

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/GTP/2013/5

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RID: 2nd Session of the RID Committee of Experts' standing working group
(Copenhagen, 18 to 22 November 2013)

Subject: Deadline for the next test for tank-wagons, wagons with demountable tanks,
portable tanks, tank-containers and MEGCs

Proposal transmitted by Sweden

Background

1. At the 51st session of the RID Committee of Experts the wording "by means of representative checks" was deleted from the introductory sentence of RID 1.4.2.2.1. The report OTIF/RID/CE/2012-A of that meeting stated in paragraphs 39 – 40:

"39. The representative of France partly supported UIC's comments in informal document INF.16. In Sweden's document (OTIF/RID/CE/2011/1 – Representative checks in 1.4.2.2.1 of RID vs UIC Leaflet 471-3), which had served as the basis for this working group's discussions, the question raised had related to representative checks at the point of departure, which rail transport undertakings interpreted differently and which could lead to problems. The working group had tried to deal with this question, perhaps by deleting the words "by means of representative checks" in 1.4.2.2.1. But the working group's aim had not been to deal with the issue of carrying out representative checks during carriage, as at that time, no document had been submitted. It would therefore be appropriate to look into this issue on the basis of a proposal at a later date.

40. The majority of delegations were in favour of deleting "by means of representative checks" in the introductory sentence of 1.4.2.2.1. The broader proposals to require additional sample checks if there is a change of carrier and also to publish point 5 of UIC leaflet 471-3 on the OTIF website would be decided at a later date."

For reasons of cost, only a limited number of copies of this document have been made. Delegates are asked to bring their own copies of documents to meetings. OTIF only has a small number of copies available.

2. When "by means of representative checks" was deleted, it was said that the carrier then has the obligation to ascertain at the point of departure that every consignment meets the requirements of 1.4.2.2.1 (a) to (g). This seems to be an appropriate safety level for the carriage of dangerous goods by rail even though for carriage by road, this is only done where appropriate.
3. However, a particular problem was discovered when checking that the deadline for the next test of demountable tanks, portable tanks, tank-containers and MEGCs for carriage by rail has not expired. This problem was described in document OTIF/RID/CE/GTP/2012/5 (Sweden).
4. The information about the most recent test date (i.e. not the deadline for the next test) is to be found on a corrosion-resistant metal plate permanently attached to the tank in a place readily accessible for inspection. This means that the carrier has to calculate whether the date has expired or not. Anyone who tries to read the information on these metal plates immediately discovers the problem the carriers will face. The wording "in a place readily accessible for inspection" can mean different things. The plate is perhaps in a place readily accessible for inspection when a tank-container or an MEGC is on the ground. However, when it is loaded on a rail wagon, access to the plate will probably be limited. For tank-wagons and battery-wagons the date of the next inspection must be inscribed on both sides of the wagon, (see RID 6.8.2.5.2 and 6.8.3.5.11), but for tank-containers, portable tanks and MEGCs only the date and type of the most recent test need be marked on the plate.
5. The problems with checking the next inspection date were discussed at the 1st session of the RID Committee of Experts' standing working group in Riga, 12-15 November 2012. Paragraph 6 of report OTIF/RID/CE/GTP/2012-A says:
 - "6. The working group supported Sweden's suggestion to submit a document to the Joint Meeting and the UN Sub-Committee of Experts to propose that the date of the next test should also be shown on both sides of tank-containers and portable tanks (on the tank itself or on plates). If there was no majority support for this proposal at these two bodies, a cross-reference to 1.4.2.2.1 (d) as well could be included in 1.4.2.2.2 concerning the reliability of the information and data made available by other participants. However, this would presuppose that the carrier was provided with specific information on the date of the next test."

Introduction

6. Sweden has presented proposals both to the RID Committee of Experts' standing working group (OTIF/RID/CE/GTP/ 2012/5) and to the RID/ADR/ADN Joint Meeting (ECE/TRANS/WP.15/AC.1/2013/23) and to the UN Sub-Committee of Experts on the Transport of Dangerous Goods at its 43rd session (informal document INF.8) describing the problem that arises when carriers of tank-containers, portable tanks and MEGCs have to ascertain that the deadline for the next test has not expired.
7. The outcome from the Joint Meeting was that this issue should first be discussed at the Sub-Committee of Experts on the Transport of Dangerous Goods (see report ECE/TRANS/WP.15/AC.1/130/Add.1 paragraphs 20 and 21):
 - "20. With regard to marking RID/ADR tank-containers and UN portable tanks with the date of the next inspection, many members of the Working Group expressed a preference for proposal 1 and some for proposal 2. However, there was a consensus that a consistent approach should be pursued for both UN portable tanks and RID/ADR tank-containers.
 21. The Working Group was therefore of the opinion that the best approach would be to raise this issue first at UN level, since the impact on RID/ADR tank-containers would be limited, given the far greater number of UN portable tanks. Nonetheless, the Working Group wished to express its support for the principle of the Swedish proposal when it is submit-

ted to the UN Sub-Committee of Experts on the Transport of Dangerous Goods and proposed to revisit the issue after discussion at that level."

8. At the 43rd session of UNSCETDG little support was given to the proposal. See report ST/SG/AC.10/C.3/86, paragraph 79:

"Several experts feared that marking with this date might lead to confusion since the margins of tolerance for the carriage of a portable tank or MEGC required to undergo such tests might vary from one country to another."

9. Besides, UNSCETDG considered that it would be better for sea and road carriage if the marking plates were on the short sides of the tanks. In addition, the problem still exists for enforcement personnel. A transitional period would also lead to increased confusion.
10. Marking with the date of the next inspection is only required for tank-wagons and battery-wagons (RID 6.8.2.5.2, 6.8.3.5.6 and 6.8.3.5.11). In the UN Recommendations only the most recent periodic test is required to be marked on the plate for portable tanks and MEGCs (6.7.2.20.1, 6.7.3.16.1, 6.7.4.15.1 and 6.7.5.13.1).
11. The interpretation of "point of departure" was clarified during the 1st session of the RID Committee of Experts' standing working group (Riga, 12-15 November 2012). Paragraph 8 of report OTIF/RID/CE/GTP/2012-A says:

"In reply to Sweden's question as to what constitutes the point of departure of transport operations in a transport chain, the working group explained that this was the point at which carriage by rail began."

12. Based on report OTIF/RID/CE/GTP/2012-A from the 1st session of the RID Committee of Experts' standing working group (Riga, 12-15 November 2012), paragraph 6, Sweden would like to propose the following.

Proposal

13. Amend paragraph 1.4.2.2.2 to read as follows (changes underlined).

"**1.4.2.2.2** The carrier may, however, in the case of 1.4.2.2.1 (a), (b), (d), (e) and (f), rely on information and data made available to him by other participants."

Justification

14. Safety: No problems are foreseen. Instead of checking the date himself the carrier now has to rely on information and data made available to him by other participants.

Feasibility No problems are foreseen.

Enforceability: The problem of checking the date has not changed.
