

OTIF



**ORGANISATION INTERGOUVERNEMENTALE POUR
LES TRANSPORTS INTERNATIONAUX FERROVIAIRES**

**ZWISCHENSTAATLICHE ORGANISATION FÜR DEN
INTERNATIONALEN EISENBAHNVERKEHR**

**INTERGOVERNMENTAL ORGANISATION FOR INTER-
NATIONAL CARRIAGE BY RAIL**

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RID/ADR

Joint Meeting of the RID Safety Committee and the
Working Party on the Transport of Dangerous Goods
(Bern, 18 – 22 March 2002)

Experts looking at RID 6.8.2.4.5

Working paper of the International Union of Private Wagons (UIP)

Introduction

The enclosed UIP request on the above topic was discussed on the occasion of the 38th Committee of Experts Meeting in Prague in November 2001 and basically approved. Since, however, no text suggestion was present and the opinion was that the question raised also concerned other transport modes, it was decided to deal with the topic in the "tank" working group.

Proposal for solution

The proposal of the solution is composed of 3 parts:

- A aligning the test method
- B aligning the requirements concerning experts
- C mutual recognition of experts

Aus Kostengründen wurde dieses Dokument nur in begrenzter Auflage gedruckt. Die Delegierten werden daher gebeten, die ihnen zugesandten Exemplare zu den Sitzungen mitzubringen. Das Zentralamt verfügt nur über eine sehr geringe Reserve.

A)

Has been settled in the meantime by adoption of the standard "tanks for the transport of dangerous goods - examination, inspection and marking of metal tanks" EN 12972 in RID/ADR (decision of the Joint Meeting 9/2001). Thus the technical rules are fixed as the basis of a uniform test procedure.

B)

With reference to the above-mentioned standard, the requirements concerning experts are not yet settled, particularly regarding their capability to carry out such examinations perfectly from a professional point of view and economically independently.

At EU level, the Directive on transportable pressure equipment (1999/36/EC) is dedicated to this problem, but it only deals with tanks of Class 2 and some dangerous goods mentioned by name.

In order not to have to differentiate as from 2003 within the RID between employees of notified bodies according to the EU Directive (for special goods), and Experts according to RID (for all other goods), and at the same time to obtain at RID-level international alignment of the requirements for experts, we propose incorporating the rules of the above-mentioned EU Directive into the RID and we make the following text proposal:

Creation of a new chapter 1.8.6

"1.8.6 Experts and inspection bodies to perform initial and periodic inspections on (????? and tanks)

In accordance with 6.8.2.4.5, the following individuals or inspection bodies shall be recognized as experts:

- Suitably appointed employees of an inspection body, certified as a notified or approved body in accordance with Directive on transportable pressure equipment (1999/36/EC).
- Those persons or employees of an inspection body certified and approved to perform these inspections by the competent authority of an RID Member State / Contracting Party to ADR in accordance with the relevant ISO Standard 45000ff.

They shall meet the following minimum criteria:

1. The expert or the notified inspection body shall be independent of the party involved. They shall not be the designer, supplier, manufacturer, purchaser, owner, holder or user of the transportable pressure equipment (receptacles, cylinders, tanks, ...) nor represent one of the parties engaged in these activities. They may not be directly involved in the design, manufacture, marketing and maintenance of transport receptacles including accessories. This does not preclude the possibility of exchanges of technical information between the manufacturer or user of the transport receptacle.
2. The expert or the approved inspection body shall not engage in any activities that may conflict with their independence of judgement and integrity in relation to their inspection activities. In particular the expert or the inspection body shall be free from any commercial, financial and other pressures which might affect their judgement, particularly from persons or organisations external to the inspection body with an interest in the results of inspections carried out. The impartiality of the inspection staff of the body shall be ensured.
3. They shall have at their disposal the necessary facilities to enable them to perform the technical and administrative tasks connected with the inspection and verification opera-

tions properly. They shall also have access to the equipment required to perform special verifications.

4. They shall have appropriate qualifications, sound technical and vocational training and a satisfactory knowledge of the requirements of the inspections to be carried out and adequate experience of such operations. In order to ensure a high level of safety they shall be a position to provide expertise in the field of safety of transportable pressure equipment. They shall have the ability to make professional judgements as to conformity with general requirements using examination results and to report thereon. They shall also have the ability required to draw up the certificates, records and reports to demonstrate that the inspections have been carried out.
5. They shall also have relevant knowledge of the technology used for the manufacturing of the transportable pressure equipment, including accessories, which they inspect, of the way in which the equipment submitted to their inspections is used or is intended to be used, and of the defects which may occur during use or in service.
6. They shall carry out the assessments and verifications with the highest degree of professional integrity and technical competence. They shall ensure the confidentiality of information obtained in the course of their inspection activities. Proprietary rights shall be protected.
7. The remuneration of persons engaged (experts) in inspection activities shall not directly depend on the number of inspections carried out and in no case on the results of such inspections.
8. They shall have adequate liability insurance unless its liability is assumed by the State in accordance with national laws or by the organisation of which it forms a part.
9. They normally perform the inspections themselves. When they sub-contract any part of the inspection, they shall ensure and be able to demonstrate that their sub-contractor is competent to perform the service in question and shall take full responsibility for that sub-contracting.
10. All interested parties shall have access to the services of the inspection body. There shall be no undue financial or other conditions. The procedures under which the body operates shall be administered in a non-discriminatory manner.

Experts or inspection bodies fulfilling the above requirements and which are approved by the competent authority, shall be registered by the same and notified to the secretariats of (OTIF, ONU????). The inspections of the experts and inspection bodies registered here shall be recognised for each type of tank permitted in accordance with RID/ADR.”

Complement in 6.8 and other parts, in which the expert is quoted, for example 6.8.2.4.5:

„The inspections shall be performed by the expert or the notified/approved body in accordance with 1.8.6.”
