

Economic Commission for Europe

Inland Transport Committee

Working Party on the Transport of Dangerous Goods

Joint Meeting of the RID Committee of Experts and the Working Party on the Transport of Dangerous Goods

18 March 2019

Bern, 18-22 March 2019

Item 3 of the provisional agenda

Standards

Report of the Standards Working Group (30th meeting)

1. Reference is made to document ECE/TRANS/WP.15/AC.1/2019/13, which informs about the progress made in the establishment of new and the revision of published EN and EN ISO standards referenced or intended to be referenced in the RID/ADR/ADN.
2. A series of teleconferences took place on the 11th and 12th February to review the comments made by Contracting Parties/States. Comments were compiled by CCMC (see INF.20). Unresolved issues were discussed within the Joint Meeting Working Group Standard (18 – 19 March 2019).
3. Finland had identified the omission of a notification of a general purpose standard EN ISO/IEC 17025:2017 by CCMC. This had been caused by an encoding mistake in the CCMC dbase.
4. Germany proposed a way forward in the way to handle technical codes when a new standard was referred in the RID/ADR (ECE/TRANS/WP.15/AC.1/2019/2). The WG Standard was asked to discuss this proposal. - (Germany).
5. Moreover following a verbal report from the Standard Working Group chairman, the Joint Meeting asked the WG to further study what could be the possibilities to replace the so called NAC Consultant considering that EC is planning to withdraw M/086 and does not have the intention to propose an alternative Standardization Request on TDG.

6. Results of discussions of standards

- 6.1 The agreed comments of the discussion on the coherence of the standards at enquiry and formal vote stage with relevant provisions of RID/ADR/ADN are summarized in **INF.20 REV.1** which will also be provided to the relevant Technical Committees of CEN for consideration.
- 6.2 There was no recommendation to refer any standard in the RID/ADR 2021 at this session. The new EN 13175:2019 *LPG Equipment and accessories - Specification and testing for Liquefied Petroleum Gas (LPG) pressure vessel valves and fittings* will be potentially referred at a future session either with an amendment or an exclusion of one clause.
- 6.3 The discussions of the standards at enquiry demonstrated that the ongoing need for close scrutiny of standards remains since the experts of CEN working groups and committees are not experts in the regulations.

7. Other matters

7.1 Standards currently in the development process:

The Chair of CEN/TC 296 announced that a new version of prEN 13094 *Tanks for the transport of dangerous goods - Metallic gravity discharge tanks - Design and construction* was currently in the process of preparation of the CEN enquiry.

7.2 General Purpose standards

No new General Purpose standard had been identified since September 2018.

7.3 Document ECE/TRANS/WP.15/AC.1/2019/2 (Germany)

The Standards WG identified that there was a need to specify that the change from using a technical code to using a new standard would be subject to a transition period of up to two years. A proposed amendment to document 2019/2 is shown in Annex I.

7.4 Consultant

The European Commission having expressed its intention to withdraw the mandate M/086 'Transport of Dangerous Goods' and not to submit another one, the possibility of obtaining an HAS Consultant for TDG was definitively disappearing for the future. The representatives of some NGOs active in the frame of the JM WG Standard are considering to contract an 'Advisor' who would act in the role of a CEN Consultant but in a JM RID/ADR/ADN context. CEN is prepared to continue to support the process as in the past and UK to convene the JM WG Standard.

The discussion resulted in an agreement for the representative of EIGA and the Chair of the Standards Working Group to draft a paper outlining a possible way forward. This Draft is shown in Annex II

Annex I

Amendment to document 2019/02

Proposal transmitted on behalf of the JM WG on Standards

Introduction

1. The Standards WG considered that the proposal was needed but that it was neither implicit nor explicit in the RID/ADR that a transition period for the changeover from a technical code to the new standard was applicable. The underlined text is proposed to make clear that transition point.

Proposal as amended (new text underlined)

Proposal 1: RID/ADR 6.2.5

5. Germany proposes to add the following new paragraph after the second paragraph of RID/ADR 6.2.5:

“As soon as a standard newly referenced in 6.2.2 or 6.2.4 can be applied, the competent authority shall withdraw its recognition of the relevant technical code. A transition period ending no later than the date of application of the next edition of RID/ADR may be applied.”

Remainder unchanged

Proposal 2: RID/ADR 6.8.2.7 and 6.8.3.7

7. Germany also proposed equivalent amendments to RID/ADR 6.8.2.7 and 6.8.3.7:

After the first paragraph of RID/ADR 6.8.2.7 and 6.8.3.7, insert the following new paragraph:

“As soon as a standard newly referenced in (6.8.2.7:) 6.8.2.6/(6.8.3.7:) 6.8.3.6 can be applied, the competent authority shall withdraw its recognition of the relevant technical code. A transition period ending no later than the date of application of the next edition of RID/ADR may be applied.”

Remainder unchanged

Annex II

Independent Standards Advisor – Joint Meeting

The majority of standards referenced in Part 6 of RID/ADR are of concern to a number of stakeholders including industry as well as the Contracting Parties.

Everyone benefits from having good quality standards referenced in RID/ADR, with the primary concern of all being safety. We have had a situation with the CEN Consultant that has worked well for many years and is now not able to function.

A number of stakeholders including representatives of Contracting Parties and industry have discussed the question of a standards advisor to the Joint Meeting and considers:

- Not having the overview of standards as we have had in the past could lead to long term issues such as contradictions to or dilutions of the regulations;
- It is recognised that having all the technical details in the regulations instead of the standards is not a viable proposition;
- The Standards Working Group of the Joint Meeting is conscious that we are undergoing a period of loss of knowledge of the regulations in the industry due to retirements of a number of personnel;
- It is felt that the key standards are now established in the RID/ADR and that we are predominantly in a period of revisions.

Proposal

It is proposed that the industry associations directly concerned by standards fund and manage an individual to carry out assessment of standards, this would primarily be those concerning CEN TC23, CEN TC268, CEN TC 286 and CEN TC 296. It is expected that other areas would not be covered since the remit of the Standards Working Group is limited to standards written for the carriage of dangerous goods.

The existing terms of reference and the scope of the work needs to be reconsidered by the Joint Meeting.

The opinion of the Joint Meeting is requested so that the industry associations concerned can discuss with their management if there is support for such a proposal.

Further points

1. Although funding by industry is proposed, transparency and impartiality should not be compromised because the nature of the work of the Independent Standards Advisor is to:
 - compare the requirements of the standards with those of the regulations and
 - ensure that the standards are clear with objective acceptance criteria.

The output of this review is reported to the Standards Working Group of the Joint Meeting where the representatives of the competent authorities and industry can examine the points made and ensure they are accurate and justified or not.

2. Although a consortium is proposed for funding, one NGO shall act as manager of the Consultant. Also, a fair means of allocating costs needs to be agreed by the consortium.
 3. For reference, the cost incurred by the NAC was typically 25,000 Euros/year.
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