



11th meeting of Technical Committee on Transport of Dangerous Goods

Hybrid Session – TCT Secretariat's premises and MS TEAMS

7th June 2023 09:00-17:00

Agreed Conclusions

Adoption of the Agenda

1. The agenda of the meeting was adopted as presented.

Welcoming remarks

2. The Technical Committee on Transport of Dangerous Goods (TCTDG) was opened by Transport Community Permanent Secretariat's Deputy Director Ljuba Siljanoska who welcomed Regional Partners and Observing Participants and pointed out two priority subjects on the agenda of the meeting: the implementation of the 112 and eCall systems which function as support for emergency intervention, as well as the implementation of the Annex of the Transport Community Treaty on Environment. She underlined that 2023 is the year when two Key performance indicators need to be complied with – transposition of Directives 2008/68/EC and Directive 2022/1999 (former 95/50/EC). Translation of ADR, RID and ADN need to be prioritised for Regional Partners. With regard to TCT Secretariat's Action Plans Progress Report, it is envisaged to be endorsed in autumn, and all Regional Partners and the Observing Participants were invited to submit their contributions.
3. Mr Roberto Ferravante, Senior Expert TDG, Unit C2 Road Safety, DG MOVE, reminded Regional Partners of their responsibilities and duties with regards to defining domestic policies on transport of dangerous goods. Mr Ferravante reiterated that translation of international agreements and their amendments that occur is important, underlining that the EU is not able to support it financially at the moment for Regional Partners due to budgetary constraints.
4. The Chair Ms Eneida Elezi thanked all participants for establishing the rolling plan for capacity building for transport of dangerous goods, emphasizing that it would enhance joint projects and programs in the future for the WB.

Tour-de-table – new members

5. A brief tour de table followed to introduce to the TDG Committee members the new participants joining the TDG Committee from Albania, Serbia, Montenegro and Kosovo*.

Plans for progress report on Guidelines

6. View to a more structural revision of Guidelines on TDG planned for 2024 and drafting of the Progress Report 2023, Regional Partners were invited to participate in a brain-storming exercise concerning the possible evolution of the Guidelines in order to better serve the interests of all contracting parties to the Transport Community.
7. The TCTDG welcomed the presentation on the current state of play of implementation of Directive 2010/35/EU on transportable pressure equipment delivered by the representatives of Albania, Mr. Meriljan Kurtaj, Director for Inspection, and Mr. Ahmet Shehu, Director of Oil and Gas Inspection, at the State Technical and Industrial Inspectorate. Current legislation, SHTII organizational structure, data on budget and enforcement activities, as well as the future plans were briefly presented, specifying the fact that transportable pressure equipment is a part of a wider market of gas means of containment. TCT Permanent Secretariat confirmed that the TAIEX application of SHTII is to be finalized as soon as possible, and that only one meeting will be needed with key experts from the EU who are involved both

* This designation is without prejudice to positions on status, and is in line with UNSCR 1244 (1999) and the ICJ Opinion on the Kosovo declaration of independence.

in policy making and in practical application of Directives 2008/68/EC and Directive (EU) 2010/35 on transportable pressure equipment (TPED).

8. STHII was invited to seek opportunities with the Ministry of Infrastructure and Economy for IPA funding in order to increase its technical possibilities – e.g. testing equipment available and required under ADR for periodic and exceptional checks. Also, the links with other legislation on chemicals will need to be further highlighted in the activities of the TCT Permanent Secretariat. Other sources of capacity building should be also explored in cooperation with EU DELs and/or EU Member States.
9. Albania also informed that in terms of market surveillance, it has decided to withdraw from the market transportable pressure equipment which are older than 40 years for safety concerns and it is currently working with the Customs based on a Memorandum of Understanding. TCT Secretariat invited the EU Member States to share their experience on the best approach in terms of cooperation on border controls of TPE. The question is if a protocol of cooperation or a legal requirement is to be foreseen in the applicable EU Acquis for products.
10. The representatives of Serbia, Mr. Bojan Miljkovic, also presented the implementation of TPED and highlighted the fact that they are faced with a problem concerning UN 1940 Aerosols, and implementation of the relevant EU Acquis¹. It was agreed that a more systematic approach would be needed on this issue, and Serbia was encouraged to engage further in international exchanges of experience related to this issue. Follow-up to be ensured as soon as possible.
11. Serbia also informed that it has strictly forbidden the filling of LPG cylinders in gas stations due to safety reasons, in particular the impossibility of control for filling level in such circumstances.
12. Another concern raised was the presence on the market of cylinders approved by the Department of Transport of United States according to CFR 49² which are imported according to the newly added section 1.1.4.7 in ADR/RID. The representative of the TCT Permanent Secretariat remarked that competition of ADR cylinders and DOT cylinders is a historical fact that generated the split between TPED and UN cylinders, as well as the multilateral agreement with the longest life span³.
13. TCT Permanent Secretariat drew attention to traffic of small items containing dangerous goods and which are products addressed to end users (e.g. Helium cylinders, certain refrigerant gases) which were proved to present high levels of danger due to non-compliance with EU Acquis, insufficient technical information concerning the conditions of approval or non-compliance with approval conditions for cylinders and substances alike. Further discussions on these items were planned for subsequent sessions.
14. The representative of Kosovo, Mr. Bekim Gojani from the Ministry of Environment, Spatial Planning, and Infrastructure also took the floor in order to highlight their needs of capacity building concerning transport of Class 7 Radioactive substances and the fact that significant progress was achieved with the ongoing update of the Law on Road Transport.
15. The representatives of Kosovo thanked the TC Secretariat for their help concerning the development of a capacity building program via TAIEX for tachographs and urged the international community and the European Commission to find further solutions to make sure that social legislation is applied for the drivers of this Regional Partners. This is a particularly important issue for road safety and can impact

¹ Council Directive 75/324/EEC of 20 May 1975 on the approximation of the laws of the Member States relating to aerosol dispensers, OJ L 147, 9.6.1975, p. 40–47, as amended. For further information, please access [Aerosol Dispenser Directive \(europa.eu\)](https://eur-lex.europa.eu/eli/dir/1975/324/oj), the consolidated version of the legal act [EUR-Lex - 01975L0324-20180212 - EN - EUR-Lex \(europa.eu\)](https://eur-lex.europa.eu/eli/dir/1975/324/oj), and ADR/RID/ADN section 1.2.1, definition “*Aerosol or aerosol dispenser*”, and section 6.2.6.4 of the agreements. To avoid doubling of competences, discussions are recommended from an early stage with all the relevant consumer protection services and product related authorities in each administration.

² Code of Federal Regulations [eCFR :: Title 49 of the CFR -- Transportation](https://www.ecfr.gov/current/title-49--transportation)

³ M318 Carriage of pressure receptacles authorized by the United States of America Department of Transportation in relation to 1.1.4.2 ([ADR Multilateral agreements | UNECE](#)) which was still in force up to 1 June 2023. This used to be the most updated multilateral agreement concluded in accordance with section 1.5.1.1 of ADR/RID.

negatively transport of dangerous goods, as ADR drivers are still using instruments defined prior to digitalization and that can be tempered easily. It is a safety concern not only on the Kosovar territory, but also in the neighboring Regional Partners or EU Member States.

16. In conclusion of the point, TCT Permanent Secretariat encouraged all Regional Partners and Observing Participants to kindly contact TCT for bilateral meetings view to definition of programs related to capacity building. The requests of Albania, Serbia and Kosovo will benefit from priority as they are more mature.
17. The Progress report needs to be concluded with the members of the Committee by 1 September, so bilateral meetings will be organized with each Regional Partner and Observing Participant during summer.

Follow-up of the informal sessions of the TDG Committee

18. The representative of the TCT Permanent Secretariat thanked all the delegations who actively participated in the informal sessions of the TDG Committee and explained that due to the large number of technical assistance requests received recently, including during the current meeting, a revision of the Roadmap on Capacity Building will be added either in the Progress Report on the Guidelines or published on the website on the occasion of an informal meeting.
19. Slides 5-7 of the TCT Presentation depict the current status quo of the events proposed to be developed in the TCT budget which is still under approval, as well as the TAIEX projects ongoing and those who are still to be launched and include a multilateral component.
20. On the specific item of enforcement, it was announced that the Albanian delegation will be kindly asked for cooperation on definition of the Agenda of the Workshop on 10-12 October 2023.
21. Also, Georgian rail representatives were asked for support in definition of an Agenda for the event in February 2024 concerning the Joint (WB6+OP3) training on RID and SMGS Annex II interrelation and their application in practice.

Preparedness of emergency services to deal with accidents on transport of dangerous goods and 112/ecall

22. The point was a result of the ongoing activities supported Montenegro - TAIEX Case ID ETT 81894 Emergency services capacity building in case of an accident while transporting dangerous goods which highlighted an example that can be followed by the entire region. A diagnosis of the state of implementation of the EU emergency response number 112 and eCall has been developed in cooperation with the Regional Partners and Observing Participants during informal sessions of the Committee and in bilateral meetings and the document will be published on the TC website. The implementation of the unique emergency number is uneven in the region, even if all Regional Partners intend to increase tourism.
23. Ms Holta Komino, General Director of FPRS, Ministry of Interior reported on the implementation of 112 service system in Albania in 2016. Legal basis for the establishment of the joint emergency services project was presented, as well as the advantages of implemented system, statistical data on its work and future plans. Albania is to receive assistance for capacity building for firefighters under TAIEX 33064, but further support was requested from TC Permanent Secretariat in development of IPA projects to continue development of services for coordination between different administration levels, such as 112 and eCall, and also to upgrade the park and personal protection equipment for firefighters.
24. Mr Djordjije Vujovic, Head of department in Operational Communicational Centre 112 (RCC112) presented the work of 112 emergency service in Montenegro. Organisational structure of Operational Communication Center 112, application for mobile phones, e-call service, statistical data for RCC's work in 2022, legislative framework and relation with transport of dangerous goods were introduced.
25. Mr Nehat Koçinaj, Director of the Emergency Management Agency in Kosovo, also wanted to take the floor to present the Kosovar experience with implementation of 112, but the intervention needed to be postponed due to technical problems.

26. The issue of implementation of 112 and eCall emergency management will continue to be supported by the Transport Community Permanent Secretariat, as the Road Safety Technical Committee has already expressed interest in this matter. Ms Liljana Cela, Desk Officer on Road Safety, informed about existent interest in this area.

27. The Technical Committee encouraged further contacts with the EU Delegations, the Commission services and relevant international organizations, to support the implementation of these services.

Acquis on Environment in Annex I.6 of the Transport Community Treaty

28. The TCTDG welcomed the intervention of Ms Aleksandra Bujaroska, Environmental Expert from the Energy Community Secretariat. Ms Bujaroska briefly presented work of Energy Community Secretariat in the area of environmental protection and underlined the importance of conducting environmental impact assessment in transport projects that are under the competence of ministries for transport in WB.

29. Ms Maria Victoria Bord, Desk Officer for EU Acquis at TCT Secretariat, invited Regional Partners to take into consideration obligations stipulated in Annex I.6 of the Transport Community Treaty - acquis on environment. TCT Secretariat and Energy Community Secretariat will further explore convergence of activities in this regard and possible areas of joint work which relate to transposition and implementation of EU environmental acquis.

30. Ms Rovena Troplini, University of Durres presented the role of Circular Economy in Transport Dangerous Goods and the impact of Academia in Albania in this regard. TCT Secretariat congratulated Albania for having incorporated Academia in their delegation and invited to further cooperation concerning interdisciplinary developments.

31. Albania was also congratulated for ensuring the presidency of the Energy Community and for excellent results of the project of conservation of the Viosa River Natural Park.

32. TCT Secretariat explained that transport of dangerous goods is an area where the impact of environmental law can be discerned in matters of classification – e.g. UN 3082 Environmentally hazardous substance, liquid, n.o.s.. The sector can benefit from further in depth analysis of the environmental concerns, and this is an aspect to be further considered by all the relevant stakeholders, including transport operators and producers of dangerous goods.

33. The Chairperson suggested TCT to further work with the regional partners on issues such as dangerous wastes and, in particular, asbestos.

Enforcement of TDG a multisectoral exercise

34. Henri Telharaj, Road Transport Task Force in Albania reported on TDG enforcement. Institutional structures and administrative capacities for enforcement cooperation were presented, as well as the future plans for improving the enforcement through TAIEX projects, workshops (including the one planned for October in Albania) and other instruments such as acquisition of equipment via IPA etc.

35. The TCTDG welcomed presentation on uniform procedures for checks on the transport of dangerous goods by road and implementation of Council Directive 95/50/EC of 6 October 1995 on uniform procedures for checks on the transport of dangerous goods by road which was recently consolidated as Directive (EU) 2022/1999 of the European Parliament and of the Council of 19 October 2022 on uniform procedures for checks on the transport of dangerous goods by road into Serbian national legislation given by Ms Ana Senicic, Transport of Dangerous Goods, Ministry of Ministry of Construction, Transport and Infrastructure.

36. TCT Permanent Secretariat announced its intention to organize in October 2023 a workshop concerning implementation of Directive (EU) 2022/1999, and Regional Partners and Observing Participants were invited to organize during the upcoming period a week of checks on ADR. Controls organized within this “ADR enforcement week” by all relevant institutions having control attributions. The following areas could be in focus: respect of labeling and marking requirements in ADR, respect of loading/filling conditions, ADR driver certificates and/or dangerous goods safety advisers certificates if such checks are performed at the premises of the undertakings.

37. Each Regional Partner and Observing Participant will be invited to present the actions developed during the Workshop and to share the results of the checks with the TC Permanent Secretariat not later than 15 September 2023.

Activities of ERA for support of Regional Partners and Observing Participants

38. Mr Emmanuel Ruffin from the European Union Agency for Railways reported on implementation of RID/ATMF agreement in the EU, in particular digital automatic coupling and other wagon-related requirements for TDG. This informal working group is addressing issues at intersection between the EU rail safety law and RID. Regional Partners and Observing Participants were invited to attend if possible in September. TCT Secretariat thanked ERA for having included in EUMedRail project colleagues from the Observing Participants – a step forward in increasing capacity for officials dealing with rail TDG.
39. The TCTDG welcomed presentation on co-financing of the TDG operations through business opportunities in the Western Balkan given by Ms Eneida Elezi, Foreign Affairs, Albanian Railways S.A. The presentation tackled ongoing and future projects of Albanian Railways and the line Ministries financed within IPA III 2021-2027 or co-financed by the Albanian government, IFIs as well as the Western Balkans Investment Framework. Some of the most relevant are: Durres - Tirana and link to TIA Rinas branch, Vora- Hani i Hotit, IPA Cross-Border Cooperation Program Greece – Albania project “Initiative for improving cross border transport through rail connection between Krystallopigi and Pogradec”, SCOPE Shared freight transport services connecting shipper and carrier operations.
40. TCT Secretariat asked the Albanian delegation to focus on the area of transport of dangerous goods, and congratulated on the achievements done so far.

Any other business

Activities in Albanian Sea Ports concerning transport of dangerous goods

41. Ms Ergis Kryekurti, General Maritime Directorate presented work and competencies of General Maritime Directorate in Albania, its organisational structure, legislation in force with relate to transport of dangerous goods by sea and relevant figures from its work in 2022. The Ministry needs assistance to increase performance in inspections of vessels and ports active in transport of dangerous goods.
42. Ms Dorina Mashi, Port Authority of Shengjin introduced the TCTDG with technical data on processing capacities of Port of Shengjin. Moreover, she briefly presented capacities and figures related to storage warehouses, passenger terminals other authorities operating in the port of Shengjin, as well as requests for assistance and capacity building.
43. TCT Secretariat understood the request of the Ministry and will look into ways in which it could be addressed. Port inspection, however, is a matter which is in the competence of the Waterborne Committee and cooperation will be continued from that point of view via that instance. It was mentioned that a TAIX application concerning the IMDG Code is currently under approval by the Commission services done by the Center of Excellence on Maritime Affairs (CEMA), and further activities could be considered at a later stage, after completion of that project. Unfortunately, a representative of this institution was not present due to coincidence of events.
44. It was highlighted that the Directorates in direct relation with the ongoing projects, as well as the other institution with connected competences should always be inform and participate in the activities organized by technical institutions under their mandate. Internal cooperation is key to the development of policies.