

# **LEGAL AND ADMINISTRATIVE FRAMEWORK for major hazard prevention**

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# EU directives and convention

- **SEVESO I**

Council Directive 82/501/EEC of 24 June 1982 on the major-accident hazards of certain industrial activities

- **SEVESO II**

Council Directive 96/82/EC of 9 December 1996 on the control of major-accident hazards involving dangerous substances

- Council Decision of 23 March 1998 concerning the conclusion of the **Convention on the Transboundary Effects of Industrial Accidents** (UNECE)

# Legal Framework (CR)

## Major Accident Prevention Act

- **Act No 353/1999 Coll.**, concerning prevention of major accidents caused by selected dangerous chemical substances or chemical preparations
- **Act No 59/2006 Coll.**, concerning prevention of major accidents caused by selected dangerous chemical substances or chemical preparations

# Act No 59/2006 Coll.: Subject of regulation

- **system for preventing major accidents** for establishment and facilities with selected dangerous chemical substances or chemical preparations (Table I - named selected and Table II - groups pursuant to selected danger properties: T+, T, O, E, R10, F, F+, N, R14, R29)
- the aim is **to reduce the probability and the consequence of major accidents** to the human health and life, livestock, the environment and property in buildings and facilities and their surroundings



# Act No 59/2006 Coll.

## This Act regulates:

- the obligations of legal persons and natural persons who own or use, or intend to use an establishment or an installation
- the execution of the state administration in the sector of prevention of major accidents caused by selected dangerous chemical substances or chemical preparations

# Act 59/2006: Relevant glossary

- an establishment
- an installation
- an operator
- a dangerous substance
- a major accident
- a hazard
- a risk

# Act 59/2006: General provisions

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

# Act 59/2006: 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.	.....	.....	.....



# Act 59/2006: 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.	.....	.....	.....

# Act 59/2006: Propose the classification in group A

- the amount of dangerous substances located in the **establishment or installation** is the same as or greater than the amount given in annex No 1 to this act in part 1 column 1 of table I or II and is also less than the amount given in annex No 1 in part 1 column 2 of table I or II, or
- in the event that this amount of dangerous substances is not reached, sum of the relative amounts of dangerous substances ascertained pursuant to annex No 1 to this act in part 1 table I and table II pursuant to the equation and under the condition given in annex No 1 to this act in part 2 is equal to or greater than 1

# Act 59/2006: Propose the classification in group B

- the amount of dangerous substances located in the **establishment or installation** is the same as or greater than the amount given in annex No 1 to this act in part 1 column 2 of table I or II, or
- if this amount of dangerous substances is not reached, sum of the relative amounts of dangerous substances ascertained pursuant to annex No 1 to this act in part 1 table I and table II pursuant to the equation and under the condition given in annex No 1 to this act in part 2 is equal to or greater than 1

# Act 59/2006: Safety documents

## Group A

- safety program for prevention of major accident + physical protection plan

## Group B

- safety report + physical protection plan + internal emergency plan + information for external emergency plan (for designation of emergency planning zone)



# Legal regulation 1/2

- **Order of the Government No 254/2006 Coll.**, control of hazardous (dangerous) substances
- **Decree No 103/2006 Coll.**, which designates fundamentals for designating an accident planning zone and the scope and method of preparing an external emergency plan
- **Decree No 250/2006 Coll.**, which designates details concerning the scope of safety measures of physical protection of establishments or installations classified in group A or B.

# Legal regulation 2/2

- **Decree No 255/2006 Coll.**, which designates the scope and method of the processing of a major accident report and final report of the incidence and consequences of a major accident
- **Decree No 256/2006 Coll.**, concerning details of the system for the prevention of major accidents

# Decree No 256/2006 Coll.

## Designate the methods:

- for preparing an analysis and evaluation of risk of a major accident
- for preparing and structure of the safety program
- for the processing and structure of the safety report
- for the processing the report on the evaluation of the safety report

# Guidelines 1/7

## 1. Evaluation of an establishment or installation in which a selected dangerous chemical substance or chemical preparation is located:

- qualification of persons, establishments or installations (in compliance with law)
- classification of establishment or installation into relevant group A or B (based on list of all dangerous substances)

The database of Seveso II substances, their classification and labeling is procurable on the web: <http://mahbsrv.jrc.it> of EC Joint Research Centre – Major Accident Hazards Bureau (MAHB)



# Guidelines 2/7

## 2. Proposal for classification of an establishment or installation into group A or B:

- comparison of the inventory of dangerous chemicals with the amount given in annex No 1 of Act 59/2006 Coll.
- non-classification protocol
- proposal for classification

# Guidelines 3/7

## 3. Analysis and evaluation of risk of major accident:

- hazard identification
- consequence analysis
- event probability and failure frequency analysis
- risk estimation
- preventative measures and mitigation

# Guidelines 4/7

## 4. Estimation of the influence of a human factor on an establishment or installation connected with relevant sources of risk:

- human reliability analysis
- human error analysis
- identification of the critical workplaces
- proposal of the preventive measures

# Guidelines 5/7

## 5. Principles, aims and policy of a major accident prevention, Description of a safety management system:

- fundamentals for prevention major accidents
- structure and system for ensuring protection
- major accident prevention policy - written public declaration
- safety management system – set of the organizing and controlling internal rules



# Guidelines 6/7

## 6. Safety report:

- basic information about an establishment or installation,
- descriptive, informative and data parts of safety report
- risk analysis and risk assessment of major accident
- description of safety management system
- description of preventive safety measures owing to reduce probability and consequences (risk) of MA
- concluding summary

# Guidelines 7/7

## 7. Report on the evaluation of the safety report:

- revision of safety report after five years
- list of changes performed in the establishment or installation
- summarized influence of performed changes on safety
- justification for uselessness to perform updating of the safety report

# Bodies of the State Administration

- Ministry of the Environment
- Ministry of the Interior
- Czech Mining Authority
- Czech Environmental Inspection
- Regional Authorities
- bodies of state professional supervision over labour safety
- authorities in the field of fire prevention
- regional public health services

# Interested subjects (stakeholders) in field of major accident prevention

- industry (including management and labour)
- public authorities
- communities / public
- labor organisations
- research / academic institutions
- international organisations
- non-governmental organisations



# Conclusions

In order to fulfil the aims  
of major hazards prevention -  
**chemical risk reduction and accident  
prevention, effective emergency  
preparedness and response,**  
it is necessary that  
**all interested subjects communicate  
and actively cooperate**

# Thank you for your attention!



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