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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, 17-21 September 2018

Item 2 of the provisional agenda

##### Tanks

27 August 2018

### **Report of the eighth meeting of the informal working group on the inspection and certification of tanks**

#### **Transmitted by the Government of the United Kingdom**

1. The informal working group on the inspection and certification of tanks met for an eighth time in London from 2nd-4th May 2018, under the chairmanship of Mr. Steve Gillingham (United Kingdom). Representatives of Austria, Belgium, the Czech Republic, the European Commission, Finland, France, Germany, the Netherlands, Norway, Poland, Switzerland, Romania, the United Kingdom, the European Industrial Gases Association (EIGA), the International Tank Container Organisation (ITCO), and the International Union of Wagon Keepers (UIP), participated. Apologies were received from the Republic of Ireland, Sweden, Turkey, and the European Union Agency for Railways (ERA).

2. The Chairman noted the outcome of the Joint Meeting held in Berne in March 2018, where it was agreed that given the volume of work and the time constraints, the informal working group should focus on the proposals for 1.8.6, 1.8.7 and related sections in Chapter 6.8 for consideration at the spring 2019 session of the Joint Meeting with a view to amending the 2021 Editions of RID/ADR. In the meantime, progress reports would be submitted to the Joint Meeting following the meetings of the informal working group, hence the submission of this report to inform the autumn 2018 session of the Joint Meeting.

3. The informal working group expressed its gratitude to the Prague sub-group, comprised of representatives from the Netherlands, Czech Republic and Austria for progressing the revision of 1.8.6 (submitted in two parts), and to France for the further development work on 1.8.7 and Chapter 6.8.

4. Subject to the consent of the Joint Meeting, the Chairman restated the UK's offer to continue to host the Group until it achieves its mandate.

##### *Appointment, control and monitoring of inspection bodies.*

5. Due to time constraints, the group decided to defer examination of most of the revised 1.8.7 and related sections in Chapter 6.8, presented by France, until the next meeting (10th-12th December 2018), although it was envisaged that some work to improve the text would take place in correspondence in the interim.

6. The Group then undertook a line by line review of the text of 1.8.6 lead by the Netherlands on behalf of the Prague sub-group. The Netherlands explained that the philosophy was to combine the two sets of rules (RID/ADR and the Transportable Pressure Equipment Directive (TPED)<sup>1</sup> into one for all to follow. During the discussion comments were received from the EU Commission, joining the meeting by video link, who had concerns about the potential for the amendments to inadvertently create a barrier to trade. The Chair assured the Commission that the concerns would be taken into account in the subsequent discussions.

7. The discussion on 1.8.6 developed the approach taken during at the previous meeting, reverting to “inspection body” in preference to “third party” and providing for lone experts alongside larger companies, and distinguishing between, on the one hand, an accreditation system for the conformity assessment procedure, inspections, and testing of UN and non UN pressure receptacles, tanks, battery-vehicles /wagons and MEGCs and, on the other hand, the requirements of TPED Directive 2010/35/EU, as well as existing national appointments systems.

8. It was clarified that the intention of the Prague work was not to abandon TPED nor to put RID/ADR in conflict with TPED.

9. It was also thought that if mutual recognition was a serious goal of this working group, the starting point should be that participating states declare their procedures for the appointment of inspection bodies engaged in the conformity process. In this regard a dual route to conformity assessment was envisaged:

(a) Accreditation through ISO 17020, or

(b) National systems equivalent to accreditation, independently verified by a Committee of experts established by the Joint Meeting.

10. One country informed that its appointment and corresponding administrative control of inspection bodies are effected through a national scheme which, in its view, satisfies the TPED Directive. Several others declared that they only accept ISO accredited inspection bodies, and a few were accepting both. Some delegations thought that national schemes would need to deliver a level of robustness equal to or surpassing ISO accreditation, and wondered whether lone experts could fulfil the ISO requirements.

11. There was significant support for the dual route proposal. In this regard those present were reminded that the informal working group on the inspection and certification of tanks was formed to, amongst other things, pursue mutual recognition. The UIP representative agreed, and explained the goal: the introduction of a similar system to TPED whereby mutual recognition would facilitate free movement in the supply and use of tanks suitable for the carriage of dangerous goods.

12. During subsequent discussions, the group agreed further changes, including on the general rules, the obligations on the competent authorities and the inspection bodies, and the duties of in-house inspection services, all of which are to be incorporated into the text by the Prague sub-group in due time for the informal working group to agree a definitive text at the meeting in December 2018, assuming of course that the Joint Meeting would endorse the continuation of the informal working group.

13. A review of the sub-group’s proposal on the definition for conformity assessment was deferred until the next meeting as it was deemed to be in need of further development. Notwithstanding, the representative of EIGA outlined some suggestions to improve the proposal and offered to provide a base text for consideration.

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<sup>1</sup> Directive 2010/35/EU.

14. Finally, changes addressing the activities of inspection bodies in another contracting party / member state were deferred pending completion of the texts already proposed.

*Harmonisation of inspection procedures*

15. It was agreed, again assuming that the Joint Meeting would endorse the continuation of the informal working group, that France would update the proposal, mainly for 1.8.7 and the related sections in Chapter 6.8, which would address the consequential issues arising from the revisions agreed for 1.8.6.

*Action requested of the Joint Meeting*

16. The Joint Meeting is requested to give its consent to the work programme for the Group as outlined below.

*Proposed further work for the informal working group on tank inspection and certification.*

17. Subject to the agreement of the Joint Meeting, the informal working group will meet again on 10th-12th December 2018 when it will, *inter alia*:

(a) Continue development of the textual amendments to 1.8.6, for which the discussions between the members of the Prague sub-group (Netherlands, Austria and the Czech Republic) and France are at an advanced stage. The latest draft will be circulated to participating delegations for consideration ahead of the next meeting of the group in December.

(b) Consider the work to be done by France to revise 1.8.7 and the related sections in Chapter 6.8 in light of the changes agreed for 1.8.6;

(c) Prepare a complete proposal for the spring 2019 session of the Joint Meeting containing a consolidated set of amendments for the 2021 Editions of RID and ADR; and

(d) Report on the ongoing complementary technical work being undertaken by members of this group, aimed at improving the construction and inspection requirements for tanks.

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