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## Economic Commission for Europe

Committee on Trade

### Working Party on Regulatory Cooperation and Standardization Policies

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Item 6 of the provisional agenda

**International regulatory cooperation**

## **Progress report on the Sectoral Initiative on Explosive Environments Equipment**

**Note by the secretariat<sup>1</sup>**

### *Summary*

Facilities such as mines, refineries, chemical plants and mills, expose their workers and the surrounding areas to high risks. To minimize these risks and contain their potential consequences, all equipment used in these environments needs to be designed, installed, maintained and repaired in a way to avoid the risk of causing an explosion. The goal of the Sectoral Initiative is to promote and increase safety, while at the same time eliminating barriers to the free trade and use of the equipment.

This document contains a status update on the Initiative. It is submitted to the Working Party for discussion and adoption.

## **I. Project objective and key deliverables**

1. Over the last few years, accidents and explosions in mines and offshore facilities throughout the world have cost many lives and caused unprecedented environmental

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<sup>1</sup> At its eighteenth session, the Working Party asked the secretariat to provide annual updates on the work of all the sectoral initiatives (ECE/TRADE/C/WP.6/2008/18, para. 63).

damage. This highlights the urgent need to increase safety in all environments that expose workers and the surrounding areas to high risk. The equipment used in these environments should be made as safe as possible to minimize the risks of explosions and to contain their potential consequences.

2. Such equipment is highly sophisticated. Checking that it conforms to international best practice and current regulations is a complex task, even for those regulatory authorities who have substantial resources and modern equipment at their disposal.

3. Regulators therefore need to cooperate closely with the industry and independent third-party conformity-assessment bodies, since it is in these two communities that expertise is continuously being updated in accordance with technological progress.

4. The main goal of the Sectoral Initiative on Explosive Environments Equipment is to promote and enhance safety, while at the same time eliminating barriers to the free trade and use of the equipment.

5. Specifically, the purpose of the Sectoral Initiative is to develop and promote a common regulatory framework for the “Equipment for Explosive Environments” sector. The framework includes not only common regulations, but also common and agreed conformity-assessment practices and market-surveillance procedures. As it is based on a shared understanding of the regulatory objectives to be pursued, it will be referred to in the text as “common regulatory objectives” or CROs.

## II. Present status of the project

6. At its twentieth session, in 2010, the Working Party approved a revised version of the CROs. This version was published in a bound brochure thanks to support in kind from the International Electrotechnical Commission. The brochure— which can be downloaded from the UNECE and on the IEC websites—was launched by the two organizations in April 2011 (see press release: [http://live.unece.org/press/pr2009/09trade\\_p11e.html](http://live.unece.org/press/pr2009/09trade_p11e.html)).

7. The brochure is available on the WP. 6 website: [www.unece.org/fileadmin/DAM/trade/wp6/SectoralInitiatives/EquipmentForExplosiveEnvironment](http://www.unece.org/fileadmin/DAM/trade/wp6/SectoralInitiatives/EquipmentForExplosiveEnvironment)).

8. Additionally, in 2011, the Sectoral Initiative also prepared guidelines for market surveillance authorities responsible for equipment used in Explosive Environments (Hazardous Locations). The guidelines are also available on the WP. 6 website [www.unece.org/fileadmin/DAM/trade/wp6/SectoralInitiatives/EquipmentForExplosiveEnvironment](http://www.unece.org/fileadmin/DAM/trade/wp6/SectoralInitiatives/EquipmentForExplosiveEnvironment)). They will be further discussed and approved to form part of a revised version of the CROs.

9. Reference materials prepared previously by the Sectoral Initiative are:

- a compilation of the legal framework in force in this sector on the world main markets in the sector Explosive Environments, available as an annex to document ECE/TRADE/C/WP.6/2009/6, and posted on the website: [http://live.unece.org/fileadmin/DAM/trade/wp6/documents/2009/wp6\\_09\\_006E.pdf](http://live.unece.org/fileadmin/DAM/trade/wp6/documents/2009/wp6_09_006E.pdf)
- a project proposal for organizing capacity-building events worldwide to raise awareness by regulators of the high risks and challenges that are inherent to the sector, and highlighting best practice in industry, standardization and certification bodies. The project proposal is available as an annex to ECE/TRADE/C/WP.6/2010/12, available at [http://live.unece.org/fileadmin/DAM/trade/wp6/documents/2010/wp6\\_10\\_012e.pdf](http://live.unece.org/fileadmin/DAM/trade/wp6/documents/2010/wp6_10_012e.pdf)

### III. Meetings and awareness-raising activities in 2012

10. In March 2012, the International Electrotechnical Commission Scheme for Certification to Standards relating to Equipment for Use in Explosive Atmospheres (IECEX Scheme) and the UNECE WP. 6, together with the Emirates Authority for Standardization and Metrology, jointly organized in Dubai the first International Conference on Equipment and Services in Explosive Atmospheres. It brought together more than 200 experts, with the objective of making the industries in which explosions may occur safer, and of facilitating trade in related products and equipment. At the Conference, the Coordinator of the Sectoral Initiative and the WP. 6 secretariat presented the Common Regulatory Framework. The comprehensive approach of UNECE Model L Regulation was discussed as the basis for global rules for this important sector.

11. The secretariats of UNECE and IECEX jointly produced a paper detailing how the UNECE approach can be used in the practice of regulatory work. The paper was presented at the PCIC (Petroleum and Chemical Industry Committee) Europe Conference, which took place in Prague, Czech Republic, in June 2012.

12. Within the context of the EU-Russia Industrialists' Roundtable, efforts are under way to harmonize the EU "ATEX" Directive and the technical regulation on the "Safety of equipment intended for use in explosive atmospheres" of the Customs Union of Belarus, the Russian Federation and Kazakhstan. These two laws lay out the regulations in force in the EU and the Customs Union within this important sector.

13. The UNECE Sectoral Initiative actively participates in the work of W.G. 16. Mr. Zalugin, the vice-chair of the IECEX system, is involved in the UNECE Sectoral Initiative, also acts as coordinator of WG.16. The Sectoral Initiative's Coordinator, Mr. Lienesch and the Secretary of the WP. 6 are both members of WG 16. WG. 16 met in Braunschweig, Germany, in June 2012, and agreed that the CROs developed by the UNECE initiative should be at the basis of the WG proposal for the harmonization of the two legislative texts.

14. The Sectoral Initiative will organize an awareness-raising event in Calgary, Canada, on 3 September 2012, as part of the annual meeting of the IECEX Scheme. The event will share information about activities organized so far by the UNECE in this domain and discuss future plans with IECEX and IEC stakeholders.

15. Activities planned for 2013 include a key promotional event, which will be jointly organized by IECEX and UNECE, similar to the one held in Dubai in 2012. Additionally, in conjunction with the meetings of the IECEX scheme in Fortaleza, Brazil, in August 2013, the UNECE SIEE plans to hold a workshop that will aim at promoting the UNECE regulatory framework to regulators from countries in South America.

16. The Sectoral Initiative also plans to further develop in detail procedures for the practical application of the CROs so that regulators can more readily understand and implement them.

17. Finally, the Sectoral Initiative plans to continue consultations with the European Union partners. These consultations will take into account the review of the ATEX directive on the basis of the New Legislative Framework, planned for 2013, and of a more in-depth review of the directive planned for a later date.

### IV. Deliverables for the annual session

18. The main outcome of the work of the Initiative in 2012 is the promotion of the common regulatory framework to counterparts, within the UNECE region as well as globally.

19. The Working Party is invited to further discuss how to foster an increased convergence in the regulatory frameworks applied in this sector, using the CROs prepared by the Sectoral Initiative.

## **V. Responsibility for the continuation of the work**

20. The current Coordinator of the Sectoral Initiative is Mr. Frank Lienesch.

## **VI. Role of the secretariat**

21. The secretariat will continue supporting the work of the Initiative by trying to raise funds for the proposed project, servicing its meetings (prepare the invitations, agendas, supporting documents, reports) and keeping the website of the initiative up to date. The secretariat could assist the Convener in maintaining and developing contacts with the counterparts of the Initiative in the national Governments and regional groups.

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