

OTIF



**ORGANISATION INTERGOUVERNEMENTALE POUR
LES TRANSPORTS INTERNATIONAUX FERROVIAIRES**

**ZWISCHENSTAATLICHE ORGANISATION FÜR DEN
INTERNATIONALEN EISENBAHNVERKEHR**

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

OTIF/RID/CE/2011-A

9 February 2012

Original: German

TO THE GOVERNMENTS OF THE MEMBER STATES OF OTIF

**Final report of the 50th session of the RID Committee of Experts
(Malmö, 21 - 25 November 2011)**

TABLE OF CONTENTS

	Paragraphs	Page
Item 1: Approval of the agenda	1	3
Item 2: Presence and quorum	2 – 4	3
Item 3: Election of officers	5 – 6	3
Item 4: Harmonisation with the 17 th edition of the UN Recommendations on the Transport of Dangerous Goods and approval of the amendments adopted by the RID/ADR/ADN Joint Meeting in 2010 and 2011	7 – 25	4
Item 5: Other proposals	26 – 57	6
Item 6: Working group on tank and vehicle technology	58 – 81	10
Item 7: Approval of the adopted texts and transitional provisions and entry into force	82	14
Item 8: CIT and UIC progress report on the eRailFreight project	83	14
Item 9: Information from the European Railway Agency (ERA)	84 – 90	14
Item 10: Any other business	91 – 103	15
Annex I: Adopted texts		
Annex II: Presentation on the eRailFreight project		
Annex III: List of participants		Document OTIF/RID/CE/2011-A/Add.1

ITEM 1: APPROVAL OF THE AGENDA

Document: A 81-03/502.2011 (Secretariat)

Informal document: INF.1 (Secretariat)

1. The meeting adopted the provisional agenda contained in invitation A 81-03/502.2011 dated 8 September 2011 with the list of documents published by the secretariat in informal document INF.1 and with the inclusion of informal document INF.16 under agenda item 10.

ITEM 2: PRESENCE AND QUORUM

2. The secretariat noted that of 43 voting Member States, only 13 States were present at the time of the opening of the session and the quorum in accordance with Article 20 § 1 of the Rules of Procedure ($\frac{1}{3}$ of the Member States) was therefore not reached.
3. The representative of the European Union said that he was representing 22 EU Member States, so the quorum had been reached. However, the secretariat pointed out that regional organisations in accordance with Article 38 § 2 of COTIF could only exercise the rights enjoyed by its members by virtue of the Convention. COTIF only allowed for the right to vote if a State was physically present or had transferred its right to vote to another Member State. In addition, Article 6 § 4 of the accession agreement stipulated that the European Union had to inform the Secretary General of OTIF in good time of the items on the agenda on which it wished to exercise the voting rights of its Member States so that this information could be communicated to the other Member States. However, no such communication had been received.
4. **However, after the late arrival of the representative of Luxembourg, there was a quorum from the point of view of the Secretariat also, and the RID Committee of Experts was able to take decisions, bearing in mind the various legal opinions. The representatives of Italy and Spain also arrived subsequently, so 16 RID Contracting States were present.**

ITEM 3: ELECTION OF OFFICERS

5. Mr Helmut Rein (Germany) was re-elected chairman. Mrs Caroline Bailleux (Belgium) was elected vice-chair. At the secretariat's suggestion, this election would also apply to the 51st session of the RID Committee of Experts, at which final decisions for the 2013 edition of RID could be adopted.
6. The chairman emphasised that in its history so far, the RID Committee of Experts had worked very well. Following the accession of the European Union to COTIF, the work of the RID Committee of Experts would change, although this should not be considered as a **problem**. The **EU Member States'** coordination meeting held before the session began had shown that all the EU Member States and the European Commission were interested in working pragmatically, which had been the basis for the successful work of the RID Committee of Experts in the past.

ITEM 4: HARMONISATION WITH THE 17TH EDITION OF THE UN RECOMMENDATIONS ON THE TRANSPORT OF DANGEROUS GOODS AND APPROVAL OF THE AMENDMENTS ADOPTED BY THE RID/ADR/ADN JOINT MEETING IN 2010 AND 2011

Document: OTIF/RID/CE/2011/9 (Secretariat)

Informal document: INF.7 (Secretariat)

7. Document OTIF/RID/CE/2011/9 prepared by the secretariat contained the texts adopted by the Joint Meeting in 2010 and 2011 and by the RID Committee of Experts in 2009 and 2010 and was adopted by the RID Committee of Experts subject to the following amendments.

1.1.3.3 (c)

8. The RID Committee of Experts supported WP.15's decision to transfer the text of the new 1.1.3.3 (c) to special provision 363, thus ensuring closer harmonisation with the 17th edition of the UN Model Regulations (see Annex I).

6.11.5

9. For the time being, WP.15 had rejected the inclusion of new provisions for flexible bulk containers until supplementary provisions were available, particularly as regards securing the load. As none of the delegations at the RID Committee of Experts were in favour of including the new provisions for flexible bulk containers in RID **and as it had not been demonstrated that these containers were of use in rail transport**, all the amendments in connection with the introduction of flexible bulk containers were again deleted for RID (see Annex I).

2.2.52.4

10. With regard to the third amendment to 2.2.52.4, it was decided to delete "OP8" from column (7) and to include the word "prohibited" in column (9), as this organic peroxide is not permitted for carriage by rail because of the prescribed temperature control (see Annex I).

Chapter 3.2 Table B

11. The secretariat raised the question of whether the "NHM Code" column, which is an unofficial part of RID, should be maintained, or whether it could be deleted now that the NHM code was not used by all railways and the customs code differed from the NHM code.
12. The Member States were asked to check by the time of the 51st session of the RID Committee of Experts whether this column should be kept. If it were to be kept, the secretariat would have to be informed of the NHM codes for newly included substances and a representative of a State or association would have to check the accuracy of the information on a continuing basis. The representative of UIC was asked to find out what the consequences of deleting this column would be.

Special provision 636 (b)

13. The representative of Switzerland pointed out that in previous editions of RID, special provision 636 had stipulated that used lithium cells and batteries could only be carried to intermediate processing facilities under simplified conditions if they were carried together with other batteries not containing any lithium. But a proposal from Switzerland to maintain this condition in the revised special provision had been rejected at the last session of WP.15. The representative of Sweden announced a proposal for the Joint Meeting.

Informal documents: INF.2 and INF.4 (CEN)

Packing instruction P 200

14. The RID Committee of Experts adopted the amended reference to the standard in paragraph (7) (b) of packing instruction P 200 proposed by CEN in informal document INF.2 (see Annex I). As references to standards were usually followed by the year, the secretariat was asked to contact the CEN **consultant** on this question. It was also unclear why the English text adopted by WP.15 was different from the original text provided by the CEN **consultant**. The secretariat was instructed to agree a uniform text with the UNECE secretariat, including the French version.
15. The amendment proposed by CEN in informal document INF.4 was also adopted, although standards EN 1801:1998 and EN 12754:2001 can only be deleted if standard EN ISO 11372:2011 is published in time before the 51st session of the RID Committee of Experts (see Annex I).

6.2.3.9.7.3 (b)

16. The square brackets were deleted (see Annex I).

6.2.4.1

17. The representative of the United Kingdom pointed out that in the various amendments to column (4) of 6.2.4.1, sometimes the deadline was "until 31 December 2014" and sometimes it was "before 1 January 2015". The Joint Meeting's working group on standards was asked to standardise these deadlines.
18. The representative of Switzerland pointed out that the amendment to the column heading in the table in 6.2.4.2 adopted by WP.15 should also be made to 6.8.2.6.2. However, as this was not yet a problem, because no standards were included which had to be applied from a certain date, this decision was also referred to the Joint Meeting's working group on standards.

7.3.2.4

19. In connection with not including flexible bulk containers, the RID Committee of Experts agreed not to delete completely the amendment concerning 7.3.2.4, but to maintain the addition of code "BK2" and the second amendment, which only applied to the English version (see Annex I). The secretariat was asked to inform the UNECE secretariat of this differing amendment.
20. The RID Committee of Experts also adopted the other WP.15 amendments listed in informal document INF.7.

Transitional provisions

Document: OTIF/RID/CE/2011/7 (Secretariat)

21. The amendments to the transitional provisions proposed by the secretariat in document OTIF/RID/CE/2011/7 were adopted subject to the following comments (see Annex I).

1.6.1.1

22. In connection with the alignment of 1.6.1.1, it was noted that a consequential amendment to 5.4.1.1.12 was necessary (see Annex I).

1.6.3.25

23. The representative of the United Kingdom pointed out that the first sub-paragraph of 1.6.3.25 had to be kept in an amended form because the first periodic inspection could still also be carried out after 1 January 2013. The representative of UIP even suggested keeping the transitional provision permanently in order to make clear that before 1 January 2007, it had not been necessary to add the letters "P" or "L" to the date of the last inspection.
24. The RID Committee of Experts finally agreed to delete the transitional provision, as proposed by the secretariat, because **either a periodic inspection or** an intermediate inspection would have to be carried out by 31 December 2012 **and** the date **of the inspection** would have to be **appropriately** supplemented with the letter "P" or "L".

Informal documents: INF.5 and INF.13 (Secretariat)

25. The corrections to the French version of RID proposed by the secretariat in informal documents INF.5 and INF.13 were adopted (see Annex I).

ITEM 5: OTHER PROPOSALS

Representative checks in 1.4.2.2.1 of RID vs UIC Leaflet 471-3

Document: OTIF/RID/CE/2011/1 (Sweden)

Informal document: INF.9 (Italy)

26. In his discussion paper, the representative of Sweden pointed out that railway undertakings that apply UIC leaflet 471-3 have to carry out the checks listed in point 5 of the UIC leaflet on all consignments, while other railway undertakings only have to carry out representative checks in accordance with RID 1.4.2.2.1.
27. The representative of UIC gave a presentation on UIC leaflet 471-3. He emphasised that this leaflet was also applied by railway undertakings other than the UIC member undertakings. **However, it was necessary to distinguish between the UIC leaflet in its entirety, which was used for rail transport undertakings' voluntary quality assurance systems, and point 5 of this leaflet, which was freely accessible on the UIC website, and which in RID was considered as good practice and whose application was therefore deemed to meet the prescribed requirements for the inspection of dangerous goods consignments. The requirements for rail transport undertakings, which had become part of UIC leaflet 471-3 in its entirety, even went above and beyond what was covered in point 5, with random inspections being carried out in accordance with standard ISO 2859-1:1999 (Sampling procedures for inspection by attributes – Part 1: Sampling schemes indexed by acceptance quality limit (AQL) for lot-by-lot inspection).**
28. In connection with his informal document INF.9, the representative of Italy stressed that in view of the drip leaks found in Italy, it was not sufficient for the filler to make checks and additional checks by the carrier were necessary. He welcomed the checklists for the filler proposed by CEFIC (see paragraphs 64 to 71).
29. The chairman reminded the meeting that when the carrier's obligations were being drafted, it had been recognised that it was not possible **or necessary** to carry out checks in rail transport in each individual case, which was why only representative checks had been prescribed. In carrying out representative checks, the intensity of the carrier's checks should be geared to the respective consignor's compliance with the provisions in the past. As there were now an increasing number of railway undertakings in the market that were not members of UIC, consideration should be given to whether the check points in the UIC leaflet should be included in the regulations to make them mandatory for all undertakings.

30. The RID Committee of Experts unanimously welcomed the **proposal to mandate a working group to look at whether the participants' actions could be put into more concrete terms in RID. This** working group would be jointly hosted on 12 and 13 April 2012 by **Italy, in collaboration with Germany** and UIC, following the working group on tank and vehicle technology (see also paragraph 81) and would also take into account the CEFIC checklists (see paragraphs 64 to 71). **As part of** this work, it would have to be checked whether the representative checks could be maintained, and if necessary it would have to be specified what was meant by "representative" in order to ensure that transport is carried out in accordance with the rules. It would also have to be checked whether this work had any repercussions for ADR. The representative of France announced that she would prepare a document for this working group concerning the methodology for representative checks.
31. Irrespective of this, the European Commission's Dangerous Goods Regulatory Committee **could** consider the development of a **regulation on dangerous goods** checks in rail transport.

Examination of safety advisers

Document: OTIF/RID/CE/2011/2 (Sweden)

32. In his document the representative of Sweden pointed out that instructions in writing introduced into RID in 2011 had not been taken into account in 1.8.3.11 (b) and 1.8.3.12.4 (a) concerning the examination of the safety adviser. The RID Committee of Experts adopted these additions with a small amendment and an addition to the 13th indent of 1.8.3.11 (b) (see Annex I).
33. The secretariat was asked to inform the UNECE secretariat that in paragraph 1.8.3.12.4 (a) of ADR, the usual term "transport documents"/"documents de transport" should be used instead of "transport certificates"/"certificats de transport".
34. With regard to the use of the expression "restrictions on forwarding" in the fifth indent of RID 1.8.3.11 (b) (as opposed to "restrictions on dispatch" in ADR), the secretariat pointed out that this was the usual expression used in rail transport, which was also used in 1.4.2.1.1 (d) in connection with the obligations of the consignor. As the wording used in 7.5.1.1 was instead "the requirements in force at the forwarding station", the meeting agreed to check before the next session, on the basis of the regulations in force, whether this expression should be amended in RID, especially as the French version used the same expression as in ADR.

Correction of an editorial error in RID 6.8.2.2.1

Document: OTIF/RID/CE/2011/3 (UIC)

35. The RID Committee of Experts adopted UIC's proposal to correct an incorrect reference in RID 6.8.2.2.1 (see Annex I).

Placarding of wagons carrying packages only, in accordance with 5.3.1.5

Document: OTIF/RID/CE/2011/4 (Switzerland)

36. In his document OTIF/RID/CE/2011/4, the representative of Switzerland proposed to permit the possibility of affixing orange-coloured plates instead of placards when packages containing dangerous goods were being carried in wagons, as was already permitted for the carriage of road vehicles in piggyback transport.

37. Opinions on this proposal differed. While some delegations were of the view that the provisions for marking in rail transport should be harmonised more closely with road transport and hence simplified, other delegations were of the view that placards not only provided more information for the emergency services, but also for railway personnel.
38. Following this initial exchange of opinions, the representative of Switzerland was asked to submit an official proposal for amendment which should also look at the issue of how the requirement for the protective distance in 7.5.3 could be met in the absence of precise information on the hazards.

Placarding of wagons

Document: OTIF/RID/CE/2011/10 (Sweden)

Informal document: INF.11 (Switzerland)

39. The aim of Sweden's document OTIF/RID/CE/2011/10 was to make the possibility of affixing reduced size placards measuring 150 mm x 150 mm to wagons subject to some conditions. In addition, it was also to avoid the various placards affixed to a wagon being of different sizes. However, following discussions in the EU Member States' coordination meeting, the representative of Sweden withdrew this second proposal, even though he was of the view that it was not possible to deal with this at multimodal level, because neither the UN Model Regulations nor ADR prescribed smaller placards for substances other than those of classes 1 and 7.
40. In informal document INF.11, the representative of Switzerland supported Sweden's proposal, as for tank-wagons at least, there was sufficient space to affix placards measuring 250 mm x 250 mm.
41. The representative of UIC recalled that UIC leaflet 573, which was referred to in several places in RID, contained a Chapter 1.3 entitled "Markings" which gave the dimensions of the wagon plates. In cases where several placards were prescribed, the space available on the wagon plate would be insufficient, so it was necessary to label other parts of the wagon.
42. While some delegates requested that the provisions of RID should accord with the provisions of the UIC leaflet, other delegates were of the view that the text proposed might lead to problems if there were different opinions on the available space **and if no other instructions for affixing placards were included in the regulations.**
43. At the suggestion of the representative of Poland, **in its capacity as the EU Presidency and representing the EU**, further discussion on this proposal was deferred to the next session.

Placarding of swap bodies

Document: OTIF/RID/CE/2011/12 (Sweden)

44. In his document OTIF/RID/CE/2011/12, the representative of Sweden requested alignment of the provisions for the marking of swap bodies carried by rail in the context of a transport chain with the simplified conditions for piggyback transport adopted for the 2011 edition of RID. For example in the case of swap bodies loaded onto trailers carried in piggyback transport, orange-coloured plates on the front and back should be sufficient.
45. Referring to the outcome of the discussions at the EU Member States' coordination meeting, the representative of Poland, **in its capacity as the EU Presidency and representing the EU, asked that** this document only be dealt with as a discussion paper.

46. The Chairman reminded the meeting that previously, swap bodies had been treated as containers. WP.15 had then had a discussion to the effect that swap bodies often remained on the vehicle and should therefore be treated as vehicles. As the placards had always been considered necessary for staff in rail transport **as more specific information**, it would have to be checked whether staff working procedures and training had changed to such an extent that this information was no longer necessary.
47. In the discussion, there was little support for Sweden's proposal because the Note to ADR 5.3.1.2 clearly stated that the labelling provisions of 5.3.1.2 also applied to swap bodies carried in combined road/rail transport. To resolve the problem of subsequent marking at transshipment stations, the terms and conditions of such stations could prescribe that only swap bodies marked with placards could be accepted.
48. The representative of Sweden explained that in conjunction with a new proposal from Switzerland on the problem of the marking of wagons carrying packages only (see paragraphs 36 to 38), he might return to this issue.

Incident report and discussion on the question of notifying occurrences involving dangerous goods in accordance with 1.8.5

Document: OTIF/RID/CE/2011/5 (Switzerland)

49. In his document OTIF/RID/CE/2011/5, the representative of Switzerland pointed out that at present, 1.8.5.2 did not contain any criteria on when the RID Contracting States had to send the secretariat an accident report. Up to now, very few States had transmitted their accident reports to the secretariat.
50. The Chairman recalled that the original intention had been only to notify those accidents which, in the opinion of the notifying State, might have repercussions in terms of developing the regulations. However, in the meantime the Joint Meeting's "BLEVE" working group had said it wished to set up a database to enable statistical analysis to be carried out (see report ECE/TRANS/WP.15/AC.1/124 (OTIF/RID/RC/2011-B) paragraph 109).
51. The RID Committee of Experts considered it necessary to provide clarification concerning the application of 1.8.5.2. It should also be checked whether the accident report form should be adapted to make statistical analysis possible, and whether the secretariat should also be sent the results of the accident investigation as well as the form itself, as it was only such results that would make it possible to develop the regulations. However, owing to the consequences for ADR, these questions should be dealt with at the Joint Meeting.
52. Following the discussion at the Joint Meeting, the RID Committee of Experts could then look at the question of whether it would be necessary to align with Directive 2004/49/EC with regard to the safety indicators.

Transport document – cross in the box

Informal document: INF.6 (United Kingdom)

53. In his informal document, the representative of the United Kingdom recalled that for the carriage of dangerous goods it was no longer mandatory to use a CIM consignment note, and that other transport documents were also allowed on which there might not be a box that could be crossed to indicate the carriage of dangerous goods. He therefore proposed to amend 5.4.1.1.1 and to include an additional sentence in 5.4.1.4.1.
54. After a brief discussion, the RID Committee of Experts decided to adopt the second text proposed for 5.4.1.4.1, where, in addition to the CIM consignment note, the GCU wagon note would also be referred to as an example (see Annex I).

Interpretation of the provisions of RID on piggyback transport

Informal document: INF.15 (Germany)

55. The representative of Germany introduced his informal document INF.15. In it, he expressed the opinion that RID 2011 did not clearly prohibit the national piggyback transport of dangerous goods in trains also carrying passengers. For this reason Directive 2008/68/EC allowed the EU Member States to lay down specific safety provisions without the need for a national derogation in accordance with Article 6 of the Directive. He asked whether such transport also took place in other States and what the legal view was in these States. **Other States confirmed that similar transport operations were also necessary in their countries.**
56. The secretariat pointed out that according to RID 1.1.2.2, only the provisions of Chapter 7.6 applied to the carriage of dangerous goods in trains other than freight trains and that according to the scope defined in Article 1 of Appendix C, RID only covered international transport.
57. The RID Committee of Experts asked the representative of Germany to introduce this problem to the European Commission's Dangerous Goods Regulatory Committee. He was also asked to work together with other States where such transport took place to submit a document to the next session of the RID Committee of Experts proposing **clarification in RID**. The secretariat's legal service should also examine the issue from the perspective that the EC Directive only refers to RID, and not to Appendix C.

ITEM 6: WORKING GROUP ON TANK AND VEHICLE TECHNOLOGY

Report of the 12th session of the working group on tank and vehicle technology (Hamburg, 6 and 7 October 2011)

Informal document: INF.8 (Secretariat)

58. The chairman of the working group on tank and vehicle technology gave an overview of the work of the working group on the basis of the draft report in informal document INF.8.

Detection of derailments

59. The representative of ERA explained that DNV had concluded its work and that comments on the DNV report had been received from various States and associations and from the working group on tank and vehicle technology. These comments would be processed in connection with drafting a recommendation for the European Commission, and in addition to the DNV report, other findings would also be taken into account.
60. The RID Committee of Experts asked that the subsequent consultations at European level be held in a joint meeting of the RISC and Dangerous Goods Regulatory Committees. **The representative of ERA confirmed that this was envisaged.**

Joint declaration of June 2002

Document: OTIF/RID/CE/2011/6 (Switzerland)

61. Document OTIF/RID/CE/2011/6 submitted by the representative of Switzerland recalled the joint declaration signed on 27 June 2002 by the Federal Department of the Environment, Transport, Energy and Communications (DETEC), the Swiss Association of Chemical Industries (SGCI) and Swiss Federal Railways (SBB) in which the three parties committed themselves to reducing the risks inherent in the transport of dangerous goods on the territory of the Confederation by implementing specific measures.

62. He noted that since the end of 2010, **almost** all chlorine imports into Switzerland were carried in tank-wagons which met the provisions included in RID since the declaration had been signed. The transitional periods allowed in the regulations had **thus** been bettered. Pending the RID Committee of Experts' decision on fitting derailment detectors to tank-wagons for the carriage of very dangerous substances, he was pleased to note that a Swiss freight wagon hire company had already equipped all its freight wagons with derailment detectors.

63. The RID Committee of Experts noted this information.

Drip leaks

Document: OTIF/RID/CE/2011/11 (CEFIC)

64. The representative of CEFIC introduced his document OTIF/RID/CE/2011/11 containing checklists for the top/bottom filling and top/bottom discharge of tank-wagons for the carriage of liquids. These checklists had already been submitted to the working group on tank and vehicle technology.

65. As a first step, the RID Committee of Experts established that the checklists did not contain any errors.

66. There was a more difficult discussion on whether these checklists should be referred to in a non-binding footnote to 1.4.3.3 (f) and 1.4.3.7.1 (d) (ii), as proposed by CEFIC, or directly after each provision, as proposed by the secretariat, with a note to the effect that the provisions of RID are deemed to be met if the checklists published by CEFIC are applied.

67. Some delegates considered a non-binding reference to be sufficient, as the visual inspection referred to in the checklists did not offer any guarantee as to leaktightness during transport and including it in the text of the regulations ran the risk that only the minimum measures set out in the checklists would be taken.

68. Other delegates thought a non-binding reference might run the risk that not even the minimum requirements would be met. Like point 5 of UIC leaflet 471-3 concerning the obligations of the carrier, CEFIC's checklists reflected best practice and did not exclude further-reaching checks.

69. In an indicative vote, seven States and one non-governmental organisation were in favour of CEFIC's original proposal and seven States and four non-governmental organisations were in favour of the secretariat's proposal.

70. It was not possible either to reach a clear position between the EU Member States in an EU coordination meeting held while the plenary was interrupted. It was therefore decided to adopt CEFIC's proposal in square brackets for the time being (see Annex I).

71. It was agreed to place the issue of the CEFIC checklists on the agenda of the working group to be organised jointly by **Italy, Germany** and UIC to specify the carrier's obligations (see paragraph 30). At the same time, it could also be examined whether, in addition to paragraph (f), the checklists covered the points to be checked in accordance with paragraphs (a) and (b) of 1.4.3.3. Similarly to the control provisions for filling liquefied gas tank-wagons in 4.3.3.4, in order to ensure consistency control provisions for substances of other classes in 4.3.2.3 could also be considered as an alternative.

Leaks from tank-wagons found in Italy

72. The representative of France requested that the declaration she had made at the 12th session of the working group be attached to the final report of the session as an annex.

Railway accident in Viareggio

73. The representative of Italy¹ gave an overview of the interim results of the investigation into the rail accident that occurred in Viareggio on 29 June 2009. Following a broken axle on the first wagon in the train, it had derailed, causing the wagon to turn on its side 370 m further on. The wagon continued to skid for a further 100 m and the tank was then ruptured by part of the infrastructure (either an upright section of rail installed for measuring purposes or the wing rail of a point switch).

In his presentation, the representative of Italy² focused in particular on:

- the results of Det Norske Veritas's study and Italy's proposals concerning measures to prevent freight train derailments,
- the results Italy had achieved in relation to dangerous good leaks after introducing the checklists,
- measures taken by Italy after the Viareggio accident and the results they achieved;
- Italy's results concerning EVIC (European Visual Inspection Catalogue);
- Italian statistics on broken axles.³

74. As a result of the accident, various measures for wheelsets at European level could probably be suggested after the investigation had been completed (traceability of axles, safe-keeping of test data, destruction of axles with an uncertain history, setting a maximum operating life for components, maintenance based on the kilometric performance), which are already being applied on a self-commitment basis by the sector. The representative of Italy² explained that the measures adopted after the accident in Viareggio could not be revoked while the measures agreed by the sector were not binding.

75. The RID Committee of Experts agreed to investigate whether the accident might have any repercussions for the dangerous goods regulations once the final accident report was available. This work would be carried out in the working group on tank and vehicle technology.

¹ Italian Accident Investigation Authority.

² Italian Safety Authority.

³ The representative of the Italian Safety Authority also explained that it was necessary to extend the DNV study to include the following aims (note by the Secretariat: as the DNV study has already been concluded and the aims requested are already largely reflected in the DNV study, the addition to the report requested by the representative of Italy is only reproduced in a footnote):

- To establish measures to reduce the consequences of freight train derailments (for example, by having an "axle retaining system" in the rolling stock which, in the event that an axle breaks, can sustain the axles themselves, together with the use of fixed derailment detectors at critical points on the infrastructure (before bridges, tunnels, etc.);
- To investigate infrastructure measures to reduce the risk of freight train derailments, e.g.:
 - hot axle box and blocked brake detectors;
 - wheel-load checkpoints to detect load displacements, overloading and serious wheel errors;
 - measuring points for monitoring rolling stock quality and track-system stresses.

Lastly, it is important to extend the study to cover all freight wagons, because dangerous goods are carried in wagons other than tank-wagons.

76. Even if the tank concerned was not very old and had not been the subject of any complaints, the chairman was of the view that consideration should be given to the continued operation of gas tank-wagons over 30 years old on the basis of transitional provisions.
77. The representative of France pointed out that information on the accident in Viareggio was available from the international association of environmental authorities (IMPEL) under <http://www.aria.developpement-durable.gouv.fr/IMPEL-Seminar--3918.html>.

Application of standards EN 14432 and EN 14433 listed in 6.8.2.6

Document: OTIF/RID/CE/2011/8 (UIP)

Informal documents: INF.14 (Belgium)
INF.17 (Belgium, France, Germany, UIP)

78. In his document OTIF/RID/CE/2011/8 the representative of UIP requested the continued operation of tank-wagons which, on the basis of multilateral special agreement RID 7/2011, were equipped with fittings by the end of 2011 which did not comply with standards EN 14432 and EN 14433 referred to in RID/ADR since 1 January 2011. A proposal along these lines, which had also included tank-vehicles and tank-containers, had been rejected by the Joint Meeting in September 2011.
79. In her informal document INF.14, the representative of Belgium pointed out that multilateral special agreements should not be used to derogate from construction requirements, as in future this would inevitably lead to problems in terms of the continued operation of such wagons. In addition, the retroactive legalisation of the conditions of a multilateral special agreement, which had only been signed by some Member States, would lead to unfair competition. However, if the majority of the RID Committee of Experts were in favour of a transitional provision, its period of validity should at least be limited until the next inspection. **The representatives of Austria and Finland supported the arguments put forward by Belgium.**
80. However, on the basis of informal document INF.17, the RID Committee of Experts agreed to include the transitional provision adopted by the Joint Meeting's tank working group in RID after amending the date of the applicable provisions (see Annex I). The representative of Germany said he would initiate a multilateral special agreement to replace special agreement RID 7/2011, which would expire on 31 December 2011.

Next session of the working group on tank and vehicle technology

81. The next session of the working group on tank and vehicle technology will be held on 11 and 12 April 2012 in conjunction with the working group on the checks to be carried out by the carrier (see paragraph 30). The following agenda items are planned:
- Assessment of the European Commission's decision concerning the detection of derailments;
 - The Italian authorities' final accident report on the rail accident in Viareggio and consideration of its impact on the dangerous goods regulations;
 - UIC review of the requirement for hand brakes that can be operated from the platform;
 - Review of transitional provisions for old gas tank-wagons if a delegation submits a document on this subject;
 - Possible drafting of railway-specific provisions for carriage in bulk following submission of the results of the Joint Meeting's informal working group on the BK and VW/VV provisions;

- Follow-up to the problem of ECMs (Entities in Charge of Maintenance).

ITEM 7: APPROVAL OF THE ADOPTED TEXTS AND TRANSITIONAL PROVISIONS AND ENTRY INTO FORCE

82. The texts and transitional provisions intended to enter into force on 1 January 2013 (see Annex I) were adopted with no opposing votes.

ITEM 8: CIT AND UIC PROGRESS REPORT ON THE ERAILFREIGHT PROJECT

83. A representative of Raildata, the company commissioned by UIC and CIT to carry out the eRailFreight project, gave a progress report (see Annex II). Since 2 November 2011, the first international transport operations had already been carried out with an electronic transport document. It was also already possible to carry dangerous goods with an electronic transport document, but this still had to be approved by the national authorities.

ITEM 9: INFORMATION FROM THE EUROPEAN RAILWAY AGENCY (ERA)

Informal document: INF.12 (ERA)

Entity in Charge of Maintenance (ECM)

84. At the last session of the RID Committee of Experts, the representative of ERA had been asked whether the certification system for the entity in charge of maintaining freight wagons would have any repercussions on undertakings responsible for maintaining tank-wagons on the basis of RID.
85. The result of ERA's investigation was that the ECM Regulation was compatible with the current provisions of RID, on condition that the relevant obligations allocated in RID are correctly interpreted and implemented in accordance with the ECM regulation, as detailed in the annex to informal document INF.12. However, if a definition of ECM were included in RID, this would make the assignment of obligations clearer.
86. After a discussion, the RID Committee of Experts saw no conflict between the ECM Regulation and RID. The majority of delegates recommended referring to the ECM Regulation and the COTIF technical Appendices in RID 1.4.3.4 and 1.4.3.5, with a note to the effect that the duty of care arising from these sub-sections was deemed to be met if the provisions of the Regulation were applied.
87. The representative of Belgium said that in conjunction with other interested delegations, she was prepared to submit a proposal dealing also with the inclusion of an additional paragraph along the lines of 1.4.3.7.2 (see informal document INF.8, paragraph 30) and the question of the different terms of operator and keeper.
88. The question of whether an entity in charge of maintenance could also be an inspection body in the sense of RID was to be considered in connection with 1.8.6 and Chapter 6.8, although there would have to be an organisational separation between ECM and inspection body, as was already the case in the provisions of 1.8.6 and 1.8.7 for in-house inspection services.
89. The representative of ERA was asked to inform the RID Committee of Experts of developments in connection with drafting guidelines for ECMs.

Telematics

90. The representative of the United Kingdom informed the RID Committee of Experts that his country had submitted a proposal to the UN Sub-Committee of Experts concerning the clear identification of a row in Table A and that efforts would be made to come up with a solution in this biennium.

ITEM 10: ANY OTHER BUSINESS

Publication concerning the carriage of dangerous goods in passenger trains

Informal document: INF.3 (CIT)

91. The representative of CIT explained that he would resubmit his informal document INF.3, in which he had subsequently made some editorial amendments, to the next session of the RID Committee of Experts.

Information from the secretariat on the work of OSJD's ad hoc working group on the revision of the provisions for the carriage of dangerous goods

Informal document: INF.10 (Secretariat)

92. The secretariat introduced its informal document INF.10 containing a report of the work of an ad hoc OSJD working group, which had set itself the task of harmonising Annex 2 to SMGS more closely with RID. In the meantime the OSJD secretariat had produced a table showing the differences. These could be examined at the next-but-one session of the RID Committee of Experts when delegates from OSJD would be present.
93. The RID Committee of Experts thanked the representatives of Latvia and Poland for their commitment in helping to produce this table and emphasised the importance of this work for the future.

Draft corrigendum to the RID 2011 edition

Informal document: INF.16 (Secretariat)

94. The RID Committee of Experts noted the draft corrigendum to the 2011 edition of RID prepared by the secretariat. Further corrections noted by the representatives of Poland and the United Kingdom would be included in the corrigendum. The secretariat intended to publish this corrigendum by the end of the year.
95. The secretariat informed the RID Committee of Experts of the decision of OTIF's Administrative Committee that from 2012, RID would be published on the OTIF website in read only mode free of charge.

In memory of Mr Wieger J. Visser (Netherlands)

96. The chairman informed the RID Committee of Experts that Wieger Johannes Visser (Netherlands) had passed away on 12 October 2011. He described his impressive personality, which had been characterised by humour and straightforwardness. Although he had considered the restructuring of RID to be the end of the world, as chairman of the working group on restructuring RID, he had ultimately ensured the success of the newly formatted version. On behalf of the RID Committee of Experts, the chairman expressed his deepest sympathies to Mr Visser's wife. In remembrance of his ever-present humour, the RID Committee of Experts said farewell to a wonderful colleague and friend.

Retirement of Mr Armin Ulrich (Germany)

97. The chairman thanked Mr Armin Ulrich (Germany) for his decades-long contribution to the work of the RID Committee of Experts. Initially as secretary, and then as chairman of the Joint Meeting's tank working group, he was key in helping to develop numerous tank provisions. On behalf of the RID Committee of Experts the chairman wished Mr Ulrich a long and happy retirement.

Thanks

98. At a small reception during the 50th session of the RID Committee of Experts, the Secretariat thanked delegates for their commitment to improving safety in the carriage of dangerous goods by rail. The fact that the Member States were prepared to host a session of the RID Committee of Experts in their country showed how important the RID Contracting States considered this subject to be. The chairman explained that the success of the RID Committee of Experts was also due to the Secretariat's accurate work in preparing and carrying out the meetings. He also included Mr Jean-Daniel Déneraud in his thanks, who had retired in July 2009.
99. The Chairman thanked the Swedish delegation for their excellent organisation of this session. He thanked the interpreters for their excellent work.
100. The representative of Poland, in its capacity as the EU Presidency and representing the EU, thanked the secretariat for its patience and cooperation in carrying out the EU internal coordination.
101. On behalf of all delegations the vice-chair thanked the chairman for his tact and diplomacy in leading the discussions.

Next session

102. The 51st session of the RID Committee of Experts will be held in Berne on 30 and 31 May 2012. The Secretariat pointed out that the deadline for submitting official documents was 13 April 2012.
103. At the invitation of Latvia, the 52nd session of the RID Committee of Experts will be held in Riga in the 46th or 47th calendar week of 2012. Part of the session could be held jointly with the experts on Annex 2 to SMGS in order to deal with the issue of harmonising RID and Annex 2 to SMGS (see also paragraph 92).
-

Texts adopted by the 50th session of the RID Committee of Experts

Document OTIF/RID/CE/2011/9 adopted with the following amendments:

Table of Contents

Delete the amendments to 1.1.3.3, 6.11.3, 6.11.4 and 6.11.5.

Chapter 1.1

1.1.3.3 Delete the amendment.

Chapter 1.2

1.2.1 Delete the **last** amendment to the definition for "bulk containers" (addition of a reference to "flexible bulk containers").

Chapter 1.6

1.6.1.27 Replace "1.1.3.3 (c) (i)" with:
"special provision 363 of Chapter 3.3".

Chapter 2.2

2.2.52.4 In the third amendment, in column (7) of the Table, delete:
"OP8".

In the third amendment, in column (9) of the Table, insert:

"prohibited".

2.2.9.1.7 [The amendment adopted for the French version of paragraph (e) (viii) does not affect the English text.]

**Chapter 3.2
Table A**

Delete the amendment to indicate the code "BK3" in column (10) (this amendment concerns UN Nos. 1334, 1350, 1454, 1474, 1486, 1498, 1499, 1942, 2067, 2213, 3077, 3377 and 3378 PG III).

Chapter 3.3

363 Amend to read as follows:

"363 This entry also applies to liquid fuels, other than those exempted according to paragraph (b) of 1.1.3.3, above the quantity specified in column (7a) of Table A of Chapter 3.2, in means of containment integral to equipment or machinery (e.g. generators, compressors, heating units, etc) as part of their original design type. They are not subject to other provisions of RID if they meet the following:

(Insert text of 1.1.3.3 (c) (i) to (v) as paragraphs (a) to (e), except for the last part of

(v) which should read:
"CARRIAGE IN ACCORDANCE WITH SPECIAL PROVISION 363".)

Chapter 4.1

4.1.1.20.4 Replace "UN Number" with:

"UN number".

4.1.4.1

P 137 Delete the last but one amendment ("For "Outer packagings", ... "other metal (4N)".").

P 200 Amend the end of paragraph (7) (b) to read:

"... the corrosion contaminants level of ISO 9162."

Amend the first indent of the amendments to paragraph (11) to read as follows:

"[– Delete the rows for standards "EN 1801:1998" and "EN 12754:2001"]."

Amend the amendment to paragraph (12) 2.5 to read as follows:

"In the second sentence of sub-paragraph (12) 2.5, replace "the corrosion contaminants level of EN 1440:2008, annex E.1, letter b" with:

"the corrosion contaminants level of ISO 9162"."

Chapter 6.1

6.1.3.1 (a) (i) Delete the amendment.

Chapter 6.2

6.2.2.7.2 (a) Delete the amendment.

6.2.2.9.2 (a) Delete the amendment.

6.2.3.9.7.3 (b) Delete the square brackets and the note by the secretariat.

6.2.4.2 Place the reference to standard "EN 1440:2008 + A1:[2012] (except annexes G and H)" between square brackets.

For the two standards, in the third column, replace "mandatory" with:

"mandatorily" (twice).

Add the following amendment:

"Replace the title of the third column of the table with:

"Applicable"."

Chapter 6.3

6.3.4.2 (a) Delete the amendment.

Chapter 6.5

6.5.2.1.1 (a) Delete the amendment.

Chapter 6.6

6.6.3.1 (a) Delete the amendment.

Chapter 6.7

6.7.2.20.1 (c) (i) Delete the amendment.

6.7.3.16.1 (c) (i) Delete the amendment.

6.7.4.15.1 (c) (i) Delete the amendment.

6.7.5.13.1 (c) (i) Delete the amendment.

Chapter 6.8

6.8.2.2.3 In the last amendment, replace "protection device" with:
"protective device".

Chapter 6.11

Delete all amendments.

Chapter 7.3

7.3.2.1 Delete the amendment.

7.3.2.4 Amend the amendment to read as follows:

"7.3.2.4 After "bulk containers", insert:

"(code BK2)".

At the end, replace "watertight" with:

"waterproof".

7.3.2.9 Delete the amendment.

Chapter 7.5

7.5.7 Delete the amendment.

Other amendments

Chapter 1.1

1.1.4.3 Amend to read as follows:

"1.1.4.3 Use of IMO type portable tanks approved for maritime transport

IMO type portable tanks (types 1, 2, 5 and 7) which do not meet the requirements of Chapters 6.7 or 6.8, but which were built and approved before 1 January 2003 in accordance with the provisions of the IMDG Code (Amdt. 29-98) may continue to be used provided that they meet the applicable periodic inspection and test provisions of the IMDG Code¹. In addition, they shall meet the provisions corresponding to the instructions set out in Columns (10) and (11) of Table A in Chapter 3.2 and the provisions of Chapter 4.2 of RID. See also 4.2.0.1 of the IMDG Code.

¹ The International Maritime Organization (IMO) has issued "Guidance on the Continued Use of Existing IMO Type Portable Tanks and Road Tank Vehicles for the Transport of Dangerous Goods" as circular DSC.1/Circ.12 and Corrigenda. The text of this guidance can be found on the IMO website at: www.imo.org."

Chapter 1.3

1.3.1 Amend the end of NOTE 1 to read:

"see 1.8.3 instead of this section".

Chapter 1.4

[1.4.3.3 At the end of paragraph (f), add a reference to the following footnote:

"* The industry has issued checklists for use during the filling of tank-wagons in order to ensure the leaktightness of closing devices. These checklists can be found on the CEFIC (European Chemical Industry Council) website www.cefic.org."] "

[1.4.3.7.1 At the end of paragraph (d) (ii), add a reference to the following footnote:

"* The industry has issued checklists for use during the discharging of tank-wagons in order to ensure the leaktightness of closing devices. These checklists can be found on the CEFIC (European Chemical Industry Council) website www.cefic.org."] "

Chapter 1.6

1.6.1.1 Amend to read as follows:

"1.6.1.1 Unless otherwise provided, the substances and articles of RID may be carried until 30 June 2013 in accordance with the requirements of RID¹¹ applicable up to 31 December 2012.

NOTE: For the information in the transport document, see 5.4.1.1.12.

¹¹ RID edition in force from 1 January 2011."

1.6.2.7,
1.6.2.8,
1.6.3.25,
1.6.3.35,
1.6.3.37,
1.6.4.17,
1.6.4.34,
1.6.4.35

Replace the text with:

"(Deleted)".

1.6.2.11 Amend to read as follows:

"1.6.2.11 Gas cartridges constructed and prepared for carriage before 1 January 2013 for which the requirements of 1.8.6, 1.8.7 or 1.8.8 for the conformity assessment of gas cartridges have not been applied may still be carried after this date, provided all the other applicable provisions of RID are met."

1.6.3.8 Delete the first paragraph.

1.6.3.27 Amend paragraph (a) to read as follows:

"(a) For tank-wagons and battery-wagons

- for gases of Class 2 with classification codes containing the letter(s) T, TF, TC, TO, TFC or TOC, and
- for substances of classes 3 to 8 carried in the liquid state and to which tank code L15CH, L15DH or L21DH is assigned in column (12) of Table A of Chapter 3.2,

constructed before 1 January 2005 the devices defined in special provision TE 22 of 6.8.4 need to be capable of absorbing at least 500 kJ of energy at each end of the wagon."

1.6.3 Add the following transitional measure:

"1.6.3.43 Tank-wagons constructed before 1 January 2012 in accordance with the requirements in force up to 31 December 2012, but which do not however conform to the requirements of 6.8.2.6 relating to standards EN 14432:2006 and EN 14433:2006 applicable as from 1 January 2011, may still be used."

Chapter 1.8

1.8.3.3 Amend the fourth indent of the second paragraph to read as follows:

"– the proper training of the undertaking's employees, including on the changes to the regulations, and the maintenance of records of such training;"

1.8.3.11 (b) In the 13th indent, after "transport documents,", insert:

"instructions in writing,"

Insert the following new 14th indent:

"– instructions in writing (implementation of the instructions and equipment for personal protection);"

1.8.3.12.4 (a) Insert the following new 9th indent:

"– instructions in writing;"

Chapter 4.1

4.1.1.15 [The amendment to the French version does not apply to the English text.]

Chapter 5.4

5.4.1.1.1 Amend the introductory sentence to read as follows:

"The transport document(s) shall contain the following information for each dangerous substance, material or article offered for carriage:"

5.4.1.1.12 Replace "2011" with:

"2013".

5.4.1.4.1 Add the following new sub-paragraph:

"In addition to the information required in 5.4.1.1 and 5.4.1.2, a cross shall be entered in the appropriate box if the transport document to be used provides for this, for example the consignment note in accordance with CIM or the wagon note in accordance with the General Contract of Use for Wagons (GCU)*.

* [—] Published by the GCU Bureau, Avenue Louise, 500, BE-1050 Brussels, www.gcubureau.org."

Chapter 6.8

6.8.2.2.1 Replace "point 1.1.10 of UIC leaflet 573" with:

"point 2.1.10 of UIC leaflet 573".

Chapter 6.9

6.9.2.3.3 [The amendment to the French version does not apply to the English text.]
