asked to inform the UNECE Secretariat that the amendment to 1.1.4.7.1 had been adopted as a correction because it is an obvious translation error of the original English text.

112th Session of WP.15 (Geneva, 8 - 11 November 2022)

Document: OTIF/RID/CE/GTP/2022/12 (Secretariat)

- 11. The standing working group noted document 2022/12 submitted by the Secretariat, which reproduced the most important discussions at the last session of WP.15 that might also be of interest to the standing working group.
- 12. Following the example of ADR, Member States were asked, if they so wish, to send the Secretariat a link to their national translation of RID so that it could be published on OTIF's website (see paragraph 20 of document 2022/12). The representatives of Belgium and the Netherlands said they were prepared to send the Secretariat a link to the Dutch version.
- 13. For RID, the standing working group also adopted the clarification adopted by WP.15 for the transitional measure in 1.6.4.59 (see paragraphs 27 to 29 of document 2022/12) (see Annex I). Until this amendment entered into force (1 January 2025), it asked the Secretariat to publish on OTIF's website the interpretation that the provisions of Chapter 4.4 in force until 31 December 2022 apply to tank-containers made of fibre-reinforced plastics that continue to be used in accordance with the transitional measure in 1.6.4.59.
- 14. In view of the fact that in RID, net explosive mass does not have the same importance as in ADR, the standing working group did not consider it necessary to publish on OTIF's website the interpretation that the quantities of pyrotechnic substances should be taken into account when calculating the net explosive mass (see paragraphs 43 and 44 of document 2022/12).
- 15. The standing working group did not consider it necessary to include a new standing agenda item on the subject of sustainable development goals and the circular economy (see paragraphs 50 to 56 of document 2022/12). However, in new proposals, the respective authors could specifically point out any links to these topics.
- 16. The Secretariat of OTIF informed the standing working group that it would also check whether it would be possible to obtain an Arabic translation of the 2023 edition of RID (see paragraph 58 of document 2022/12). This translation might be of use to the Arabic-speaking RID Contracting States and might encourage the accession of Arabic-speaking states interested in acceding to COTIF (e.g. GCC States).
- 17. The representative of Spain pointed out that for RID, a lasting solution would also have to be found with regard to the translation of amendments that had to be made every two years, and for the preparation of consolidated versions.

Declarations of occurrences involving dangerous goods

Document: OTIF/RID/CE/GTP/2022/9 (Belgium)

Informal document: <u>INF.3</u> (ERA)

18. In document 2022/9, the representative of Belgium wished to initiate a discussion on ERA's proposed alignment of the criteria for triggering reports in the future CSM ASLP Regulation on the one hand and in RID 1.8.5.3 on the other (see ERA's informal document INF.8 for the autumn session of the RID/ADR/ADN Joint Meeting). She also welcomed the principle that data concerning dangerous goods can be entered into the ISS (Information Sharing System).

- 19. Several delegations questioned the purpose of the extensive data collection planned by ERA. They only saw a few, limited advantages in harmonising the two systems of reporting and preferred to maintain the existing system under RID 1.8.5, although they did not rule out possible improvements to the provisions if there were any proven legal gaps.
- 20. The representative of Germany also doubted whether different versions of reports were of any use (simple report/detailed report) and criticised the format of a simple form with tick boxes that did not include any further explanations. He also questioned whether there was any guarantee that the data collected would be anonymous.
- 21. The representative of Austria drew attention to the different objectives of the two reporting systems. The existing RID system was about assessing and improving the regulations where necessary, whereas the data in the system planned by ERA would also be used for risk assessment and to assess undertakings. He was also critical of extending the ERA system to other modes of transport, as other modes would have a quite different target audience.
- 22. UIC pointed out that the available data showed that occurrences relating to the carriage of dangerous goods from the time of acceptance for carriage to the time of delivery to the consignee affected both train movements and stops made necessary by transport conditions. Less than 2% of occurrences came under RID 1.8.5. Dangerous goods were involved in about 8%, but did not meet the criteria of 1.8.5. A further 10% could be classified as safety-relevant occurrences, as the risk of a product leaking was significant from the outset. The remaining 80% should be regarded as non-safety-relevant occurrences that affected the "quality of the consignment".
- 23. In view of the different expectations of the competent authorities and the economic and technical constraints on railway undertakings, UIC was of the view that the purpose of RID 1.8.5 should be examined before deciding on the form and content of the data collection. This view did not call into question the declared aim of harmonising RID 1.8.5 with European railway legislation.
- 24. The representative of ERA explained that the purpose of collecting accident data was a kind of collective learning in order to obtain a better understanding of the causes of accidents. In order to avoid duplication, harmonised data collection was important. A uniform reporting system would be advantageous for all parties concerned. He underlined that the new CSM ASLP Regulation takes EU data protection legislation into account. He invited delegates to the next coordination meeting organised by ERA on the reporting of occurrences in the transport of dangerous goods, which would take place on 15 December 2022.

25. The Chair pointed out that there would be a new system of reporting under the CSM ASLP Regulation. The important question to be asked by the standing working group and the RID/ADR/ADN Joint Meeting was whether and how a link should be established between the existing and the newly proposed system. In her view, a situation with two independent systems of reporting would be unfortunate. The bodies concerned should work together step-by-step to find a solution.

B. New proposals

26. No documents were submitted for this agenda item.

ITEM 5: Report of the working group on tank and vehicle technology

- 27. The Chairman of the working group on tank and vehicle technology, Mr Kogelheide, presented the results of the 19th session of the working group, as set out in report OTIF/RID/CE/GTT/ 2022-A, which had taken place on 22 November in the form of a hybrid meeting,
- 28. With regard to the finding that DAC met the requirements of special provision TE 25 (a) by virtue of its construction, the representative of the Netherlands was of the view that a further discussion on maintaining one of the measures set out in paragraphs (b) to (d) of special provision TE 25 for very dangerous substances was essential (see paragraphs 29 to 32 of report OTIF/RID/CE/GTT/2022-A).
- 29. The standing working group was informed that an extract from the draft report of the working group on tank and vehicle technology would be submitted to the ERA workshop on 1 December 2022.

ITEM 6: Harmonisation of RID and SMGS Annex 2

30. No documents were submitted for this agenda item.

ITEM 7: Information from the European Union Agency for Railways (ERA)

Informal documents: INF.2 and INF.2/Add.1 (ERA)

- 31. The standing working group noted the information contained in ERA's informal documents INF.2 and INF.2/Add.1.
- 32. With regard to paragraphs 20 and 21 (Progress on the development of the Inland TDG Risk Management Platform), the representative of ERA referred to the risk management platform web application at http://tdg-dev0.westeurope.cloudapp.azure.com/ and a webinar on the risk management platform at https://www.youtube.com/watch?v=2Xi40Wa-Tao&t=2339s. Questions regarding the platform could be addressed to lnland-TDG@era.europa.eu.

ITEM 8: Any other business

Recommendation on involving stakeholders in OTIF's work

Document: OTIF/RID/CE/GTP/2022/10 (Secretariat)

33. Document 2022/10 submitted by the Secretariat reproduced a "Recommendation on involving stakeholders in OTIF's work" adopted by OTIF's ad hoc Committee on Legal Affairs and International Cooperation. The Secretariat asked whether and how this recommendation should also be implemented for the RID Committee of Experts.

34. The standing working group was of the view that the past had shown that the current provisions of the Rules of Procedure, and the RID Committee of Experts' decision to invite those organisations and associations to the meetings of the RID Committee of Experts that are also approved for the RID/ADR/ADN Joint Meeting, were sufficient. However, OTIF's website could contain a list of the international associations and organisations that have been accredited so far and a form for those stakeholders who do not currently participate in the work of the RID Committee of Experts and its working groups and who do not wish to apply for accreditation at the RID/ADR/ADN Joint Meeting. When a form was submitted, the standing working group should decide at its next meeting whether to accredit these stakeholders.

Tribute to Ms Valérie Blanchard

- 35. The representative of Switzerland informed the standing working group that she would be moving from the Federal Office of Transport to the Federal Roads Office and would in future be dealing with the regulations on the carriage of dangerous goods by road. Although she would no longer be taking part in the meetings of the RID Committee of Experts and its working groups, she would continue to represent Switzerland at the RID/ADR/ADN Joint Meeting and the UN Sub-Committee of Experts on the Transport of Dangerous Goods.
- 36. The standing working group thanked her warmly for her valuable contributions to the work of the RID Committee of Experts and wished her every success in her new field of activity.

Thanks

- 37. The Chair thanked the Secretariat for the good preparation of the meeting. She thanked the interpreters for their important contribution to the successful running of the meeting. Lastly, she thanked the delegations for their active participation in the discussions.
- 38. The deputy Chair thanked the Chair for her excellent conduct of the meeting. He included in his thanks the Chairman of the working group on tank and vehicle technology, who had confidently guided the discussions on the new digital automatic coupling.

Next session

- 39. The 16th session of the RID Committee of Experts' standing working group will provisionally be held in the week from 20 to 24 November 2023. The deadline for the submission of documents to the meeting of the standing working group is **6 October 2023**.
- 40. The Secretariat expressed the wish to return to the pre-pandemic method of working and to hold the meetings of the standing working group in an RID Contracting State. Representatives of states wishing to invite delegates to a session of the RID Committee of Experts were asked to contact the Secretariat.

7

Texts adopted by the 15th session of the RID Committee of Experts' standing working group

Draft amendments to RID for entry into force on 1 January 2025

Chapter 1.6

1.6.4.59 Amend to read as follows:

"1.6.4.59 Fibre-reinforced plastics tank-containers constructed before 1 July 2033 in accordance with the requirements of Chapter 6.9 in force up to 31 December 2022, may still be used, in accordance with the provisions of Chapter 4.4 in force up to 31 December 2022."

[Reference document: OTIF/RID/CE/GTP/2022/12]

Annex II

Liste des participants Teilnehmerliste List of participants

I. États parties au RID/RID-Vertragsstaaten/RID Contracting States

Allemagne/Deutschland/Germany

Mr Alfons Hoffmann Ms Linda Rathje-Unger Mr Luciano Inama Mr Andreas Würsig

Autriche/Österreich/Austria

Mr Othmar Krammer

Belgique/Belgien/Belgium

Ms Caroline Bailleux

Danemark/Dänemark/Denmark

Mr Carsten Nielsen

Espagne/Spanien/Spain

Mr Luis **del Prado Arévalo**Ms Silvia García **Wolfrum**Ms Francisca **Rodríguez Guzmán**

Finlande/Finnland/Finland

Mr Jouni Karhunen

France/Frankreich/France

Ms Ariane Roumier

Italie/Italien/Italy

Ms Mariella di Febbo
Mr Benedetto Legittimo
Mr Salvatore Ullo
Mr Mattia Madrigale
Mr Rocco Cammarata

OTIF/RID/CE/GTP/2022-B

Mr Valentino Rinaldi

Lettonie/Lettland/Latvia

Mr Dainis **Lācis** Mr Juris **Pakalns** Mr Valerijs **Stuppe**

Luxembourg/Luxemburg/Luxembourg

Mr Iliass Zerktouni

Pays-Bas/Niederlande/Netherlands

Mr Henk Langenberg

Ms Sam van de Snepscheut

Pologne/Polen/Poland

Mr Krzysztof Irmiński

Royaume-Uni/Vereinigtes Königreich/United Kingdom

Ms Anita Moinizadeh

Mr Arne Bale

Suède/Schweden/Sweden

Mr Henric Strömberg

Suisse/Schweiz/Switzerland

Ms Valérie Blanchard

Türkiye

Mr Bülent **Eyyüpoğlu** Mr Saim Kemal **Erol** Mr Nejmi **Ergücü**

II. Organisations internationales gouvernementales/ Internationale Regierungsorganisationen/International governmental organisations

Union européenne/Europäische Union/European Union

Commission européenne/Europäische Kommission/ European Commission

Mr Roberto **Ferravante** Mr Mircea **Ionescu**

Agence de l'Union européenne pour les chemins de fer /Eisenbahnagentur der Europäischen Union / European Union Agency for Railways (ERA)

Mr Francesco Rotoli Mr Oscar Martos Ms Ellen Rogghé

III. Organisations internationales non gouvernementales Internationale Nichtregierungsorganisationen International non-governmental organisations

Cefic

Mr Jörg **Roth** Mr Marc Frederic **Schroeder**

IASA

Mr Ernst Winkler

UIC

Mr Jean-Georges Heintz

UIP

Mr Rainer **Kogelheide**Mr Oliver **Behrens**Mr Philippe **Laluc**

UIRR

Mr Ullrich Lück

IV. Secrétariat/Sekretariat/Secretariat

Mr Jochen Conrad
Ms Katarina Burkhard

V. Interprètes/Dolmetscher/Interpreters

Mr David **Ashman** (OTIF) Mr Werner **Küpper**

Ms Laura **Keller**