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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**

Bern, 18-22 March 2019

Item 2 of the provisional agenda

Tanks**Report of the ninth session 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 a ninth time in London from 10 to 12 December 2018, under the chairmanship of Mr. Steve Gillingham (United Kingdom). Representatives of Austria, Belgium, the European Union, Finland, France, Germany, Netherlands, Norway, Poland, Romania, Switzerland, Turkey, United Kingdom, European Industrial Gases Association (EIGA), International Tank Container Organisation (ITCO) and International Union of Wagon Keepers (UIP) participated in the meeting. Apologies were received from the representatives of Czechia, Ireland, Sweden and the European Union Agency for Railways (ERA).
2. The Chairman noted the outcome of the Joint Meeting in Geneva in September 2018, where it was agreed that the informal working group should complete the proposals for 1.8.6, 1.8.7 and the related sections in Chapter 6.8 on the administrative controls and procedures for conformity assessments, type approval certification and inspections, for consideration at the Spring 2019 session of the Joint Meeting with a view to amending the 2021 Editions of RID/ADR.
3. The informal working group thanked the Prague sub-group, comprised of representatives from the Netherlands, Czechia, Austria and Romania, for developing the

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proposals for 1.8.6, and France for developing the proposals for 1.8.7 and the related sections in Chapter 6.8.

4. The Chairman offered, on behalf of the United Kingdom, to Chair and host a further meeting of the group if this was needed to complete the work and address any comments from the Spring 2019 session of the Joint Meeting.

Appointment, control and monitoring of inspection bodies.

5. The Prague sub-group provided a brief overview of the purpose of the latest amendments made to the proposals for 1.8.6. They explained that the sub-group was unable to reach a conclusion on some of the topics and therefore asked the informal working group to consider the issues and agree the final text. The group then undertook a line by line review of the comments submitted on the proposals for 1.8.6. Working through the text, there were a number of reservations that were addressed during the course of the discussions.

6. In particular, there was a concern that the provisions appeared to be in conflict with the corresponding provisions in the Transportable Pressure Equipment Directive (TPED). It was explained that the provisions for gas tanks and pressure receptacles, which under European Union rules are subject to the TPED, remained in alignment, and assurances were given that the intention is for the proposals to create a common approach for dangerous goods of classes 3 to 9 that would also be consistent with the TPED. An amendment was made at the beginning of the proposals to clarify the position, but it was thought that more clarity may be needed.

7. Also, contrary to a conclusion reached during a previous meeting of the group and in the Working Group on Tanks of the Joint Meeting, a reservation was placed on the decision that had been made to allow member countries to approve inspection bodies on the basis of a national system – a system which it is proposed would have been judged by an expert working group of the Joint Meeting to be equivalent to EN ISO/IEC 17020:2012 (except clause 8.1.3) for the accreditation, and to EN ISO/IEC 17011:2017 Part 7 for the approval and monitoring, of inspection bodies. Concerns were expressed about the consequences if RID/ADR did not permit the option of such an equivalent national system, which on account of the reservation was placed in square brackets for further discussion at the Joint Meeting. Likewise, the provisions that would apply to competent authorities who chose not to approve inspection bodies would also need to be the subject of further discussion at the Joint Meeting.

8. Another related reservation concerned the ability of an equivalent national system to keep pace with the development of new standards. It was proposed that if a new or revised version of a standard was to be adopted by RID/ADR, the competent authority should be required to reassess and if necessary update the national system alongside the adoption of the standard. In this way the national system would remain equivalent to the standards.

9. It was agreed that competent authorities would publish a list of approved inspection bodies together with the scope of activities for which they have been approved and the type of accreditation if the inspection body is accredited according to EN ISO/IEC 17020:2012 (except clause 8.1.3). Member countries could then recognise inspection bodies approved in other member countries to perform inspections in their own territory based on this list. It was noted that inspection bodies accredited to the EN ISO/IEC standard could be found on the web site www.european-accreditation.org/ea-members.

10. Finally, the group agreed a number of additional criteria to align the general rules on the obligations of inspection bodies with those required by EN ISO/IEC 17020:2012 (except clause 8.1.3). Provisions to control the activities of inspection bodies who operate outside the territory of the competent authority were deferred pending completion of the remaining texts.

Harmonisation of inspection procedures

11. The group then began a line by line review of 1.8.7. During the discussions a definition for ‘manufacturer’ was agreed to make it clear as to who is responsible to the competent authority for the type approval process and the conformity of construction of a tank. As with 1.8.6, an amendment was made to make it clear that the proposals did not conflict with the existing provisions for gas tanks and pressure receptacles, which under European Union rules are subject to the TPED. It was, however, again thought that more clarity may be needed. Some concern was expressed over the proposal for the owner / operator of a tank to retain the certificates and technical documentation for at least 15 months after the tank is taken out of service and has been placed in square brackets for further discussion.

12. Due to time constraints discussion had to be curtailed at the end of 1.8.7.3. The group therefore agreed to meet again on 24 and 25 January 2019 to finalise the texts so that an informal document containing the full combined proposals for 1.8.6, 1.8.7 and the related sections in Chapter 6.8 can be submitted, together with a further meeting report, to the Spring 2019 session of the Joint Meeting for an initial exchange of views, which would then be considered at a final meeting of the group from 12 to 14 June 2019. In the absence of a suitable meeting room in London, the group thanked Austria for the offer to host the January meeting in Vienna.

Action requested of the Joint Meeting

13. 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

14. Subject to the progress made in Vienna, and the agreement of the Joint Meeting, the informal working group will likely need to meet again from 12 to 14 June 2019, in London, where it will, *inter alia*:

- (a) Refine further the proposals in light of views expressed at the Spring 2019 session of the Joint Meeting;
 - (b) Agree an official working paper for the Autumn 2019 session of the Joint Meeting comprising a consolidated set of amendments for the 2021 Editions of RID/ADR; and
 - (c) Report on any technical work being undertaken by members of this group, aimed at improving the construction and inspection requirements for tanks.
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