



INF. 6

17 November 2015

Original: German

RID: 5th Session of the RID Committee of Experts' standing working group
(Zagreb, 23 - 27 November 2015)

Subject: Overview of the ongoing discussions in the OSJD bodies that deal with the carriage of dangerous goods

Information from the Secretariat

1. In 2015, the following meetings of the OSJD bodies that deal with the provisions on the carriage of dangerous goods took place:
 - Temporary OSJD Working Group on SMGS Annex 2, "Provisions for the Carriage of Dangerous Goods" (Warsaw, 16 – 20 February 2015 and 19 – 20 May 2015).
 - OSJD group of experts on SMGS Annex 2, "Provisions for the Carriage of Dangerous Goods" (Warsaw, 1 – 4 September 2015) and
 - OSJD Commission for Transport Law in the field of provisions for the carriage of dangerous goods (Warsaw, 27 – 29 October 2015).
2. The following States took part in the discussions of the temporary OSJD working group and the OSJD group of experts:

Azerbaijan, Estonia, Hungary, Iran, Latvia, Lithuania, Poland, Russian Federation, Slovakia, Ukraine.

In addition to the above States, the following took part in the discussions of the OSJD Commission for Transport Law:

Belarus, China, Georgia, Kazakhstan, Kyrgyzstan, Moldova, Mongolia, Tajikistan, Vietnam.

The OTIF Secretariat was represented at all four meetings.

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.

3. This document provides an overview of the ongoing discussions on the most important issues in the OSJD bodies that deal with provisions on the carriage of dangerous goods. The OSJD Commission for Transport Law will take the final decisions for the 2017 edition of SMGS Annex 2 in October 2016.

Main differences between SMGS Annex 2 and RID

4. Informal document INF.7 contains the synoptic table of the main differences between SMGS Annex 2 and RID in English. The table was produced by the delegation of Latvia and has been updated on the basis of the 2015 provisions.

Language regime for consignments into or through the territory of an RID Contracting State

5. There was further discussion on including a provision analogous to RID 1.1.4.6 in SMGS Annex 2. This will be recommended for adoption to the OSJD Commission for Transport Law. However, in contrast to RID, the use of German, English or French for the markings to be affixed to packages, overpacks, tank-wagons and tank-containers and for the information in the annexes to the transport document will only be prescribed on a voluntary basis.
6. The Secretariat of OTIF asked that the language regime in 1.1.4.6 also be made mandatory in SMGS Annex 2 and pointed out that one of OSJD's aims was to improve the competitiveness of transcontinental railway routes. The railways could only compete with maritime transport if the transport periods by rail were considerably reduced. It was therefore vital to avoid long waiting times at the border between the two legal regimes as a result of markings not shown in German, English or French.
7. This point was also raised at one of the regular meetings that take place between the heads of the OSJD Committee and the heads of the OTIF Secretariat. The OSJD Committee then proposed that this question should also be submitted to the OSJD Ministerial Conference.

Carriage of dangerous goods in trains other than freight trains

8. For the 2015 edition of RID, it was decided that the provisions concerning the carriage of dangerous goods as hand luggage, registered luggage or in or on board vehicles in Chapter 7.7 would be deleted and would only be set out and supplemented in Chapter 1.1. These amendments were not reproduced in SMGS Annex 2.
9. The representative of Latvia proposed a text aimed at aligning the provisions of SMGS Annex 2 with the corresponding provisions of RID. In so doing, it was highlighted that in practice, these provisions cannot be applied in OSJD States because SMPS prohibits the carriage of dangerous goods in passenger trains in principle.

Safety obligations of participants in accordance with Chapter 1.4

10. 1.4.3, which sets out the obligations of those involved in the transport of dangerous goods, apart from the main participants, is worded almost the same in SMGS Annex 2 and RID. However, in SMGS Annex 2, it only applies in Estonia, Hungary, Latvia, Lithuania, Poland and Slovakia. The other SMGS Contracting States only know the main participants in accordance with 1.4.2: the consignor, the carrier and the consignee. The result is that in SMGS Annex 2, the consignor also has obligations which, in RID, are allocated to other participants. The situation is unclear for the above-mentioned States in particular, because many of the obligations in SMGS Annex 2 are listed in connection with a main participant (mostly the consignor) as well as with another participant.
11. The OTIF Secretariat raised this problem in the meetings of the OSJD bodies and explained that the twofold allocation of obligations should be avoided in all circumstances.

12. As a result, the representative of Latvia prepared a proposal to align Chapter 1.4 of SMGS Annex 2 with RID. He also proposed to add a new paragraph to the end of the list of consignor's obligations to say that the consignor has to fulfil the obligations listed in 1.4.3 if he does not make use of the services of other participants.
13. The question of assigning obligations will be discussed further in 2016.

Transitional provision 1.6.3.27 and special provision TE 22

14. For the 2015 edition of RID, special provision TE 22 was amended at the request of Ukraine to achieve harmonisation with its equivalent in SMGS Annex 2. Minimum energy absorption of 130 kJ at each end of the wagon was introduced for tank-wagons with automatic coupling devices. Unfortunately, it was forgotten to adapt transitional provision 1.6.3.27.
15. Transitional provision 1.6.3.27 (a) stipulates that for tank-wagons and battery-wagons for certain gases of Class 2 and certain substances of classes 3 to 8 carried in the liquid state, constructed before 1 January 2005, the minimum energy absorption at each end of the wagon must be 500 kJ. For tank-wagons with an automatic coupling device, this means that for tank-wagons built before 1 January 2005, a considerably higher energy absorption value would be prescribed.
16. The RID Committee of Experts' standing working group is asked to take a decision on amending transitional provision 1.6.3.27 (a) to take account of the possibility of tank-wagons with an automatic coupling device.

Special provision 242 – Carriage of sulphur

17. According to special provision 242 of RID and SMGS Annex 2, sulphur is not subject to the requirements of the different regulations if the substance has been formed to a specific shape (e.g. prills, granules, pellets, pastilles or flakes). However, a footnote to this special provision in SMGS Annex 2 says that this provision does not apply to carriage through the territory of Kazakhstan, the Russian Federation, Ukraine and Belarus.
18. The representatives of the Russian Federation and Ukraine explained that sulphur can ignite, even when in one of the above-mentioned special shapes. In both countries, there had already been accidents during the carriage of sulphur in the form of pellets, granules and similar forms.
19. The OTIF Secretariat asked the Russian delegation to submit an appropriate proposal with statistical data to the UN Sub-Committee of Experts on the Transport of Dangerous Goods, with the aim of perhaps reassessing the carriage provisions for UN 1350 Sulphur.

Special provision 274

20. In SMGS Annex 2, special provision 274, which prescribes that the proper shipping name must be supplemented by the technical name of the goods, is also assigned to UN numbers 2985, 2986 and 2988.
21. The OTIF Secretariat pointed out that in the past, the assignment of special provision 274 had been harmonised for all transport modes. For the future, this would mean that special provision 274 could only be assigned if this was also the case in the UN Model Regulations. The purpose of this was to avoid any difficulties in multimodal transport.
22. The delegations were invited to submit a proposal to the UN Sub-Committee of Experts to assign special provision 274 to UN numbers 2985, 2986 and 2988 if it was really necessary for the SMGS Contracting States to indicate the technical name for these UN numbers.

TU 21 – Transport of phosphorus

23. At its autumn session in 2015, the RID/ADR/ADN Joint Meeting decided to amend the wording of special provision TU 21 to make clear that the following three options offered a satisfactory level of safety for the carriage in tanks of UN 1381 phosphorus, white or yellow, under water or in solution and UN 2447 phosphorus, white, molten:
- a) using a 12 cm layer of water,
 - b) using only a blanket of nitrogen,
 - c) using a combination of water and a blanket of nitrogen.
24. The temporary OSJD working group on SMGS Annex 2 supported this wording, except that in SMGS Annex 2, a minimum 30 cm layer of water will be prescribed for tank-wagons instead of 12 cm.
25. In addition, at the October meeting of the OSJD Commission for Transport Law, the Russian Federation pointed out that the current wording of special provision TU 21 in SMGS Annex 2 prescribed a layer of water of at least 60 cm for tank-wagons if the ambient temperature during carriage was expected to be more than 40°C.
26. The delegations were asked to analyse this issue internally so that it can be discussed further at future meetings.

5.4.1.2.2 – Documentation – Additional provisions for Class 2

27. 5.4.1.2.2 of SMGS Annex 2 contains an additional provision e) for Class 2, which stipulates that for the carriage of empty tank-wagons which have contained liquefied gases of classification codes 2A, 2O, 2F, 2TF, 2TC, 2TO, 2TFC and 2TOC, the residual pressure after discharging must be shown in the transport document in MPa or bar.
28. The representative of the Russian Federation was asked to submit a corresponding proposal to the RID Committee of Experts' standing working group.

Table of editorial differences between SMGS Annex 2 and RID

29. In the OSJD bodies, the OTIF Secretariat provided information on the Secretariat's ongoing work on the Russian version of the 2015 edition of RID. It was anticipated that the Russian version of RID would be available from April 2016. For this reason, it was proposed to defer discussion of the table of editorial differences between SMGS Annex 2 and RID to the second half of 2016. As the Russian version of RID was based on the Russian versions of ADR and the UN Model Regulations, it was likely that there would be a large number of editorial differences. The table should therefore be completely revised and analysed.

Comparative table of standards

30. In 2015, the OSJD bodies started work on a comparative table of EN standards and the corresponding GOST standards, with the aim of analysing the equivalence of the standards and supplementing the references to standards in the regulations. It was emphasised in this work that most GOST standards were not national, but regional standards, and that they apply in the CIS (Community of Independent States) States.
31. Work on the comparative table of standards will continue in 2016, and a working group of tank and standards experts will meet in parallel with the February meeting of the temporary OSJD working group on SMGS Annex 2.

Future work

32. 2016 will see the continuation of work on harmonising SMGS Annex 2 and RID. This will be carried out at two meetings of the temporary OSJD working group on SMGS Annex 2 (Warsaw, 16 – 19 February 2016 and Tallinn, 30 May – 3 June 2016) and two meetings of the OSJD group of experts on SMGS Annex 2 (Warsaw, 23 – 26 August 2016 and 11 – 12 October 2016). The OSJD Commission for Transport Law will then take the final decisions for the 2017 edition of SMGS Annex 2 at its meeting in Warsaw on 13 – 14 October 2016.
-