INF. 12

15 November 2016

(English only)

RID: **7th Session of the RID Committee of Experts' standing working group**
(Prague, 22 to 24 November 2016)

Subject: **Information from the European Union Agency for Railways**

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 item entitled "Information from the European Railway Agency" to the agenda of sessions of the RID Committee of Experts' standing working group. The Agency was invited by OTIF to continue to provide information in the framework of the RID Committee of Experts' standing working group.

2. The Agency reports information below which has the potential to facilitate the coordination of tasks performed at EU and RID Committee of Experts level. The selected information points are the following:

- Roadmap on risk management in the context of the inland transport of dangerous goods
- Occurrence reporting and safety alerts
- List of accidents notified to ERA
- New texts concerning EU railway legislation
- Questions raised by Belgium (see separate informal document)

Information points

Roadmap on risk management in the context of the inland transport of dangerous goods

3. Since the last report from the Agency to the RID experts, the seventh and eighth workshops have taken place.

4. After the 7th workshop, the Agency reported the progress made to the autumn session of the RID/ADR/ADN Joint Meeting (please see ECE-TRANS-WP15-AC1-2016-GE-INF14e.pdf). The Joint Meeting took note of and welcomed the results of the workshops. In particular the Joint Meeting was informed that in 2017 the workshop participants should be in a position to establish a preliminary list of parameters that are necessary to perform the harmonised risk estimations described in the guides.

5. The 8th workshop was mainly organised in the form of a plenary session, with the objective of carrying out a full milestone review of the progress made on drafting the guides and taking the necessary steps towards finalising the guides by the end of 2017, if possible.

6. To this end, the participants reviewed the current status of the following documents composing the Framework:

   – Framework guide,
   – Guide A on "data management and reporting regimes",
   – Guide B on "risk estimations",
   – Guide C on "risk management and decision-making",
   – User manual – Glossary,
   – User manual – Examples of case studies.

7. It was noted that, overall, no major methodological change was necessary, which indicated that there was general agreement with the proposed harmonised framework.

8. One editorial change was deemed necessary concerning the current content of Guide A on "data management and reporting regimes". It was noted that it was necessary to distinguish clearly the part concerning assistance to a user implementing the framework (guide part) and the part concerning recommendations for the potential future improvement of reporting regimes which may be submitted to the relevant regulatory committees.

9. Concerning the user manual documents (Glossary and Case Study examples) the plenary considered that the development of these documents should be continued. It was also decided that volunteers could play the role of "test users" of the guides in the form of a user group. The Agency will make contact with the participants who have expressed their interest in organising this user group.

10. After a complete review of progress, it was possible to agree on further developments for each of the above documents, including the identification of clarification that would be required. New tasks were allocated to volunteer participants, who agreed to deliver the agreed tasks on time for the next workshop, thus contributing to the development of the next working version of the guides.

11. As part of the milestone review, the list of issues and potential solutions identified in the annex to document ECE-TRANS-WP15-AC1-2014-GE-INF16e.pdf at the beginning of the roadmap was reviewed in the light of the solutions the harmonised framework of guides would offer. This analysis clearly indicated that the framework should actually address, to a very large extent, most of the issues initially identified.

12. As a general conclusion, it was noted that even though a large quantity of work was still necessary to finalise the first version of the guides, there was no obstacle to their completion, as the principle content of the entire framework was basically agreed and stable.

13. In anticipation of the future finalisation of the guides, the participants requested the Agency to reflect on be responsible for ensuiring that the future guides are kept up to date. The Agency confirmed that this topic had also been considered by the 'Editorial team' established after the 7th workshop, and that preliminary results from this team would be reported at the 9th workshop to be held in February 2017.

14. The next workshop will be organised from 14 to 16 February 2017, Valenciennes, ERA Headquarters. Interested delegates are kindly invited.

Occurrence reporting and safety alerts

15. Following the information provided by the Agency at the 5th session of the RID standing working group on this topic (see CE_GTP_2015-INF_09_E), the first version of the safety alert IT tool (so called SAIT, please see https://safetyalerts.era.europa.eu/safetyalerts) was launched by the European Union Agency for Railways in September 2016.

16. This IT tool is a web-based platform for the urgent sharing and reporting of safety information related to defects and malfunctions of technical equipment between railway actors. This will allow other actors to assess the risks to their own operations and take immediate action to prevent accidents. It is initially available in three languages (EN, DE, FR), with more language versions being added in the coming months. It can be used on portable devices and shares information in real time.

17. This system is accessible to any railway actors having a potential impact on the safe operation of the rail system in the European Union, as stated in the Safety Directive. This includes railway undertakings, infrastructure managers, entities in charge of maintenance, manufacturers, maintenance suppliers, keepers, service providers, contracting entities, carriers, consignors, consignees, loaders, unloaders, fillers and unfillers.

18. This obligation is newly required by the Safety Directive 2016/798, but builds on existing obligations in European legislation, including the ECM Regulation (2) and the Common Safety Method for Monitoring (3).

19. No access to the Safety Alerts IT tool will be provided for the employees or agents of National Safety Authorities, National Investigation Bodies or Entity in Charge of Maintenance Certification Bodies. Similarly, the Agency will have limited access to the SAIT, restricted to a small number of its staff, in order to ensure only the technical management of the tool. However, the Agency is exploring alternative ways to manage the tool to exclude altogether the Agency's access to alerts. Positive reporting cultures require trust and take time to establish. The Agency's clear goal for the future is for one single reporting tool to be used and to be accessible to rail actors and authorities alike. The Agency needs the constructive collaboration of all stakeholders to achieve this goal. We will inform all registered users and Agency Networks as soon as this policy and Terms of Use change.

20. Some slides introducing briefly the SAIT are available on the Agency website:
http://www.era.europa.eu/Document-Register/Documents/201609_Innotrans_SAIT_intro.pdf

21. Terms of Use of SAIT are available here:
https://webgate.ec.europa.eu/multisite/safetyalerts/terms-of-use_en

22. Guidelines for users are provided here:
https://webgate.ec.europa.eu/multisite/safetyalerts/page/guidelines_en

23. For any questions or issues on using the system, please contact: safetyalerts@era.europa.eu

24. With regard to the development of a European system for reporting occurrences (so called Common Occurrence Reporting programme), the Agency has established a project plan and provided three papers for the consultation of stakeholders and authorities and held two workshops to support these consultations:

    – The first consultation phase was about the definition of a common set of occurrences and the related taxonomy and took place between mid-May 2016 and mid-July 2016, supported by a workshop on 2 and 3 June 2016. The Agency is currently updating the proposal in line with the comments received and will provide a final version of this paper by the end of 2016.

    – There has also been consideration of the on-going work in the context of the TDG roadmap (see previous section of this paper) and links between these two Agency projects have already been identified by the relevant project teams.

    – The second consultation phase concerned the phasing options towards a future European Common Occurrence Reporting and analysis of the existing legislation and potential future needs. This second consultation took place between mid-September 2016 and mid-November 2016, and was supported by a workshop on 25 and 26 October 2016. The Agency is currently updating the proposals in line with the comments received and will provide a final version of these papers by the first quarter of 2017.

    – The next milestone of this project will be about aspects related to roles, governance and use of data. The Agency will produce a paper for consultation and a dedicated workshop will also be organised (first quarter 2017).

25. On the basis of these consultations, the Agency will draft a comprehensive proposal for European Common Occurrence Reporting in 2017, supported by an impact assessment.

26. Within this project, Big Data techniques are also considered and a study will be launched by the Agency in 2017 to explore their potential.

27. All related documents regarding the project are available on the Agency's extranet: https://extranet.era.europa.eu/safety/COR/SitePages/Home.aspx

28. Interested delegates are kindly invited to ask for access to this extranet workspace via COR@era.europa.eu.

List of accidents notified to ERA

29. 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.

30. 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

31. Between 1 May 2016 and 31 October 2016, the NIBs sent the Agency:

    - 85 investigation notifications and
    - 94 investigation reports.

32. These notifications and reports concerned accidents and incidents which occurred from 2007 onwards.

33. By 31 October 2016, the European Railway Agency has received a total of 46 notifications or reports where dangerous goods or tank-wagons were involved; none of these events occurred in the above-mentioned period.

New texts concerning EU railways legislation (non-exhaustive)

34. The Railway Interoperability and Safety Committee (RISC) adopted the following texts in the period from February 2016 to October 2016.

    Safety:

    - Commission Implementing Decision on a mandate to the European Union Agency for Railways for the revision of the common safety methods for conformity assessment and the common safety method for supervision and repealing Implementing Decision C(2014) 1649 final

    Interoperability:

    - Commission Implementing Decision accepting the request of France and the United Kingdom not to apply the limits for pass by noise set out in Regulation (EU) No 1304/2014 to new Eurotunnel Shuttle wagons dedicated to the transport of heavy goods vehicles

    - Commission Regulation (EU) 2016/912 OJ L 153 of 10/6/2016 correcting Article 7 of Regulation (EU) No 1303/2014 concerning the technical specification for interoperability relating to 'safety in railway tunnels' of the rail system of the European Union (SRT TSI)

    - Commission Directive (EU) 2016/882 OJ L 146 of 3/6/2016 amending Directive 2007/59/EC of the European Parliament and of the Council as regards language requirements

    - Commission Regulation (EU) 2016/919 OJ L 158 of 15/6/2016 on the technical specification for interoperability relating to the 'control-command and signalling' subsystems of the rail system in the European Union (CCS TSI)

<u>Conclusion</u>

35. The above information has been prepared by the Agency with a view to the potential links between the development of EU railway law and provisions on the transport of dangerous goods. Delegates are kindly invited to suggest future topics of interest to be considered by the Agency.

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