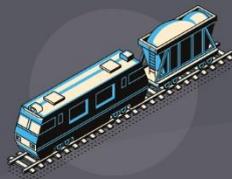


JST | SEGURIDAD EN EL TRANSPORTE



Recent Experiences and Developments

Argentina **unida**



Ministerio de Transporte
Argentina



Recent Developments and Experiences

Background information for ITSA Member States prior to the May 2021 Microsoft Teams tele-conference

State: Argentine Republic

Presented by: Julián Obaid, President, Transportation Safety Board (Junta de Seguridad en el Transporte, JST)

COVID-19 Update

INTRODUCTION

Measures taken by the national Government:

In March 2020, the President of the Argentine Republic signed the Necessity and Urgency Decree 260/2020, which extends the health emergency and provides for the adoption of measures to contain the spread of the new coronavirus.

On April 30, 2021, and given the heterogeneity of situations of urgency and need, temporary and geographically-focused provisions were established that allow adequate action to control the increase in infections and prevent a collapse of the health system.

Among the measures implemented in the whole country are social distancing, the restriction of night movement, the suspension of social gatherings and certain economic activities, and the restriction of the use of public transportation (only allowed for people affected by essential activities). Besides, there are police controls on routes, access roads, public spaces, and other strategic places to guarantee compliance with current regulations.

As from January 1, 2021, the requirements for entry into the national territory are the following: signed affidavit (indicating whether the United Kingdom and Northern Ireland, Australia, Denmark, Italy or the Netherlands was visited in the last 14 days), negative PCR tests performed in the 72 hours prior to admission, and quarantine for 10 days after the negative PCR test was performed.

In addition, on April 30, 2021, the National Government extended the suspension of authorizations and permits related to passenger air transportation operations on direct flights from or to the United Kingdom and Northern Ireland and from Brazil, Chile, Mexico and India.

State number of cases of COVID-19 infection (up to May 5, 2021): 3,071,496 (271,166 active cases)

State number of deaths: 65,865

State number of recoveries: 2,734,465

Major organizational/structural changes - Legislation changes

The Transportation Safety Board was created on August 28, 2019, when the Congress unanimously approved the Act 27,514, which declares of public interest and as an objective of the Argentine Republic the transportation safety policy. The regulations establish the importance of providing mobility while ensuring the protection of people, property and the



environment in the national territory. The Transportation Safety Board (JST) is created as a decentralized agency within the orbit of the National Ministry of Transportation, with economic-financial autarchy, its own legal status, and capacity to act in the field of public and private law. By Decree No. 165/2020, the President of the Nation, Alberto Fernández, appointed lawyer Julián Andrés Obaid as President of the JST as from February 1, 2020. Through Resolution 98/2020, issued on April 21, 2020, by the Ministry of Transportation, the JST officially absorbed the Civil Aviation Accident Investigation Board (JIAAC), an organization that investigated aviation accidents. Later, on June 9, 2020, by Decree 532/2020, the Act 27,514 was regulated.

The main objective of the JST is the prevention of future accidents and incidents in all modes of transportation and the issuing of safety recommendations in order to save lives, not to assign blame or determine fault.

In 2020, the JST consolidated the investigation teams of the road, rail and marine and inland waters areas, which were added to the aviation area inherited from the JIAAC. The JST also created a multimodal department investigating accidents involving more than one mode. It is our interest to also expand our scope to investigating pipelines and the JST is working on a new act to make it possible.

In this sense, by Decree 136/2021, the National Directors of all modes of transportation were appointed.

Since the creation of the JST, 51 aviation investigations, 7 marine investigations, 10 rail investigations and 18 road investigations were initiated. In 2020, 39 final reports were published.

As established in Article 16, Act 27,514, the JST is a federal agency with five regional offices across the country, each representing the regions (north-east, north-west, centre, west and south). Argentina has a total area of 3,761,274 km², so the regional offices are key to facilitate coordination and deployment of investigation teams to an event.

About 60 people were employed by the JIAAC. Currently, the JST employs 317 people.

Serious events

International Railway Seminar

On March 4, 2021, the JST hosted the 1st International Railway Seminar, with more than 350 participants from 10 different countries and international rail experts as speakers. The seminar addressed several issues related to rail safety, such as incorporation of the human factor, the cultural transformation that is being developed in Spain, the migration of the good aviation practices and accident data management.

Besides, the training area of the JST has grown and the focus is on training new investigators on accident investigation with courses that are open to the community.

Multimodal Notification Center

JST has become a multimodal agency. In the aviation mode, regulators, operators and individuals report accidents and incidents to our 24/7 toll free phone. For the other modes of transportation, we still do not receive calls directly.



Some organizations have started to report to us but most of the times we learn of an occurrence through the media. We are working in order to create awareness among regulators and operators about the importance of notifying incidents and accidents as soon as possible as we know that the first response is critical.

For this reason, the JST is creating a Multimodal Notification Center to follow up the news feeds, receive the notification of accidents or other events and coordinate the deployment of the investigation teams. Apart from the toll-free phone, people can contact JST through email and through whatsapp so that everyone can report occurrences.

Furthermore, we have online forms and inform the aviation, marine, railroad and road traffic directors, who then decide whether to start an investigation or not.

In order to assure that every agency will notify accidents, we are working on a resolution to inform how the notification process should be done. The Notification Center will start to work in June 2021. Two people are expected to be on duty every shift and the center will be working 24/7.

Issues related to the independence of the organization and investigations

By Resolution 12/2021 of the Transportation Safety Board (JST), the confidentiality parameters of the information used for the aviation, marine and inland waters, rail and road investigations were established. This resolution ensures confidentiality to any person who provides information and to the information provided for an investigation carried out by the JST.

In this sense, it strengthens the provisions of Article 2, Act 27,514, which states that “the investigation of the JST has a strictly technical nature. It does not create any presumption of guilt or administrative, civil or criminal responsibilities regarding the investigated facts”.

The Resolution establishes that the JST grants confidentiality, through reserved documents, to the recordings and transcripts of the conversations, according to each mode of transport, the records under the custody or control of the authority in charge of accident investigation according to each mode of transport, the draft final report of the technical investigation, the names and personal information of the witnesses to the event, which may lead to their identification, the information that is in the course of a criminal, civil, disciplinary or administrative procedure, which is reserved or declared under summary secrecy, any other information or documentation that, due to its degree of sensitivity, is requested by the authority in charge of the investigation through a technical report.

Interesting (in terms of lessons learned) case studies' (not major necessarily) challenges

Safety Report

In the context of the pandemic, the JST released a safety report addressed to transportation regulation agencies. The objective of the report was to recommend preventive measures to ensure the safety of transportation workers against the spread of COVID-19 and that the measures taken do not have a negative impact on the safety of the transportation system.



COVID-19 Research Study

In the framework of the pandemic, the JST launched the first multimodal research study to measure the impact of the COVID-19 crisis on the operational and health safety of every mode of transportation, with the main goal of analyzing the crisis management strategies and practices developed by the stakeholders in the Argentine transportation system. Under the name “Lessons learned in the Argentine transportation system”, the project created a collaborative network of national and international outreach. The JST began to work along with 30 entities and created a collaborative network. Among them, there are private businesses, public companies, labor unions, universities, and government agencies, as well as the Finnish and Dutch Boards. The research study will provide a better understanding of how the crisis was managed in each mode of transportation, in order to evaluate which measures were effective and which ones need further improvement. Once the investigation is finished, a report will be published, which will include the results and the lessons learned. It will be a key contribution to transportation safety, since it identifies implications for State actions directed at auditing bodies, regulatory agencies, and key entities in transportation (both public and private) with the objective of promoting effective management practices in similar future events.

RAILROAD

BCyL Train Derailment

On August 14, 2020, the freight train H68, with the locomotive 9472, was coming from Laboulaye station, located in the province of Córdoba, with destination Soldini station, province of Santa Fe. The freight train had 60 carriages with soybean and corn.

During the trip, in kilometer 30, one of the train bogies of the carriage number four derailed about 700 meters before the bridge ahead.

When entering the bridge of the river “Río del Sauce”, with part of the train derailed, the train structure collapsed in kilometer 31. Four carriages overturned and one more carriage derailed.

The JST conducted the basic and preliminary reports. Currently, the data provided by the operator Belgrano Cargo and Logistics and the National Commission of Transportation Regulations are under analysis and still some other information needs to be provided by the operator Belgrano Cargo and Logistics. This investigation is still ongoing.





ROAD TRAFFIC

Hazardous Materials Event Cañada de Gómez

This road traffic event involves two cargo vehicles. Vehicle no. 1 is a tanker truck transporting hazardous substances (toluene, MetilBenceno). The front part of the tanker truck collided with the rear part of the truck transporting cereal crops (vehicle no. 2). As a consequence of the impact, the tanker truck was completely destroyed by fire and the tractor unit of the other truck was partially destroyed by fire. The driver of the tanker truck died and the other one had no injuries.

As a consequence of the collision, the hazardous substance was spilled over the road. This situation triggered the assistance protocols and a response system not only private but also public, especially prepared for exceptional cases. The following are under special analysis: equipment, technical characteristics and vehicle certifications, substances preparation, cargo and packing protocols, drivers' training and special licenses, emergency procedures, auditing and monitoring by the enforcement authority, etc. Every issue has the purpose of reducing the risk of hazards and diminishing the consequences after an accident. Argentina has regulations and national organizations charged with the functions of regulating, coordinating and monitoring all aspects of hazardous materials transportation (Annex S, Decree 779/95).



MARINE AND INLAND WATERS

Strategic Equity Event

At 21:12 on Friday, August 13, 2020, during berthing operations under pilotage, M/V “Strategic Equity”, a Singapore flagged bulk carrier, IMO number 9689902, started maneuver to approach berth Unit VII of Servicios Portuarios S.A, located on Km 414,8 right bank of Paraná River, near Rosario, Santa Fé, Argentine Republic. At 22:42 the vessel moored port side alongside. The Pilot disembarked at 23:00.

At 23:42, the boatswain received an order from Chief Mate to release a forward spring line that had been trapped between the ship's portside and a berth fender. The boatswain went with an ABS and a trainee OS to forward station. The trainee OS was located in forecandle deck to make signals to the boatswain who was operating the winch. The boatswain had no clear vision of the ABS, who was on deck close to cargo hold number 1, where the forward spring line was stuck.

At 23:50 cargo operations commenced. Five minutes later, at 23:55 maneuver for release the forward spring line began.

At 23:56 the spring line sprung clear from its stuck position and struck the ABS on his face as he was leaning forward to checking the status of the stuck rope. The occurrence resulted in an unfortunate event as the ABS did not survive the injuries sustained.

The event was categorized as a “very serious marine casualty”. Pursuant to the agreement carried out under the IMO international cooperation, the JST is conducting a marine accident investigation in accordance with the Casualty Investigation Code under SOLAS Regulation XI-1/6 adopted by the International Maritime Organization (IMO) Resolution MSC 255(84), and the Transport Safety Investigation Bureau of Singapore (TSIB) is participating as a substantially interested State.

This accident is very important for the JST because it is the first investigation conducted together with an investigation body of other country, the Transport Safety Investigation Bureau of Singapore (TSIB). Besides that, the JST, also for the first time, could read and analyze the VDR data with own technology, information that significantly contributed to the accident investigation. The final report will be published very soon.



AVIATION

Sanitary Aviation Accident in Pandemic

On May 5, 2020, an aircraft with registration LV-BXU, a Learjet 35-A, had an accident at the Brigadier Gral. Antonio Parodi Airport (province of Chubut) while performing a medical transportation service. On the final instrumental approach, the aircraft hit the ground, 70 meters from the left side edge of runway 23, 800 meters after the threshold. As a consequence of the impact and the subsequent fire, three people died and the aircraft was destroyed. Among the four people aboard the aircraft, only one (the pilot) survived.

At 23:30, the JST was requested to travel to the location in order to conduct the investigation. The following day, JST investigators arrived at the scene, where they met with representatives from the National Civil Aviation Administration of Argentina, Airport Security Police, and the intervening Judge. The JST investigators spent the next two days at the scene, collecting and preserving the essential components of the aircraft needed for the investigation.

Currently, the JST is conducting the investigation, gathering relevant information for its successful completion. So far, the investigation has revealed that at the time of the accident, there were Instrument weather conditions, and that the landing procedure was an instrument approach.

This accident meant a challenge for the JST because it was a serious accident at the time our country was in quarantine and there were many restrictions to travel around the country. The investigation team was deployed from the JST headquarters (Buenos Aires) and Puerto Madryn (province of Chubut) and had to comply with many national requirements to arrive to the field. The province of Chubut is in the south of the country, which implied traveling more than 1000 km for the investigation team to arrive to the field.