

Dangerous Goods Committee - 14 December 2015 – Brussels



INTERNATIONAL UNION
OF RAILWAYS

unity, solidarity, universality

Carriage of Dangerous Goods by Rail

"National Arrangements"

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I. Aims of survey

The UIC survey concentrates on the "national rules" applicable to the activities of railway undertakings (RUs).

- ✓ Inventory of "national rules"
 - ✓ - Knowledge of:
 - ✓ - Measures in addition to EU legislation
 - ✓ - Measures in complement to EU legislation
- ✓ Analysis – interaction between RUs and IMs (infrastructure managers)
 - ✓ - Identification of constraints, including "restrictions on carriage"
 - ✓ - Identification of "good practice"
 - ✓ - Examination and proposed action - repeal/harmonise, etc.
- ✓ Interaction with "competent authorities"
 - ✓ - Presentation of survey
 - ✓ - Potential follow-up on UIC proposals.

I. General scope of survey.

Rules applicable by railway undertakings

- ✓ The survey covers:
 - ✓ - Operational process for the conveyance of wagons
 - ✓ - Flow of information concerning DG
 - ✓ - Checks performed by Member States (RID 1.8.1)
 - ✓ - Other matters:
 - ✓ - Safety adviser
 - ✓ - Risk assessment
 - ✓ - Security - RID 1.10
 - ✓ - Measures to be taken (in emergencies)
 - ✓ - Carriage of waste (dangerous goods)

- ✓ "National rules" apply on top of the provisions of the RID and the body of European/international railway regulation.

II. "National rules" - General points

2. Types of "national rules"

The information concerning NR is public

- National rules (legal provisions)
- National rules mandated by NSAs (National Safety Authorities)
- National rules imposed on RUs by Infrastructure Managers,
- National rules of a contractual nature (agreements, etc.)
- Out of scope: all provisions made by carriers on a voluntary basis under their Safety Management System (SMS)

II - Some examples of "national rules"

National/regional/local
Direct/indirect

- Speed restrictions due to the "hazard" represented by some types of DG or due to the performance of the infrastructure and facilities (etc.), in order to ensure local operating safety in some stations
- Prohibitions on running/stabling, etc.
- Restrictions on the duration of stabling due to the type or quantity of DG concerned
- Checks & controls at borders,
- Information to be supplied to drivers, infrastructure managers, other RUs, etc.

II – Example. Conveyance of DG wagons

The core activities and operations involved are:

- Information prior to operation – transport planning
- Operations planned in advance (temporary stationing, etc.)
- Checks to be performed before accepting DG consignments for carriage,
- Acceptance of consignments for carriage at the dispatch station,
- Preparation and formation of trains, conveyance of DG wagons, including any operations performed (shunting, stabling, loading/unloading, etc.), during "temporary stationing".
- Receipt of DG wagons at destination station and delivery to customers.

Management of any DG-related events (anomalies, incidents, accidents) occurring during conveyance also falls under the scope of the survey.

II – Example. DG-related information

This is part and parcel of the conveyance process, and concerns, in particular, operations relating to:

- the transport documents,
- information relating to UN-numbered dangerous goods (labels, markings, etc.),
- information distributed to staff, in particular during training,
 - information to be supplied to train drivers (train consist, instructions in writing)
- information sent from one RU to another (train consist, etc.),
- information to be supplied to IMs, both prior to and during operations, in particular in case of DG-related events,
- information to be supplied to third parties (competent authorities, etc.),
- safeguarding of information to protect against security risks.

Explanations. The concept of "national rules"

This concept covers provisions existing at national, regional and indeed local level:

in addition to existing European and international legislation on the carriage of dangerous goods by rail:

national rules/national safety rules/national technical rules adopted for "transport safety reasons" in application of RID 1.9.1 and 1.9.2 and Directive 2008/68/EC, article 5, etc.

in application of RID 1.9.5, which deals with railway requirements not otherwise covered by the RID (for the most part requirements pertaining to railway operations in general),

in application of other legislation (environmental protection, civil defence, security other than RID 1.10, etc.), as permitted by article 2 of the RID and recital (11) of Directive 2008/68/EC.

Explanations. The concept of "national rules"

This concept covers provisions existing at national, regional and indeed local level:

in complement to European and international railway regulations, e.g. if when transposing Directive 2008/68/EC into national law, a Member State decides to define specific provisions intended to clarify some of the general provisions of the RID. A number of these reprise legacy rules stemming from "incumbent railways".

These are not additional measures which go beyond the provisions of the RID or European legislation.

Complementary rules will be mentioned in the final UIC report if they represent information useful to the sharing of "good practice".

III - RID 1.9 and European railway legislation

"National rules" in this definition are not necessarily the same as the "Restrictions on carriage imposed by the competent authorities" foreseen by the RID, nor do they correspond exactly to the "national rules" as defined by:

- Directive 2004/49/EC, art. 8 - "National Safety Rules" (NSRs)
- Directive 2008/57/EC, art. 17.3 - "National Technical Rules" (NTRs)

However, some of the "national rules" examined by UIC do fall under this legislation, and must thus be notified in line with the associated procedure.