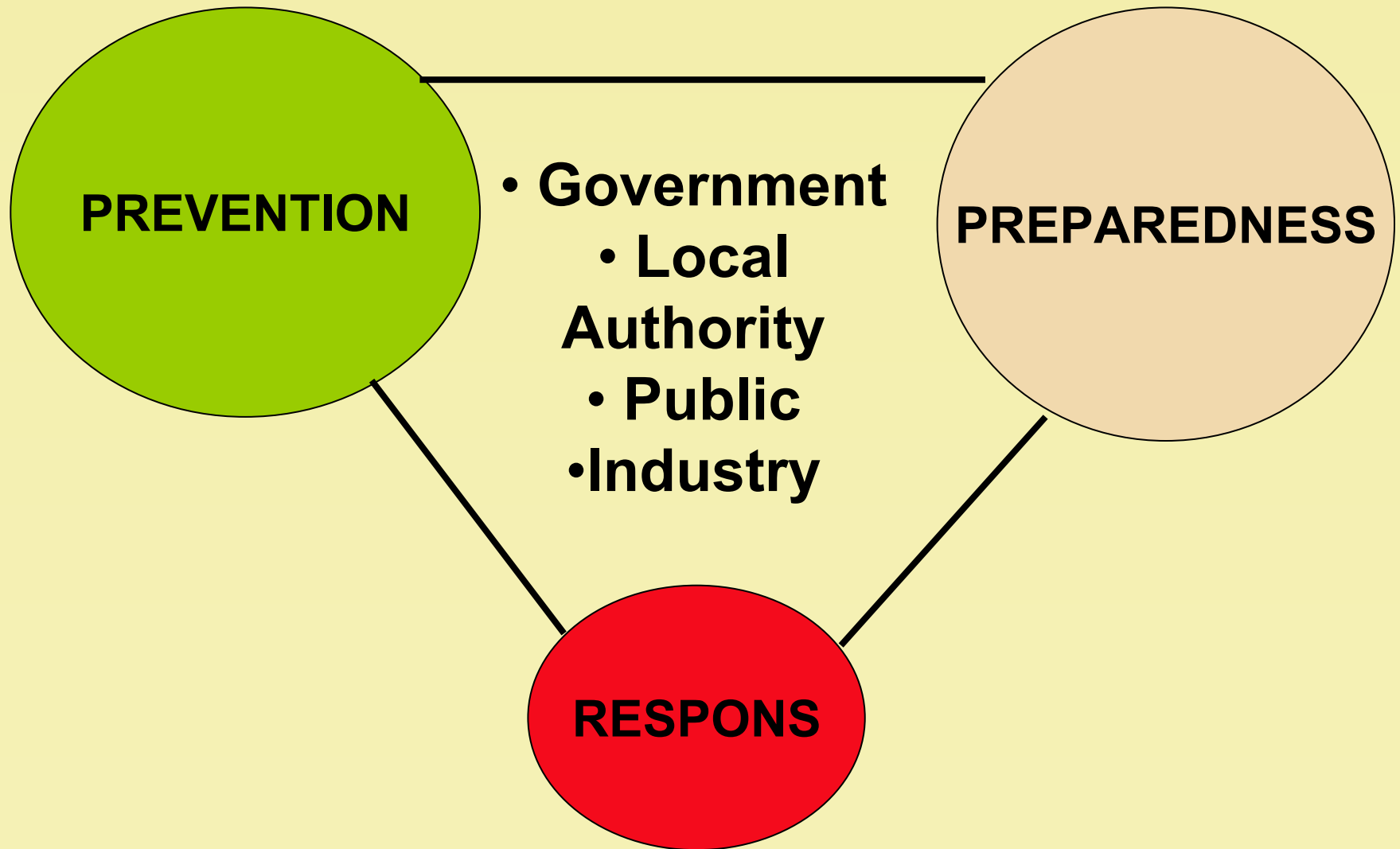


Legal Framework

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**MOLDOVA
2007**

SAFETY STRUCTURE



Prevention

- **Legislation**
- **Implementation**
- **Inspection**
- **Motivation**
- **Promotion**

Requirements

- **CR** - Safety and Security aspects
- **EU** - Seveso I (1982)
 - Seveso II (1996)
- **UNECE** – Convention on the Transboundary Effects of Industrial Accidents

Seveso II vs. Seveso I

- **More simple and consistent**
- **The accent on HF reliability and safety (prevention) management**
- **The accent on inspection**
- **The participation of an establishment in emergency and land use planning**
- **The accent on the role of public**

Major accident prevention system

(The way of EU Directives implementation)

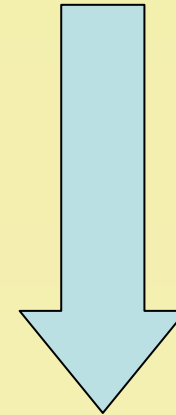
EU

CR

82/501/EEC- SEVESO I



96/82/EEC - SEVESO II



Act of 353/1999 Coll.



Amendment of 349/2004 Coll.

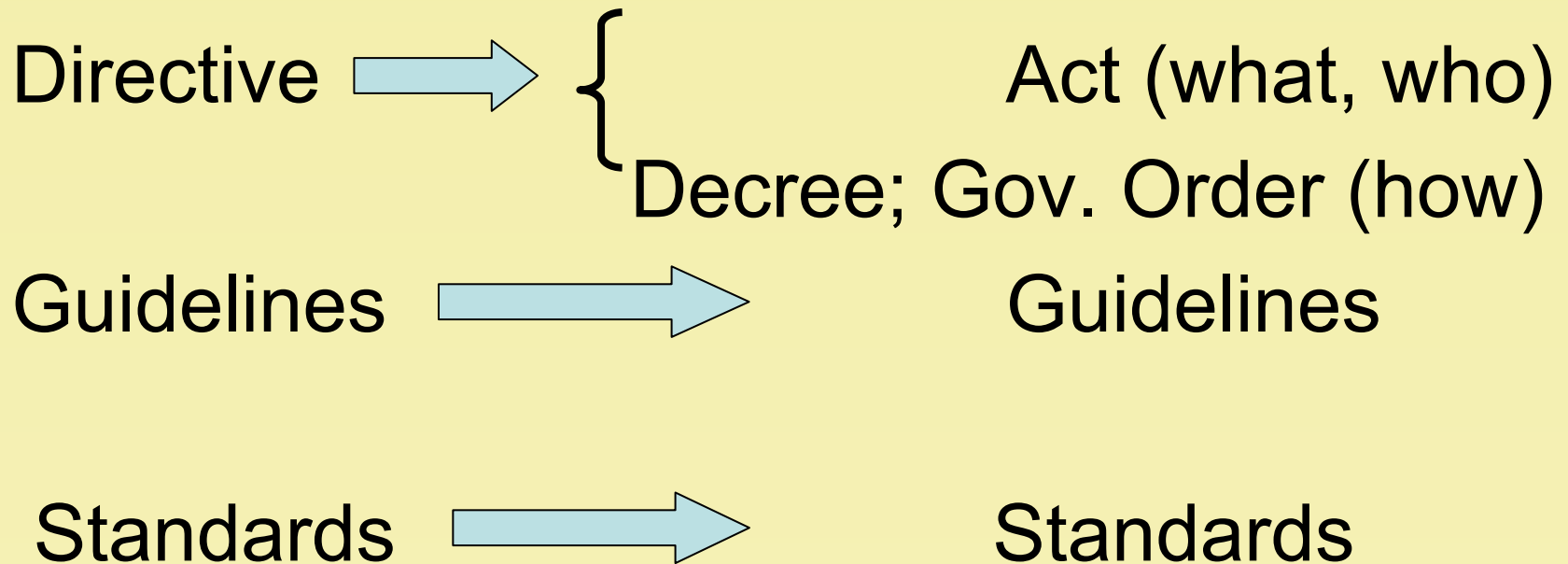


Amendment of 59/2005 Coll.

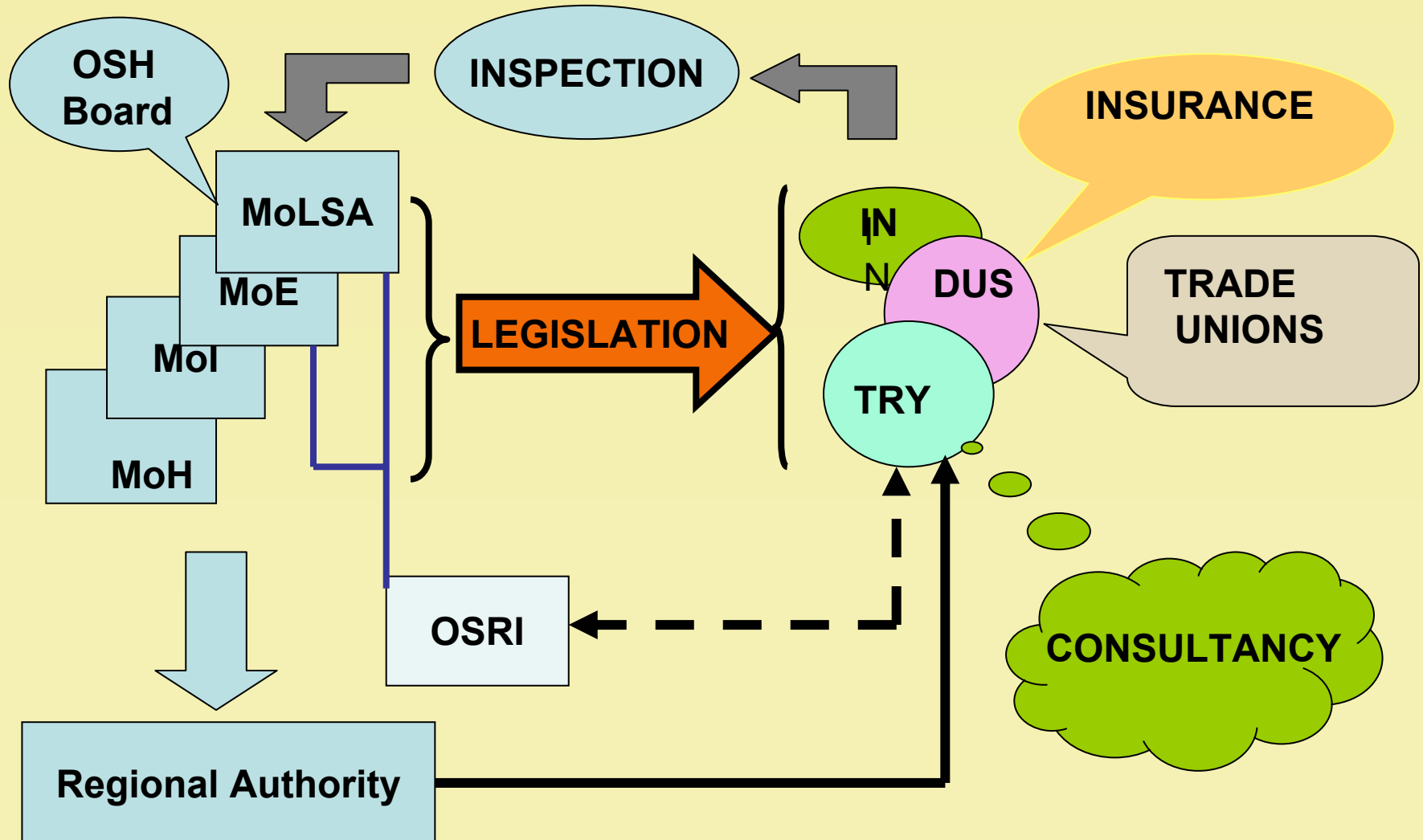
Structure

EU

CR



OSH & MA management in CR



Act 59/2006 MH Prevention

**Gov. Order 254/2006
The dangers
substances control**

**Gov. Order 452/2004
Safety Program
and Safety Report Evaluation
and Inspection**

**Decree 255/2006
The Way of
Accident
Announcement**

**Decree 256/2006
Major Accident
Prevention System
(some details)**

Guidelines

Guidelines

- **Principles, goals and policy of major accident prevention**
- **Risk assessment and evaluation**
- **Domino effects**
- **Safety report**
- **Assessment of HUMAN FACTORS influence**

Target Groups

- **Government**
 - **Ministries, Inspection, Gov. org.**
- **Local Authorities**
- **Industry**
 - **Corporations (employers/employees), SMEs**
- **Services**
- **Self-employed people**
- **Public**

ACT of 59/2005 Coll.,

**on the prevention of major accidents
caused by selected dangerous
chemical substances and chemical
preparations**

ACT of 59/2005 Coll.,

This Act regulates

- 1.The obligations of legal persons and natural persons who own or use, or intend to use an establishment or an installation**

ACT of 59/2005 Coll.,

2. The execution of the state administration in the sector of prevention of major accidents caused by selected dangerous chemical substances or chemical preparations

This Directive shall not apply to the following:

- (a) military establishments, installations or storage facilities;**
- (b) hazards created by ionizing radiation;**
- (c) the transport of dangerous substances and intermediate temporary storage by road, rail.....**
- (d) the transport of dangerous substances in pipelines, including pumping stations;**

This Directive shall not apply to the following:

- (e) the activities of the extractive industries concerned with exploration for, and the exploitation of minerals in mines;**
- (f) offshore exploration and exploitation of minerals;**
- (g) waste land-fill sites).**

For the purposes of this Act

- an **establishment** shall mean the whole area or set of areas, in which a dangerous substance is present in one or more installations, including the common or related infrastructure and activities, in the ownership or use of the legal or natural person

- an **operator** shall mean any legal or natural person who, on the date of legal effect of this Act, uses or will use an establishment or installation, in which a dangerous substance is produced, processed, used, transported or stored in an amount equal to or greater than the amount set forth in column 1 of Table I or Table II set forth in Annex No. 1 to this Act, or which was classified into Group A or Group B by a Decision of the Regional Authority

Table I – Selected dangerous substances

Item	Dangerous substances	Column 1 (tons)	Column 2 (tons)
1.	Amonium nitrate	5 000	10 000
2.	Potassium nitrate	5 000	10 000
3.	Arsenic pentoxide	1	2
4.	Bromine	20	100
5.	Chlorine	10	25
6.

Table II – Groups of dangerous substances

Item	Dangerous substances	Column 1 (tons)	Column 2 (tons)
1.	Highly toxic	5	20
2.	Toxic	50	200
3.	Oxidizing	50	200
4.	Explosive	50	200
5.	Flammable	5 000	50 000
6.

- an **installation** shall mean a technical or technological unit, in which the dangerous substance is produced, processed, used, transported or stored. It shall include all the equipment, structures, pipework, machinery, tools, private railway sidings, docks, unloading quays serving the installation,

- a **dangerous substance** shall mean a selected dangerous chemical substance or chemical preparation included in Annex No. 1 to this Act in part 1 of Table I or meets the criteria set in Annex 1 to this Act in part 1 of Table II and present as a raw material, product, by-product, residue or intermediate, including those substances which it is reasonable to suppose may be generated in the event of accident,

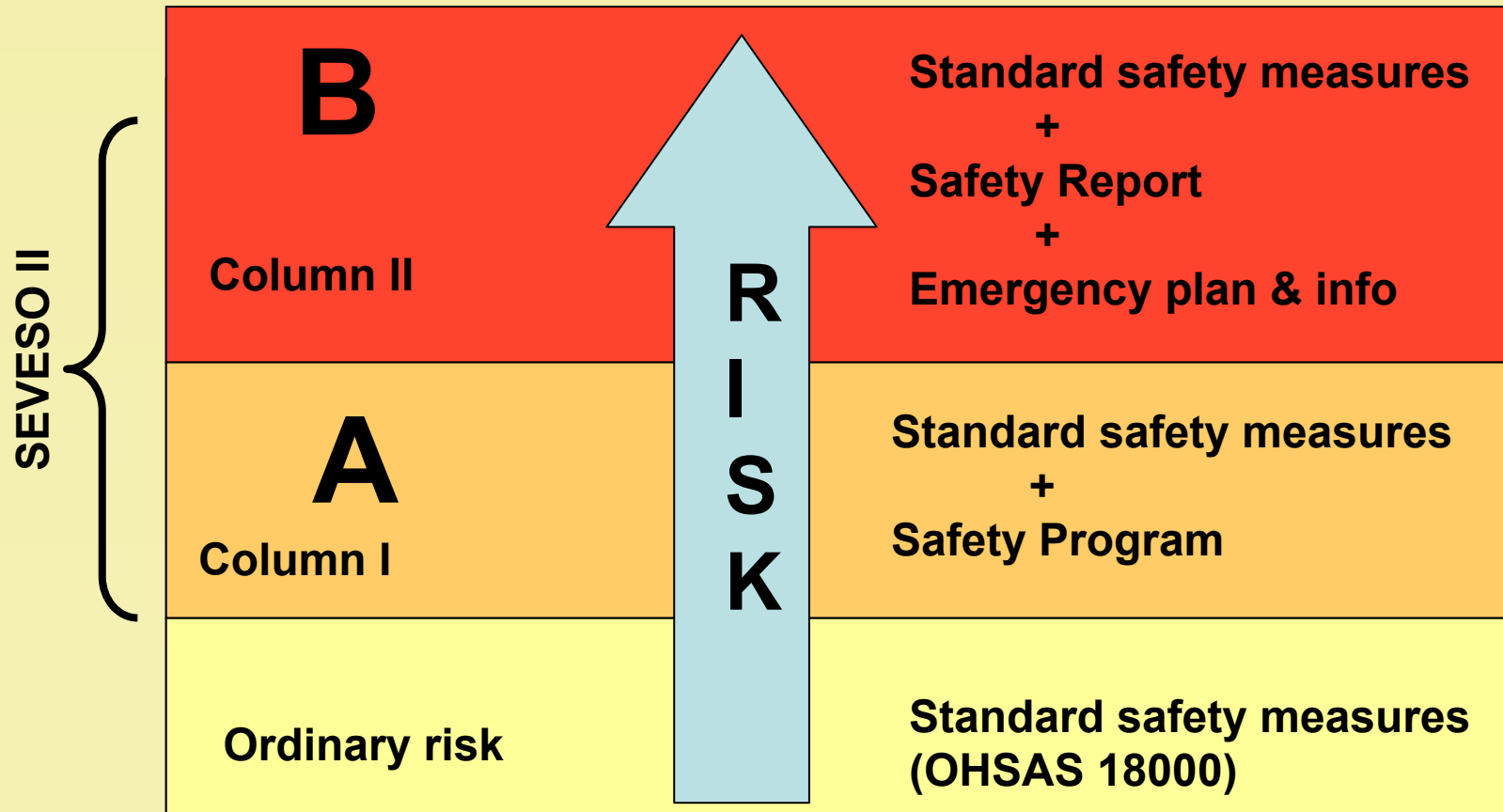
- a **major accident** shall mean an extraordinary partly or completely uncontrollable event that is limited in space and time such as a major emission, fire, or explosion that has occurred or whose occurrence is imminent in connection with the use of the establishment or installation, and that leads to immediate or subsequent serious damage or danger to the lives and health of human beings, domestic animals, or the environment or to property damage,

- **hazard** shall mean the intrinsic property of a dangerous substance or physical situation, with a potential for creating damage to human health and/or the environment
- **risk** shall mean the likelihood of a specific effect occurring within a specified period or in specified circumstances

GENERAL PROVISIONS

- Classification into Group A or B
- Assessment of the risk of MA
- Safety programme
- Safety report
- Insurance
- Information
- Emergency planning
- Inspection

Risk vs. Safety Measures



Classification of Establishments into Group A or B

- An operator shall be obliged to compile a list of all dangerous substances located in the establishment or installation take all measures necessary to prevent major accidents and to limit their consequences, on the basis of the list, classify the establishment to the pertinent group when the quantity dangerous substances located in the establishment is equal to or greater than the quantity set forth in Annex 1 to this Act in part 1 column 1 of table I or table II.,

- If several dangerous substances are located in the establishment or installation in a quantity less than that set forth in Annex 1 to this Act in part 1 column 1 table I or table II, then perform a summation of the relative quantity of located dangerous substances according to the formula set forth in Annex 1 to this Act in part 2.

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Notification on classification

- Identification of the establishment and identification of the natural person authorized to act in the name of the operator,
- The list of dangerous substances,
- Description of the **current or planned** activities of the operator,
- Description and graphic depiction of the establishment,

(continue)

- Data on the quantity of dangerous substances in establishment used for classification,
- Signature of the natural person authorized to act in the name of the operator.

**Notification on classification into
Group A or B shall be submitted by
the operator to the Regional
Authority**

WHY ?????

**Due to land-use and
emergency planning**

Assessment of the risk of MA

- An operator shall be obliged to assess the risk of a major accident in order to elaborate the safety program (Group A) or safety report (Group B)
- The assessment of the risk of a major accident must include
 - identification of the source of the risk (hazard),
 - description of the possible major accident scenarios and the conditions under which they can occur ,

Assessment of the risk of MA (continue)

- » estimation of the possible consequences of a major accident on the lives and health of human beings, domestic animals, the environment, and property,
- » estimation of the probability of the major accident scenarios,
- » determination of the level of risk,
- » Assessment of the acceptability of the risk of a major accident.

Safety Program

- **An operator of an establishment or installation classified into Group A is obliged to prepare a safety program.**
- **Safety program is a system of management focused on safety policy establishment and realisation**

An operator shall prepare a draft safety program based on the results of the major accident risk assessment and includes within

- principles for prevention of major accidents ,**
- the structure and system of safety management to protect lives and health of human beings, domestic animals, the environment, and property.**

- **On the basis of a Decision of the Regional Authority, an operator shall be obliged to include in the program preventative safety measures related to potential domino effects**
- **An operator shall be obliged to submit a draft safety program or its up-dating for approval to the Regional Authority.**

Safety Report

- **An operator of an establishment or installation classified into Group B shall be obliged to prepare a safety report**

Safety report shall contain:

- **information on the management system and on the organization of the establishment with a view to major accident prevention,**
- **description of the establishment or installation and its environment ,**
- **technical description of the establishment or installation,**

(to continue)

- manner and results of identification of the risk source (hazard), assessment of the risk and means of prevention,**
- measures of protection and intervention to limit the consequences of a major accident,**
- up-dated list of dangerous substances,**
- names of legal person or natural person responsible for preparing the safety report.**

Safety report shall also

- establish a major accident prevention policy and establish a safety management system for implementing it,**
- assess major-accident hazards and take the necessary measures to prevent such accidents and to limit their consequences the lives and health of human beings, domestic animals, the environment and property,**

(to continue)

- establish safety principles to incorporate safety and reliability into the design, construction, operation and maintenance of any installation, storage facility, equipment and infrastructure connected with its operation which are linked to major-accident hazards inside the establishment**

(to continue)

- **establish principles of an internal emergency plan and supply information to enable the external plan to be drawn up**
- **provide sufficient information to the competent state authorities and municipalities to enable decisions to be made in terms of the siting of new activities or developments around existing establishments.**

An operator shall be obliged

- **to review the safety report at the latest 5 years from the date of the decision on its approval,**
- **to include in the review of the safety report**
 - **a list of changes a summary of the impact of the changes made on the safety of the operation,**
 - **a professional reasoning why the safety report has not been updated or why it is not necessary to update it.**

Information

An operator shall be obliged to inform the employees and other natural persons present in the establishment or at the installation of the risks of a major accident, of preventative safety measures and of desirable behaviour in case of the occurrence of a major accident.

Information to the Public

The Regional Authority shall prepare and provide information to the public in the zone of emergency planning about

- the risk of a major accident, including the possibility of domino effects, preventative safety measures,**
- impact mitigation measures,**
- the desirable behaviour of individuals in the case of the occurrence of a major accident**

Information in the case of accident

**An operator who causes a major
accident shall be obliged to
immediately notify the competent
Regional Authority, other affected
bodies of the state administration,
and affected municipalities of the
major accident**

Insurance

An operator shall be obliged to

- » Conclude insurance of liability for damaged caused as a consequence of a major accident**
- » Conclude insurance prior to bringing a new establishment or installation into test operations**

Emergency planning

- **The internal emergency plan**
- **The external emergency plan**

The internal emergency plan

An operator shall be obliged to prepare an internal emergency plan in consultation with personnel employed inside the establishment or installation classified into Group B and establish in it preventative safety measures for minimizing the consequences of a major accident, which must be carried out inside the establishment.

The external emergency plan

An operator of an establishment classified into Group B shall be obliged to

- prepare and submit to the Regional Authority written documents for establishing the zone of emergency planning**
- cooperate with the Regional Authority and its organizations in ensuring preparation for an emergency in the emergency planning zone.**

PUBLIC PARTICIPATION AND INFORMING THE PUBLIC

The Regional Authority shall provide for public discussion of the program, safety report and external emergency plan, including their up-dating.

The Regional Authority shall prepare and provide information to the public in the zone of emergency planning about the risk of a major accident, including the possibility of domino effects, on preventative safety measures, on impact mitigation measures, and on the desirable behaviour of individuals in the case of the occurrence of a major accident.

If the effects of a major accident in the vicinity of an establishment or installation classified into Group B directly or as a result of domino effects extend beyond the boundaries of the state, the Regional Authority shall provide the Ministry with sufficient information to notify neighbouring states when preparing modifications to the safety report, emergency plans or information.

Execution of the state administration

Bodies of the State Administration

- a) the Ministry of Environment,**
- b) the Ministry of the Interior,**
- c) the Czech Mining Authority**
- d) the Czech Environmental Inspection,**
- e) the Regional Authorities,**
- f) the bodies of state professional supervision
over labour safety and the safety of technical
installations,**
- g) the bodies executing the state
administration in the areas of prevention,**
- h) the regional public health services**

Integrated inspection

Bodies of integrated inspection shall

- carry out controls on operators in the framework of his(her) competence and within the time laid down by the Czech Environmental Inspection,**
- prepare information on the results of controls and submit this information forthwith in written and electronic form to the Czech Environmental Inspection.**

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