

**Seminar on Emergency Planning in Rail Marshalling Yards  
Dijon/France, 18 and 19 April 2000**

**Report and Conclusions**

The International Union of Railways (UIC) and the Federation for the Community of European Railways (CER) staged a seminar on 18 and 19 April 2000 at Dijon/France in order to consult Member States, the European Commission and other interested parties on a draft guidance document concerning "*Emergency Planning Guidance for Rail Marshalling Yards*". The seminar had been jointly organised by the UIC Policy Co-ordination Group on Dangerous Goods and CER.

For the railway sector, the seminar represented a follow-up to two European workshops held at Livorno (May 96) and Barcelona (April 97), both aimed at examining relevant Community and International laws covering safety aspects of transport-related activities at docks, wharves and marshalling yards, which are excluded from the scope of the Seveso II Directive (96/82/EC), with a view to demonstrating that these provide a level of safety broadly equivalent to that established by the Directive (principle of "broad equivalence").

The workshops came to the conclusion that in the area of accident prevention considerable progress has been made towards integrating environmental protection requirements into the definition and implementation of other Community and international policies, in particular in the field of transport, and that therefore "broad equivalence" could be assumed for existing regulatory measures covering rail marshalling yards. However, gaps in the field of limitation of the consequences of accidents and a particular need for further action on developing planning for emergencies were identified.

Following a brief review of the discussions and conclusions of the two workshops and a visit to the Gevrey marshalling yard, the main part of the seminar was devoted to the draft guidance document for emergency planning in rail marshalling yards. The discussion was preceded by a presentation of the document including a summary of comments requested and received prior to the meeting.

While welcoming the initiative taken by the railway sector, participants representing the various stakeholders identified amendments and additions that should be considered in developing the guidance document, for example,

- a distinction between general considerations and specific measures for emergency plans;
- risk identification as part of the emergency planning process;
- the issue of information to the public living in the vicinity of marshalling yards;
- the interaction between internal emergency plans (marshalling yard operators) and external emergency plans (local authorities responsible for civil protection);
- the preparation of case studies to give a better understanding of the entire emergency planning process.

Questions were also raised as to the status and the practical implementation of the final guidance document in the railway sector.

The conclusions of the seminar were presented by the European Commission representatives (DG Environment/DG Transport and Energy) in agreement with the organisers (UIC/CER), as follows:

- the draft guidance document on emergency planning in rail marshalling yards constitutes an important step in the follow-up to the Seveso II Directive for the excluded sector of marshalling yards, particularly in the field of limiting the consequences of accidents;
- it was recalled that in the area of the transport of dangerous goods, the main objective of the RID regulations is a systematic prevention of accidents by which “broad equivalence” (principle developed in the two workshops) is achieved; while not representing a regulatory measure, the development and implementation of the guidance document on emergency planning for rail marshalling yards aims at achieving “broad equivalence” in practice in the field of the limitation of consequences of accidents;
- the draft guidance document presented by the UIC-CER at Dijon should be reviewed, revised and completed in order to take account of the comments made prior to and during the seminar; in addition, participants were invited to forward further comments in writing in the weeks following the seminar; the Commission services will distribute the second draft guidance document prepared by UIC-CER to the Member States authorities involved;
- in order to establish a final draft guidance document, a Joint Working Group (JWG) would be set up by the Commission services in which the various ministries concerned (Transport, Environment, etc.) of the Member States would be asked to take part as well as representatives from the railway sector; the Commission would address Member States to invite them to take part in this exercise and nominate experts; CER will undertake to identify their representatives in the JWG; meetings of the JWG should be held at the premises of the Major Accident Hazards Bureau (MAHB) established within the Joint Research Centre (JRC) at Ispra/Italy; the draft final version of the guidance document would then have to be approved by the two Committees established under the Seveso II Directive and the Transport of Dangerous Goods Directives;
- in parallel, the railway sector was asked to prepare a number of case studies on the basis of the second draft guidance document, showing specific examples of the implementation of the guidance on emergency planning in a selected number of marshalling yards; the experience reflected in these case studies would be set out in an appendix to the final draft guidance document;
- the recommendations contained in the guidance document will be applied subsequently by the railway sector and by the other parties concerned; in addition to publication and circulation of the guidance document, organisational arrangements will have to be made concerning application of the document; by approving the guidance document, the various players undertake to align their emergency planning with the guidance; moreover, it would be advisable to draw up a UIC leaflet on the subject;
- after its ‘approval’, the guidance document should be officially transmitted to all Member States by the Commission asking them to monitor the implementation of emergency planning in rail marshalling yards.

The representatives of the Commission services considered that there was no need to envisage an initiative to introduce legislation on marshalling yards in the framework of the follow-up to the Seveso II Directive if a full implementation of the guidance on emergency planning can be achieved throughout the whole railway sector.

The voluntary action in the field of emergency planning undertaken by the railway sector should be seen within a “transport context”, and therefore be consistent with all measures (legislative and other) applicable to the transport of dangerous goods by rail.

If at a later stage a legislative initiative were to be envisaged, it should preferably be taken within the context of transport legislation, for example by making reference to the UIC leaflet in legally binding documents at national and international level (such as the RID), provided that this can ensure a level of safety equivalent to that established by the Seveso II Directive.