

Economic Commission for Europe

Conference of the Parties To the Convention on the Transboundary Effects of Industrial Accidents

ASSISTANCE PROGRAMME

Training session on evaluation of safety reports Belgrade, Serbia, 8-10 February 2010

REPORT OF THE TRAINING SESSION

Introduction

The training session on evaluation of safety reports was held in Belgrade on 8-10 February 2010. It was organized within the framework of the implementation phase of the Assistance Programme for the countries of Eastern Europe, Caucasus and Central Asia and South-Eastern Europe pursuant to a decision made by the Conference of the Parties at its fifth meeting (Geneva, 25–27 November 2008; ECE/CP.TEIA/19, paras. 50 (c)(iii) and 78 (i)).

The Ministry of Environment and Spatial Planning of Serbia organized the training session. The majority of funds for the training session were made available by the German Federal Ministry of Environment, Nature Conservation and Nuclear Safety and Federal Environment Agency.

Objective

The objective of the project was to build up the knowledge of public authorities from Croatia, tFYR of Macedonia and the Republic of Serbia in evaluating the safety reports (to be prepared by operators of hazardous industrial sites for demonstrating to the authorities safe operations at the sites and for receiving relevant licenses or permits). The project was designed also to provide the basis for future steps to be taken by the countries to improve the quality of safety reporting and evaluation and, through this, enhance the level of industrial safety.

The detailed objectives of the training session were to provide participants with the possibility to:

- discuss the approaches (including the roles of authorities) for the evaluation of safety reports;
- discuss safety reports and in particular the content and methodologies used in safety reports;
- discuss the modalities for the selection of accidents scenarios, their probability and modelling of consequences;
- develop a checklist on safety reports;
- discuss how the checklist can be developed into guidance for operators for preparation of the safety reports.

Participation

The training session was attended by representatives of the following authorities from the project countries: Croatia – the Ministry of Environmental Protection, Physical Planning and Construction and the National Protection and Rescue Directorate, Serbia – the Ministry of Environment and Spatial Planning (Department for Risk Management, Department for Inspection, Department for Accidents; the Ministry of Interior, Sector for Emergency Situations; The Ministry of Agriculture, Forestry and Water Management; Ministry of Labour and Social Policy, The former Yugoslav Republic of Macedonia – Ministry of Environment and Physical Planning the Division for Chemicals and Industrial Accidents, Division for IPPC, State Inspectorate.

The training session was supported by consultants hired by the secretariat and by an expert from Germany.

Opening, welcome address, setting the scene

Mr. Aleksander Vesic, Assistant Minister, Ministry of Environment and Spatial Planning welcomed all participants to Belgrade and expressed his gratitude that a training session on such important subject like evaluation of safety reports could be organized. He wished the participants a fruitful training leading to initiating further improvements in training-countries for safety reporting.

Mr. Gerhard Winkelmann, German Federal Agency for Environment and Mr. Lukasz Wyrowski, UNECE secretariat also addressed the participants. Speaking respectively on behalf of the Agency and the secretariat, they expressed satisfaction that the training session was organized and invited all participants to an active participation.

Mr. Joachim Uth, consultant, set the scene for the training session. He explained the “why” and “how” a major accident prevention and safety reporting were introduced.

Programme

The programme consisted of three sessions:

Session I was devoted, firstly, to a discussion on the procedures applied in Croatia, Serbia and tFYR of Macedonia for safety reporting. Secondly, the content of safety report was presented by the consultants and the template checklist methodology was introduced.

Session II focused on a hands-on work in groups during which safety reports/safety study were evaluated against the checklist methodology prepared for the training. Before the evaluation itself, the safety reports for a LPG storage and production facility based respectively on Bulgarian and Croatian cases, and a safety study for LPG storage from Serbia were presented. After the case studies, their results have been discussed with a focus on how to improve further the checklist methodology so that it would meet better the needs of training-beneficiary countries.

Session III was devoted to wrap-up and discussion on the way forward.

Procedures for safety reporting and follow-up by training-beneficiary countries

According to the information presented, Croatia introduced the legislation in accordance with the Convention and the Seveso II directive¹ and Serbia was under way in doing so, with a few legal acts awaiting the adoption by the parliament. Both countries also identified hazardous industrial activities. Croatia adopted a list and Serbia prepared a preliminary list, with specification which installations were lower and which upper tier establishment according to Seveso requirements. At the same time, tFYR of Macedonia had still to prepare most of the bylaws that would allow effective enforcement of safety regime and to carry out the identification process.

Despite the legislation introduced or partly introduced also Croatia and Serbia have been facing challenges. These were related to strengthening the administrative capacity in enforcing safety regime, in particular through improving the knowledge of public authorities on requirements of safety reporting. These were also related to coordination and cooperation of different public authorities whose primary tasks lie in ensuring the safety regime, and in particular cooperation between Ministries of Environment including their agencies with Ministries of Interior. These challenges were also identified by tFYR of Macedonia.

Croatia and Serbia also informed about their procedure for evaluation. They presented which bodies were involved and what were the timeframes for the

¹ Council Directive 96/82/EC as extended by the Directive 2003/105/EC

evaluation of reports (safety study for Serbia at the time of the training) and how this was connected to on-site inspections and leading to the approval or denial of issuing a permit. These procedures were discussed in details with the training facilitators, who provided among others the following recommendations:

- Evaluation of the reports and on-site inspections should be well documented, so that in case of claims related to prohibition of operation, the results coming from the evaluation and providing the basis for prohibition of operation can be clearly presented in courts. Checklist systems are very helpful tools in documenting the evaluation and inspections;
- The four-eyes principle for evaluation ensures more reliable results;
- Timeframes should be set accordingly so that the evaluating authorities can meet the deadlines;
- There should be one coordinating body for the evaluation of safety reports and inspections;
- The evaluation procedures should foresee time for getting feedback from other authorities and public;
- The priority for public authorities should be promoting compliance and cooperation from operators. At the same time there should be clear regulation on prohibition of operation and/or system of fines;
- The enforcement system should be kept rather simple and cost effective thus avoid involvement of too many authorities and too many procedures;

The countries took due note of these recommendations in reviewing or in organizing the safety enforcement regime. At the same time they were aware that implementation of some of these procedures might be a long-lasting process, especially when it would need to involve negotiations between different authorities on the tasks and responsibilities and when it might lead to amendments in the legislation.

Evaluation of safety reports and future use of checklist by the training-beneficiary countries, follow-up

The system of checklist was very helpful to the training participants in better understanding safety reporting and a content of well prepared safety report. There was however a number of items in the checklist that the participants were unable to interpret by themselves. The training facilitators were explaining the meaning of these items. It was then decided that the improved, final checklist should contain a column with explanation, examples and/or reference to material explaining the precise meaning of the checklist's items, where necessary.

Of all the parts of the safety reports, the one on risk assessment was considered the most difficult. It was evident that training on risk assessment techniques and methodologies would be required as a future step for experts from public authorities. Such training should also be focused on how to recognize a well-prepared risk assessment.

The representatives of Croatia, Serbia and tFYR of Macedonia also agreed that the next step for them, once the checklist system would be finalized on the basis of the comments from the training session, would be to work with the checklist vis-à-vis the national legislation for enforcing the safety regime and to bring it in line with internationally accepted standards, i.e. make amendments in the national legal framework in particular the bylaws, should these fall short with the international standards, or simplify the checklist in case any items are deemed to address too high degree of detail vis-à-vis the bylaws.

The next steps should then also be providing training for operators on the development of safety reports and of internal emergency plans that would meet the requirements acknowledged internationally.

It was agreed that the improved, final checklist would be appropriate for conducting training for operators and be a basis for providing guidance on preparation of safety reports.

The countries also expressed a wish, since the enforcement of the safety regime covers both the evaluation of safety reports but also the on-site inspection, that there would be a follow-up to the project focused on using a checklist methodology during the on-site inspection. The participants could then consider during such project how to adapt the checklist methodology also for the on-site inspections.

Closing of the training session

The representatives of training-beneficiary countries expressed their satisfaction that the training provided them with much clarification on safety reporting, and clear direction on how to precede. They appreciated the material/handouts prepared for the training session, including the draft checklist system. They also expressed gratitude that the system of checklist was to be further improved and that it was to be soon available for them for a daily use.

The representatives of the countries also informed that they would be interested in the next phase within safety evaluation project, which should be aimed at using the checklist during an on-site inspection.

Mr. Winkelmann, speaking on behalf of his Agency, also expressed satisfaction about the results achieved during the training session. He agreed that a natural follow-up should consist of an on-site inspection with use of

the checklist methodology. He then informed that he would explore possibilities within his Agency for supporting such a follow-up.

Mr. Wyrowski speaking on behalf of the secretariat congratulated the participations on very efficient training session and expressed his hope that the recommendations, handouts but also the final checklist, once available, would be used intensively for further improving the industrial safety in Croatia, Serbia and tfYR of Macedonia.

Ms. Milutinovic, on behalf of the training host country, closed the training session.