

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/2014/13

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**RID: 3rd Session of the RID Committee of Experts' standing working group
(Berne, 20 and 21 May 2014)**

Subject: RID 1.4.3.6 (b)

Proposal transmitted by the International Union of Railways (UIC) and Sweden

Related documents

- OTIF/RID/CE/2010/2
- Informal document INF.8 of the 47th session of the RID Committee of Experts
- OTIF/RID/CE/GTP/2013/6 and
- Report OTIF/RID/CE/GTP/2013-A

Background

1. RID 1.4.3.6 reads as follows:

"1.4.3.6 Railway infrastructure manager

In the context of 1.4.1, the railway infrastructure manager has in particular the following obligations. The railway infrastructure manager

- (a) shall ensure that internal emergency plans for marshalling yards are prepared in accordance with Chapter 1.11;

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- (b) shall ensure that he has rapid and unrestricted access to the following information at any time during carriage:
- composition of the train by indicating the number of each wagon and the wagon type if this is not included in the wagon number,
 - UN numbers of the dangerous goods being carried in or on each wagon, or if only dangerous goods packed in limited quantities in accordance with Chapter 3.4 are being carried, information indicating their presence when marking of the wagon or large container in accordance with Chapter 3.4 is required,
 - position of each wagon in the train (wagon order).

This information shall only be disclosed to those parties that require it for safety, security or emergency response purposes.

NOTE: The arrangements by which the data are provided shall be laid down in the rules for using the railway infrastructure."

2. The provisions of RID allow the consignor to apply either 5.4.1.1.6.1 or 5.4.1.1.6.2.1 when providing details of empty uncleaned packagings or receptacles in the transport documents. If the consignor applies the conditions of 5.4.1.1.6.2.1, he does not need to fill in the UN number in the transport document and therefore the carrier is not able to provide it to the infrastructure manager, according to 1.4.2.2.5, in case of an incident.
3. At the 2nd session of the RID Committee of Experts' standing working group, Sweden submitted document OTIF/RID/CE/GTP/2013/6 concerning the procedure for reporting the UN numbers for empty uncleaned packagings to the railway infrastructure manager.
4. In 1.4.3.6 (b) the following new indent was proposed:
 - "– if empty packagings, uncleaned, according to 5.4.1.1.6.2.1 are being carried, only information indicating their presence is required,".
5. However, the representatives of the Netherlands, the European Commission and UIC thought a better solution would be to amend the second indent of 1.4.3.6 (b) to say that the railway infrastructure manager should only have access to the UN number insofar as it has to be shown in the transport document.
6. Comments on the proposal have been received from Belgium, the Netherlands and Austria. No one questions the need for the UN number to be provided to the infrastructure manager if it is indicated in the transport document. The problem arises when it is not indicated in the transport document.
7. Since the comments received have differed, it has not been possible for us to submit one proposal. However, the matter needs to be resolved urgently, so three alternatives are submitted.

Proposals

8. Sweden, Austria, UIC, the Netherlands and the European Commission are in favour of making clear that the UN number does not have to be provided for the infrastructure manager if it does not have to be shown in the transport document (alternatives 1 or 2).

Alternative 1

9. Amend the second indent of 1.4.3.6 (b) to read as follows (changes underlined or crossed out):
- "– UN numbers of the dangerous goods being carried in or on each wagon insofar as they have to be shown in the transport document, or if only dangerous goods packed in limited quantities in accordance with Chapter 3.4 are being carried, information indicating their presence when marking of the wagon or large container in accordance with Chapter 3.4 is required,".
10. This alternative leads to the interpretation that only the UN numbers are dispensed with, whereas the other information still is required.

Alternative 2

11. Replace the last sentence of 1.4.3.6 (b) by the following two sentences (changes underlined or crossed out):
- "This information is not necessary if the UN number does not have to be shown in the transport document or if the marking of the wagon or large container in accordance with Chapter 3.4 is required. In any case, this information shall only be disclosed to those parties that require it for safety, security or emergency response purposes."
12. This alternative would mean that not only the UN numbers are dispensed with, but all other information in (b).

Alternative 3

13. Belgium would like a solution similar to the indication of limited quantities of more than 8 tons, i.e. only an indication of the presence of empty uncleaned packagings (alternative 3).
14. Amend the second indent of 1.4.3.6 (b) to read as follows (changes underlined or crossed out):
- "– UN numbers of the dangerous goods being carried in or on each wagon, ~~or if only dangerous goods packed in limited quantities in accordance with Chapter 3.4 are being carried, information indicating their presence when marking of the wagon or large container in accordance with Chapter 3.4 is required~~ if the UN number of the dangerous goods does not have to be shown in the transport document, information indicating their presence.
- NOTE:** This is also applicable to dangerous goods packed in limited quantities when marking of the wagon or large container in accordance with Chapter 3.4 is required."
15. Belgium would also like to change the sequence of indents two and three.

Justification

16. In our view, the obligation to indicate in the transport document that empty uncleaned packagings are present in the train has no safety benefit, or is only of minor benefit, since – as with limited quantities – no specific details (i.e. UN numbers) of the dangerous goods contained in the empty packagings are provided. In addition, the quantities are normally small or "zero" for empty uncleaned packagings.

17. We thus question why, given that it is not mandatory to inform the infrastructure manager of the presence of dangerous goods in limited quantities (up to 8 tonnes), such a requirement to inform should be introduced for empty packagings with no significant load content. In our view, there is no safety-related justification for this.
 18. If the empty uncleaned packagings are carried in accordance with RID 1.1.3.5, transport may even take place without applying any RID regulations.
 19. Moreover, it should be noted that wagons/containers carrying empty uncleaned packagings are marked with placards. Railway undertakings are able to forward information (using the dangerous goods label indicated in the carriage documents, i.e instructions in writing) on the hazardous properties of the dangerous goods residues remaining in the empty packagings to the railway infrastructure manager and/or the emergency services at any time.
 20. If these details only become available once the emergency services have arrived on the scene, the hazardous properties may also be communicated using the placards on the wagons/containers.
 21. We have also examined the situation in the road haulage sector. On the roads, empty uncleaned packagings are generally carried in accordance with ADR 1.1.3.6 (transport category 4), i.e. without marking the means of transport. Thus no details of the dangerous goods are available at all if it is not possible to obtain the transport document.
 22. If it were to become mandatory to inform infrastructure managers of empty packagings, this would result in high EDP costs and interface issues for carriers, without any discernible benefit or improvement in safety (similar to indicating limited quantities < 8 tonnes).
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