

OTIF



**ORGANISATION INTERGOUVERNEMENTALE POUR
LES TRANSPORTS INTERNATIONAUX FERROVIAIRES**

**ZWISCHENSTAATLICHE ORGANISATION FÜR DEN
INTERNATIONALEN EISENBAHNVERKEHR**

**INTERGOVERNMENTAL ORGANISATION FOR INTER-
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ITEM 7

Information from the European Railway Agency

Introduction

1. Following a request from the European Commission (see CE/2009/INF. 10) at the 47th session of the RID Committee of Experts, it was decided (see report OTIF/RID/CE/2009-A, paragraph 110) to add a permanent new item "Information from the European Railway Agency" to the agenda of each meeting. OTIF invited the Agency to continue providing information in the framework of the new RID Committee of Experts' standing working group.
2. The Agency reports below on information which has the potential to facilitate the coordination of tasks performed at EU and RID Committee of Experts level. The information selected is as follows:
 - Administrative arrangements between DG MOVE, OTIF and ERA,
 - 1st ERA Workshop on risk evaluation and assessment in the context of the inland transport of dangerous goods,
 - UNECE Joint Meeting working group on the database of dangerous goods occurrences,
 - State of play of the developments in the TAF TSI technical documents concerning dangerous goods,
 - Notification of national rules relevant to the EU railway system,
 - Access to information on ERA's Technical Opinions and Advice,
 - List of accidents notified to ERA,
 - New texts concerning EU railways legislation.

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.

Information points

Administrative arrangements between DG MOVE, OTIF and ERA

3. The agreement setting the administrative arrangements between DG MOVE, OTIF and ERA to improve cooperation in various fields of mutual interest was signed on 24 October 2013 in Brussels.
4. In the field of dangerous goods and according to article 12 of the agreement, DG MOVE, OTIF and ERA should endeavour to exchange information with the aim of improving consistency between RID and the EU legislative framework applicable to railways.
5. To facilitate this work, joint working groups may be established where harmonised solutions to identified issues can be discussed and developed at technical level and in particular when an issue is identified in the following areas:
 - Allocation of responsibilities to the railway stakeholders,
 - Railway operations,
 - Wagon construction,
 - Reporting of accidents and statistics,
 - Emergency planning,
 - Telematics applications,
 - Terminology,
 - Risk evaluation and assessment methods,
 - Any other relevant issues.

1st ERA Workshop on risk evaluation and assessment in the context of the inland transport of dangerous goods

6. The European Railway Agency organised the 1st Workshop on Risk Evaluation and Assessment in the context of rail, road and inland waterways transport of dangerous goods on 8 and 9 October 2013 in Valenciennes. Mr Emmanuel Ruffin (ERA) chaired the meeting.
7. Several experts in the field of transport of dangerous goods, representatives of national administrations and the private sector, as well as international organisations and the European Commission attended the workshop.
8. The 60 participants discussed the following items:
 - Risk assessment methods
 - Risk acceptance criteria
 - Use of risk assessment methods and acceptance criteria in decision-making processes
 - Databases and reporting systems enabling the use of risk-based decisions
 - Reconciliation of local and global safety levels objectives
 - Harmonised risk-based approach for all inland transport modes.
8. A background document prepared by ERA and 14 presentations (by BE, CH, FR, NL, SP, CER/UIC, DNV and ERA) provided the audience with information on existing practices and on the relevant EU legislation. These documents are available here:
<http://www.era.europa.eu/Document-Register/Pages/Presentations.aspx>
9. There was general agreement that the discussions initiated by the workshop should continue in the future, with the objective of gradually harmonising the risk evaluation and assessment methods and of using them to support risk-based decision-making.

10. Moreover, the workshop supported the initiative of the European Railway Agency and agreed that ERA should continue organising future discussions and propose a roadmap for further harmonisation in this field.
11. The Agency will report the result of the workshop to the UNECE-OTIF RID/ADR/ADN Joint Meeting on the transport of dangerous goods in March 2014.

UNECE-OTIF Joint Meeting working group on the database of dangerous goods occurrences

12. On 10 and 11 October 2013, the European Railway Agency hosted the UNECE-OTIF Joint Meeting working group on the new electronic database of dangerous goods occurrences. Mr Claude Pfauvadel chaired the meeting.
13. The purpose of the meeting was to share experience on the use of the database developed and managed by the UNECE secretariat. The working group focused on issues related to existing and future electronic databases containing accident data and their potential interlinking. The functionality of each database was also thoroughly discussed.
14. In relation to ERA activities and in view of the existing railway databases managed by ERA, the working group concluded that the UNECE secretariat and ERA should cooperate in order to develop links between the existing databases and to make all the necessary arrangements to avoid the unnecessary duplication of data reporting at the same time and to increase the quality and accessibility of the collected data to support the use of risk-based approaches.

Exchange of messages required by the TAF TSI concerning the transport of dangerous goods

15. Following the request of the EU Member States at the RISC Committee of 17 October 2012 to take better account of the RID regulation in the process of amending the technical documents of TAF TSI, the European Railway Agency analysed in depth the way these documents should be amended.
16. This analysis also took into account requirements related to the consignment note managed by CIT and the requirements of RID concerning information to be reported in the transport document. Based on this analysis, ERA has made a proposal supported by the rail sector to amend the TAF TSI technical documents in relation to dangerous goods data.
17. The Agency will submit to the EC the new baseline (structure of data exchanged) for the TAF TSI technical documents by December 2013. This new baseline is expected to be published by mid-2014, when the sector should start implementing it.

Notification of National Rules relevant to the EU railway system

18. As a follow-up to the information provided by ERA at the 1st Session of the RID Committee of Experts' standing working group in Riga (see paragraphs 8 to 15 of INF.5) the Commission's Task Force on National Safety Rules finalised its work in December 2012 and published its Final Report (<http://www.era.europa.eu/Document-Register/Pages/Report-NSR-TF.aspx>). Annex 3 – Rule Management Tool – includes general examples when a TDG rule may need to be notified as a national safety rule or national technical rule.
19. In response to the request of the Chairman for further information, this approach was also presented to the EC Committee on the Inland Transport of Dangerous Goods on 18 December 2012 (general presentation and discussion) and 17 June 2013 (more detailed presentation and discussion).

20. The Committee supported the approach presented in Riga, in particular concerning the links between the different regulations concerned, as well as the following steps to be made in order to promote the transparency of national rules and their consistency with EU law:
- (a) Preparation for rule management and notification
 - RISC and TDG Committee members to nominate/confirm competent persons for the notification of TDG rules (send e-mail to NSR@era.europa.eu by end of September 2013 and each time users change)
 - TDG experts should coordinate approach and processes with the National Safety Authority (NSA). According to Directive 2004/49 Art. 16 (2) (f), NSA is in charge of monitoring and promoting the safety regulatory framework.
 - (b) Improve transparency of existing national provisions on TDG:
 - Notify existing TDG provisions that qualify as NSR and NTR by mid-2014
 - Ensure they are published and made available in each EU Member State.
 - (c) Align national provisions on TDG with EU law on railway safety and interoperability:
 - Verify the scope and level of detail (use the Rule Management Tool)
 - Verify compliance with Directive 2004/49, Directive 2008/57, TSIs, CSMs, CSTs.
 - (d) Increase transparency of new rules or amendments in preparation:
 - Consult all parties on draft rules in appropriate time
 - Notify final draft to the Commission and wait for feedback.
21. At the beginning of 2014, ERA will organise a workshop on national rules related to TDG where the above process will be explained in detail and examples of NSRs can be discussed. For more information please send your request to the NSR Helpdesk in ERA: NSR@era.europa.eu.

Access to information on ERA's Technical Opinions and Advice

22. Information on ERA's technical opinions and advice in the context of Regulation 881/2004 can be found here:
<http://www.era.europa.eu/Core-Activities/OPI-ADV/Pages/default.aspx>.

List of accidents notified to ERA

23. In accordance with article 19.1 of the Railway Safety Directive (RSD) the National Investigation Bodies (NIBs) are required to notify the Agency of each serious accident, to carry out an investigation and to provide the Agency with an investigation report within one year. In accordance with article 19.2 of RSD the NIBs may also decide to investigate other railway accidents or incidents of particular interest.
24. All investigation notifications and reports submitted by the NIBs to the Agency are publically available in the ERAIL database: <http://erail.era.europa.eu/investigations.aspx>.
25. From 1 January 2013 to 30 September 2013 the NIBs sent the Agency:
- 189 investigation notifications and
 - 150 investigation reports

26. These notifications and reports concerned accidents and incidents which occurred from 2009 onwards.
27. By 30 September 2013, the European Railway Agency had received a total of 31 notifications or reports where dangerous goods trains, dangerous goods wagons, or the substance itself were involved; of these events, 1 occurred in 2013:

Date	Country	Location-description	Link in ERAIL
04/05/2013	BE	Schellebelle (Wetteren), Train derailment	http://erail.era.europa.eu/occurrence/BE-2269-8-1/Train-derailment.-2013-05-04.-Schellebelle-(Belgium)/Occurrence-details/ERAIL-PUBLIC

New texts concerning EU railways legislation (non-exhaustive)

28. The following texts may have some relevance to the RID Committee. These texts have been published or have received a favourable opinion from the Railway Interoperability and Safety Committee (RISC).

In regards safety:

(Favourable opinions)

- Draft Commission Regulation on a 'common safety method for supervision' by national safety authorities after issuing a safety certificate or safety authorisation
- Draft Commission Regulation on a 'common safety method for monitoring' to be applied by railway undertakings, infrastructure managers after receiving a safety certificate or safety authorisation and by entities in charge of maintenance
- Draft Commission Regulation on the common safety method on risk evaluation and assessment and repealing Commission Regulation (EC) No 352/2009

In regards Interoperability:

(Favourable opinions)

- Draft Commission Decision amending Commission Decision 2012/88/EU on the technical specification for interoperability relating to the 'control-command and signalling' subsystems of the trans-European rail system.
- Draft Commission Regulation concerning the technical specification for interoperability relating to the subsystem 'rolling stock — freight wagons' of the rail system in the European Union and repealing Commission Decision 2006/861/EC.
- Draft Final baseline 5.2 for the ERA Technical Documents of Annex II of Commission Regulation (EU) No 328/2012 of 17 April 2012 amending Regulation (EC) No 62/2006 concerning the technical specification for interoperability relating to the 'telematic applications for freight subsystem' of the trans-European conventional rail system.
- Draft Commission Directive amending Annex III to Directive 2008/57/EC of the European Parliament and of the Council on the interoperability of the rail system within the Community.

- Draft Commission Regulation amending Regulation (EC) No 62/2006 of 23 December 2005 concerning the technical specification for interoperability relating to the telematic applications for freight subsystem of the trans-European conventional rail system.
- Draft Commission Regulation amending Regulation (EU) No 454/2011 on the TSI relating to the subsystem 'telematics applications for passenger services' of the trans-European rail system.
- Draft Commission Regulation concerning a TSI relating to the 'rolling stock – locomotives and passenger rolling stock' subsystem of the Union rail system.
- Draft Commission Regulation concerning the TSI relating to the subsystem 'rolling stock – freight wagons' of the rail system in the European Union and amending Commission Regulation 321/2013/EU.
- Draft Commission Decision amending Commission Decision 2012/757/EU concerning the TSI relating to the 'operation and traffic management' subsystem of the rail system in the European Union.

Corresponding recommendations from the Agency concerning these texts can be found on the Agency's website.

Conclusion

29. The above information has been selected by the Agency with a view to the potential links between the development of EU railway laws and provisions on the transport of dangerous goods. Delegates are invited to propose topics of interest for the next document on "Information from the European Railway Agency".
