

Convention on the Transboundary Effects of Industrial Accidents

Awareness raising mission to Georgia

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Self-evaluating progress for the working
area 3: PREVENTION
with the use of Indicators and Criteria

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Requirements of the Convention

Art. 6 (prevention)

- (1) the Parties shall take appropriate measures for the prevention of industrial accidents
- (2) the Parties shall ensure that operators reduce the risk of industrial accidents (list of measures in Annex IV)
- (3) the Parties shall require the operators to demonstrate the safe performance of hazardous activity (list of measures in Annex V)

Competent authorities:
establish transparent and robust system for
the prevention of ind. accidents
ensure functioning of the system in practice

Operators:
responsible for safe operation
demonstrate control over the hazards of accidents

Annex IV – preventive measures

- setting of safety objectives
- legislation or guidelines on safety measures
- determine the level of control (registration, licensing, inspection+licensing, prohibitions)
- evaluate risk analysis / safety studies
- BAT measures to be applied by operators
- operator's personnel to be educated and trained
- internal managerial structures
- internal / external monitoring, auditing and inspecting

Annex V – matters to be considered in analysis

- quantities and properties of haz substances
- scenarios of accidents
- scenario triggering events
- measures for the prevention/control of triggering events (equipment and procedures to prevent, to recognise, to alarm, to react,)
- who / how could be affected
- measures for the reduction of consequences

2 indicators of progress for working area “PREVENTION” mirror the requirements of the Convention

First indicator:

mechanism giving the responsibility for industrial safety to operators of HA = *set of procedures, implementation rules and actions allowing the CAs:*

(a) to unambiguously identify HA operators as responsible for the safe operation of activities; and

(b) to unambiguously oblige HA operators to demonstrate the safe operation of activities to the competent authorities using defined methodologies, methods and models.

2 indicators of progress for working area “PREVENTION” mirror the requirements of the Convention

Second indicator:

mechanism introducing the control regime of the Competent Authorities

= set of procedures, implementation rules and actions allowing the competent authorities to manage industrial accident hazards.

In practice this means that the competent authority has — as a minimum:

- set safety goals,*
- identified the scope/dimension of major accident hazards in the country*
- organized monitoring of hazardous activities from an industrial accident hazard point of view.*

Minimum elements of mechanism giving the responsibility for industrial safety to hazardous activity operators

1. Mechanism is adopted and introduced in the national legal framework, but not yet operational in practice.
2. The adopted mechanism defines the following as a minimum:
 - **Parameters for linking the degree of hazard with the responsibility for safe operation** */which activities are considered to have industrial accident potential and fall under the scope of the mechanism/*
 - **Parameters for defining the scope of demonstrations linked with the degree of hazard** */clear rules for operators/*
 - **Content of the demonstration** */clear expectations from operators.....Annex V:analysis and evaluation /*
 - **Methodologies, methods and models to be used for the demonstration** */harmonised demonstrations for all operators/*
 - **Frequency of demonstration, review/revision of demonstration**

Example of Slovenia

1. Mechanism is adopted and introduced in the national legal framework and operational in practice.
2. The adopted mechanism defines the following as a minimum:
 - Parameters for linking the degree of hazard with the responsibility for safe operation
quantities of hazardous substances present, hazardous characteristics of substances
 - Parameters for defining the scope of demonstrations linked with the degree of hazard
quantities of hazardous substances present, hazardous characteristics of substances, two-tier scope
 - Content of the demonstration
first-tier: limited content = MAPP + measures (reflect elements of Safety Management System) to implement policy in practice
second-tier: extended content = policy, internal management system, demonstration of prevention measures based on scenarios, emergency plan
 - Methodologies, methods and models to be used for the demonstration
elements of policy defined in detail, elements of internal management system defined in detail, content of safety report defined in detail, methods to review hazards and identify scenarios, models to assess effects of scenarios, criteria to assess consequences of scenarios for people, demonstration of measures in place to control hazards (measures to prevent the release, measures to control release, measures to limit the consequences)
 - Frequency of demonstration, review/revision of demonstration
whenever there is a change affecting hazards or accidents or preventative measure, at least every 5 yrs

Minimum elements of the mechanism introducing the control regime of competent authorities

1. Mechanism is adopted and introduced in the national legal framework, but not yet operational in practice.
2. The adopted mechanism defines the following as a minimum:
 - Hazardous activities identification parameters;
 - Licensing of planned hazardous activities (scope and content of safety documentation, administrative procedure, criteria for granting/denying a licence);
 - Examination of safety documentation provided by HA operators for demonstration purposes;
 - Communication of the results of safety documentation examination, especially: safety measures to be taken by the operator, procedure and deadlines;
 - Criteria for prohibiting a hazardous activity from operating;
 - Inspection controls (goals and modalities of inspections);
 - Methods of inspections, actions in case of non-compliance;
 - Procedure for the prohibition of the operation of a hazardous activity;
 - Responsible competent authorities.

Example of Slovenia

Mechanism is adopted and introduced in the national legal framework and operational in practice. The adopted mechanism defines:

- Hazardous activities identification parameters
quantity and characteristics of hazardous substances
- Licensing of planned hazardous activities (scope and content of safety documentation, administrative procedure, criteria for granting/denying a licence);
- Examination of safety documentation provided by HA operators for demonstration purposes
guidelines for competent authorities how to examine safety documentation, first cycle: completeness, all issues covered, second cycle: thorough analysis....
- Communication of the results of safety documentation examination, especially: safety measures to be taken by the operator, procedure and deadlines;
licence for new and existing activities, administrative procedure – defines the procedure in detail: application for a licence, two months for competent authorities to decide, content of decision (licence)
- Criteria for prohibiting a hazardous activity from operating
whether operator demonstrates the planned / existing control of possible industrial accidents
- Inspection controls (goals and modalities of inspections)
programme of inspections, regular (min. once a year/3 years), exceptional (complaints, extraordinary events, accidents)
- Methods of inspections, actions in case of non-compliance
programme of inspections, always on site, interviews, review of documents and performance in practice, ordering compliance, financial penalties, questionnaires
- Procedure for the prohibition of the operation of a hazardous activity
result of denied licence or inspection control
- Responsible competent authorities
ministry of the environment and spatial planning, environmental agency, environmental inspectorate