

# Transport of dangerous goods:

## European legislation prevails [Interview recorded by Alin Lupulescu]



The outcome of the survey conducted by the European Commission's work group on the need to amend the European legislation regarding the transport of dangerous goods following the accident in Viareggio which determined the Italian authorities to tighten the control of single wagon loads will be made public soon. The conclusions might divide the railway world into two sides, on the one side those who find the current legislation satisfactory and on the other side, those who want its revision. Railway Pro wanted to know what CER's position was on this matter and our call was answered by Libor Lochman, Deputy Executive Director of the organisation, responsible with the coordination of ERA's activities.

**Libor Lochman** has graduated from the University of Transport in Zilina and has been working at Prague's Institute of Railway Research for 7 years. Since 2005, he has been coordinating the implementation of the ERTMS standard on Pan-European Freight Corridor E being familiar with the regulations on freight transport safety.

**Railway Pro:** Mr. Lochman, do you consider that tightening controls on the transport of dangerous goods, recently implemented by the Italian authorities, should be extended Europe-wide?

**Libor Lochman:** Any railway safety measures must strictly be managed at the European level. Applied on a purely national level, the ANSF decision might result in a shift from rail to road concerning the transport of dangerous goods. Instead of using rail as the safest mode of transport, more and more explosive liquids, gas and other dangerous goods will be loaded on trucks and shipped through motorways.

The ANSF initiative should have been first presented to the European institutions

and other national safety authorities to avoid potential competitive disadvantages for European rail freight. They would decide whether the ANSF measures are adequate and do at all enhance the railway safety.

**Railway Pro:** How do you value the European legislation which relates to the transport of dangerous goods by rail?

**Libor Lochman:** The European regulation for the transport of dangerous goods (RID) should be considered as appropriate. The RID has been incorporated in the EU legislation in 1996; in its part 1, chapter 1.4.2 detail responsibilities of each actor are set, in particular those of the consignor, the filler, the loader, the packer, the tank-wagon operator, the consignee, and of course also those of the carrier (Railway Undertaking) and of the Infrastructure Manager. This document regulates the activity of each railway institution involved in the transport of dangerous goods.

**Railway Pro:** How do you compare this legislation with the legislation regarding the transport of dangerous goods by road?

**Libor Lochman:** There is no significant difference between the basic European legislation regarding the transport of dangerous goods by road and by rail. The major difference is in the approach to the railway safety that is in hands of national safety authorities who are in a position to impose national measures. This is not common to the road transport sector where the European legislation prevails.

**„...the fact that road transport is less safe than rail transport shall be reflected in rules“**

**Railway Pro:** How can the transport of dangerous goods by railway in international traffic be stimulated in order to increase this type of transport from road to rail?

**Libor Lochman:** First of all, safety measures for railway operation have to apply strictly on European level; there must be no unnecessary obstacles created at the borders between EU Member States. Secondly, the fact that the road transport is - by an order of magnitude - less safe than the rail transport, shall be reflected in the rules restricting dangerous goods transport by trucks through urbanised areas.

When applying these two principles not only the transport of dangerous goods will reach higher safety level, it will also be more environment friendly.

**Railway Pro:** What do you think about the value of taxes for this particular type of transport, compared to those applied to the use of the road system and other modes of transport?

**Libor Lochman:** The taxation is a very sensitive issue and should be applied with a high care; it is in the hands of local governments and thus can significantly

change balance between the transport modes at national level.

**Railway Pro:** What measures would CER recommend for the harmonisation of national legislations with the European standards in what concerns the transport of dangerous goods by rail?

**Libor Lochman:** Strictly harmonised European approach is needed and has to be consistently supported by the European Commission, the rail sector, and the national safety authorities.

Any proposal for new safety measures should first be consulted with the European Commission (European Railway Agency) and the rail sector. All measures should be treated as the European recommendations, which should be applied across the European Union and supersede any national measures.

Should national measures be exceptionally and temporarily applied, these need to be discussed with the bodies mentioned above in order to avoid any competitive disadvantages for the rail business.

In the following issues, Railway Pro will resume the approach of this topic with the intention of knowing the position of the national regulatory bodies, as well as that of dangerous goods transport carriers. ■



### Перевозка опасных товаров: Европейское законодательство должна располагать первенством

Результаты расследования рабочей группы Европейской Комиссии в плане необходимости изменения европейского законодательства касательно перевозки опасных грузов, впоследствии аварии в Виареджио, после которой итальянские власти ужесточили контроль колонн изолированных вагонов, будут оглашены в скором будущем, что возможно разделит мир жд на два лагеря: те которых устраивает нынешнее законодательство и те которые добиваются его пересмотра.

Рейлауэй Про пожелал узнать позицию ЦЕР (CER) по данному вопросу от Либора Лохмана, Зам. Исполнительного Директора организации и ответственный за управление деятельностью относящиеся к ЕРА (ERA).

Официальное лицо ЦЕР считает что любая мера по безопасности жд должна быть применена в строгом режиме, на европейском уровне. При применении только на национальном уровне, решение АНСФ (ANSF) может обусловить переход товаров с жд на автодорогах. Вместо того что-бы воспользоваться жд сектором, в качестве самого надёжного средства, всё больше взрывоопасных веществ, газов и других опасных товаров будут транспортированы по автодорогам. ■



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