

NSA Annual Report 2009 Norway

Table of content:

A.1. Scope of the report.....	3
A.2. Executive Summary of the report	3
B. Introductory Section	3
B.1. Introduction to the report.....	3
B.2. Railway Structure Information.....	4
B.3. Summary, General Trend Analysis.....	4
C. Organisation.....	4
C.1. Introduction to the organisation	4
C.2. Organisational Flow.....	5
D. The development of railway safety.....	5
D.1. Initiatives to maintain/improve safety performance.....	5
D.2. Detailed data trend analysis	5
D.2.1 CSI data.....	5
D.2.2 Analysis of national incidents – Norwegian Railway NSA database	6
D.3 Results of safety recommendations	8
E. Important legislative changes.....	8
F. Development in regards to safety certification and authorisation	8
F.1. National rules – start dates and availability	8
F.2. Numerical data (Annex E)	8
F.3. Procedural aspects.....	8
F.3.1. Safety Certificates Part A	8
F.3.2. Safety Certificates Part B	9
F.3.3. Safety Authorisations	10
G. Supervision of Railway Undertakings and Infrastructure Managers.....	11
H. Reporting on the application of the CSM on risk evaluation and assessment.....	12
I. NSA Conclusions on the reporting year 2009 - Priorities.....	12
J. Sources of information	12
K. Annexes	13
ANNEX A: Railway Structure Information	13
A.1 Network Map.....	13
A.2 List of Railway Undertakings and Infrastructure Managers	14
A.2.1. Infrastructure Managers	14
A.2.2 Railway Undertakings	14
Annex B: Organisational Flow for the NSA	17
B.1. Internal Organisational map	17
B.2. Relations between the NSA and other national bodies	17
ANNEX C: Detailed trend analysis.....	18
ANNEX D: Important changes to legislation.....	18
ANNEX E: The development of safety certification and authorisation – Numerical Data	19

A.1. Scope of the report

The Norwegian Railway Authority (NSA Norway) is the practical control and supervisory authority for rail traffic, including tramways, underground and suburban railways in Norway. The scope of this report covers the main national railway network. Tramways and underground are not included in the scope of this report.

The NSA is responsible for ensuring that the railway industry meet the conditions and requirements laid down in railway legislation. The NSA is also responsible for drawing up regulations, awarding licences for rail activity and approving rolling stock and infrastructure.

A.2. Executive Summary of the report

The Safety level on the Norwegian Rail Network is still having a stable development. As for the previous years the numbers are dominated by incidents related to level crossings and signals passed at danger.

The Norwegian Railway Authority aims at showing that the RU's and IM's are responsible for safety on the network, and that they by using their Safety Management Systems shall make the necessary actions to prevent accidents and incidents.

The number of railway accidents in Norway have increased from 14 to 16 from 2008-2009. The accidents included three fatalities and three persons were seriously injured. The fatalities occurred in connection with collisions between trains and persons.

On the National Network, 2 audits on A-certificates, 4 inspections on B-certificates and 6 meetings with the top management of RUs and IM were carried out in 2009. One of the audits and one of the inspections resulted in revoking the safety certificate. Another inspection led to a warning of revoking the safety certificate.

To achieve an efficient supervisory regime, the Norwegian Railway Authority use a risk based approach. Safety Management, management of subcontractors and handling of interfaces related to safety management, follow up of safety related conditions given in authorisations of placing into service and authorisation of drivers and use of drivers authorised by other RU's have been focus areas for 2009 which have been used as input when planning activities for 2010.

B. Introductory Section

B.1. Introduction to the report

This report is written by the Norwegian NSA, and contains information related to safety of the railway industry and results for parameters within railway safety for the year 2009.

The report is produced in accordance with the guidance from the European Railway Agency (ERA) and meet the requirements for reporting of safety related parameters and indicators in the Railway Safety Directive (RSD), which are also implemented in Norwegian law.

On a cautionary note it is necessary to mention that there is uncertainty about the assessment of economic consequences of delays and accidents, as the accessible data is deemed unreliable.

B.2. Railway Structure Information

See Annex A

B.3. Summary, General Trend Analysis

The Safety level on the Norwegian Rail Network is still having a stable development. As for the previous years the numbers are dominated by incidents related to level crossings and signals passed at danger. The signals passed at danger is a concern not as much by their accident potential, but also by the effect this has on the drivers respect for the signalling systems. A significant effort is made by the infrastructure owner to reduce the number of technical errors leading to such incidents.

During 2009 there has been an increase in precursors involving staff working on the tracks which led to an initiative to address this problem to the IM on the National Network. The IM also experienced several broken rails, incidents that led to focus on follow-up of the maintenance plans and on reporting of technical errors with potential safety implications.

Experience from the supervisory activity show that compliance with the established Safety Management Systems needs increased focus from the industry.

As for the two previous years attention to risks related to extreme weather conditions, mainly avalanches and mud slides still represents a challenge.

C. Organisation

C.1. Introduction to the organisation

The Norwegian Railway Authority was established 1 October 1996, and is an independent agency under the authority of Norwegian Ministry of Transport and Communications.

The NSA's activities are financed by the national budget. On the 22.June 2010 the NSA employs 39 staff sourced both from private and public sector. A Director General oversees the daily management of the NSA.

The Director General is appointed by the King following recommendation by the Minister of Communications and Transport. The NSA is divided into four units: Administration, Legal, Safety and Technical and Audits. Each unit is managed by a unit Director. The NSA's Leader Group and Crisis Management Group are comprised of The Director General and the unit Directors.

C.2. Organisational Flow

See Annex B.

D. The development of railway safety

D.1. Initiatives to maintain/improve safety performance

To achieve an efficient supervisory regime, the Norwegian Railway Authority use a risk based approach. In the planning of the supervisory activities, experience from accident and incident reporting and experience related to other processes are used actively to prioritise our focus on the activities representing the highest risks.

Based on this specific focus was given to:

- Safety Management (management responsibility, internal audits, management reviews etc)
- Management of subcontractors and handling of interfaces related to safety management
- Follow up of safety related conditions given in authorisations of placing into service
- Authorisation of drivers and use of drivers authorised by other RU's

The Norwegian Railway Authority aims at showing that the RU's and IM's are responsible for safety on the network, and that they by using their Safety Management Systems shall make the necessary actions to prevent accidents and incidents. It is only in a very few cases that use of sanctions by the Authority have been necessary to ensure that proper actions have been taken.

The Norwegian Railway Authority follows up all recommendations in reports from the National Investigation Body to ensure that the RU's and IM's implement adequate measures.

To promote safety an annual Safety Conference is held by the Norwegian Railway Authority. In 2009 main focus was on Safety Culture and compliance with rules and regulations.

D.2. Detailed data trend analysis

D.2.1 CSI data

Registration of safety indicators (CSI) according to the Safety Directive started in 2007 with 2006 as reference.

Costs due to accidents are directly reported costs, reported by the actors on the national rail network.

16 accidents were reported in 2009, according to the CSI definitions. The accidents included three fatalities and three persons were seriously injured.

Most train accidents fall under the category of "collisions with objects" within the clearance gauge. During 2009 there was one "collision between two trains". The

accident did not result in injuries or major damage but caused disruption in traffic for more than six hours

Summary of safety indicators 2009:

Number of significant accidents; 16

Number of fatalities; 3

Number of serious injury to person; 3

Number of precursors to accidents; 193

Cost of all accidents 31.000.000NOK

D.2.2 Analysis of national incidents – Norwegian Railway NSA database

This section of the report deals with the incidents reported to the NSA. The use of the term “accident” in this report is used in accordance with the CSI definition.

National legislation in Norway requires reporting of major incidents and accidents to NSA Norway and the Accident Investigation Board for public transport within 72 hours after the incident occurred. All other incidents affecting railway safety shall be reported to NSA Norway within 8 days.

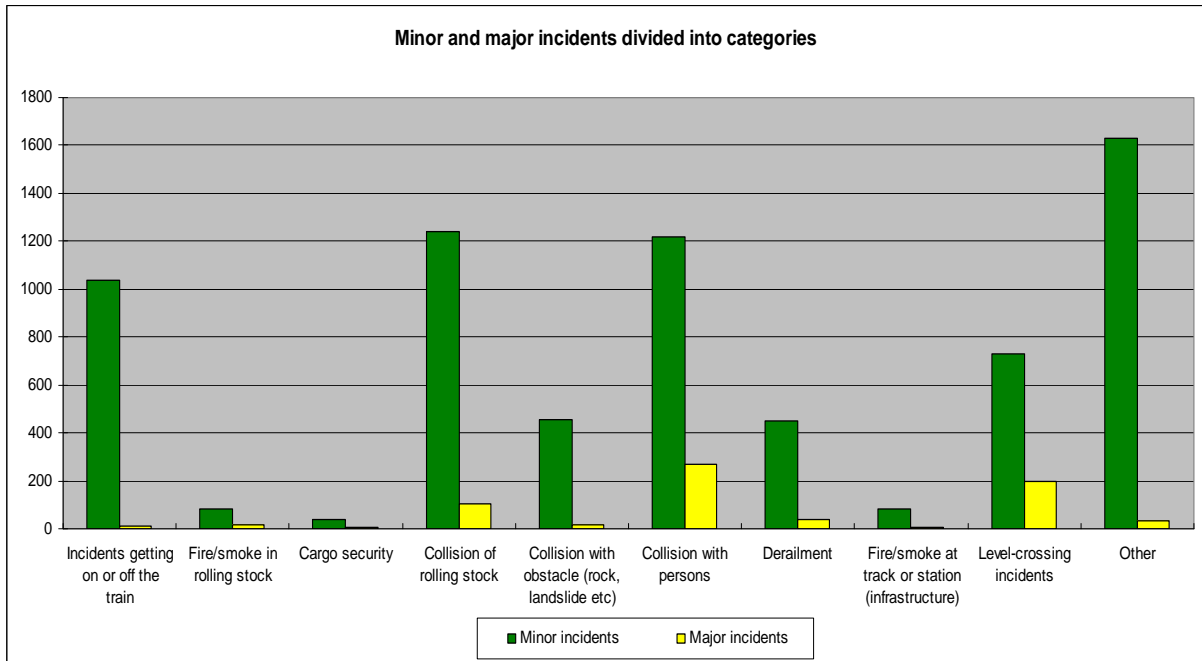
NSA Norway receive the reports electronically via the form on our website and via the import feature of our IT reporting system “Synergy”, which is used by NSA Norway and other relevant actors in Norway.

NSA Norway received 7840 reports of incidents and accidents from the infrastructure managers and railway undertakings on the national rail network during 2009, which is an increase of about 200 reported incidents compared with 2008. There has been a steady increase in reporting over the past three years from the actors on the national railway network.

91% of incidents and accident reported in 2009, were classified as “minor incidents” in Norway.

8.8% of incidents and accidents reported were classified as “major incidents” in Norway.

“Significant accidents” account for 0.2% of the reported “incidents” and “accidents”. In 2009 there were 16 accidents compared to 14 in 2008.



Most of these “incidents” were near-misses. For example the category “collision rolling stock”, consist mainly of signals changing from red to green light caused by technical error and which constituted no immediate danger of collision. Other “incidents are mainly caused by passengers and third parties, or are “incidents” which do not fit into any of the other categories.

Long-term trends show an increase in the areas of

- Incidents related to level crossings
- Signals passed at danger (including both technical failure and human errors)
- Precursors to accidents involving staff working on tracks
- Broken rails

Railway accidents divided by category last four years



16 train accidents were reported in 2009, two more than during 2008. Three serious injuries and three fatalities were reported, two more fatalities than in 2008. The fatalities occurred in connection with collisions between trains and person. Two of the accidents were on level crossings.

D.3 Results of safety recommendations

To be produced and distributed by Norwegian NIB.

E. Important legislative changes

There has been considerable legal changes in 2009, see Annex D for detail.

F. Development in regards to safety certification and authorisation

F.1. National rules – start dates and availability

1.1. Starting date for issuing safety certificates in Norway was through regulation 16 December 2005 nr. 1490 on licensing, safety certification and access to the national railway network, and on safety authorisation to operate railway infrastructure (lisensforskriften) which came into force 1 January 2006.

1.2. National rules on safety on railways and other relevant law are accessible for all on the NSAs web page: www.sjt.no. RUs and the main IM have access to information about requirement for documentation related to applications etc on this webpage.

- Relevant law can also be found on the Norwegian legal databases web page: www.lovdataba.no

F.2. Numerical data (Annex E)

F.3. Procedural aspects

F.3.1. Safety Certificates Part A

3.1.1. Reasons for updating/amending Part A Certificates (e.g. variation in type of service, extent of traffic, size of company)

- One part A certificate were updated in 2009 with new lines and the approval for transporting dangerous goods. Further more 7 new part A and B certificates were awarded to RUs based in Norway. Five of them are performing passenger transport and two goods transport. All new certificates were according to the Safety Directive (2004/49/EC) and all companies have had service under the old regime.

3.1.2. Main reasons if the mean issuing time for Part A Certificates (restricted to those mentioned in Annex E and after having received all necessary information), was more than the 4 months foreseen in Article 12(1) of the Safety Directive
- Not happened in 2009.

3.1.3. Overview of the requests from other National Safety Authorities to verify/access information relating the Part A Certificate of a Railway Undertaking that has been certified in your country, but applies for a Part B certificate in the other Member State
- No such requests.

3.1.4. Summary of problems with the mutual acceptance of the Community wide valid Part A Certificate
- Emergency plans are not a requirement in our neighbouring railway legislation for the RU's but only for IM. This leads to challenges when assessing applications for B certificates from RU from neighbouring country.

3.1.5. NSA Charging fee for issuing a Part A Certificate (Yes/No – Cost)
- No cost.

3.1.6. Summary of the problems with using the harmonised formats for Part A Certificates, specifically in relation to the categories for type and extent of service
- Formats were implemented in Norway from December 2007. No problems experienced.

3.1.7. Summary of the common problems/difficulties for the NSA in application procedures for Part A Certificates.
- No problems.

3.1.8. Summary of the problems mentioned by Railway Undertakings when applying for a Part A Certificate
- Several topics has been challenging for the RU's. In order to help this situation the Norwegian Railway Authority has issued several written guidelines.

3.1.9. Feedback procedure (e.g. questionnaire) that allows Railway Undertakings to express their opinion on issuing procedures/practices or to file complaints
- According to Norwegian legislation it is possible to file a complaint if they don't agree with a decision from the Norwegian NSA. No feedback procedures for the RU's to state their opinion on the process have been established.

F.3.2. Safety Certificates Part B

3.2.1. Reasons for updating/amending Part B Certificates (e.g. variation in type of service, extent of traffic, lines to be operated, type of rolling stock, category of staff, etc.)

- A total of four part B certificates were amended in 2009 and all were goods operators. Three part B certificates were updated for Swedish RU's who needed additional lines and one Norwegian RU who needed added lines and the approval for transport of dangerous goods.

3.2.2. Main reasons if the mean issuing time for Part B Certificates (restricted to those mentioned in Annex E and after having received all necessary information), was more than the 4 months foreseen in Article 12(1) of the Safety Directive
- Not happened in 2009.

3.2.3. NSA Charging fee for issuing a Part B Certificate (Yes/No – Cost)
- No cost.

3.2.4. Summary of the problems with using the harmonised formats for Part B Certificates, specifically in relation to the categories for type and extent of service
- No problems.

3.2.5. Summary of the common problems/difficulties for the NSA in application procedures for Part B Certificates.
- Emergency plans not a requirement in our neighbouring railway legislation for the RU's but only for IM. This leads to challenges when assessing applications for B certificates from RU from neighbouring country.
- Training plans for different personnel groups are often not fulfilling national requirements.

3.2.6. Summary of the problems mentioned by Railway Undertakings when applying for a Part B Certificate
- Some minor problems with understanding some national requirements because of differences between the home Member State and the Part B Member State.

3.2.7 Feedback procedure (e.g. questionnaire) that allows Railway Undertakings to express their opinion on issuing procedures/practices or to file complaints
- According to Norwegian legislation it is possible to file a complaint if they don't agree with a decision from the Norwegian NSA. No feedback procedures for the RU's to state their opinion on the process have been established.

F.3.3. Safety Authorisations

3.1.1. Reasons for updating/amending Safety Authorisations
Safety authorisation was amended to the National infrastructure manager 26th of June 2009 and is valid until 10th of July 2012.

3.2.1. Main reasons if the mean issuing time for Safety Authorisations (restricted to those mentioned in Annex E and after having received all necessary information), was more than the 4 months foreseen in Article 12(1) of the Safety Directive
- see 3.3.1.

3.3.1. Summary of the regularly problems/difficulties in application procedures for Safety Authorisations
- no procedural problems experienced.

G. Supervision of Railway Undertakings and Infrastructure Managers

2 audits, 4 inspections and 6 meetings with the top management of RUs and IM were carried out in 2009. Audit activities were kept to a minimum due to limited resources.

Submission of all Infrastructure Managers and Railway Undertakings annual safety reports according to Article 9(4) Safety Directive by the legal deadline

		Issued Safety Certificates Part A	Issued Safety Certificates Part B	Issued Safety Authorisations	Other Activities (To specify)
3. Number of inspections of RUs/IMs for 2009	planned	0	5	0	0
	carried out	0	4	0	0

		Issued Safety Certificates Part A	Issued Safety Certificates Part B	Issued Safety Authorisations	Other Activities (Meetings with top management of RUs)
4. Number of audits of RUs/IMs for 2009	planned	3	0	0	6
	carried out	2	0	0	6

Summary of the relevant corrective measures/actions (amendment, revocation, suspension, important warning, etc.) related to safety aspects following these audits/inspections

A number of non compliances were revealed through the audits. Orders were given to correct those and the most important corrective actions were followed up by correspondence and/or spot checks. Some were decided to be followed up by new audits/inspections in 2009/2010.

One of the audits and one of the inspections resulted in revoking the safety certificate (one company holding a part A-certificate and one company holding a part B-certificate). One other inspection led to a warning of revoking the safety certificate.

Complaints from IM('s) concerning RU('s) related to conditions in their Part A/Part B Certificate:

None

Complaints from RU('s) concerning IM('s) related to conditions in their authorisation:
1 complaint against revoking a part B certificate.

H. Reporting on the application of the CSM on risk evaluation and assessment

No reporting in 2009.

I. NSA Conclusions on the reporting year 2009 - Priorities

The results for 2009 are reflected in chapter B3. These results have been used as input when planning activities for 2010.

Planning of supervision is based on a risk based priority.

Specific focus areas:

- Incidents with a high risk potential followed up individually
- Management of subcontractors
- Safety Culture and compliance
- Safety related to staff working on the tracks
- Active promotion of safety through thematic seminars and the NRA annual safety conference

J. Sources of information

Annual reports 2009 from;

RUs:

CargoNet AS

Flytoget AS

Green Cargo AB

Hector Rail AB

Malmtrafikk AS

NSB Gjøvikbanen AS

NSB AS

Ofotbanen Drift AS

Peterson Rail AB

Tågakeriet i Bergslagen AB

Railcare Tåg AB

Cargolink AS

SJ AB

IM:

Jernbaneverket

The NSA database includes data from the police.

K. Annexes

ANNEX A: Railway Structure Information

A.1 Network Map



A.2 List of Railway Undertakings and Infrastructure Managers

A.2.1. Infrastructure Managers

Name	Address	Website/Network Statement Link	Safety Authorisation (Number/Date)	Start date commercial activity	Total Track Length/Gauge	Electrified Track Length/Voltages	Total Double/Simple Track Length	Total Track Length HSL	ATP equipment used	Number of LC	Number of Signals
Jernbaneverket (the Norwegian National Rail Administration)	Postboks 4350, 2308 Hamar, Norway	www.jbv.no/english/		December 1. 1996	Track length 4043 km/ Gauge 1435 mm	Electrified track 2509 km/ Voltage 15 000	Double 214 km/ Simple 3829 Km	66 km	90 % DATC, 10% FATC	3254	

A.2.2 Railway Undertakings

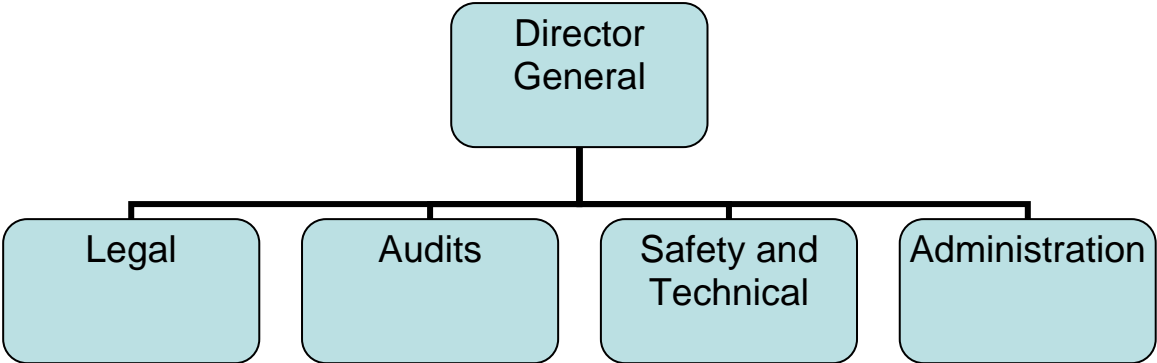
Name	Address	Website	Safety Certificate 2001/14/EC (Number/Date)	Safety Certificate A-B 2004/49/EC (Number/Date)	Start date commercial activity	Traffic Type (Freight, ...)	Number of Locomotives	Number of Railcars/Multiple Units	Number of Coaches/Wagons	Number of train drivers/safety crew	Volume of passenger transport	Volume of freight transport
Flytoget AS	Postboks 19 Sentrum, 0101 OSLO, Norway	www.flytoget.no		NO1120070001 / 10.12.2007 NO1220070001 / 10.12.2007		Passenger						
NSB Gjøvikbanen AS	NSB Gjøvikbanen AS Prinsens gate 7-9 0048 OSLO, Norway	http://nsb.no/		NO1120070002 / 07.12.2007 NO120090003 / 15.01.2009		Passenger						
Malmtrafikk AS	Malmtrafikk AS Postboks 314 8501 NARVIK, Norway	NA		NO1120080003 / 19.12.2008 NO1220080009 / 13.12.2008		Freight						

Oftbanen Drift AS	8505 NARVIK, Norway	www.ofotbanen.no/		NO1120090001 /13.01.2009		Freight/ Passenger							
				NO1220090001 /13.01.2009									
CargoNet AS	0048 OSLO, Norway	www.cargonet.no		NO1120090002 /15.01.2009.		Freight							
				NO1220090002 /15.01.2009									
NSB AS	NSB AS Prinsens gate 7-9 0048 OSLO, Norway	http://nsb.no/		NO1120090003 /15.01.2009		Passenger							
				NO1220090003 /15.01.2009									
Baneservice AS				NO1120090004 /15.04.2009		Freight							
				NO120090005 /15.04.2009									
Valdresbanen AS				NO1120090005 /15.06.2009									
				NO1220090007 /15.06.2009									
Veolia Transport Bane AS				NO1120090006 /26.06.2009		Passenger							
				NO1220090008 /26.06.2009									
Jernbanemuseet (JBV)				NO1120090007 /30.06.2009		Passenger							
				NO1220090009 /30.06.2009									
Cargolink AS				NO1120090008 /17.07.2009		Freight							
				NO1220090011 /17.07.2009									
Hector Rail AB	Hector Rail AB Svärdvägen 13 SE-182 33	www.hectorrail.com	11.03.2005	NO1220080001 /03.01.2008		Freight							

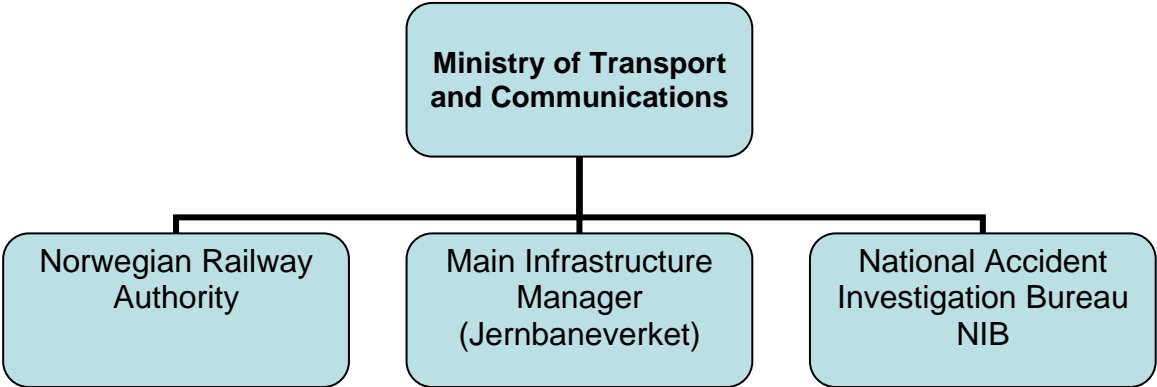
	DANDERYD SWEDEN											
Peterson Rail AB	411 37 Göteborg, Sweden	www.peterson.no/		NO1220080004 / 02.07.2008		Freight						
SJ AB				NO1220080005 /30.05.2009								
Green Cargo AB	Green Cargo AB, Box 39, SE-171 11 SOLNA, SWEDEN	www.greencargo.c om		NO1220090004 /24.02.2009		Freight						
Railcare Tåg AB				NO1220090010 /13.07.2009		Freight						
Tågåkeriet i Bergslagen AB	Bangårdsgatan 2 SE-681 30 KRISATINEHAMN, Sweden	NA		NO1220090012 /18.12.2009		Freight						

Annex B: Organisational Flow for the NSA

B.1. Internal Organisational map



B.2. Relations between the NSA and other national bodies



ANNEX C: Detailed trend analysis

Electronic version sent to ERA.

ANNEX D: Important changes to legislation

National regulations about safety on the railways	Legal reference	In force date	Background (specifies whether the law/regulation is new or an addition to earlier legislation)	Description
Common operating rules of the railway network, including rules relating to the signalling and traffic management system	Regulation of 29 February 2008 no 240 concerning traffic management and rail traffic on the publicly owned infrastructure	13 December 2009	New legislation	Replacing regulation of 4 December 2001 no 1335 concerning traffic management and rail traffic on the publicly owned railway infrastructure and connecting tracks; and regulation 4 December 2001 no 1336 concerning signals and signposts on the publicly owned railway infrastructure
Rules concerning certification of train drivers including selection criteria and medical fitness	Regulation of 27 November 2009 concerning the certification of train drivers	27 November 2009	New legislation and amending following regulations: regulation of 18 December 2002 no 1678 concerning health requirements for railway personnel with safety related duties; and regulation of 18 December 2002 no 1679 concerning training of railway personnel with safety related duties	Implementing Directive 2007/59/EC

ANNEX E: The development of safety certification and authorisation – Numerical Data

E.1. Safety Certificates according to Directive 2001/14/EC

Number of Safety Certificates issued according to Directive 2001/14/EC, held by Railway Undertakings in year 2008 being licensed	in your Member State	
	in another Member State	

E.2. Safety Certificates according to Directive 2004/49/EC

		New	Updated / amended	Renewed
E.2.1. Number of valid Safety Certificates Part A held by Railway Undertakings in the year 2008 being registered	in your Member State			
	in another Member State			

		New	Updated / amended	Renewed
E.2.2. Number of valid Safety Certificates Part B held by Railway Undertakings in the year 2008 being registered	in your Member State			
	in another Member State			

			A	R	P
E.2.3. Number of applications for Safety Certificates Part A submitted by Railway Undertakings in year 2008 being registered	in your Member State for	new certificates			
		updated / amended certificates			
		renewed certificates			
	in another Member State for	new certificates			
		updated / amended certificates			
		renewed certificates			

			A	R	P
E.2.4. Number of applications for Safety Certificates Part B submitted by Railway Undertakings in year 2008 being registered	in your Member State for	new certificates			
		updated / amended certificates			
		renewed certificates			
	in another Member State for	new certificates			
		updated / amended certificates			
		renewed certificates			

A = Accepted application, certificate is already issued
R = Rejected applications, no certificate was issued
P = Case is still pending, no certificate was issued so far

E.2.5. List of countries where RUs applying for a Safety Certificate Part B in your Member State have obtained their Safety Certificate Part A

E.3. Safety Authorisations according to Directive 2004/49/EC

	New	Updated / amended	Renewed
E.3.1. Number of valid Safety Authorisations held by Infrastructure Managers in the year 2008 being registered in your Member State	0	0	0

		A	R	P
E.3.2. Number of applications for Safety Authorisations submitted by Infrastructure Managers in year 2008 being registered in your Member State	new authorisations			
	updated / amended authorisations			
	renewed authorisations			

A = Accepted application, authorisation is already issued
R = Rejected applications, no authorisation was issued
P = Case is still pending, no authorisation was issued so far

E.4. Procedural aspects – Safety Certificates part A

	New	Updated / amended	Renewed
Mean time after having received all necessary information between the receipt of an application and the final delivery of a Safety Certificate Part A in year 2008 for Railway Undertakings holding	a licence released by your Member State		
		a licence released by another Member State	

E.5. Procedural aspects – Safety Certificates part B

	New	Updated / amended	Renewed
Mean time after having received all necessary information between the receipt of an application and the final delivery of a Safety Certificate Part B in year 2008 for Railway Undertakings holding	a licence released by your Member State?		
		a licence released by another Member State?	

E.6. Procedural aspects – Safety Authorisations

	New	Updated / amended	Renewed
Mean time after having received all necessary information between the receipt of an application and the final delivery of a Safety Authorisation in year 2008 for Infrastructure Managers holding	a licence released by your Member State		
		a licence released by another Member State	