

ADDITIONAL PROVISIONS of the Netherlands
concerning the transport of dangerous goods by rail

From: "Regeling vervoer over de spoorweg van de gevaarlijke stoffen" (Regulation concerning the transport of dangerous goods by rail), Annex 2 (as amended in February 2007)

[Remark: In the following text Annex 1 means the Dutch translation of RID.]

Article 1 Implementation of Directive 96/49/EC on the approximation of the laws of the Member States with regard to the transport of dangerous goods by rail

1. The Minister may grant derogations from Annex 1 after consulting the Commission of the European Communities, insofar it concerns transport:
 - a. on particular designated routes on Dutch territory;
 - b. for purpose of a defined industrial process; and
 - c. of a local nature.
2. In the conditions of the derogation at least specific provisions with respect to enforcement shall be included.

Article 2 Implementation of Directive 96/49/EC on the approximation of the laws of the Member States with regard to the transport of dangerous goods by rail

1. The Minister may grant temporary derogations from Annex 1 for the purpose of carrying out the trials necessary before the amendment of that Annex in order to adapt them to technological and industrial developments. The Minister shall inform the Commission of the European Communities accordingly.
2. The derogations shall be applied without discrimination on grounds of the nationality or place of establishment of the consignor, carrier or consignee; they may last for up to five years and shall be non-renewable.
3. The Minister shall grant exemption from this Regulation as referred to in article 9 of the *Wet vervoer gevaarlijke stoffen* (Transport of Dangerous Goods Act), other than that referred to in paragraphs 1 and 2, only where such exemption relates to one specific case which, in his opinion, is clearly defined and subject to a time limit.

Article 3 N- and NE- provisions

1. The N- or NE- provisions in this Annex :
 - a. are supplementary to Annex 1; or
 - b. replace the obligations referred to in the provisions numbered correspondingly in Annex 1, insofar as they contain obligations that are incompatible with the provisions numbered correspondingly in Annex 1,
2. When the provisions of this Annex apply exclusively to national transport, the letter "**N**" is indicated at to the provisions.
3. When the provisions of this Annex apply to both national and international transport, the letters "**NE**" are indicated at the provisions.

1.5.1.1 N Multilateral agreements

1. National transport may take place in accordance with multilateral agreements as referred to in article 5 of this Regulation, under the condition that the agreements are signed by the Netherlands.
2. With regard to transport that complies with the multilateral agreement referred to in paragraph 1, the transport provisions in that agreement shall be observed.

1.9.5.1 NE Stabling of railway wagons

1. The following definitions are applicable in this NE-provision:
 - a. Stabling: the actual presence of a wagon or of wagons stationary on a railway outside the establishment of the consignor or consignee, after conclusion of the marshalling process in the relevant marshalling yard;

- b. Irregularity: an occurrence where the relevant wagon or its load no longer complies with the requirements of this regulation.
2. The stabling of wagons with high consequence dangerous goods as referred to in section 1.10.5 of Annex 1 and of wagons on which road vehicles are loaded - in piggyback transport according to subsection 1.1.4.4 of Annex 1 – containing such goods, is only permitted when paragraphs 3 to 6 are observed.
3. Before stabling the wagons referred to in paragraph 2, they shall be checked for irregularities. This check shall be repeated at least every eight hours in the course of the stabling, unless the wagons are under permanent supervision.
4. A record of the checks and the supervision shall be kept. In this record at least the following data shall be entered:
 - a. wagon number
 - b. date and time of the checks
 - c. observed irregularities
 - d. measures taken, if necessary.
5. The checks and the supervision referred to in the third paragraph and the record referred to in the fourth paragraph, shall take place under the responsibility of the carrier.
6. The record, referred to in the fourth paragraph, shall be retained for at least three months.

1.9.5.2 NE Prior notification, supervision and procedures for the transport of goods of Class 1.

1. The following definitions are applicable in this NE-provision:
 - a. competent military authority: the Minister of Defence or military agencies designated by the Minister;
 - b. Military consignments: consignments of explosives which:
 - 1°. are shipped by the Netherlands or an allied armed force, by order of the competent military authority or of an agency of the allied armed force; or
 - 2° are shipped by order of the competent military authority to a military agency, in which case the consignor shall attach an authorisation of the competent military authority to the consignment note, in order to hand over for carriage the consignment as a military consignment.
2. Prior notification
 - a. The handing over for carriage of substances or articles of Class 1 shall take place after previous notification to and after consulting the carrier. If more than four wagons are needed for the transport, this notification shall take place five days in advance.
 - b. The carrier shall give prior notification to the consignee that a consignment of substances and articles of Class 1, intended for him, is on its way.
 - c. If one or more wagons loaded with substances and articles of Class 1 are carried in a train, the carrier shall give prior notification to all relevant traffic control offices.
 - d. The carrier shall notify without delay the consignee of the arrival of a consignment of substances and articles of Class 1 at the station of destination.
 - e. In the case of consignments from foreign countries, the carrier who takes over the consignment of substances and articles of Class 1 from the foreign carrier shall notify without delay the competent military authority in the case of military consignments the arrival at the handing-over station.
 - f. If a consignment is handed over to another carrier, the carrier shall notify this other carrier as soon as possible.
3. Supervision and escorting
 - a. The loading and unloading of military consignments with substances and articles of Class 1 shall take place under supervision of persons designated by the competent military authority.
 - b. The loading and unloading of non-military consignments shall take place under supervision of an appropriate expert.

- c. In the case of military consignments the competent military authority is authorised to check if the provisions of this regulation are observed.
- d. Military consignments of substances and articles of Class 1 shall be escorted by or on behalf of the competent military authority, if he considers this to be needed. The escorts take a seat in a wagon equipped for that purpose and which is situated in front or behind the military consignment at least at a safety distance as mentioned in section 7.5.3 of Annex 1. As far as the presence of persons in wagons is not forbidden, only those persons designated by the competent military authority for escorting purposes may be present in the wagon referred to.
- e. The carrier shall put at the disposal of the escorting persons, referred to in paragraph d, accommodation fulfilling reasonable requirements, the costs of which are laid down in the tariffs referred to in the General Regulation of Transport.

4. Transport

- a. Hump-shunting or loose-shunting is not allowed for wagons loaded with substances and articles of Class 1.
- b. If any delay in the transport of a wagon, loaded with substances and articles of Class 1, takes longer than three hours, the carrier shall bring this to the notice of the mayor of the municipality where the delay takes place, in order that he can take measures necessary in his opinion for public safety.
- c. If any irregularity is observed with a wagon loaded with substances and articles of Class 1 or with the load itself, the carrier, without prejudice to article 47 of the Transport of Dangerous Goods Act, shall give notice thereof to the local mayor, to the competent military authority in the case of military consignments, and to the Transport and Water Management Inspectorate in the case of a non-military consignment. If needed, the relevant wagon, with regard for the necessary precautionary measures, shall be removed from the train, after consulting the escort, if present.
- d. If transhipment of a wagon loaded with substances and articles of Class 1, being part of a military consignment, is inevitable, the transhipment shall take place under supervision of persons designated by the competent military authority.

5. Arrival and delivery

- a. Substances and articles of Class 1 shall be unloaded and removed as soon as possible, but within eight hours of the wagons with these substances and articles having been offered for unloading at the load transfer point (within or outside the premises of the station).
- b. If a consignment of substances and articles of Class 1 has not been removed eight hours after having been offered for unloading at the local transfer point, or if the consignment is in such a condition that continuation of the transport is deemed to be dangerous, the consignment shall be put at the disposal of the local mayor without delay, in order that he can take measures necessary in his opinion for public safety.

6. The requirements of this NE-provision are not applicable to consignments being carried as express parcels, pursuant to chapter 7.6 of Annex 1.

1.9.5.3 NE Physical protection of nuclear material of Class 7

1. In this subsection the definition of “stabling” is as follows: the actual presence of a wagon or of wagons stationary on a railway outside the establishment of the consignor or consignee, after conclusion of the marshalling process in the relevant marshalling yard.

2. The following requirements are applicable to the transport of nuclear material of category I according to annex II to the Convention on Physical Protection of Nuclear Material (Trb. 1981, 7):

- a. The material shall be carried in wagons, containers or packages, closed and sealed by the consignor;
- b. The consignments referred to under a. shall be carried on a freight train specially dedicated for the transport of these goods;
- c. The traction unit drawing the wagons referred to under a. shall have at its disposal a telecommunication device, enabling direct contact with the Emergency Centre of the Railway Police division of the National Police Services Agency;
- d. In the case of a consignment from a foreign country the carrier shall ascertain at the station where the consignment is taken over from the foreign carrier, that the transport permit is present with the consignment;
- e. The carrier shall make arrangements for the transport in such a way that delays over three hours do not occur. If by exceptional circumstances such a delay occurs, the carrier shall notify the Emergency Centre of the Railway Police division of the National Police Services Agency, mentioning the number of the transport permit;
- f. The consignment shall be escorted by the railway police;
- g. The carrier shall make those arrangements needed to carry out the transport as soon as possible. At all times standby rolling stock and staff shall be available;
- h. The carrier shall notify the consignee without delay of the arrival of the consignment at the station of destination. The consignee shall notify the arrival to the authority granting the permit;
- i. The consignment shall be unloaded and removed as soon as possible, but within eight hours of the wagons with this consignment having been offered for unloading at the load transfer point (within or outside the premises of the station);
- j. The holder of the transport permit and the carrier shall take care that data relating to the transport are only known to persons who are directly involved in the transport;
- k. The holder of the transport permit shall inform all carriers involved about the transport.

3. The following requirements are applicable to the transport of nuclear material of categories II and III according to annex II to the Convention on Physical Protection of Nuclear Material:

- a. Parts a, c, d, g, h, i, j and k of the second paragraph, are applicable by analogy;
- b. The stabling of wagons with consignments mentioned in the second paragraph, part a, is permitted if these wagons are under constant supervision. If stabling takes longer than eight hours, the carrier shall notify the Emergency Centre of the Railway Police division of the National Police Services Agency, mentioning the number of the transport permit.

1.9.5.4 NE Prior notification, supervision and procedures for the transport of UN 1017 chlorine

1. The following requirements are applicable to the transport of UN 1017 chlorine in tank wagons or tank containers:

- a. The transport shall take place only in trains or sets of wagons in which no tank wagons or tank containers, other than those with UN 1017 chlorine are incorporated;
- b. The speed of the train in transport shall not exceed 60 kilometres per hour;
- c. In tunnels where the advisory speed for freight trains exceeds 60 kilometres per hour, this advisory speed is applicable;
- d. Apart from the normal communication system the train shall be equipped with a communication system, intended for safety messages between the engine driver and traffic controller, in working condition;
- e. Prior to transport the carrier shall inform the centralized traffic control that the relevant train carries UN 1017 chlorine;
- f. In the traffic information systems of the centralized traffic control a train carrying UN 1017 chlorine shall be clearly marked as such;

- g. The centralized traffic control shall continuously monitor a train with UN 1017 chlorine on the traffic information system;
- h. The engine driver shall report without delay, every deviation of more than five minutes compared to the established timetable to the traffic control. If needed, a new timetable shall be established in consultation between the carrier and traffic control, depending on the cause, the nature and the scope of the deviation;
- i. The traffic control shall report a deviation mentioned under part h, to the Emergency Centre of the Railway Police division of the National Police Services Agency;
- j. Tank wagons and wagons with tank containers with UN 1017 chlorine shall not be hump-shunted or loose-shunted, but marshalled by a motive power unit, coupled to the wagons;
- k. The transport shall take place, if possible, at a time when as little as possible interaction with other traffic may take place.

2. The requirements of this NE-provision are, with the exception of parts d and j of the first paragraph, not applicable to empty tank wagons and tank containers, uncleaned from UN 1017 chlorine.

4.3.3.4.3 NE Control measures after filling tank containers with gases of Class 2

- a. The consignor shall check after filling tanks with liquefied gases, refrigerated liquefied gases or gases dissolved under pressure of Class 2, by weighing the tank container that the prescribed degree of filling of the tank has not been exceeded.
- b. The gauge pressure in the gas phase shall not exceed by more than 100 kPa (1 bar) the value of the vapour pressure (absolute pressure) of the liquefied gas at the temperature of the liquid phase.
- c. By derogation from part b, Table A of chapter 3.2 of Annex 1 is applicable to UN 1040 ethylene oxide with nitrogen.

5.2.1.5 N Marking on packages containing goods of Class 1

If the markings, referred to in subsection 5.2.1.5 of Annex 1, are written in French, German, Italian or English, markings in Dutch are not needed.

5.4.1.4.1 N Information in the consignment note

It is permitted to enter in the consignment note the information required in paragraph 5.4.1.4.1 of Annex 1 in the Dutch language only.

7.5.1.4 NE Way of consignment of goods of Class 1

Except for the substances and articles referred to in chapter 7.6 of Annex 1, permitted for carriage as express parcels, substances and articles of Class 1 shall be carried as wagonload or full load only.