

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/2013/7

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Original: German

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

Subject: Status of the measures prescribed by the Italian Ministry of Transport and Infrastructure in its circular of 6 April 2010 following the Viareggio accident

Proposal transmitted by the International Union of Railways (UIC)

Introduction

1. Following the accident in Viareggio, the Italian Ministry of Infrastructure and Transport issued a circular on 6 April 2010 stipulating that in Italy, in addition to the RID requirements, the following duties were henceforth incumbent on parties to the carriage by rail of dangerous goods (classes 2 - 6 as well as 8 and 9) in tanks and tank-containers (see also Annex III to the final report of the 49th meeting of the RID Committee of Experts (Luxembourg, 2 - 4 November 2010) – document OTIF/RID/CE/2010-B).
2. Filler
 - Documents concerning inspections performed in accordance with RID 1.4.3.3 in the "filler's check-list";
 - Send filler's check-list to consignor.
3. Consignor
 - Supply filler's check-list along with consignment note and pass on both documents to carrier.

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.

4. Carrier

- Verify each consignment individually at point of dispatch/next station following border crossing into Italy, using "carrier's check-list";
- Document these checks in carrier's check-list;
- Supply carrier's check-list (and filler's check-list) along with the transport document, and carry these documents during the journey.

5. Unloader

- Accept transport documents (transport document and check-lists) and conserve these documents for four years;
- Perform inspections as per unloader's check-list;
- Document these checks in unloader's check-list;
- Send unloader's check-list to consignor of empty uncleaned tank.

6. At the 49th meeting of the RID Committee of Experts (Luxembourg, 2 - 4 November 2010), this subject was addressed under agenda item 5. Amongst other aspects discussed, it was asked whether the manner in which the new measures were implemented was compliant with the requirements of RID Chapter 1.9 and Directive 2008/68/EC. The Italian delegate was asked to supply the RID Committee of Experts with the formal reasoning behind the national requirement to provide a check-list alongside the transport document, and to submit a proposal to amend RID if necessary.

7. At the 50th meeting of the RID Committee of Experts (Malmö, 21 - 25 November 2011), the subject was addressed again following a proposal submitted by Sweden concerning the carrier's inspections (OTIF/RID/CE/2011/1), and an Italian informal document (INF.9) concerning safety checks on tanks (see also paragraphs 26 - 31 of the final report of the 50th meeting of the RID Committee of Experts (Malmö, 21 - 25 November 2011) – document OTIF/RID/CE/2011-A). It was decided to set up a working group to define more closely the actions to be taken by the parties to the RID, taking account of the CEFIC check-lists (see paragraphs 64 - 71 of the aforementioned final report).

8. Based on the work done by the "Safety obligations of the parties" working group (Rome, 12 – 13 April 2012 (see also informal document INF.14 of the 51st meeting of the RID Committee of Experts), the 51st meeting of the RID Committee of Experts (Bern, 30 - 31 May 2012), decided the following (see also agenda item 6 of the final report of the 51st meeting of the RID Committee of Experts – document OTIF/RID/CE/2012-A):

- Inclusion of a note referring to the CEFIC check-lists in the filler's and unloader's duties;
- Inspections, by the carrier, of all wagons (rather than representative spot checks) at point of departure upon acceptance of a dangerous goods consignment.

9. The changes to RID 1.4.2.2.1 (carrier), 1.4.3.3 (filler) and 1.4.3.7.1 (unloader) approved by the 51st meeting of the RID Committee of Experts finally entered into force on 1 July 2013, following the expiry of the general transitional provision in RID 1.6.1.1.

10. Given this fact, UIC considers that the measures detailed in Annex 1 to the circular of 6 April 2010 issued by the Italian Ministry of Infrastructure and Transport should now be withdrawn.

Proposal

11. UIC asks the RID Committee of Experts whether it is aware of the status of implementation of the circular issued by the Italian Ministry of Infrastructure and Transport on 6 April 2010, and whether it shares UIC's view that the measures detailed in Appendix 1 to this circular should now be withdrawn in the light of the entry into force of the new provisions in the RID.