



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, 16-20 March 2020

Item 2 of the provisional agenda

Tanks**Report of the thirteenth 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 a thirteenth time in London from 11 to 13 December 2019, under the chairmanship of Mr. Steve Gillingham (United Kingdom). Representatives of Austria, Belgium, Finland, France, Germany, the Netherlands, Poland, Romania Spain, Switzerland, Turkey, the United Kingdom and the European Industrial Gases Association (EIGA) participated in the meeting. Apologies were received from the representatives of the European Commission, the International Tank Container Organisation (ITCO), the International Union of Wagon Keepers (UIP), Luxembourg, Norway and Sweden.

2. The Chair noted the outcome of the Joint Meeting in Geneva in September 2019, where it was agreed, on the basis of the complete set of proposals in ECE/TRANS/WP.15/AC.1/2019/GE/INF.19r1e and INF.16r1e concerning sections 1.8.6, 1.8.7 and the related sections in Chapters 6.8 and 6.2 on the administrative controls and procedures for conformity assessments, type approval certification and inspections, that the informal working group would consider written comments and contributions on reciprocal recognition of inspection bodies, the process by which equivalent national systems for the approval of inspection bodies would be checked and approved, and the transitional measures for the proposals, so that the amendments could be completed for consideration at the spring 2020 session of the Joint Meeting with a view to amending the 2021 editions of RID/ADR.

3. The Chair thanked those involved for their work on ECE/TRANS/WP.15/AC.1/2019/GE/INF.19r1e and INF.16r1e, and noted the documents submitted to the informal working group on reciprocal recognition (the Netherlands), equivalent national systems (Austria), transitional measures (Denmark and the Netherlands), entry into service verification (Belgium, ITCO and the RID Committee of Experts standing

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working group), and the various comment documents (Belgium, Finland, France, Germany, Republic of Ireland, Sweden, Switzerland, the European Commission and EIGA).

Appointment, control and monitoring of inspection bodies

4. The group reviewed 1.8.6.2.5.3 on the reciprocal recognition of inspection bodies on the basis of a discussion paper from the Netherlands and reaffirmed that once approved by a competent authority an inspection body may be recognised by another competent authority. In such cases the competent authorities would publish on a list details of the said inspection body and the scope of activities for which it is approved / recognised. If the approval is in the future withdrawn or suspended the recognition would be no longer valid. A note in the proposals already makes it clear that reciprocal recognition agreements between countries such as the European Union Member States must be respected.

5. In 1.8.6.2.1 the proposals require competent authorities to base the approval of inspection bodies on accreditation to EN ISO/IEC 17020:2012 (except clause 8.1.3) type A as is the case in special provisions TA4 and TT9 of 6.8.4 (or type B as in the case of an approval to perform periodic inspections of receptacles according to Chapter 6.2). Alternatively, competent authorities may base such an approval on an equivalent national system approved by the RID Committee of Experts / the Working Party on the Transport of Dangerous Goods. A process by which such systems could be checked and approved based on the system used to recognise classification societies in 1.15 of ADN was tabled by Austria and supported in principle pending detailed consideration deferred to the Joint Meeting in Bern in March 2020. For reference, the said process is included in Annex I to this report.

6. The various remaining comments on section 1.8.6 were addressed by the group except for the concerns expressed over the proposals to allow only type A bodies to undertake inspections, which it was thought would be best addressed at the Joint Meeting in March.

Harmonisation of assessment and inspection procedures

7. At 6.8.1.5.5 the group reviewed the application and scope of the entry into service verification in response to comments from a variety of sources. As proposed, the competent authority of the country of first registration, or of the country to where the tank is transferred, may require an entry into service verification by an inspection body. This could be on the basis of suspicions arising from an administrative check of the tank documentation, or of market intelligence from tank inspections or surveillance activities. A note in the proposals already makes it clear that reciprocal recognition agreements between countries such as the European Union Member States must be respected. During discussion it was acknowledged that an entry into service verification may not be suitable for some sectors such as tank-containers and tank-wagons, but equally it was noted that the verification is in any case not a mandatory requirement. Thus in principle the verification should not create difficulties in practice. Given the sources of the comments it was decided to defer further discussion to the Joint Meeting in March.

8. The various remaining comments on Chapters 6.8 and 6.2 were addressed by the group. Due to time constraints it was decided to defer the various remaining comments on section 1.8.7 to the Joint Meeting in March where an informal document consolidating the comments would be submitted for the working group on tanks to consider.

Transitional Measures

9. The group considered the transitional measures that may be required based on a series of proposals from the Netherlands, and concluded in the case of transition to an equivalent approved national system that a 10-year transition would be appropriate, and that type approvals may continue to be used until the end of their validity. No other transitional measures were thought to be necessary.

Action requested of the Joint Meeting

10. The Joint Meeting is invited to exchange any further views on the proposals submitted for the spring session in March 2020, both before and after the proposals submitted are considered by the working group on tanks, and if necessary, to give its consent for the members of the informal working group and other interested parties to reconvene in due time to address the outcome(s) from the Joint Meeting and to submit final proposals in a working

document by the deadline for the submission of official documents of 19 June 2020. Based on the work to date, the main points of discussion would be the process for equivalent approved national systems and the corresponding transitional measures, the suitability of bodies other than type A to undertake inspections, and the application and scope of the entry into service verification.

Annex

1.8.6.2.4 *Recognition of national systems*

1.8.6.2.4.1 National systems for approving and monitoring of inspection bodies shall be equivalent to EN ISO/IEC 17020:2012 (except clause 8.1.3) and recognized by the RID Committee of Experts/the Working Party on the Transport of Dangerous Goods.

1.8.6.2.4.2 The Joint Meeting shall designate a Committee of its members (Contracting States/Contracting Parties) for considering the recognition of a national system. This Committee is called The National Recognition Committee (NRC) and shall have at least 5 members. For considering the NRC shall use the following procedure:

(a) The RID Contracting State/the ADR Contracting Party shall submit till the end of a year the application with a detail description of their national system in English to the secretariat of the Joint Meeting.

(b) The secretariat sends the application to the members of the NRC within 2 weeks. Then the members will check the described details of the national system in accordance with the conditions set out in 1.8.6.3.1 and consider whether the national system is equivalent to EN ISO/IEC 17020:2012 (except clause 8.1.3) or not.

(c) The NRC will meet aside the Spring session of the Joint Meeting. For this meeting the applying Contracting State/Party has to be invited by the secretariat of the Joint Meeting to take a stand especially for questions that could not be cleared on a written basis in advance. At the end of the meeting the NRC shall, on the basis of an unanimously vote, make a report with a recommendation to the Joint Meeting during their ongoing session with an informal document.

1.8.6.2.4.3 The NRC report shall be presented by the secretariat to the plenary of the Joint Meeting. If the Joint Meeting will follow the recommendation of the NRC, it shall decide whether the national system is equivalent to EN ISO/IEC 17020:2012 (except clause 8.1.3) or not.

1.8.6.2.4.4 If the Joint Meeting considers that the national system is not/not yet equivalent, it may decide to submit the case to the NRC again or give the Contracting States/Parties time for considering and decision making at the Autumn Session of the Joint Meeting.

1.8.6.2.4.5 In the case of equivalency the Joint Meeting shall inform within 2 weeks the RID Committee of Experts/the Working Party on the Transport of Dangerous Goods for recognition.

1.8.6.2.4.6 Following recognition, the secretariat of OTIF/UNECE shall publish a list of inspection bodies on the basis of the recognized national system of the RID Contracting States/the ADR Contracting.

1.8.6.2.4.7 If a revised version of either of the standards mentioned above has been adopted, the competent authority shall reassess their national system. If the changes affect the national system, this system shall be revised to reflect the changes. The revised national system shall then be re-submitted to the Joint Meeting.

1.8.6.2.4.8 If a RID Contracting State/ADR Contracting Party considers that an inspection body does not meet the conditions and criteria set out in 1.8.6.3.1, it shall:

(a) in case of its own inspection body, inform the secretariat of the Joint Meeting to withdraw the name of the inspection body in question from the OTIF/UNECE list.

(b) in case of a former inspection body, inform the other RID Contracting State/ADR Contracting Party and submit to the NRC via the secretariat of the Joint Meeting a proposal to remove the inspection body from the OTIF/UNECE list. Such a proposal shall be substantiated by convincing evidence of a failure to meet the conditions and criteria set out in 1.8.6.3.1. In

the event of non-compliance the inspection body shall be informed by the NRC and invited to comment on the findings. After considering the comments the NRC may decide, that the inspection body shall have the opportunity to present a plan to address the identified failure(s) within a deadline of six months and to avoid any reoccurrence or to withdraw the name of the inspection body in question from the OTIF/UNECE list.

In any case the NRC shall make a report about the taken measures to the Joint Meeting.
