

Transport of dangerous goods in Belgium

MULTIMODALITY IN PRACTICE –
CHALLENGES IN THE WB REGION
AND THE BELGIAN SOLUTION

14-16 December 2022



GEWESTELIJKE OVERHEIDSDIENST BRUSSEL
SERVICE PUBLIC RÉGIONAL DE BRUXELLES



Wallonie



Service public
de Wallonie



economie



FEDERAL PUBLIC SERVICE
MOBILITY AND TRANSPORT



Vlaamse
overheid

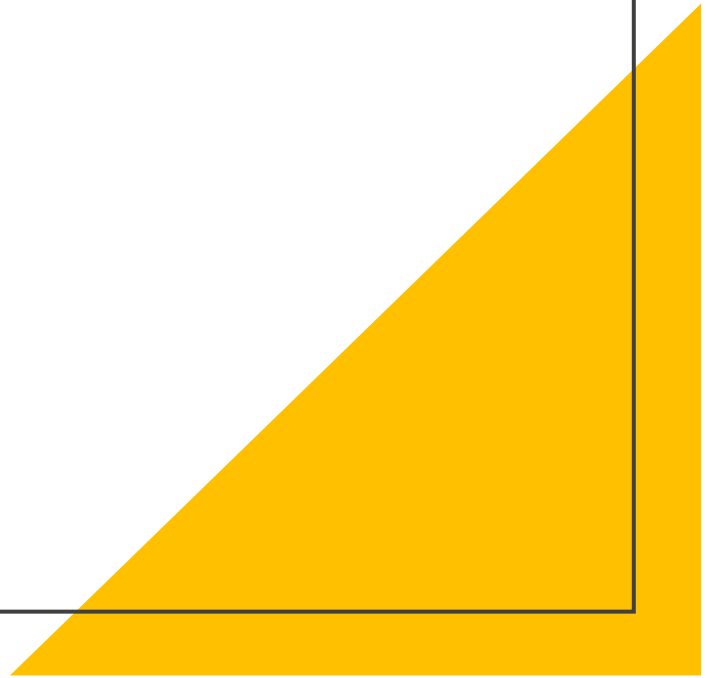


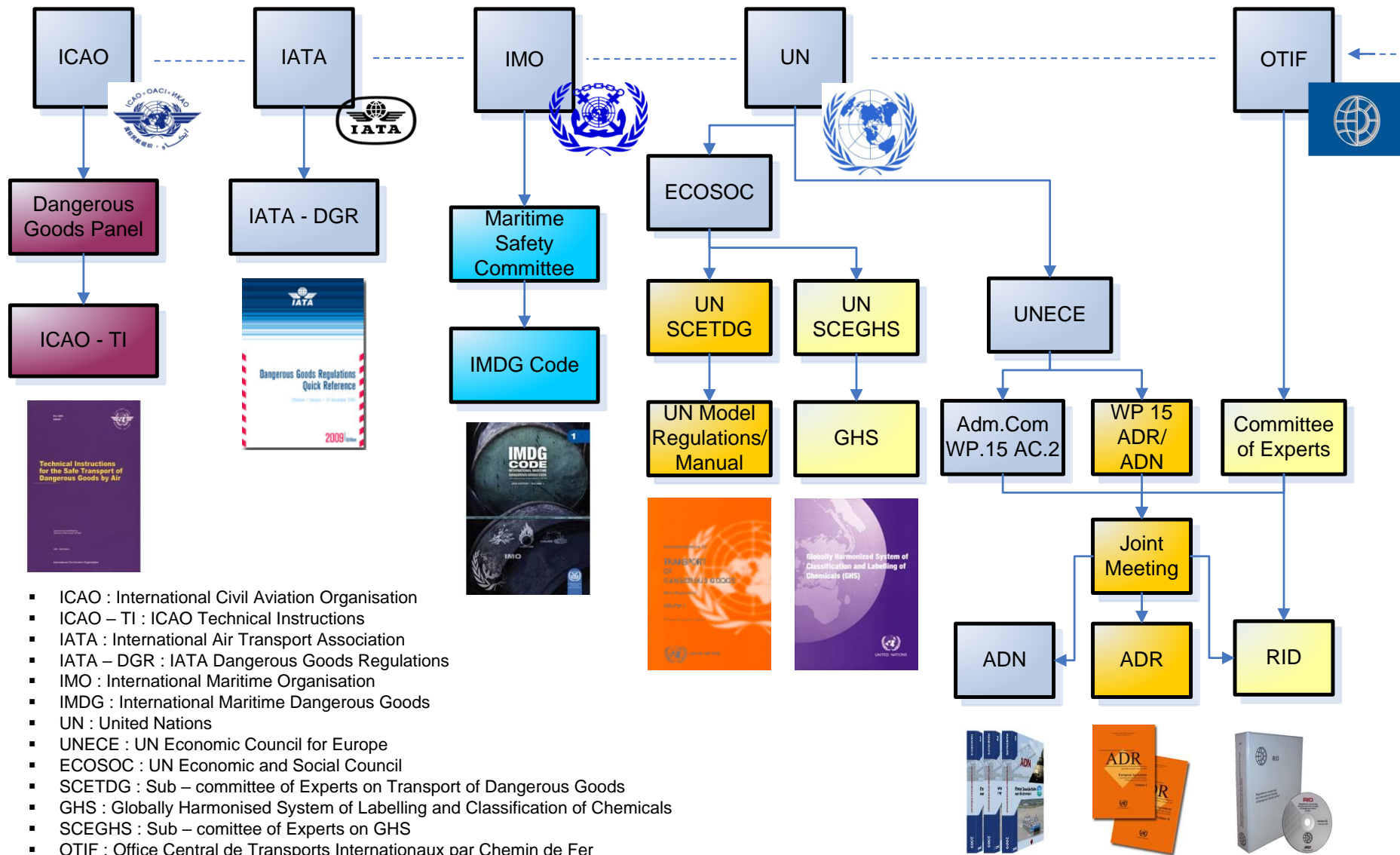
NSA Rail
Belgium



FANC
FEDERAL AGENCY FOR
NUCLEAR CONTROL

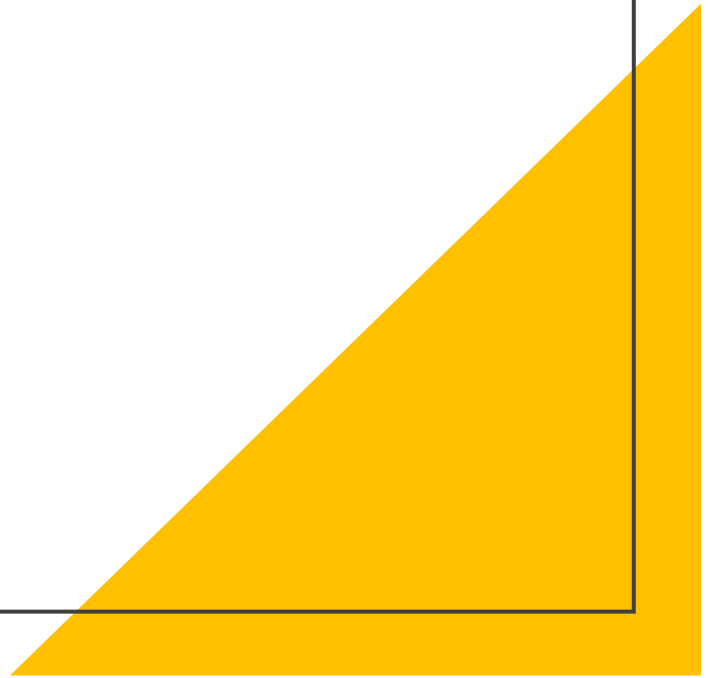
1. Transport of dangerous goods : Overview of international legislations





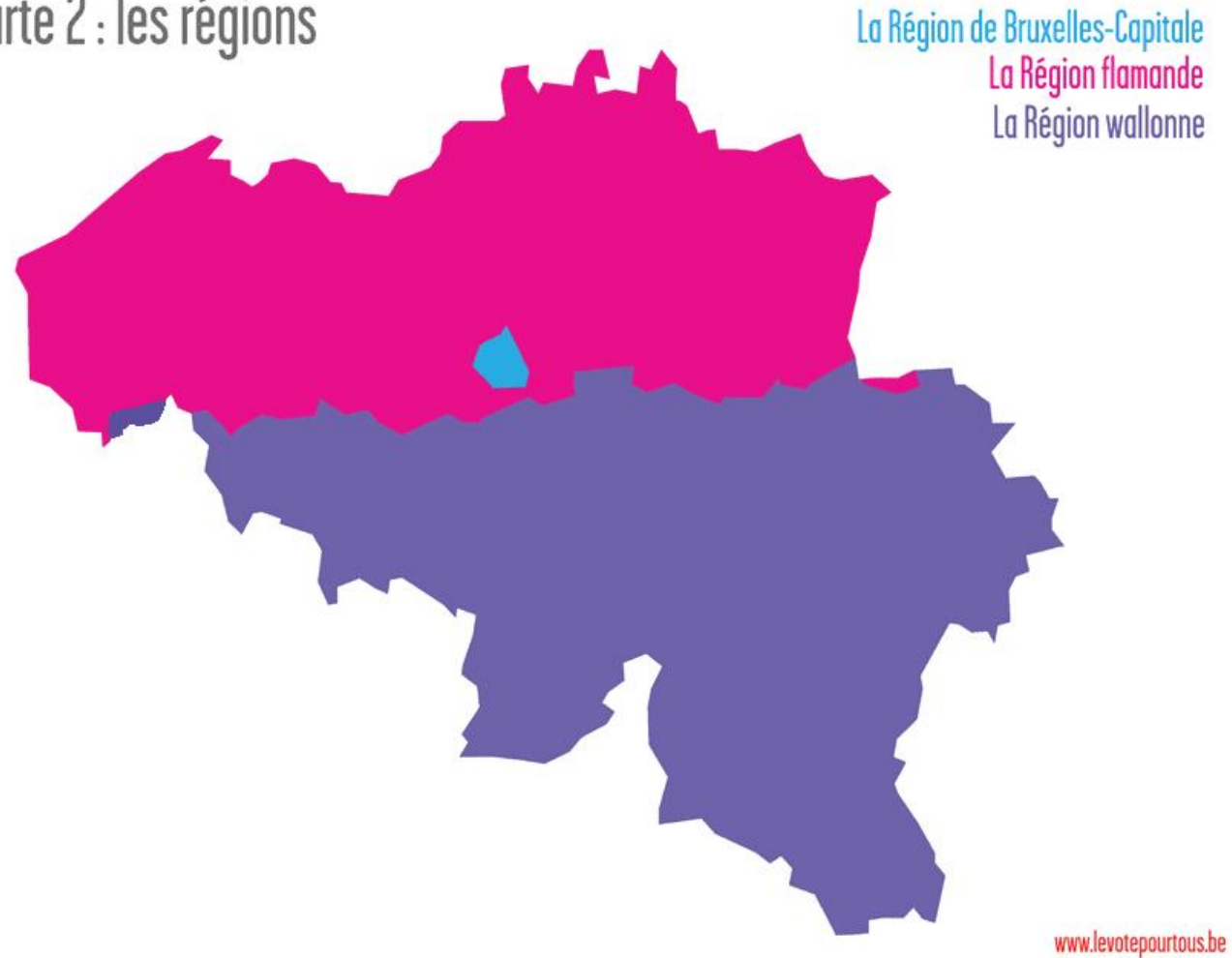
- ICAO : International Civil Aviation Organisation
- ICAO – TI : ICAO Technical Instructions
- IATA : International Air Transport Association
- IATA – DGR : IATA Dangerous Goods Regulations
- IMO : International Maritime Organisation
- IMDG : International Maritime Dangerous Goods
- UN : United Nations
- UNECE : UN Economic Council for Europe
- ECOSOC : UN Economic and Social Council
- SCETDG : Sub – committee of Experts on Transport of Dangerous Goods
- GHS : Globally Harmonised System of Labelling and Classification of Chemicals
- SCEGHS : Sub – committee of Experts on GHS
- OTIF : Office Central de Transports Internationaux par Chemin de Fer
- CCNR : Central Commission for Navigation on the Rhine
- ADNR : Accord Européen relatif au transport international des marchandises dangereuses par marine sur le Rhin
- WP 15 : Working Party 15 on the transport of dangerous goods
- ADR : Accord européen relatif au transport international des marchandises dangereuses par route
- ADN : Accord européen relatif au transport international des marchandises dangereuses par voie de navigation intérieure
- RID : Règlement international concernant les transports des marchandises dangereuses par chemin de fer

2. Organisation in Belgium



Belgium is a
federal
country with
3 regions

Carte 2 : les régions



TDG : sharing of competencies

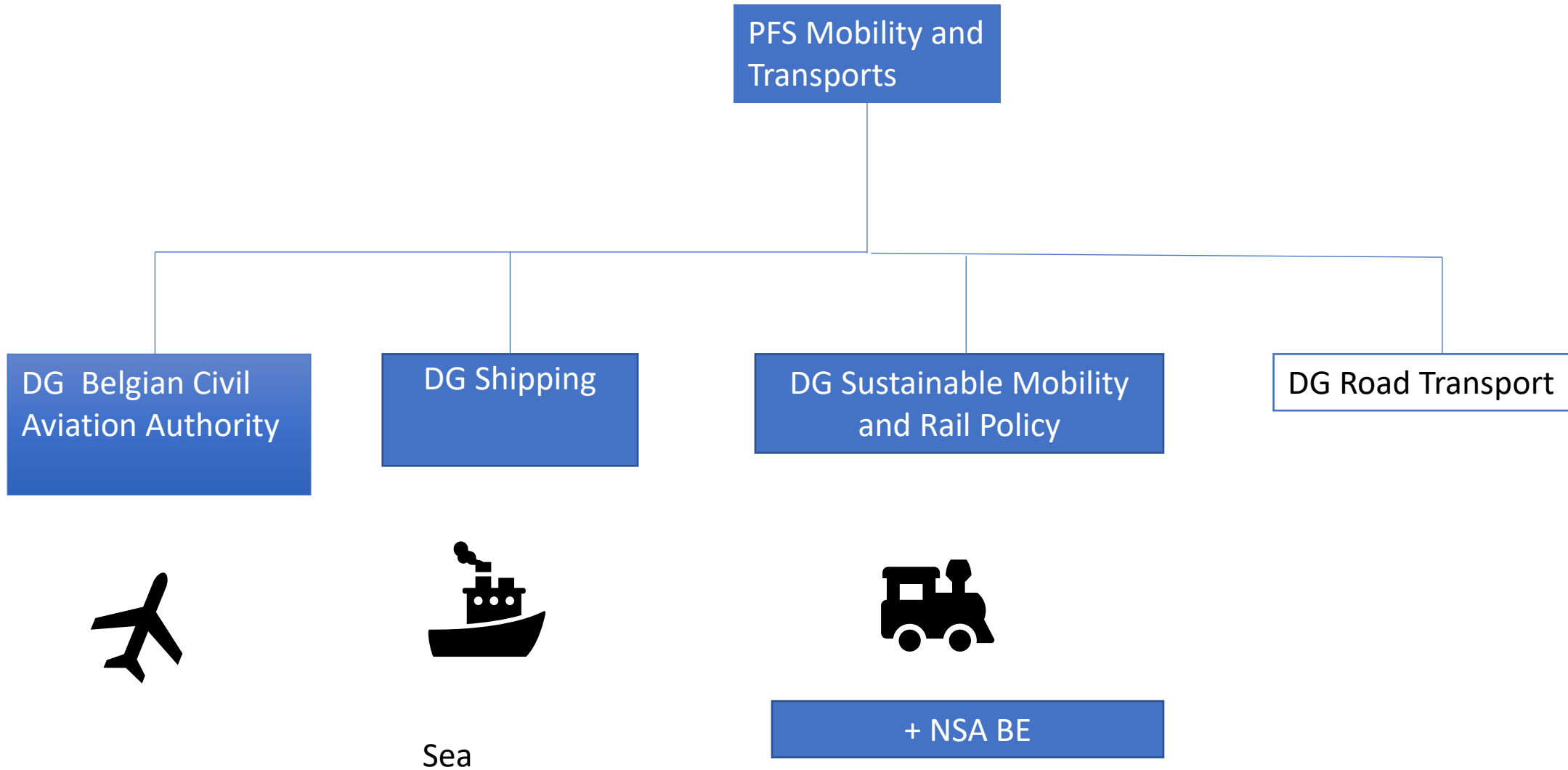
Federal government	Flemish region	Brussels region	Region of Wallonia
For the whole of Belgium	For the Flemish territory	For the Brussels territory	For the territory of Wallonia
Transport of explosive substances and articles (all modes of transport)	ADR (road)	ADR (road)	ADR (road)
Transport of radioactive material (all modes of transport)	ADN (inland waterways)	ADN (inland waterways)	ADN (inland waterways)
Transport of animal (infectious) substances	→ EXCEPT <ul style="list-style-type: none"> ○ for explosive substances and articles 	→ EXCEPT <ul style="list-style-type: none"> ○ for explosive substances and articles 	→ EXCEPT <ul style="list-style-type: none"> ○ for explosive substances and articles
RID (rail)	<ul style="list-style-type: none"> ○ For radioactive material 	<ul style="list-style-type: none"> ○ For radioactive material 	<ul style="list-style-type: none"> ○ For radioactive material
IMDG (maritime)			
ICAO TI (aviation)	<ul style="list-style-type: none"> ○ For animal substances 	<ul style="list-style-type: none"> ○ For animal substances 	<ul style="list-style-type: none"> ○ For animal Substances

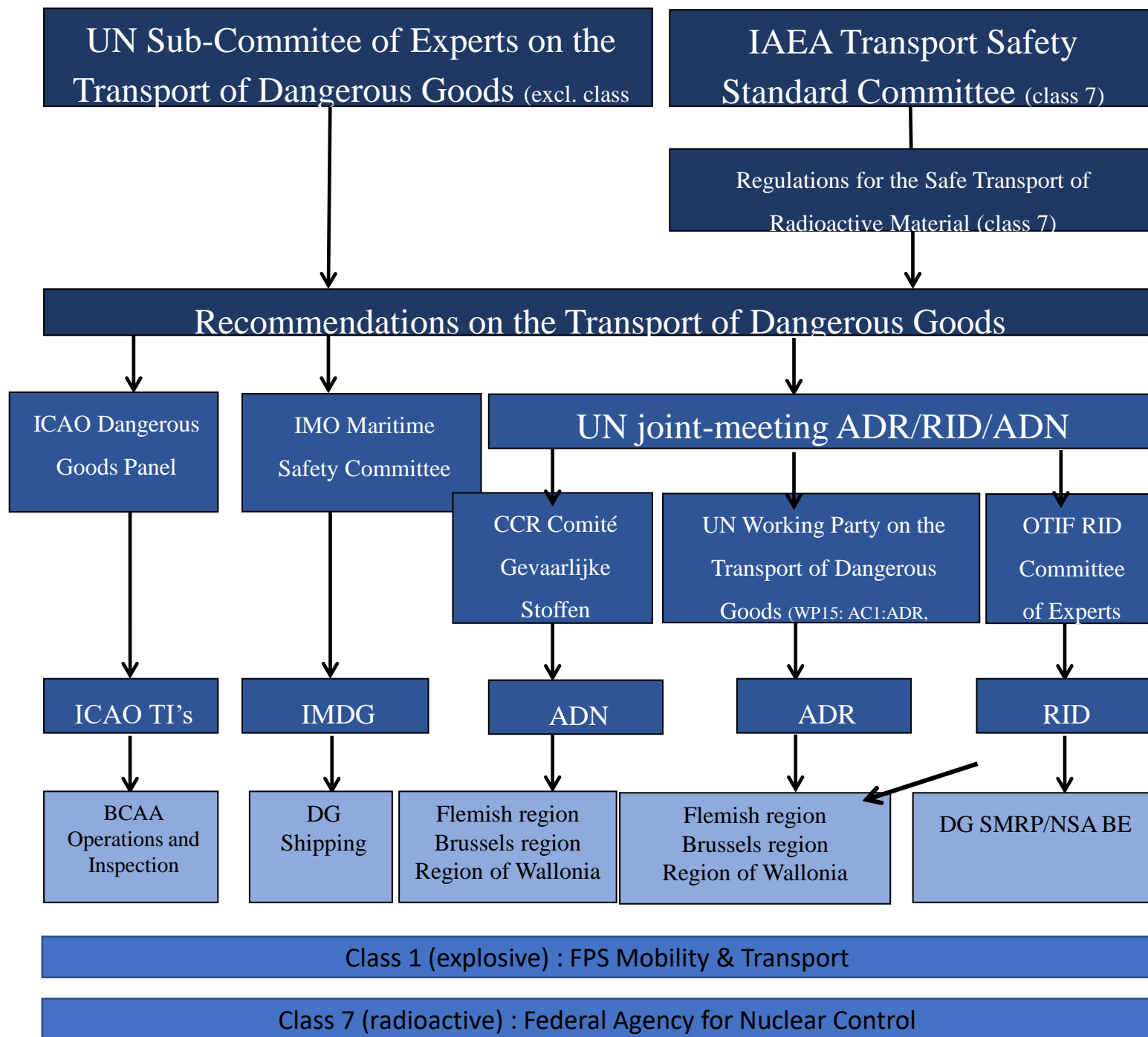
Federal gouvernement



Transport of explosive substances and articles (all modes of transport)	Transport of radioactive material (all modes of transport)	RID (rail)	IMDG (maritime)	ICAO TI (aviation)
Federal Public Service Economie	Federal Agency for Nuclear Control (FANC) Security & Transport Department Import & Transport Section	Federal Public Service Mobility and Transport DG Sustainable Mobility and Rail Policy + NSA BE	Federal Public Service Mobility and Transport DG Shipping Services: -Safety and environmental issues (policy) -Hazmat (operational level)	Federal Public Service Mobility and Transport Belgian Civil Aviation Authority

Federal Public Service Mobility and Transport







3. RID



RID



FEDERAL PUBLIC SERVICE
MOBILITY AND TRANSPORT



- RID :

Regulations concerning the
International Carriage of Dangerous
Goods by Rail

- Appendix C of the Convention
concerning International Carriage
by Rail (COTIF)

- Directive 2008/68/EC on the
inland transport of dangerous
goods
 - Annex 2

- Arrêté royal du 02/11/2017
relatif au transport des
marchandises dangereuses
par chemin de fer, à
l'exception des matières
explosibles et radioactives

International legal framework: no (or little) national rules

RID : competent authorities for class 2, 3 to 9 (except 7)

- Royal Decree RID 02/11/2017, annex 1 defines the competent authority for each paragraph where the term "competent authority" is used in RID



Autorité de sécurité	1.4.2.2.4, 1.5.1, 1.6.3.3.1, 1.8.2.2, 1.8.2.3, 1.9.4, 3.1.2.6, 3.2.1, 3.3 (dispositions spéciales 239, 356, 376 et 636), 4.1.2.2, 4.1.3.8.1, 4.2.3.6.4, 4.2.5.1.1, 4.2.5.3 (TP4, TP9 et TP23), 4.3.2.3.7, 6.7.1.3, 6.7.2.19.6, 6.7.3.15.6, 6.7.4.14.6, 6.8.2.1.29, 7.3.2.6.2, 7.4, 7.7
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DG Ferroviaire	1.6.2.10, 1.6.2.12, 1.6.2.14, 1.8.4, 1.8.6.3, 1.8.6.4.1, 1.8.6.4.5, 1.8.6.5, 1.8.6.6 (1 ^{ère} partie de la phrase), 1.8.6.7, 1.8.7.6.4, 2.1.2.8, 2.2.2.1.5, 2.2.41.1.13, 2.2.52.1.8, 2.2.9.1.7 e), 3.3 (dispositions spéciales 181, 237, 283, 376, 379, 674 (d) et h)) et 662), 4.1.1.15, 4.1.3.6.6, 4.1.3.6.9, 4.1.4.1 (P099, P910 3), P200 ((10) k, v a) et b), (12) 1.3 et 1.5 (nota) et (13) 1.3 et 1.6 (nota)), P201, P405, P902 et P911 2)), 4.1.4.2 (IBC099), 4.1.4.3 (LP099, LP902 et LP906 2)), 4.1.7.2.2, 4.2.1.9.4.1, 5.2.2.1.9, 5.4.1.2.3.3, 6.1.1.2 (3 ^{ème} phrase), 6.1.5.1.3, 6.1.5.2.5, 6.1.5.8.2,
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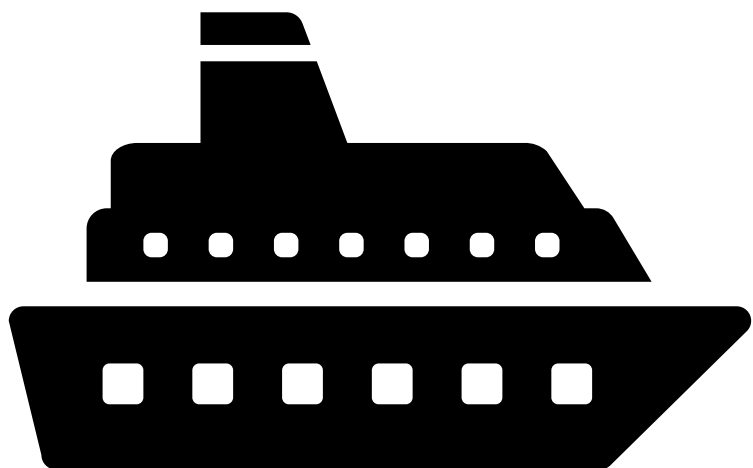
Organisme agréé	1.2.1 (définition « GRV réparé »), 1.8.6.2.1, 1.8.6.2.2, 1.8.7.1.4, 1.8.7.1.6, 1.8.7.2.3, 1.8.7.2.5, 1.8.8.1.1, 3.3 (dispositions spéciales 356, 371 (2), 666 et 674 (i) 1 ^{ère} phrase), 4.1.3.6.2, 4.1.4.1 (P200 ((3) d) (nota) et (9)), P601 3) g) et P905), 4.1.6.14, 4.3.2.1.5 (note de bas de page), 4.3.3.2.5, 6.1.1.2 (2 ^{ème} phrase), 6.1.1.4, 6.1.3.1 g), 6.1.3.7, 6.1.3.8 b), 6.1.4.8.8, 6.1.4.13.7, 6.1.5.1.1, 6.1.5.1.5, 6.1.5.1.8, 6.1.5.1.10, 6.2.1.4.1, 6.2.1.4.2, 6.2.1.6.1 (nota 1), 6.2.2.1.1 (nota 2), 6.2.2.1.2 (nota 2), 6.2.2.5.1, 6.2.2.5.2.1, 6.2.2.5.2.2, 6.2.2.5.3.2, 6.2.2.5.3.3, 6.2.2.5.4.2, 6.2.2.5.4.4, 6.2.2.5.4.5, 6.2.2.5.4.6, 6.2.2.5.4.9, 6.2.2.5.4.10, 6.2.2.5.4.11, 6.2.2.7.4, 6.2.2.9.2 h), 6.2.2.11, 6.2.3.4.2, 6.2.3.6.1, 6.2.3.11.2, 6.2.3.11.4, 6.2.6.3.2.1, 6.3.2.1 (2 ^{ème} phrase), 6.3.2.2, 6.3.4.2, 6.3.4.3, 6.3.5.1.1, 6.3.5.1.5, 6.3.5.1.7, 6.3.5.1.8, 6.5.1.1.2, 6.5.1.1.3, 6.5.2.1.1, 6.5.2.2.5, 6.5.4.1, 6.5.4.4.1, 6.5.4.4.4, 6.5.6.1.1, 6.5.6.2.1, 6.5.6.2.3, 6.6.1.2, 6.6.1.3 (2 ^{ème} phrase), 6.6.3.1, 6.6.5.1.1, 6.6.5.1.5, 6.6.5.1.7, 6.6.5.1.8, 6.8.2.1.16, 6.8.2.1.23, 6.8.2.2.2, 6.8.2.2.10, 6.8.2.3.1, 6.8.2.3.3, 6.8.3.2.16, 6.8.3.2.26, 6.8.3.4.6, 6.8.3.4.12, 6.8.3.4.14, 6.8.4 (TA4, TT9), 6.8.5.2.2,
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RID : competent authorities for class 2,3 to 9 (except 7)

Defined in Royal Decree RID 02/11/2017

FPS Mobility and Transports DGPMD	NSA BE	Approved/ notified bodies
<ul style="list-style-type: none"> Regulations 	<ul style="list-style-type: none"> Safety controles and inspection 	<ul style="list-style-type: none"> Type approval, inspections and tests of tanks, packages, cylinders,...
<ul style="list-style-type: none"> Approval and supervision of inspection bodies 	<ul style="list-style-type: none"> National derogations (according to directive 2008/68/EC, art.6) 	
<ul style="list-style-type: none"> Multimodal authorizations (for rail part) 	<ul style="list-style-type: none"> Multilateral agreement (Temporary derogations according to RID 1.5.1) 	
<ul style="list-style-type: none"> Security controles and inspection (for railways) 	<ul style="list-style-type: none"> Monitoring of RID incidents 	
	<ul style="list-style-type: none"> Authorization for specific RID transport 	



4. ADN



ADN in Belgium

The national competent authorities

The ADN regulations are European regulations, but in Belgium the competencies are divided between a number of federal and regional authorities.

Due to the 6th state reform in 2014, ADN has become a regional competence of:

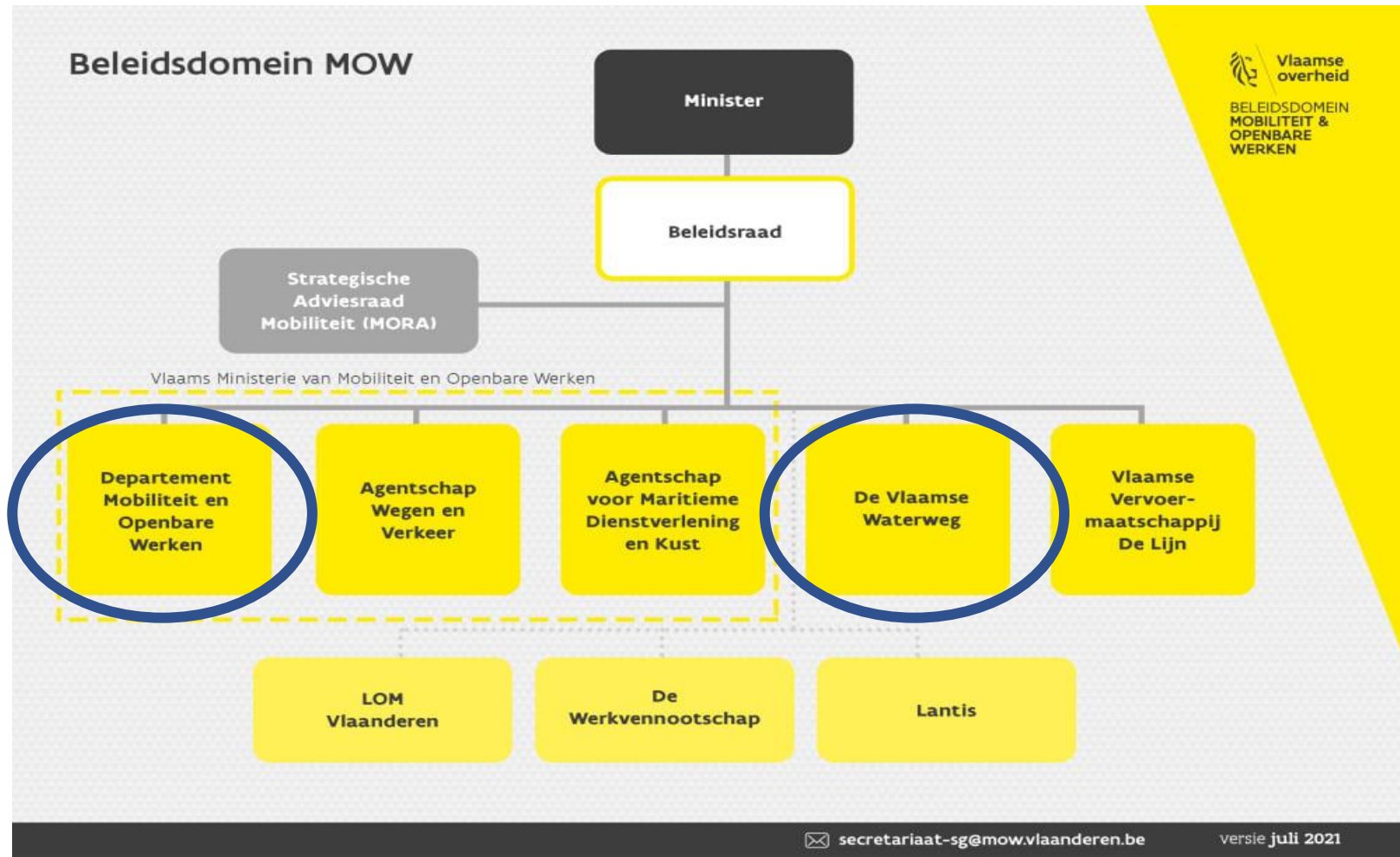
- Brussels Capital Region
- Walloon Region
- The Flemish Region

Except for:

- Explosive substances and articles are the responsibility of the [Federal Public Service Economy](#)
- Radioactive materials are held by the [Federal Agency for Nuclear Control](#)
- Animal substances are the responsibility of the [Federal Public Service of Public Health](#)

Regional Competent Authorities for Flanders

Lydia Peeters, Flemish Minister of Mobility and Public Works





Regional Competent Authorities for Flanders



The Flemish Ministerial Decree of 21/12/2018 and 3/12/2021 assigns the competencies under ADN to:

- **Department of Mobility and Public Works**

(approval of training courses and training centers, and safety advisor examination; transposition of ADN, cabinet and parliamentary questions)

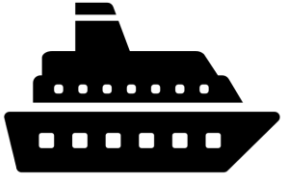


- **The Flemish Waterway**

- **The Committee of Experts: mainly construction regulations**

- **Persons authorized for shipping control**





Regional Competent Authority for Brussels Capital



REFORM IN PROGRESS



There are currently three decrees in force :

Decree of the Government of the Brussels-Capital Region of 20 September 2022 (which combines ADN and ADR). This decree assigns the ADN competence to the Minister.

Decree of the Government of the Brussels-Capital Region of 28 March 2013 (to be repealed and its content integrated into the 2022 decree).

Following the Government Decree of 20 September 2022, an implementing decree will have to be adopted. To do this, BM will start discussions with the Port of Brussels to clarify who will be the competent authority. Royal Decree of 31 July 2009. This decree assigns powers to the port authority.

Regional Competent Authority for Wallonia

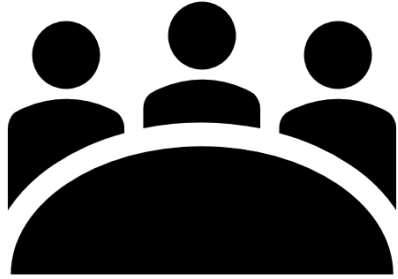


After 6th State reform, Wallonia (ADR-ADN unit of the SPW ARNE) is competent for the following aspects:

1. ADR driver training and exams
2. Issuance of licenses and duplicate ADR driver's licenses
3. Recognition of examination and training centers for ADR drivers and ADN experts
4. Training and exams for ADR and ADN security advisors
5. Issuance of ADR security advisor certificates
6. Recognition of examination and training centers for ADR or ADN security advisors
7. Accident reporting in the context of ADR
8. Approval and technical control of ADR vehicles (AT, FL, OX)
9. Roadside checks in the context of ADR
10. Audits of companies subject to ADR or ADN
11. Granting of ADR or ADN derogations

ADR-ADN unit of the SPW ARNE





5. Coordination between competent authorities

Need of coordination between federal government
(RID, IMDG, **ICAO IT**)

AND

Regions (ADN, ADR)

- Contact with European commission, CEE-ONU
- Belgian position at international meetings
- Multimodal authorization
- Coordination for signature
of bilateral and multilateral agreements
(European commission, CEE-ONU)
- Approval and supervision of inspection bodies
for multimodal “containing” (packaging, tank-
containers, portable tanks,...)
- **Translation of the regulations**
(RID, ADR, ADN)



Coordination between competent authorities : example of the directive 2008/68/EC transposition

- 9 Decrees to transpose directive 2008/68 !!

62162

MONITEUR BELGE — 16.06.2021 — BELGISCH STAATSBAD

VLAAMSE OVERHEID

[C - 2021/42001]

21 MEI 2021. — Besluit van de Vlaamse Regering tot wijziging van het besluit van de Vlaamse Regering 25 mei 2018 tot aanpassing van de regelgeving betreffende het vervoer van gevaarlijke goederen over de binnenwateren aan de wetenschappelijke en technische vooruitgang wat betreft de voorwaarden waaronder het vervoer van gevaarlijke goederen over de binnenwateren is toegestaan

Rechtsgronden

Dit besluit is gebaseerd op:

- de wet van 18 februari 1969 betreffende de maatregelen ter uitvoering van de internationale verdragen en akten inzake vervoer over zee, over de weg, de spoorweg of de waterweg, artikel 1, eerste lid, gewijzigd bij de wet van 15 mei 2006;

- de wet van 5 juni 1972 op de veiligheid van de vaartuigen, artikel 17ter, § 1, ingevoegd bij de wet van 22 januari 2007;

KB RID van 2 november 2017 – Geconsolideerde versie op 24 september 2021 – Opgemaakt door FOD M&V
AR RID du 2 novembre 2017 – Version consolidée du 24 septembre 2021 – Établi par le SPF M&T

ROYAUME DE BELGIQUE

SERVICE PUBLIC FEDERAL
MOBILITE ET TRANSPORTS

Transport par chemin de fer

Arrêté royal relatif au transport des marchandises dangereuses par chemin de fer, à l'exception des matières explosibles et radioactives

KONINKRIJK BELGIE

FEDERALE OVERHEIDSDIENST MOBILITEIT EN
VERVOER

Spoorvervoer

Koninklijk besluit betreffende het vervoer van gevaarlijke goederen per spoor, met uitzondering van ontplofbare en radioactieve stoffen

96464

MONITEUR BELGE — 30.10.2017 — BELGISCH STAATSBAD

AGENCE FEDERALE DE CONTROLE NUCLEAIRE

[2017/205650]

22 OCTOBRE 2017. — Arrêté royal concernant le transport de marchandises dangereuses de la classe 7

FEDERAAL AGENTSCHAP VOOR NUCLEAIRE CONTROLE

[2017/205650]

22 OKTOBER 2017. — Koninklijk besluit betreffende het vervoer van gevaarlijke goederen van de klasse 7

Thanks



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