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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**

Geneva, 15 - 19 September 2014

Item 9 of the provisional agenda

Any other business**Carriage of coal in bulk****Transmitted by the Government of Poland^{1, 2}***Summary*

- Executive summary:** This paper aims at finding out if any further steps concerning carriage of coal (hard coal, anthracite and coke) in bulk, meeting the classification criteria of Class 4.2, packing group III, are necessary to ensure their seamless carriage, also in intermodal transport.
- Action to be taken:** The Joint Meeting is invited to address the questions raised in the document.
- Related documents:** Informal document INF.6 (UIC) of the November 2011 session of the RID Committee of Experts' standing working group; ECE/TRANS/WP.15/AC.2/46 of the January 2013 session of the ADN Safety Committee; Informal document INF.8 of the May 2014 session of the RID Committee of Experts' standing working group.

¹ In accordance with the programme of work of the Inland Transport Committee for 2014–2015 (ECE/TRANS/240, para. 100, ECE/TRANS/2014/23, cluster 9, para.9.2).

² Circulated by the Intergovernmental Organisation for International Carriage by Rail (OTIF) under the symbol OTIF/RID/RC/2014/47.

Introduction

1. At the 1st session of the RID Committee of Experts' standing working group (Riga, 12 – 15 November 2012) UIC submitted informal document INF.6, which contained information concerning incidents on open barges carrying coal in bulk. The standing working group was informed that it cannot be ruled out that (imported) coal may meet the classification criteria of Class 4.2. UIC proposed that special conditions of carriage should be implemented in RID and that the carriage of coal in bulk by rail as dangerous goods should be safeguarded by a multilateral special agreement between the states affected.

2. The above document was followed by relevant proposals submitted by EURACOAL. They contained a draft special provision specifying conditions under which carriage of coal may be exempted from RID provisions. The proposals were discussed at the 2nd and 3rd sessions of the standing working group respectively and the conditions on which the exemption may be applied were agreed.

3. Finally at the 53rd session the RID Committee of Experts (Berne, 22 May 2014) adopted special provision 665 for a date of entry into force of 1 January 2015 which reads as follows:

“665 When carried in bulk, hard coal, coke and anthracite, meeting the classification criteria of Class 4.2, packing group III may also be carried in open wagons or containers, provided that

- (a) The coal is conveyed from fresh extraction directly into the wagon or container (without measuring the temperature) or
- (b) The temperature of the cargo is not higher than 60 °C during or immediately after loading into the wagon or container. Using suitable measuring methods, the filler shall ensure and document that the maximum permissible temperature of the cargo is not exceeded during or immediately after loading the wagons or containers.

The consignor shall ensure that the following statement is included in the document accompanying the consignment (such as a bill of lading, cargo manifest or CMR/CIM consignment note):

"CARRIAGE IN ACCORDANCE WITH SPECIAL PROVISION 665 OF RID".

The other provisions of RID do not apply."

This special provision was added for UN numbers 1361 and 3088.

4. Parallel solutions have been approved for inland waterway transport. At the ADN Safety Committee (Geneva, 21-25 January 2013) the text of the special provision 803 authorising the bulk carriage of hard coal, coke and anthracite, meeting the classification criteria of Class 4.2, packing group III and setting the criteria for exemption from ADN provisions was adopted (Report from the 22nd session of the ADN Safety Committee, ECE/TRANS/WP.15/AC.2/46).

5. At the meeting of the standing working group of the RID Committee of Experts (20-21 May 2014), in informal document INF.8 (reproduced as INF.4 for this session of the Joint Meeting) Poland has expressed a number of doubts concerning the classification of coal as dangerous goods, and suggested that the question of its classification be referred to the UN Sub-Committee of Experts on the Globally Harmonized System of Classification and Labelling of Chemicals.

6. At the RID Committee of Experts' standing working group it was proposed that the discussions at the ADN Safety Committee and the RID Committee of Experts' standing working group should first be made available to the Joint Meeting and that the Joint Meeting might then decide to submit the problem to the UN Sub-Committee of Experts on the Transport of Dangerous Goods.

Questions to be addressed

Considering the above Poland would like to ask the Joint Meeting for its opinion on the following issues:

7. Special provision concerning carriage of hard coal, coke and anthracite have already been approved for the RID for 2015 (special provision 665). Similar special provision was adopted by the ADN Safety Committee (special provision 803). However as far as road transport of dangerous goods is concerned no special provisions for carriage of the products concerned have been considered so far. In view of the above, is there a need for special provision and multilateral agreement for road transport?

8. Special provision 665 is adopted for states-parties to RID. However there are a number of states from which hard coal, coke or anthracite are carried to or across the RID states. The question that arises is how to deal with carriage which is governed by different legal regimes?

9. Similar problem as described above may be faced in multimodal carriage of coal. Therefore Poland would like to invite the Joint Meeting to express its opinion on whether the case should be referred to the Sub-Committee of Experts on the Transport of Dangerous Goods considering harmonisation of regulations that apply to land and maritime transport of dangerous goods?
