

Republic of Latvia

Cabinet
Regulation No. 131
Adopted 1 March 2016

Industrial Accident Risk Assessment Procedures and Risk Reduction Measures

*Issued pursuant to
Section 11, Paragraph two of the Chemical Substances Law*

I. General Provisions

1. This Regulation prescribes the procedures for the risk assessment of industrial accidents related to dangerous chemical substances and dangerous mixtures and risk reduction measures, also substances and mixtures (depending on the quantity and degree of hazard thereof) to which such procedures and measures apply.

2. Terms used in this Regulation:

2.1. responsible person – one or several natural or legal persons that are appointed by the owner, possessor or user of an establishment and who manage the establishment or installation, if such persons have the right to take decisions to commence operation, to operate (including technical maintenance, renovation, reconstruction or other changes during the course of operation) or to suspend the operation of the establishment or installation;

2.2. emergency preparedness measures – a set of measures in order to get ready for action in case of an undesirable event and industrial accident;

2.3. hazard – a property or physical state inherent to a chemical substance or a chemical mixture that causes or may cause harm to the environment, human life or health;

2.4. dangerous substance – a substance or mixture, including in the form of a raw material, product, by-product, residue or intermediate;

2.5. presence of dangerous substances – the actual or anticipated presence of dangerous substances in the establishment, or of dangerous substances which in accordance with substantiated assumptions may be generated due to loss of control of the chemical process or other activities (including storage activities), which become uncontrollable, and quantity of such substances is equal to or exceeding the qualifying quantities set out in Table 1 or 2 of Annex 1 to this Regulation;

2.6. neighbouring establishment – an establishment which due to its location in proximity to another establishment or installation has increased risk or potential heavier consequences of an industrial accident;

2.7. employees (employed persons) – natural persons who perform specific work at establishment on the basis of a contract or who are employees of other merchants that are employed at the establishment;

2.8. site of operation – structure or territory where different activities are carried out, including activities with chemical substances and mixtures;

2.9. domino effect – effect which is caused by establishments or groups of establishments which may have mutual undesirable effect and major industrial accident risk may be increased or consequences caused by such accidents could be aggravated;

2.10. existing establishment – an establishment that falls within the scope of this Regulation, also legal framework regarding industrial accident risk assessment procedures and risk reduction measures until the day of coming into force of this Regulation;

2.11. storage facility – one or several warehouses, storage sites, reservoirs or other containers of any type from which dangerous substances are unable to pass through or escape (unless they are damaged), log yards and other sites for storage of dangerous substances in stock;

2.12. installation – a technical unit within an establishment and whether at or below ground level, in which dangerous substances are produced, used, handled or stored, including storage facility. An installation shall include all the technical support and equipment, structures, pipework, machinery and mechanisms, tools, railway sidings belonging to the establishment, docks, unloading quays for serving the establishment, jetties, warehouses or similar structures (including floating structures) that are necessary for the operation of the installation;

2.13. new establishment – an establishment that is constructed or enters into operation after coming into force of this Regulation;

2.14. complex examination – inspection of the establishment jointly carried out by State authorities in order to examine industrial accident risk reduction measures (especially technical and organisation measures of the safety system) and conformity of the information provided for in an industrial accident prevention programme, safety report and other documents to the actual situation at the establishment;

2.15. mixture – a mixture or solution composed of two or more chemical substances;

2.16. undesirable event (incident) – negative changes in the course of operation of an establishment, for example, damages of a technological or mechanical nature, unintentionally or intentionally incorrect operation, also other deviations from the technological process regimen, or external factors which have not caused industrial accident;

2.17. establishment – the whole location under the control of a responsible person where dangerous chemical substances and dangerous mixtures referred to in Tables 1 and 2 of Annex 1 to this Regulation are present in one or more installations, including in the form of a raw material, product, by-product, residue or intermediate (hereinafter – dangerous substances), also in the joint or related infrastructures or activities of such establishments. Establishments are divided into:

2.17.1. lower-tier establishment – an establishment where dangerous substances are present in quantities equal to or in excess of the qualifying quantities listed in Column 2 of Table 1 or in Column 2 of Table 2 of Annex 1, but less than the qualifying quantities listed in Column 3 of Table 1 or in Column 3 of Table 2 of Annex 1. Where applicable, the quantity criterion (Q total) of dangerous substances laid down in Paragraph 6 of Annex 1 shall be used;

2.17.2. upper-tier establishment – an establishment where dangerous substances are present in quantities equal to or in excess of the qualifying quantities listed in Column 3 of Table 1 or in Column 3 of Table 2 of Annex 1. Where applicable, the quantity criterion (Q total) of dangerous substances laid down in Paragraph 6 of Annex 1 shall be used;

2.18. risk – likelihood of undesirable effect (losses, damages) occurring within a specified period or in specified circumstances;

2.19. industrial accident – an occurrence such as a major emission, fire, or explosion resulting from uncontrollable or uncontrolled developments in the course of the operation of any establishment covered by this Regulation, and leading to serious danger to human health or the environment, immediate or delayed, inside or outside the establishment, and involving one or more dangerous substances;

2.20. the public – one or more natural or legal persons, also their associations, or organisations and groups thereof.

3. This Regulation shall also apply to onshore underground gas storage, natural geological structures or disused mines (shafts) suitable for the activities, also to technological processes of chemical and thermal processing operations and storage related to those operations which involve dangerous substances, and operational tailings disposal facilities, including tailing ponds or dams, containing dangerous substances.

4. This Regulation shall not apply to:

4.1. Military establishments or storage facilities under possession of the Ministry of Defence;

4.2. activities with sources of ionising radiation;

4.3. the transport of dangerous substances and directly related intermediate temporary storage by road, rail, internal waterways, sea or air, outside the establishments covered by this Regulation, including loading and unloading and transport to and from another means of transport at docks, wharves or marshalling yards;

4.4. the transport of dangerous substances in pipelines to pumping stations, outside establishments to which the requirements of this Regulation apply;

4.5. the exploration, extraction and processing of minerals in mines, quarries, and boreholes;

4.6. the offshore exploration and exploitation of minerals, including hydrocarbons;

4.7. the storage of gas at underground offshore sites including both dedicated storage sites and sites where exploration and exploitation of minerals, including hydrocarbons are also carried out;

4.8. waste land-fill sites, including underground waste storage.

5. A responsible person shall prepare and take the industrial accident risk reduction measures provided for in this Regulation and other necessary measures in order to ensure the safety of employees, inhabitants of adjacent areas and the general public, and to protect such persons from the harmful effect of an industrial accident, also to maintain a qualitative environment, but if an accident has occurred – to restore the quality of the environment.

6. The operation of any establishment or installation, or separate parts thereof may not be commenced or continued, or activities with certain dangerous substances may not be carried out therein, where the measures taken by the responsible person for the prevention of industrial accident risk and mitigation of consequences of accidents are seriously deficient due to which an industrial accident may be caused, or in case of the industrial accident it is not possible to limit its spread and prevent escalation.

7. A responsible person shall detect presence of dangerous substance in the establishment, by comparing the maximum possible quantity of dangerous substances with qualifying quantities for lower-tier establishments and upper-tier establishments or by calculating the quantity criterion (Q total) of dangerous substances in conformity with Annex 1 to this Regulation and draw up a submission regarding dangerous substances in the establishment (hereinafter – the submission) in which the information referred to in Annex 2 to this Regulation shall be included.

8. In assessing industrial accident risk, also in planning and performing risk reduction measures in order to prevent industrial accidents which involve dangerous substances, and to limit undesirable effect of occurred accidents, by consistently and efficiently ensuring a high level of human and environmental protection, a responsible person shall:

8.1. determine the potential hazards – sources of risk – and potential undesirable events at the establishment or outside such establishment that may cause an industrial accident or an immediate threat of an industrial accident;

8.2. in accordance with Part I of Annex 3 to this Regulation develop industrial accident prevention policy where overall aims, principles of action, the tasks and responsibility of a responsible person are characterised, also the commitment towards continuously improving the control of industrial accident risks, and ensuring a high level of protection;

8.3. assess the possible effects of an industrial accident;

8.4. determine what development of undesirable events may cause the most severe consequences for the environment, human life, health or property, by taking into account possible mutual undesirable effect among dangerous substances in different technological installations, structures, equipment or vehicles of dangerous cargo in the territory of the establishment, also effect of external risk factors;

8.5. assess the probability of such industrial accident that would cause the most severe consequences for the environment, human life, health or property;

8.5. establish a safety management system in conformity with the industrial accident hazard, organisational structure and the complexity of the activities of the establishment in order to ensure systematic, objective and regular assessment of industrial accident risk and planning, evaluation, performance and control of risk reduction measures in the establishment or all installations of the establishment which are located in one territory, including working environment assessment in accordance with the laws and regulations regarding performance of internal supervision of working environment;

8.7. incorporate a safety management system in overall work organisation and management system of the establishment, by ensuring organisational process and determining duties and responsibility of employees, internal rules of procedures, practical use thereof, technical methods and necessary resources for the development and implementation of industrial accident prevention policy;

8.8. implement industrial accident prevention policy in conformity with the industrial accident hazard level and complexity of organisational structure or activities of the owner or possessor of the establishment and organisation of the performer of activities, by using appropriate means, structures and safety management system;

8.9. assess the conformity of the safety management system of the establishment with the requirements of this Regulation;

8.10. assess the usefulness and effectiveness of the intended or implemented industrial accident risk reduction measures;

8.11. indicate and justify that the significant risks have been identified and that the necessary measures have been taken in order to prevent industrial accidents or in case of such accidents mitigate the effect of such accidents on people and the environment;

8.12. assess the industrial accident risk. If in assessing the risk of an industrial accident a responsible person determines that changes are necessary in the safety management system or other industrial accident risk reduction measures must be taken, such changes or measures and the time periods for the implementation thereof shall be indicated in a safety report or industrial risk prevention programme.

9. A responsible person shall notify the State Environmental Service and the relevant local government regarding:

9.1. the commencement of operation of an establishment (if all the documents necessary in accordance with this Regulation have been drawn up and a coordination regarding commencement of operation has been obtained from a relevant local government) – one week prior to the commencement of operation of the establishment;

9.2. the termination of operation of an establishment – not later than one week prior to temporary suspension of operation of the establishment or closing thereof;

9.3. changes in the establishment or installation which may substantially increase industrial accident hazard or risk or which are indicated in Sub-paragraphs 26.1 and 26.2 of this Regulation (if all the documents necessary in accordance with this Regulation are developed and approved) – no later than one week prior to the commencement of operation of the installation;

9.4. modifications of an establishment which could significantly reduce industrial accident risk – not later than one week prior to the intended changes.

II. General Requirements for Preparation, Submission and Examination of Industrial Accident Prevention Documentation

10. A responsible person shall lodge the submission referred to in Paragraph 7 of this Regulation in a printed form and in the form of an electronic document to the State Environmental Service, if it is intended that:

10.1. the maximum quantity of dangerous substance may reach or exceed the qualifying quantities for lower-tier establishments indicated in Annex 1 to this Regulation;

10.2. the quantity criterion of dangerous substances (Q total) by calculating it in accordance with the formula indicated in Paragraph 7 of Annex 1 to this Regulation, may be equal to or greater than one;

10.3. the changes indicated in Paragraph 26 of this Regulation will be carried out.

11. A responsible person shall lodge the submission referred to in Paragraph 7 of this Regulation:

11.1. not later than six months prior to the commencement of construction work of an establishment, if environmental impact assessment has not been carried out;

11.2. not later than six months prior to the commencement of operation of an establishment, if environmental impact assessment has been carried out;

11.3. not later than four months prior to changes at the site of operation as a result of which it becomes a lower- or upper-tier establishment within the meaning of this Regulation;

11.4. not later than three months before the changes referred to in Paragraph 26 of this Regulation.

12. If the information indicated in a submission is incomplete or does not conform to the requirements of this Regulation, the State Environmental Service shall request additional information from a responsible person or shall indicate to the errors in the submission not later than within one month from the day of receipt of the submission.

13. The State Environmental Service shall, within one month after receipt of the submission or additional information referred to in Paragraph 12 of this Regulation, inform a responsible person whether the presence of dangerous substances at the establishment is determined appropriately.

14. The State Environmental Service shall electronically send a copy of the submission to the State Environmental Bureau, the State Fire-Fighting and Rescue Service and to the local governments in the territory of which the establishment is located or the territories of which may be affected by an industrial accident.

15. A responsible person shall develop an industrial accident prevention programme and shall submit such programme in a printed form and in the form of electronic document to the State Environmental Bureau if one of the following conditions is valid:

15.1. maximum quantities of dangerous substances in the establishment or all installations of the establishment, which are located in one territory, are equivalent to the qualifying quantities indicated in Annex 1 to this Regulation, which apply to lower-tier establishments, or exceed such quantities, but are less than qualifying quantities indicated in Annex 1 to this Regulation, which apply to upper-tier establishments;

15.2. quantity criterion of dangerous substances which is calculated by taking into account the qualifying quantities indicated in Annex 1 to this Regulation, which apply to lower-tier establishments, is equal to or greater than one.

16. A responsible person shall develop and submit a safety report to the State Environmental Bureau and a civil protection plan to the State Fire-Fighting and Rescue Service in a printed form and in the form of electronic document, if one of the following conditions is valid:

16.1. maximum quantities of dangerous substances in the establishment or all installations of the establishment, which are located in one territory, are equivalent to the qualifying quantities indicated in Annex 1 to this Regulation, which apply to upper-tier establishments, or exceed such quantities;

16.2. quantity criterion of dangerous substances which is calculated by taking into account the qualifying quantities indicated in Annex 1 to this Regulation, which apply to upper-tier establishments, is equal to or greater than one.

17. In order to prevent duplication of information, a responsible person has the right not to include in a submission, industrial accident prevention programme, safety report and civil protection plan of the establishment the sections from the documents which have been developed in accordance with the requirements of the laws and regulations in the field of spatial development planning, construction, fire safety, labour, environment and civil protection, for example, the parts of environmental impact assessment report, permit to carry out polluting activity, spatial planning or building design, if all requirements of this Regulation are complied with, indicating references to certain paragraphs in other related documents.

18. If the requirements of this Regulation are conformed to partly in the documentation referred to in Paragraph 17 of this Regulation and additional information or evaluation thereof is needed, the relevant sections of related documents shall be appended to the industrial accident prevention documentation.

19. A submission, industrial accident prevention programme, safety report and the civil protection plan of an establishment shall indicate the person who has prepared such documents, and a responsible person shall sign such documents. Information provided in the printed form and in the form of electronic document shall be identical or shall indicate the differences between the information provided in the printed form and in the form of electronic document.

III. Procedures for the Submission and Assessment of Industrial Accident Prevention Programme and Safety Report

20. A responsible person shall submit to the State Environmental Bureau:

20.1. an industrial accident prevention programme which includes the information referred to in Annex 3 to this Regulation not later than four months prior to:

20.1.1. the commencement of construction work of an establishment, if environmental impact assessment has not been carried out;

20.1.2. the commencement of operation of an establishment, if environmental impact assessment has been carried out;

- 20.1.3. reaching the quantity of dangerous substances indicated in Paragraph 15 of this Regulation;
- 20.2. a safety report which includes the information referred to in Annex 4 to this Regulation not later than four months prior to:
 - 20.2.1. the commencement of construction works of an establishment, if environmental impact assessment has not been carried out;
 - 20.2.2. the commencement of operation of an establishment, if environmental impact assessment has been carried out;
 - 20.2.3. reaching the quantity of dangerous substances indicated in Paragraph 16 of this Regulation.

21. In order to assess an industrial accident prevention programme or safety report, the Environment State Bureau shall establish a risk assessment commission (hereinafter – commission). The commission shall consist of representatives from the Ministry of Environmental Protection and Regional Development, the Ministry of Economics, the Ministry of Welfare, the Ministry of Health and the Ministry of the Interior, or from institutions subordinate thereto, also representatives from the relevant local governments.

22. If necessary, prior to the examination of an industrial accident prevention programme or safety report, a commission shall:

22.1. invite experts, who do not represent competitive merchants, performers of activities or organisations, to assess the industrial accident prevention programme, the safety report, or separate parts thereof and to verify the conformity of the information included in the relevant document with the actual situation at the establishment, and shall request that a responsible person provides the experts with all the necessary information and allows such experts to become acquainted with the situation at the establishment, to take samples and perform an assessment of the operation of the installations and equipment thereof and the intended risk reduction measures;

22.2. suggest:

22.2.1. the State Environmental Service to organise the complex examination;

22.2.2. the State Environmental Service, the State Fire-Fighting and Rescue Service, the State Labour Inspection, or the Consumer Rights Protection Centre to perform control of the establishment in accordance with the competence thereof and to assess the conformity of the information included in the industrial accident prevention programme, the safety report, or separate parts thereof, with the actual situation at the establishment.

23. In assessing an industrial accident prevention programme or safety report, a commission shall:

23.1. examine the conformity of the industrial accident prevention programme or safety report with the requirements of this Regulation within three months after the submission of the industrial accident prevention programme or safety report;

23.2. analyse whether the measures included in the industrial accident prevention programme or safety report ensure adequate safety to people and the environment;

23.3. invite a responsible person to provide explanations, where necessary;

23.4. indicate that a responsible person has to provide additional information if the submitted documents do not contain all the necessary information;

23.5. decide regarding necessity of additional expert-examination or inspection;

23.6. review opinions prepared by experts and evaluate opinions registered in writing in the public consultation or comments submitted to the State Environmental Bureau;

23.7. develop proposals regarding additional measures that would prevent an industrial accident or reduce the harmful consequences thereof to people or the environment which the

responsible person shall include in the industrial accident prevention programme or safety report;

23.8. prepare recommendations to the State Environmental Bureau for the taking of a decision; and

23.9. recommend the State Fire-Fighting and Rescue Service not to prepare an off-establishment civil protection plan if the information included in the safety report approves that the environment or the people outside of the territory of the establishment will not be endangered in case of an industrial accident.

24. The State Environmental Bureau, taking into account the recommendations of a commission, shall take a decision and within a month after the receipt of such recommendations shall:

24.1. perform one of the following actions:

24.1.1. request to submit additional information if the submitted documents do not contain all the necessary information;

24.1.2. prepare an opinion and inform a responsible person in writing regarding the fact that an industrial accident prevention programme or safety report has been prepared in accordance with the requirements of this Regulation and that the operation of the establishment may be commenced or continued without additional conditions, taking into account the measures provided for in the industrial accident prevention programme or safety report;

24.1.3. assign the responsible person to make amendments or additions to the industrial accident prevention programme or safety report, indicating the time periods for the performance of such activities, also assign the implementation of additional measures in order to reduce the threat of industrial accidents and increase safety to people and the environment, and permit or prohibit the commencement of the planned operation of the establishment;

24.1.4. assign the responsible person to draw up a new industrial accident prevention programme or safety report that would conform to the requirements of this Regulation, also determine the time periods within which the responsible person shall take additional measures in order to reduce threats of industrial accidents and increase safety to people and the environment, also prohibit to commence the planned operation of the establishment or installation, or to carry out changes in the operation of the establishment;

24.2. inform the authorities involved in the commission regarding establishments or installations to responsible persons of which the conditions referred to in Sub-paragraph 24.1.3. or 24.1.4. of this Regulation is applied, and industrial accident risk to a human or the environment caused by such establishments or installations in order for the State Environmental Service, State Labour Inspection, Consumer Rights Protection Centre or State Fire-Fighting and Rescue Service to decide regarding necessity to suspend operation of the relevant establishment or installation in accordance with the procedures laid down in the laws and regulations.

25. A decision of the State Environmental Bureau may be appealed to a court.

IV. Procedures for Adjustment and Supplementation of Industrial Accident Prevention Programme and Safety Report

26. A responsible person shall, in accordance with the procedures laid down in this Regulation, draw up and lodge a submission referred to in Paragraph 7 of this Regulation to the State Environmental Service in a printed form and in the form of electronic document before:

- 26.1. a lower-tier establishment becomes an upper-tier establishment;
- 26.2. the following changes have been carried out in the establishment or installation, if they materially increase industrial accident hazard or risk:
- 26.2.1. the commencement of production, processing, utilisation or storage of such dangerous substance that is not referred to in the submission, industrial accident prevention programme or safety report in the quantity that is 2% of the minimum qualifying quantity of the relevant substance or exceeds it, if it is ensured that due to the location of such substance in the establishment it may not be initiator of the industrial accident, but, if the placement of the dangerous substance in the establishment is intended such that it may be initiator of the industrial accident, the submission shall be lodged regarding any quantity of the dangerous substance;
 - 26.2.2. activities with dangerous substances which have not been provided for in the submission, industrial accident prevention programme or safety report;
 - 26.2.3. new installations, structures or technological equipment have been placed or material changes have been made in structures or technological equipment or process in which dangerous substances are used, or other changes in the establishment;
 - 26.2.4. increased quantity of one or several dangerous substances in the establishment for more than 10 % of the maximum quantity indicated in the submission;
 - 26.2.5. physical state of one or several dangerous substances has been changed;
- 26.3. an upper-tier establishment becomes a lower-tier establishment.

27. The State Environmental Service shall examine the submission in accordance with the procedures referred to in Chapter II of this Regulation and, where necessary, assign a responsible person:

- 27.1. to develop a supplement to an industrial accident prevention programme or safety report, also indicate, if the supplement has to be examined by the State Environmental Bureau before introduction of changes in the activity;
- 27.2. to make amendments to an industrial accident prevention programme or safety report, also indicate, if the amendments have to be examined by the State Environmental Bureau before introduction of changes in the activity.

28. After adjustment or supplementation of the industrial accident prevention programme or safety report, a responsible person shall immediately submit it to the State Environmental Bureau in a printed form and in the form of electronic document:

- 28.1. within a time period indicated by the State Environmental Bureau in conformity with Sub-paragraph 24.1 of this Regulation;
- 28.2. if the State Environmental Service in accordance with Paragraph 27 of this Regulation has indicated that it is necessary to examine amendments to the industrial accident prevention programme or safety report or supplement thereof in the State Environmental Bureau before introduction of changes in the activity. In such case the changes indicated in Sub-paragraphs 26.1 and 26.2 of this Regulation may be carried out in the establishment, if a decision of the State Environment Bureau has been received in conformity with Sub-paragraph 24.1.2 or 24.1.3 of this Regulation;
- 28.3. upon request of the State Environmental Service, if:
 - 28.3.1. during a complex examination significant non-conformity of information provided for in the industrial accident prevention programme or safety report to the actual situation in the establishment has been determined or it has been determined that industrial accident risk reduction measures have not been taken;
 - 28.3.2. industrial accident has occurred;
- 28.4. upon the initiative of the responsible person or at the request of the State Environmental Bureau, if it is substantiated by new technical facts (including an analysis of

data regarding accidents that have occurred), detected domino effect or new information regarding safety provision and hazard and industrial accident risk assessment.

29. A responsible person shall evaluate an industrial accident prevention programme or safety report at least once in five years also in the case if the changes referred to in this Chapter are not intended or have not occurred, and, where necessary, adjust or supplement it. After adjustment or supplementation it shall be immediately submitted to the State Environmental Bureau in a printed form and in the form of electronic document. The State Environmental Bureau shall not initiate evaluation of the industrial accident prevention programme or safety report, if the responsible person has received an opinion of the State Environmental Bureau in accordance with Sub-paragraph 24.1.2 of this Regulation and if:

29.1. changes have not occurred in the establishment or surrounding thereof, which could cause industrial accident, substantially increase hazard thereof or aggravate consequences of such accident;

29.2. an industrial accident has not occurred, also the situation that could cause, causes or caused industrial accident threats has not been established at the establishment;

29.3. significant deficiencies or infringements have not been determined during complex examinations, and other deficiencies (infringements) have been rectified within indicated time limits;

29.4. new technical information has not become known (also from the data analysis of accidents occurred at similar establishments at other places) regarding possible wrong operation of similar installations and systems, including regarding defects or wrong operation of devices, installations and equipment used for the process management, control and safety due to which industrial accident could be caused.

30. A supplement to the industrial accident prevention programme or safety report or adjusted industrial accident prevention programme or safety report shall be assessed in accordance with the procedures laid down in Chapter III of this Regulation.

V. Procedures for Development, Submission, Assessment and Adjustment of Civil Protection Plan of the Establishment

31. A responsible person of an upper-tier establishment shall develop a civil protection plan of the establishment in which information indicated in this Chapter and Annex 5 shall be included.

32. A responsible person, when developing a civil protection plan of the establishment, shall co-operate with employees of the establishment (including those who are employed in accordance with long-term sub-contracts) and consult with State and local government authorities.

33. A responsible person shall submit the draft civil protection plan of an establishment to the State Fire-Fighting and Rescue Service in the printed form and in the form of electronic documents not later than four months prior to the commencement of operation of the establishment or reaching the quantity of dangerous substances indicated in Paragraph 16 of this Regulation.

34. The State Fire-Fighting and Rescue Service shall evaluate the civil protection plan of an establishment within two months after receipt thereof.

35. In evaluating the civil protection plan of an establishment, the State Fire-Fighting and Rescue Service shall invite (where necessary):

35.1. a representative of the Emergency Medical Service who evaluates health protection and medicinal issues related to industrial accident risk;

35.2. representatives of the relevant local governments who shall deal with the issues of population and worker safety of the local government related to the industrial accident risk (for example, the ensuring of evacuation);

35.3. a representative of the State Environmental Bureau who shall evaluate the intended environmental protection measures;

35.4. experts.

36. In assessing the civil protection plan of an establishment and taking into account suggestions and opinion of the Emergency Medical Service, the State Environmental Service, local government and other State authorities and experts, the State Fire-Fighting and Rescue Service shall:

36.1. examine the possible types by which dangerous substances spread and the effects on human health or the environment, the planned emergency preparedness and emergency management measures, the planned resources, environmental protection, explosion safety, fire safety, evacuation and other matters that are related to the planning of action in cases of industrial accidents and emergencies;

36.2. request additional information from a responsible person if the submitted documents do not contain all the necessary information;

36.3. submit proposals regarding additional measures that are necessary in order to prevent an industrial accident or reduce the effects of harmful consequences thereof on people or the environment, and which the responsible person shall include in the civil protection plan of the establishment.

37. The State Fire-Fighting and Rescue Service, having evaluated the civil protection plan of the establishment, shall take one of the following decisions:

37.1. the civil protection plan of an establishment has been drawn up in accordance with the requirements of this Regulation and the operation of the establishment may be commenced or continued without additional conditions;

37.2. the operation of an establishment may be commenced or be continued, but corrections, amendments or additions to the civil protection plan of the establishment are necessary;

37.3. the operation of an establishment may not be commenced or continued before corrections or additions to the civil protection plan of the establishment are not made, or a new civil protection plan of the establishment has not been developed that conforms to the requirements of this Regulation.

38. The civil protection plan of the establishment shall be developed in two copies and it shall be approved by a responsible person or a head of the establishment. One copy of the civil protection plan of the establishment shall be kept at the establishment, but another copy shall be submitted to the State Fire-Fighting and Rescue Service upon the relevant request.

39. A responsible person shall make employees of the establishment familiar with the civil protection plan and precaution and protection measures provided therein, and they shall certify it with a signature. The responsible person shall review the civil protection plan of the establishment each year and, where necessary, adjust it.

40. If the changes referred to in Paragraph 26 of this Regulation have occurred at the establishment, amendments have been made in the laws and regulations or other factors have arisen that may affect implementation of the measures included in the civil protection plan of the establishment, the civil protection plan of the establishment shall be adjusted or

supplemented within three months. After adjustment or supplementation, it shall be immediately submitted to the State Fire-Fighting and Rescue Service for examination in a printed form and in the form of electronic document.

VI. Procedures for Development and Adjustment of Civil Protection Plan of the Off-establishment

41. The State Fire-Fighting and Rescue Service, within three months after assessment of a civil protection plan of an upper-tier establishment, shall develop a civil protection plan of the off-establishment, by including the information referred to in this Chapter and Annex 6 to this Regulation.

42. When organising development of a civil protection plan of the off-establishment, the State Fire-Fighting and Rescue Service shall invite, where necessary:

42.1. a representative of the Emergency Medical Service who evaluates health protection and medicinal issues related to industrial accident risk, and ensures development of measures for provision of emergency medical assistance;

42.2. representatives of the relevant local governments who shall deal with the issues of population and worker safety of the local government related to the industrial accident risk (for example, the ensuring of evacuation);

42.3. a representative of the State Environmental Bureau who shall evaluate the intended environmental protection measures;

42.4. experts;

42.5. a responsible person of the upper-tier establishment who provides other information regarding the establishment.

43. The State Fire-Fighting and Rescue Service shall provide for the following in a civil protection plan of the off-establishment:

43.1. duties and co-operation of involved State authorities and local governments for action in case of an industrial accident or emergency in order to reduce the effect of and the damage inflicted by an undesirable event or industrial accident;

43.2. resources in order to contain or eliminate industrial accidents and to reduce the effects of such accidents on people and the environment outside the territory of the establishment;

43.3. mutual assistance by civil protection (operative) units in the case of industrial accidents or emergencies;

43.4. protection measures and rescue of people in the case of industrial accident;

43.5. provision of information to institutions, merchants, local governments and the public in the territory endangered by an industrial accident in conformity with Paragraphs 46 and 73 of this Regulation.

44. A civil protection plan of the off-establishment shall be developed in three copies and approved by the State Fire-Fighting and Rescue Service. One copy of the plan shall be stored at the State Fire-Fighting and Rescue Service, the other copy – at the establishment, the third copy – at the relevant local government.

45. A responsible person of an upper-tier establishment in co-operation with State and local government institutions shall examine operation of a civil protection plan of the establishment and a civil protection plan of the off-establishment in practical training not less than once every three years, also review such plans and, where necessary, adjust or supplement such plans within three months.

46. The State Fire-Fighting and Rescue Service, in developing or substantially changing a civil protection plan of the off-establishment, shall, in co-operation with a responsible person, ensure a possibility for the public to provide opinion regarding the plan in mass media, indicating:

46.1. the place and time where the public may become acquainted with the plan;

46.2. the deadline by which the public may submit questions, proposals or opinion to the State Fire-Fighting and Rescue Service regarding the plan.

VII. Assessment of Domino Effect and Requirements for Establishments that may Cause Domino Effect or be Affected by Such Effect

47. The State Environmental Bureau, by using information provided in submissions, industrial accident prevention programmes, safety reports and the State Environmental Service or other information, also by taking into account instructions of the European Commission (if any provided), shall identify establishments or groups of establishments where mutual undesirable effects (domino effect) may be present and major industrial accident risk may be increased or consequences of such accidents could be aggravated in relation to:

47.1. dangerous substances that are located at the establishments, the properties, physical state and quantity thereof;

47.2. the parameters of technological installations, equipment or technological processes;

47.3. the vicinity or layout of such establishments or technological equipment and structures;

47.4. the external sources of risk.

48. The State Environmental Bureau shall inform responsible persons of neighbouring establishments regarding:

48.1. establishments which may cause domino effect for the establishment concerned;

48.2. other sites of operation in the vicinity of the establishment to which this Regulation does not apply, but which may cause domino effect for the establishment concerned, if any are known.

49. If establishment may cause the domino effect or may be affected by the domino effect, the responsible persons of the relevant neighbouring establishments shall:

49.1. agree upon the procedures by which the reciprocal exchange of information shall be performed in case of undesirable events or an industrial accident within a period of one month after the receipt of the information provided by the State Environmental Bureau;

49.2. in drawing up or supplementing an industrial accident prevention programme or a safety report and the civil protection plan of an establishment, also in organising the safety management system, take into account the overall hazard and risk of possible industrial accidents, also the severity and spread of the combined consequences of such industrial accident;

49.3. in planning the industrial accident risk reduction measures, provide for measures for the reduction of the domino effect;

49.4. co-operate by providing information to the public, including to neighbouring performers of activities to which this Regulation does not apply;

49.5. co-operate by providing information to the relevant local government and the State Fire-Fighting and Rescue Service in the development of a civil protection plan of the off-establishment, indicating the principal factors and circumstances that cause or facilitate the domino effect, information regarding the domino effect, also a characterisation of the overall hazard and risk of industrial accidents.

VIII. Requirements for Determination of Safety Distances and Territory Use Restrictions around Establishments

50. Siting of new industrial accident risk establishments and development of existing establishments, by taking into account changes referred to in Sub-paragraphs 26.1 and 26.2 of this Regulation, shall be planned in conformity with the procedures laid down in the laws and regulations of spatial development planning by evaluating effect thereof on surrounding territory in a long-term and determining spatial development principles and requirements in respect of industrial accident prevention and reduction of consequences thereof on people and the environment, also by ensuring public participation.

51. Minimum safety distances for siting of establishments and spatial use and construction restrictions shall be determined in plans, local plans or detailed plans of a local government in conformity with the requirements of the laws and regulations governing spatial development planning and taking into account a civil protection plan, industrial accident prevention programme or safety report of each establishment and other information. Local governments have the right to determine unified criteria (including risk level, where necessary) for determination of safety distances.

52. Minimum safety distances referred to in Paragraph 51 of this Regulation shall be complied with also in the case when a new building of other type is planned next to industrial accident risk establishments.

53. In planning minimum safety distances and building restrictions around existing and new establishments, the following shall be taken into account:

53.1. a characterisation of the potential industrial accident (including the possibility of an industrial accident and the approximate scale of the consequences thereof);

53.2. territory in which it is necessary to take measures for protection against industrial accidents which are laid down in an industrial accident prevention programme, safety report and civil protection plan;

53.3. the necessity to establish a safety protective zone in the territory that could be affected by an industrial accident or domino effect, or to determine other restrictions on the utilisation of the territory in order to reduce the risk of an industrial accident for people and the environment;

53.4. technical information and explanation provided by a responsible person of the establishment regarding specific industrial accident risk factors, risk level (degree) and distances of possible undesirable effect of consequences of the accidents.

54. A local government shall request a responsible person of the establishment to provide information regarding specific industrial accident risk factors, risk level (degree) and distances of possible undesirable effect of consequences of the accidents, if such information is necessary for the spatial development planning.

55. The State Environmental Bureau shall provide to the relevant local governments:

55.1. information regarding establishments covered by this Regulation and territories that may be affected by potential industrial accidents at such establishments or by the domino effect caused by such accidents;

55.2. where necessary, recommendations regarding restrictions on the utilisation of territories, distances between an establishment and territories of residential buildings or other territories substantiated by technical data or assessment of industrial accident risk or spread of consequences thereof, also other restrictions on the utilisation of territories and buildings that have been recommended after an assessment or provided for in an initial assessment,

environmental impact assessment, a safety report or industrial accident prevention programme, also planning criteria of minimum safety distances.

56. If densely populated territories or otherwise intensively utilised territories are located in the vicinity of the existing establishment and therefore it is not possible to determine limitations on the utilisation of the territory that would ensure the possibility to reduce the effect of industrial accidents on people or the environment, or the determined limitations on the utilisation of the territory are insufficient and an industrial accident at the establishment may endanger human life outside the establishment, the responsible person shall take technical measures in order to ensure that industrial accident risk or undesirable effect thereof on people or the environment is not increased in a long-term.

IX. Availability of Information and Informing of the Public Regarding Safety and Precaution Measures

57. A responsible person and the State Environmental Bureau shall ensure free public access to an industrial accident prevention programme or a safety report, also to information regarding the presence of dangerous substances (a list of stocks of dangerous substances) at an establishment.

58. The website of the State Environmental Bureau shall indicate where and when one may become acquainted with an industrial accident prevention programme or safety report prepared by a responsible person.

59. If industrial accident prevention programme, safety report or civil protection plan of the establishment contains information which in conformity with the laws and regulations is to be regarded as restricted access information (including commercial secret), a responsible person shall additionally develop a shortened programme, report or civil protection plan of the establishment, which does not contain restricted access information and is freely accessible by the public.

60. Access to the following information may not be restricted:

60.1. the physical, chemical, toxicological or ecotoxicological properties of dangerous substances;

60.2. the ways and methods by which to render a dangerous substance harmless;

60.3. information regarding the harmful effects of a dangerous substance on a human being or the environment;

60.4. information regarding the safety measures to be observed during the handling of dangerous substances; and

60.5. information regarding first aid and emergency measures that shall be taken if poisoning with a dangerous substance has occurred, a fire has started, or another undesirable event or accident has occurred.

61. A responsible person shall ensure public consultation before submitting a safety report or industrial accident prevention programme to the State Environmental Bureau, if:

61.1. changes are intended in the existing establishments which are indicated in Sub-paragraphs 26.1 and 26.2 of this Regulation and environmental impact assessment has not been carried out regarding these changes or public consultation has not been carried out during issuing process of the permit (for the performance of polluting activity);

61.2. the intended changes at the site of operation in the result of which it becomes a lower-tier or upper-tier establishment, if public consultation has not taken place regarding such changes during issuing process of the permit (for the performance of polluting activity);

61.3. environmental impact assessment has not been carried out for new establishments and information regarding possible industrial accident risks has not been provided to the public during the public consultation of a detailed plan or construction intention.

62. In organising public consultation, a responsible person shall, at least 10 days before provision of information to the public, publish a notification in at least one newspaper issued by a local government or in other local newspaper in which the following is indicated:

62.1. a short information regarding changes in the existing establishment or site of operation, or activity intended in a new establishment or installation;

62.2. where and when or how one can become familiar with a safety report or industrial accident prevention programme;

62.3. when a public consultation of a safety report or industrial accident prevention programme will take place;

62.4. a time limit by which the public may submit questions, suggestions or express opinion regarding a safety report or industrial accident prevention programme to a responsible person and in conformity with Paragraph 65 of this Regulation – his or her objections to the State Environmental Bureau.

63. Responsible person shall ensure:

63.1. public consultation of a safety report or industrial accident prevention programme at the place and time available for the public;

63.2. a possibility for the public to express opinion regarding a new establishment, also regarding changes in the operation of the existing establishment or enlargement of operation and regarding safety management system at the establishment.

64. A responsible person shall invite to a public consultation representatives of local governments, the State Environmental Bureau, the State Environmental Service, also, if necessary, representatives of other authorities referred to in this Regulation, and representatives and experts from public organisations.

65. A responsible person shall ensure hearing, acceptance and evaluation of public opinions and comments by taking into account suggestions expressed justifiably and substantiating the decision taken, if it does not agree with the public opinion. A safety report or industrial accident assessment programme shall be appended by the minutes of public consultation, suggestions and comments received in writing regarding a new establishment, changes at the site of operation as a result of which it becomes as the establishment of this Regulation, or changes at the existing establishment indicated in Sub-paragraphs 26.1 and 26.2 of this Regulation, also explanations how the public opinion has been taken into account or why it has not been complied to.

66. If there is an objection substantiated by technical data, facts, calculations or scientific information against placement of a new establishment or changes indicated in Sub-paragraphs 26.1 and 26.2 of this Regulation, the public may submit opinion or suggestions by the time limit indicated by the responsible person directly to the State Environmental Bureau.

67. After public consultation carried out by a responsible person and submission of a safety report or industrial accident prevention programme, however prior to taking a decision regarding this report or programme, the State Environmental Bureau shall assess the suggestions submitted during the public participation process and publish on its website:

67.1. the minutes of public consultation and explanations of the responsible person how the public opinion has been taken into account or why it has not been complied to;

67.2. information regarding objections submitted directly to the State Environmental Bureau;

67.3. information regarding the essence of possible decision in respect of placement of a specific new establishment, changes at the site of operation as a result of which it becomes an establishment of this Regulation, or changes at the existing establishment which are indicated in Sub-paragraphs 26.1 and 26.2 of this Regulation;

67.4. other significant information if any is available.

68. The State Environmental Bureau shall publish the decision referred to in Sub-paragraph 67.3 of this Regulation and summary of amendments thereto on its website, also:

68.1. the minutes of the meeting of a risk assessment commission, if they contain significant information in relation to the decision taken;

68.2. a short description on how the public opinion has been taken into account.

69. A responsible person shall draw up information for the public in which action in the case of industrial accident and intended protection measures, also information referred to in Annex 7 to this Regulation (hereinafter – informative material) are indicated, and submit it to the State Fire-Fighting and Rescue Service. Upper-tier establishments shall submit it concurrently with the civil protection plan of the establishment to the State Fire-Fighting and Rescue Service.

70. A responsible person shall, after co-ordination with the State Fire-Fighting and Rescue Service:

70.1. submit the informative material electronically to the State Environmental Service within two weeks;

70.2. if paragraph 16 of this Regulation applies to the establishment, in co-operation with local governments distribute the informative material to the public (also in the cases, when the public does not request it), which may be directly affected by the industrial accident at the establishment – house managers or households, schools, hospitals, institutions, organisations and merchants not less than once in five years, also in the cases if changes indicated in Sub-paragraphs 26.1 and 26.2 of this Regulation are intended.

71. The State Environmental Service shall publish the informative material of the responsible person on its website by specifying also:

71.1. the date when the last complex examination has been carried out at the establishment;

71.2. the place where a detailed information may be acquired upon request regarding this complex examination, also whether and where the detailed information may be acquired in the electronic form.

72. A responsible person shall perform the following with informative material:

72.1. supplement or adjust it, if changes indicated in Paragraph 26 of this Regulation are intended at the establishment, co-ordinate the supplemented informative material with the State Fire-Fighting and Rescue Service and submit it electronically to the State Environmental Service after co-ordination;

72.2. review it once in five years and, where necessary, adjust or supplement it, also submit the adjusted informative material electronically to the State Environmental Service.

73. The State Fire-Fighting and Rescue Service shall, by using mass media, the public participation process or by selecting other most appropriate way:

73.1. inform the public regarding measures provided for in a civil protection plan of the off-establishment:

- 73.1.1. regarding public safety and protection measures;
- 73.1.2. regarding the assistance intended for a responsible person for the elimination of industrial accidents in the territory of the establishment;
- 73.1.3. regarding measures for containment, reduction or liquidation of industrial accidents or consequences thereof outside the territory of the establishment;
- 73.2. listen to the public opinion, also evaluate proposals regarding the safety measures provided for in the civil protection plan of the off-establishment, by taking into account the proposals expressed.

74. Any natural or legal person may submit a justified complaint to the State Environmental Bureau regarding inadequate information of the public or refusal to listen to the public opinion.

X. Inspection of Establishments

75. The State Environmental Service shall, on the basis of submissions referred to in Paragraph 7 of this Regulation, develop an inspection plan of the establishments, in which the following shall be indicated:

- 75.1. geographical area or administrative territory covered by the plan;
- 75.2. a list of establishments covered by such plan;
- 75.3. a general assessment of the relevant safety issues;
- 75.4. a list of groups of establishments with those establishments which may cause domino effect;
- 75.5. a list of establishments with those establishments where specific external risk factors or hazard sources could increase a major industrial accident risk or aggravate consequences thereof.

76. The State Environmental Service shall develop a joint inspection programme which ensures a regular complex examination of all establishments (covered by this Regulation).

77. The State Environmental Service, in developing a joint inspection programme, shall determine:

- 77.1. procedures for performing routine complex examinations;
- 77.2. procedures for performing non-routine (unplanned) complex examinations;
- 77.3. basic principles of co-operation between State authorities which jointly inspect establishments.

78. A joint inspection programme shall provide for a complex examination to be performed not less than:

- 78.1. once in a calendar year – in each upper-tier establishment;
- 78.2. once in three years – in each lower-tier establishment.

79. A joint inspection programme shall provide that a complex examination may be carried out less frequently than it is laid down in Paragraph 78 of this Regulation, if in a previous complex examination:

- 79.1. significant deficiencies of infringements have not been detected and a certification has been received from a responsible person that other deficiencies (infringements) have been rectified in a timely manner;
- 79.2. it is detected that:
 - 79.2.1. a safety management system introduced at the establishment ensures systematic, objective and regular planning of measures for hazard assessment and risk

reduction of industrial accidents, by taking into account possible undesirable effect on human health and the environment in the case of industrial accident;

79.2.2. documents attesting the conformity of safety management system of the establishment with the requirements of this Regulation are presented.

80. In determining periodicity of less frequent complex examinations in the inspection programme in accordance with Paragraph 79 of this Regulation, the conclusions of all authorities involved in complex examinations shall be taken into account, also conclusions of examinations carried out in accordance with other laws and regulations.

81. In order to perform a complex examination, the State Environmental Service shall establish and head an inspection commission, inviting representatives from the State Fire-Fighting and Rescue Service, the State Labour Inspection, the Consumer Rights Protection Centre and local government, also experts or representatives of other supervision and control institutions, where necessary.

82. A complex examination of establishments, by taking into account the type of activity of the establishment, shall be carried out also in the case when a responsible person has not yet submitted the documents referred to in Paragraphs 7 and 15 or 16 of this Regulation.

83. A complex examination shall include an examination of the technical condition of an establishment, organisational issues (especially of the safety management system), documentation, the operation of installations, the compliance with regulations regarding the use and storage of dangerous substances, compliance with fire safety regulations, emergency preparedness, compliance with the requirements regarding work safety and protection (including safe usage of dangerous equipment), an examination of the compliance with the environmental and civil protection requirements, and the monitoring performed by a responsible person.

84. A responsible person shall, upon commencement of a complex examination, immediately submit to the inspection commission an industrial accident prevention programme or safety report and civil protection plan of the establishment, also other documents referred to in this Regulation or which a representative of supervision and control authority requests additionally for complete performance of examination in accordance with the competence thereof. The responsible person shall substantiate the conformity of the safety management system of the establishment with the requirements of this Regulation, by indicating the performed and planned industrial accident risk evaluations and measures in order to prevent industrial accident, but in the case of industrial accident – to contain or reduce consequences thereof.

85. A responsible person shall provide the following to the inspection commission:

85.1. when characterising measures performed for industrial accident risk reduction:

85.1.1. provide information by proving that appropriate measures are taken in respect of all activities to be carried out at the establishment in order to prevent industrial accidents;

85.1.2. provide information by proving that necessary human resources and means for the elimination of the consequences of major accidents and for the reduction of the effects thereof on people and the environment in the territory of the establishment and, if it is determined by the requirements of the laws and regulations, an action plan or civil protection plan of the establishment – also outside the territory of the establishment, is ensured;

85.1.3. certify that information is provided to the public in conformity with the requirements of this Regulation;

85.2. inform regarding carried out and planned industrial accident risk assessments, by indicating regularity of performance thereof, also the latest results regarding possible undesirable effect of dangerous substances on the human health and environment in the case of industrial accident, by characterising them in order:

85.2.1. to allow the inspection commission to fully assess whether the severity of possible consequences of major accidents or the likelihood of such major accidents has increased;

85.2.2. to allow the State Fire-Fighting and Rescue Service to draw up amendments to a civil protection plan of the off-establishment, if the changes indicated in Paragraph 26 of this Regulation are intended or aggravated consequences of the industrial accident are forecasted by taking into account dangerous substances in respect of which additional precaution or protection measures should be necessary.

86. In order to examine the conformity of the information provided in a safety report or an industrial accident prevention programme to the actual situation, members of an inspection commission have the right to take samples or perform an assessment of the operation of installations and equipment thereof.

87. An inspection commission shall prepare a written report regarding the assessment of the operation of installations or equipment thereof or the taking and testing of samples, if necessary, attaching calculations, specifications of installations and equipment thereof, the characterisation of the method of analysis of a dangerous substance and a substantiation for the selection of such method, also conclusions and the substantiation thereof.

88. If an inspection commission determines that the documents submitted by a responsible person do not reflect the actual situation at the establishment and an industrial accident with aggravated consequences is possible or the likelihood of the occurrence of such accident is greater than indicated in the submitted documents, the commission shall request additional information from the responsible person including about:

88.1. the likelihood of the occurrence and the consequences of such industrial accident (the likelihood of the occurrence of an industrial accident with aggravated consequences, or a greater likelihood of the occurrence of a major industrial accident);

88.2. dangerous substances, their properties, physical states, location thereof and other factors that have not been taken into account and that may cause such industrial accident or aggravate the consequences thereof;

88.3. the condition of the safety system (technical and organisational) at an establishment; and

88.4. the emergency preparedness of an establishment and the operation of the safety management system in case of an industrial accident.

89. The State Environmental Service shall draw up and sign a joint inspection report regarding each examination carried out, in which all examination deeds, reports or opinions drawn up by the authorities present in the examination shall be included and submitted to a responsible person not later than within four months from the day of performance of the complex examination.

90. The inspection commission shall indicate the following in the joint inspection report:

90.1. whether the responsible person takes the necessary measures in order to prevent an industrial accident, but in the case of an industrial accident – to contain or reduce the consequences thereof;

90.2. the characterisation of operation of the safety management system (including whether the establishment has the necessary employees and material and technical resources for the elimination of the consequences of an industrial accident and for the reduction of the effects thereof on people and the environment in the territory of the establishment and outside the territory of the establishment);

90.3. compliance of the data or information indicated in the safety report, the industrial accident prevention programme and other documents referred to in this Regulation, or in other documents examined in the complex examination with the actual situation;

90.4. whether the responsible person takes all measures that in accordance with this Regulation are necessary for the elimination of the consequences of an industrial accident or for the prevention of the possibility of recurrence of an industrial accident (if an industrial accident has occurred);

90.5. public access to information in accordance with this Regulation;

90.6. siting of the establishment and description of the vicinity, by indicating whether:

90.6.1. the establishment may cause domino effect;

90.6.2. the establishment may be affected by domino effect;

90.6.3. other external risk factors or hazard sources could increase a major industrial accident risk at the establishment or aggravate consequences thereof.

91. A responsible person shall, within the time limit laid down, carry out the improvements indicated in an inspection report and notify the State Environmental Service regarding performance thereof.

92. Where necessary, on the basis of a joint inspection report the State Environmental Service shall assign a responsible person to make amendments to an industrial accident prevention programme or to a safety report, but the State Fire-Fighting and Rescue Service – to the civil protection plan of an establishment. In assessing and taking into account the amendments made to the civil protection plan of an establishment, the State Fire-Fighting and Rescue Service shall make corrections in a civil protection plan of the off-establishment.

93. If in inspecting the object significant non-conformities are detected (due to which undesirable event may be caused or in the case of undesirable event it is not possible to prevent erupting thereof into industrial accident) in respect of this Regulation, the inspection commission or relevant supervisory authority shall perform repeated examination within six months.

94. The State Environmental Service shall organise non-routine (unscheduled) examination other than intended in a joint inspection programme if:

94.1. an industrial accident has occurred or the situation that could cause, causes or caused industrial accident threats has been established;

94.2. complaints regarding significant infringements or undesirable events, for example, discharge of dangerous substances, fire, have been received;

94.3. information regarding significant non-conformities of the establishment, installations or part thereof with the requirements of this Regulation has been received.

95. The State Environmental Service shall inform the State Environmental Bureau if in the complex examination it is established that:

95.1. the establishment may cause domino effect or domino effect may affect the establishment;

95.2. undesirable effect of other site of operation (not covered by this Regulation) in the vicinity could affect the establishment, by causing domino effect accident or aggravating the consequences of such accident.

XI. Action and Measures in the Case of an Industrial Accident or Threats Thereof and After the Industrial Accident

96. If undesirable event causes direct threats of industrial accident or upon commencement of the industrial accident and during the industrial accident:

96.1. a responsible person shall:

96.1.1. immediately notify the State Fire-Fighting and Rescue Service by phone number 112, also, where necessary, a relevant local government and the State Environmental Service or other authorities;

96.1.2. immediately implement the measures provided for in a civil protection plan (including evacuation of employees) in order to prevent, monitor, contain or eliminate industrial accident or minimise consequences thereof;

96.1.3. carry out other measures upon request of the officials of the State Fire-Fighting and Rescue Service or assessment of the situation;

96.2. The State Fire-Fighting and Rescue Service shall:

96.2.1. respond to the event in conformity with the competence thereof;

96.2.2. where necessary, implement the measures provided for in a civil protection plan of the off-establishment in order to prevent, monitor, contain or eliminate industrial accident or minimise consequences thereof, by involving local governments and other authorities and services;

96.2.3. where necessary, take other measures.

97. In notifying an undesirable event or an industrial accident, a responsible person shall indicate the following information:

97.1. the address, surname and position of the person providing the information, also the surname and position of the recipient of the information;

97.2. the time of provision of the information;

97.3. the date, time and place (the address of the establishment) or other information that clarifies the location of the event;

97.4. necessary assistance.

98. Upon request of the State Environmental Service or the State Fire-Fighting and Rescue Service a responsible person shall provide additional information regarding:

98.1. the undesirable event or the industrial accident, indicating:

98.1.1. the type of the undesirable event or industrial accident and a brief characterisation thereof (for example, fire, explosion, discharge of dangerous substances into air or water), also the scale and significance thereof;

98.1.2. observations, measurements or forecasts performed that characterise the undesirable event or industrial accident, also the potential development thereof;

98.1.3. risk created by the industrial accident at the establishment (for example, a repeated explosion, discharge of dangerous substances, poisoning of employees), and harmful effects on the neighbourhood population and other people who are located in the vicinity of the establishment, or on the environment;

98.1.4. other available information (data) necessary to assess undesirable effect of the consequences of the industrial accident on people and environment;

98.2. information available regarding dangerous substances involved in the accident;

98.3. measures taken to contain and eliminate an industrial accident or to minimise the consequences thereof, or other measures.

99. After an industrial accident the State Environmental Service shall establish and head a commission for the assessment of the industrial accident (hereinafter – accident assessment

commission), which shall include representatives of State authorities (taking into account the distribution of the competence thereof), a representative of the relevant local government and, where necessary, experts. The State Environmental Service shall compile information regarding experts or authorities that may provide information that may be used in the assessment and prevention of industrial accidents, or for the reduction of the hazard and consequences thereof.

100. After an industrial accident a responsible person shall notify the State Environmental Service in writing regarding the following:

100.1. the circumstances and possible causes of the industrial accident;

100.2. dangerous substances involved in the industrial accident – their name, dangerous properties or classification in accordance with Regulation (EC) No 1272/2008 of the European Parliament and of the Council of 16 December 2008 on classification, labelling and packaging of substances and mixtures, amending and repealing Directives 67/548/EEC and 1999/45/EC, and amending Regulation (EC) No 1907/2006 (hereinafter – Regulation No 1272/2008), and product identifiers, for example CAS numbers;

100.3. available information regarding the effects of the industrial accident on people and the environment;

100.4. measures carried out in co-operation with State authorities;

100.5. measures that are intended to:

100.5.1. reduce the medium-term and long-term effects and consequences of the industrial accident that has occurred;

100.5.2. study the long-term effects and consequences of such accident;

100.5.3. prevent the possibility of the recurrence of such accident.

101. If additional facts are disclosed, a responsible person shall update and supplement the information that is provided in accordance with Paragraph 100 of this Regulation.

102. An accident assessment commission shall:

102.1. gather information and assess the industrial accident in order to research the technical and technological causes and circumstances thereof, also assess the problems of the safety management system of the establishment that might have contributed to the occurrence of such accident;

102.2. based on the assessment materials of the industrial accident, assess the circumstances, causes and effects of such accident, also the risk to people or the environment created by the consequences of the industrial accident;

102.3. prepare a written opinion regarding the industrial accident that has occurred and recommendations or instructions regarding measures to be taken in the future in order to reduce the long-term effects of the accident on people and the environment, and to prevent similar industrial accidents.

103. On the basis of an opinion and recommendations of an accident assessment commission, also on the basis of the deeds and reports of examinations performed by State authorities, a responsible person shall:

103.1. implement short-term, medium-term and long-term recovery measures that are necessary in order to reduce or prevent the effects of an industrial accident on people or the environment, including:

103.1.1. collect the waste caused during the industrial accident, separate dangerous waste, ensure safe temporary storage thereof and move such waste to specially equipped locations for the collection or temporary storage of dangerous waste in such a way that such waste does not endanger people, the environment or private property;

103.1.2. perform monitoring (for example, take and analyse samples, take measurements) and develop forecasts that are necessary in order to determine or assess the scope, gravity and spread of consequences of an industrial accident, also the harmful effects of such accident on people and the environment;

103.1.3. perform depollution of the polluted location;

103.1.4. take other measures that are necessary in order to eliminate the consequences of the industrial accident;

103.2. implement measures that would prevent the possibility of recurrence of an industrial accident;

103.3. if necessary, update and supplement an industrial accident prevention programme or a safety report and the civil protection plan of an establishment in accordance with the procedures laid down in this Regulation.

104. The State Environmental Service shall, on the basis of information submitted by a responsible person and information collected by the accident assessment commission, maintain a database regarding industrial accidents occurred in the territory of Latvia and the measures taken. The abovementioned database shall include the following information:

104.1. the date of the occurrence of the industrial accident, the time when such accident began, and the duration and location thereof;

104.2. the name and address of the establishment and installation in which the industrial accident has occurred, also information regarding the responsible person and the owner of the establishment;

104.3. the circumstances of the industrial accident, indicating the dangerous substances involved and the immediate effect thereof on people or the environment;

104.4. measures taken in order to contain, eliminate the industrial accident and to minimise the consequences thereof, also precautionary measures;

104.5. measures taken in order to prevent the recurrence of an industrial accident.

XII. Co-operation with the European Commission and Other Countries

105. The Ministry of Environmental Protection and Regional Development shall, on the basis of information prepared by the State Environmental Bureau, the State Fire-Fighting and Rescue Service and the local governments, inform:

105.1. the European Commission regarding introduction of this Regulation;

105.2. competent authorities of the relevant Member States, if:

105.2.1. such changes of the site of operation is intended in the result of which it becomes an establishment covered by this Regulation and industrial accident therein could cause transboundary effects;

105.2.2. such changes of existing establishment or installation are intended in the result of which an industrial accident at the establishment or installation could cause transboundary effects;

105.2.3. to an establishment or installation covered by this Regulation and located in the vicinity of the border of other Member State Sub-paragraph 23.9 of this Regulation shall be applied and a civil protection plan of the off-establishment shall not be developed by substantiating why it is decided not to develop such plan.

106. Information provided to another state shall be sufficient to enable the relevant state to take into account the hazard and risk of an establishment in preparing the long-term spatial development planning documents and civil protection plans, also to inform the public.

107. The Ministry of Environmental Protection and Regional Development, the Ministry of Interior and institutions which are subordinate thereto shall involve in the exchange of

information and, where necessary, provide information to the European Commission and authorities thereof regarding prevention of industrial accidents and minimisation of consequences thereof, especially implementation, operation and efficiency of the measures provided for in this Regulation, also in the case where it is considered that a dangerous substance does not present major accident hazard, provide a notification and information necessary for assessing the health, physical and environmental hazard properties of the dangerous substance concerned.

108. The State Environmental Bureau shall provide information in the database of the European Commission regarding establishments to which this Regulation applies, indicating:

108.1. name of the owner, holder or performer of activities of the establishment responsible for performance of the activity and ensuring of safety;

108.2. name of the establishment and full address;

108.3. field or fields of activity of the establishment.

109. The State Environmental Service shall organize and participate in the co-operation programme promoted by the European Commission "Mutual Join Visit" which is intended for exchange of experience, joining of knowledge of the Member States and development of joint (common) criteria for inspecting establishments.

110. The State Environmental Service shall, on the basis of data present in the database, draw up and after assessment of the industrial accident provide information referred to in Paragraph 104 of this Regulation to the European Commission as soon as possible, however not later than a year after the accident, at least regarding those industrial accidents occurred the consequences of which meet the criteria indicated in Annex 8 to this Regulation or exceed them. The State Environmental Service, in providing information in the database of the European Commission regarding industrial accidents occurred, shall indicate also its name and full address.

111. The State Environmental Service shall use and, where necessary, provide other authorities referred to in this Regulation with the information available in the database of the European Commission regarding industrial accidents occurred by taking into account the requirements which are laid down for the provision of restricted access information (if the information to be provided has the status of restricted access), including:

111.1. information provided by competent authorities of the Member States:

111.1.1. information disseminated immediately after an accident;

111.1.2. more detailed information regarding accident;

111.2. an analysis of the causes of major industrial accidents;

111.3. information regarding lessons learned from the assessment, containment and elimination of industrial accidents;

111.4. information regarding preventive measures necessary to prevent major industrial accidents or risk reduction thereof;

111.5. information on organisations able to provide advice or relevant information on the occurrence, prevention of industrial accidents and mitigation of the consequences thereof;

111.6. information on the preventive measures necessary to prevent a recurrence of accidents (especially of similar accidents).

112. The information provided in the database of the European Commission regarding industrial accidents occurred, for which the status of restricted access has not been determined, shall be available for the public on the Internet.

113. The Ministry of Environmental Protection and Regional Development, the Ministry of Economics, the Ministry of Welfare, the Ministry of Health and the Ministry of Interior, institutions which are subordinate thereto and local governments, in performing measures for the implementation of this Regulation and in co-operating with the European Commission, shall, where necessary, involve experts, public organisations and other interested parties.

XIII. Financing of Assessment

114. Expenditures that are related to the services of experts (assessment of a submission, industrial accident prevention programme, safety report or the civil protection plan of an establishment, assessment of the domino effect or assessment of industrial accidents) shall be covered from the resources of a performer of activities.

XIV. Closing Provisions

115. Cabinet Regulation No. 532 of 19 July 2005, Regulations regarding the Procedures for Industrial Accident Risk Assessment and Risk Reduction Measures (*Latvijas Vēstnesis*, 2005, No. 121; 2008, No. 52; 2009, No. 166; 2011, No. 154; 2014, No. 32) is repealed.

116. If by the day of the coming into force of this Regulation the responsible person of an existing establishment has:

116.1. submitted an industrial accident prevention programme, in which the information indicated complies with the requirements referred to in Annex 3, Part II of this Regulation and in which the classification of dangerous substances has been complied with in accordance with Regulation No 1272/2008, a responsible person shall not lodge a new submission and new industrial accident prevention programme, and decisions taken by the State Environmental Bureau shall be in effect, if changes indicated in Paragraph 26 of this Regulation are not carried out or planned at the establishment and Paragraph 15 of this Regulations applies to the establishment;

116.2. submitted a safety report, in which the information indicated complies with the requirements referred to in Annex 4 to this Regulation and in which the classification of dangerous substances has been complied with in accordance with Regulation No 1272/2008, and a civil protection plan of the establishment, in which the information indicated complies with the requirements referred to in Annex 5 of this Regulation, the responsible person shall not lodge a new submission, safety report and civil protection plan, and decisions taken by the State Environmental Bureau (in respect of the safety report) and the State Fire-Fighting and Rescue Service (in respect of the civil protection plan of the establishment) shall be in effect, if changes indicated in Paragraph 26 of this Regulation are not carried out or planned at the establishment and Paragraph 16 of this Regulation applies to the establishment.

117. Responsible persons of the establishment referred to in Paragraph 116 of this Regulation shall develop or adjust informative material for the public in conformity with Annex 7, coordinate it with the State Fire-Fighting and Rescue Service and submit to the State Environmental Service electronically by 1 June 2017.

118. A responsible person shall submit the following documents by 1 June 2016:

118.1. regarding a site of operation in respect of which a submission has not been submitted previously but which is operating or put into operation until the day of coming into force of this Regulation and maximum quantity of a dangerous substance at this site of operation may reach or exceed the qualifying quantities for lower-tier establishment indicated in Annex 1 to this Regulation or quantity criterion of dangerous substances (for lower-tier establishments) is equal to or greater than one:

118.1.1. a submission to the State Environmental Service;

118.1.2. an industrial accident prevention programme to the State Environmental Bureau, if Paragraph 15 of this Regulation applies to the establishment;

118.2. regarding existing establishment shall submit:

118.2.1. a submission to the State Environmental Service, if the classification of dangerous substances in accordance with Regulation No 1272/2008 has not been taken into account in the industrial accident prevention programme or safety report developed previously for the existing establishment;

118.2.2. an industrial accident prevention programme to the State Environmental Bureau, if the information provided for in the industrial accident prevention programme developed previously fails to comply with the requirements referred to in Annex 3, Part II of this Regulation and Paragraph 15 of this Regulation applies to the establishment;

118.2.3. a safety report to the State Environmental Bureau, if the information provided for in the safety report developed previously fails to comply with the requirements referred to in Annex 4 to this Regulation and Paragraph 16 of this Regulation applies to the establishment;

118.2.4. a civil protection plan of the establishment to the State Fire-Fighting and Rescue Service, if the information provided for in the civil protection plan of the establishment developed previously fails to comply with the requirements referred to in Annex 5 to this Regulation and Paragraph 16 of this Regulation applies to the establishment.

119. A responsible person shall submit a safety report to the State Environmental Bureau and a civil protection plan of the establishment to the State Fire-Fighting and Rescue Service by 1 June 2017 if:

119.1. Paragraph 16 of this Regulation applies to the establishment, but an industrial accident prevention programme has been developed for this establishment;

119.2. a site of operation in respect of which a safety report has not been submitted previously but which is operating or put into operation until the day of coming into force of this Regulation and maximum quantity of a dangerous substance at this site of operation may reach or exceed the qualifying quantities for upper-tier establishment indicated in Annex 1 to this Regulation or quantity criterion of dangerous substances (for upper-tier establishments) is equal to or greater than one.

Informative Reference to Directives of the European Union

This Regulation contains legal norms arising from Directive 2012/18/EU of the European Parliament and of the Council of 4 July 2012 on the control of major-accident hazards involving dangerous substances, amending and subsequently repealing Council Directive 96/82/EC.

Prime Minister

Māris Kučinskis

Minister for Environmental Protection
and Regional Development

Kaspars Gerhards

Dangerous Substances and the Qualifying Quantities thereof

1. Qualifying quantities of dangerous substances that are laid down in Table 1 of this Annex shall apply to the substances which comply with the hazard categories laid down in Regulation No 1272/2008.

2. If dangerous substance complies with the category of dangerous substances indicated in Table 1 of this Annex and the relevant substance or mixture is indicated also in Table 2 of this Annex, the qualifying quantities indicated in Table 2 shall be applied.

Categories of dangerous substances

Table 1

Hazard categories in accordance with Regulation No 1272/2008		Qualifying quantity (tonnes) of dangerous substances for the application of	
		the requirements which apply to lower-tier establishments	the requirements which apply to upper-tier establishments
Column 1		Column 2	Column 3
Section 'H' Health hazards			
H1	Acute toxicity Category 1, all exposure routes	5	20
H2	Acute toxicity: Category 2, all exposure routes; Category 3, inhalation exposure route ¹	50	200
H3	Specific target organ toxicity (STOT) – single exposure STOT SE Category 1	50	200
Section 'P' Physical hazards			
P1a	Explosives ² : unstable explosives; explosives, included in Division 1.1, 1.2, 1.3, 1.5 or 1.6 of Part 2.1.2 <i>Classification criteria</i> of Annex I to Regulation No 1272/2008; substances or mixtures having explosive properties according to method A.14 of Council Regulation	10	50

	(EC) No 440/2008 of 30 May 2008 laying down test methods pursuant to Regulation (EC) No 1907/2006 of the European Parliament and of the Council on the Registration, Evaluation, Authorisation and Restriction of Chemicals (REACH) ³ and do not belong to the hazard classes Organic peroxides or Self-reactive substances and mixtures		
P1b	Explosives ² Explosives, Division 1.4 of Part 2.1.2 <i>Classification criteria</i> of Annex I to Regulation No 1272/2012 ⁴	50	200
P2	Flammable gases Flammable gases, Category 1 or 2	10	50
P3a	Flammable aerosols ⁵ Flammable aerosols Category 1 or 2, containing flammable gases Category 1 or 2 or flammable liquids Category 1	150 (net)	500 (net)
P3b	Flammable aerosols ⁵ Flammable aerosols Category 1 or 2, not containing flammable gases Category 1 or 2 and flammable liquids category 1 and it may be proved by documentary evidence	5 000 (net)	50 000 (net)
P4	Oxidising gases Oxidising gases, Category 1	50	200
P5a	Flammable liquids Flammable liquids, Category 1; Flammable liquids Category 2 or 3 maintained at a temperature above their boiling point; Other liquids with a flash point ≤ 60 °C maintained at a temperature above their boiling point ⁶	10	50
P5b	Flammable liquids Flammable liquids Category 2 or 3 where particular processing conditions, such as high pressure or high temperature, may create or increase industrial accident risk; Other liquids with a flash point ≤ 60 °C where particular processing conditions, such as high pressure or high temperature, may create or increase industrial accident risk ⁶	50	200
P5c	Flammable liquids Flammable liquids, Categories 2 or 3, not covered by Category P5a and P5b	5 000	50 000
P6a	Self-reactive substances and mixtures and organic peroxides Self-reactive substances and mixtures, Type A or B, or organic peroxides, Type A or B	10	50
P6b	Self-reactive substances and mixtures and organic peroxides	50	200

	Self-reactive substances and mixtures, Type C, D, E or F, or organic peroxides, Type C, D, E, or F		
P7	Pyrophoric liquids and solids: Pyrophoric liquids, Category 1; Pyrophoric solids, Category 1	50	200
P8	Oxidising liquids and solids: Oxidising liquids, Category 1, 2 or 3; Oxidising solids, Category 1, 2 or 3	50	200
Section 'E'. Environmental hazards			
E1	Hazardous to the aquatic environment, in Acute Category 1 or Chronic Category 1	100	200
E2	Hazardous to the aquatic environment, in Chronic Category 2	200	500
Section 'O' Other hazards			
O1	Substances or mixtures with hazard statement EUH014	100	500
O2	Substances and mixtures which in contact with water emit flammable gases, Category 1	100	500
O3	Substances or mixtures with hazard statement EUH029	50	200

Notes.

1. Dangerous substances that fall within Acute Toxicity Category 3 H301 (toxic if swallowed) shall fall under entry H2 acute toxicity in those cases where it is not possible to classify them as acutely toxic via dermal and inhalation routes due to lack of necessary data on inhalation toxicity and dermal toxicity.
2. The hazard class Explosives includes explosive articles in conformity with Section 2.1 of Annex I to Regulation No 1272/2008. If the quantity of the explosive substance or mixture contained in the article is known, that quantity shall be considered. If the quantity of the explosive substance or mixture contained in the article is not known, the whole article shall be treated as explosive.
3. Testing for explosive properties of substances and mixtures is only necessary if the screening procedure according to Appendix 6, Part 3 of the United Nations (UN) Recommendations on the Transport of Dangerous Goods, Manual of Tests and Criteria (UN Manual of Tests and Criteria) identifies the substance or mixture as potentially having explosive properties.
4. If Explosives of Division 1.4 are unpacked or repacked, they shall be assigned to the entry P1a, unless the hazard is shown to still correspond to Division 1.4 as provided for in Regulation No 1272/2008.
5. Flammable aerosols are classified in accordance with the laws and regulations regarding significant requirements for aerosol dispensers and labelling and classification thereof. Extremely flammable and flammable aerosols referred to in this Regulation correspond to Flammable Aerosols Category 1 or 2 respectively of Regulation No 1272/2008.
6. According to paragraph 2.6.4.5 in Annex I to Regulation No 1272/2008, liquids with a flash point of more than 35 °C need not be classified in Category 3 if negative results have been obtained in the sustained combustibility test (L.2, Part III, section 32 of the United Nations (UN) Recommendations on the Transport of Dangerous Goods, Manual of Tests and

Criteria). This is however not valid under elevated conditions such as high temperature or pressure.

Qualifying Quantities for Dangerous Substances and for Groups of Dangerous Substances

Table 2

No.	Dangerous substances and groups of dangerous substances	CAS number ¹	Qualifying quantity (tonnes) of dangerous substances for the application of	
			the requirements which apply to lower-tier establishments	the requirements which apply to upper-tier establishments
	Column 1		Column 2	Column 3
1.	<p>Composite fertilisers containing ammonium nitrate, which also contain phosphates or potassium or both and which are capable of self-sustaining decomposition², if the nitrogen content therein ensured by ammonium nitrate is:</p> <ul style="list-style-type: none"> - between 15,75 %³ and 24,5 %⁴ by weight of composite fertiliser, and either with not more than 0,4 % total combustible or organic materials or such composite fertiliser fulfils the requirements of Annex III-2 to Regulation (EC) No 2003/2003 of the European Parliament and of the Council of 13 October 2003 relating to fertilisers (hereinafter – Regulation No 2003/2003); - less or equal to 15,75 %⁵ by weight of composite fertiliser and unrestricted combustible materials. 	–	5 000	10 000
2.	<p>Fertiliser containing ammonium nitrate which fulfils the requirements laid down in Annex III-2 to Regulation No 2003/2003:</p> <ul style="list-style-type: none"> - fertiliser containing only ammonium nitrate; - composite ammonium nitrate fertiliser in which the nitrogen content ensured by the ammonium nitrate is: <ul style="list-style-type: none"> a) more than 24,5 % by weight of the composite ammonium nitrate fertiliser, except mixtures of ammonium nitrate 	–	1 250	5 000

	<p>with dolomite, limestone and/or calcium carbonate with a purity of at least 90 %;</p> <p>b) more than 15,75 % by weight of the composite ammonium nitrate fertiliser, if such fertiliser is a mixture of ammonium nitrate and ammonium sulphate;</p> <p>c) more than 28 %⁶ by weight of the composite ammonium nitrate fertiliser, if such fertiliser is a mixture of ammonium nitrate with dolomite, limestone and/or calcium carbonate with a purity of at least 90 %.</p>			
3.	<p>Ammonium nitrate and mixtures containing ammonium nitrate and in which the nitrogen content ensured by ammonium nitrate is:</p> <ul style="list-style-type: none"> - between 24,5 % and 28 % by weight of the mixture, and which contain not more than 0,4 % combustible substances; - more than 28 % by weight of the mixture, and which contain not more than 0,2 % combustible substances; - aqueous ammonium nitrate solutions in which the concentration of ammonium nitrate is more than 80 % by weight of such solution 	–	350	2 500
4.	<p>‘off-specs’ material and fertilisers containing ammonium nitrate not fulfilling the denotation test, including:</p> <ul style="list-style-type: none"> - raw materials, products, ancillary materials, intermediate products or preparations that have been rejected during the course of manufacturing; - mixtures containing ammonium nitrate, ammonium nitrate, composite ammonium nitrate fertiliser and fertilisers containing ammonium nitrate (not containing other essential constituents), if the user delivers or sends back them to the manufacturer as a result of such products being non-compliant with the conditions indicated in Paragraphs 2 and 3 of this Table, returns them for temporary storage or submits them for utilisation, recycling or treatment, in order for their further utilisation to be safe; - fertilisers indicated in first indent of 	–	10	50

	Paragraph 1 and Paragraph 2 of this Table which do not fulfil the requirements laid down in Annex III-2 to Regulation No 2003/2003			
5.	Composite potassium-nitrate based fertilisers in prilled and granular form which have the same hazard category as pure potassium nitrate	–	5 000	10 000
6.	Composite potassium-nitrate based fertilisers in crystalline form which have the same hazard category as pure potassium nitrate	–	1 250	5 000
7.	Arsenic pentoxide, arsenic (V) acid and salts	1303-28-2	1	2
8.	Arsenic trioxide, arsenious (III) acid and salts	1327-53-3		0.1
9.	Bromine	7726-95-6	20	100
10.	Chlorine	7782-50-5	10	25
11.	Nickel compounds in inhalable powder form: nickel monoxide, nickel dioxide, nickel sulphide, trinickel disulphide, dinickel trioxide	–		1
12.	Ethyleneimine	151-56-4	10	20
13.	Fluorine	7782-41-4	10	20
14.	Formaldehyde (concentration $\geq 90\%$)	50-00-0	5	50
15.	Hydrogen	1333-74-0	5	50
16.	Hydrogen chloride (liquefied gas)	7647-01-0	25	250
17.	Lead alkyls	–	5	50
18.	Liquefied flammable gases, Category 1 or 2 ((including LPG) (<i>including liquefied hydrocarbon mixture obtained as a result of oil processing</i>)) and natural gas ⁷	–	50	200
19.	Acetylene	74-86-2	5	50
20.	Ethylene oxide	75-21-8	5	50
21.	Propylene oxide	75-56-9	5	50
22.	Methanol	67-56-1	500	5 000
23.	4, 4'-Methylene bis (2-chloraniline) and salts, in powder form	101-14-4		0.01
24.	Methylisocyanate	624-83-9		0.15
25.	Oxygen	7782-44-7	200	2 000
26.	2,4 -Toluene diisocyanate	584-84-9	10	100

	2,6 -Toluene diisocyanate	91-08-7		
27.	Carbonyl dichloride (phosgene)	75-44-5	0.3	0.75
28.	Arsine (arsenic trihydride)	7784-42-1	0.2	1
29.	Phosphine (phosphorus trihydride)	7803-51-2	0.2	1
30.	Sulphur dichloride	10545-99-0		1
31.	Sulphur trioxide	7446-11-9	15	75
32.	Polychlorodibenzofurans and polychlorodibenzodioxins ⁸	–		0.001
33.	The following carcinogens or the mixtures containing the following carcinogens at concentrations above 5 % by weight: - 4-Aminobiphenyl and its salts; - Benzotrichloride; - Benzidine and salts; - Bis (chloromethyl) ether; - Chloromethyl methyl ether; - 1,2-Dibromoethane; - Diethyl sulphate; - Dimethyl sulphate; - Dimethylcarbamoyl chloride; - 1,2-Dibromo-3-chloropropane; - 1,2-Dimethylhydrazine; - Dimethylnitrosamine; - Hexamethylphosphoric triamide; - Hydrazine; - 2-Naphthylamine and salts; - 4-Nitrodiphenyl; - 1,3-Propanesultone	–	0.5	2
34.	Petroleum products and alternative fuels: a) gasolines and naphthas; b) kerosenes (including jet fuels); c) gas oils (including diesel fuels, home heating oils and gas oil blending streams); d) black fuel oil and other heavy fuel oils; e) alternative fuels serving the same purposes and with similar properties as regards flammability and environmental hazards as the products referred to in Sub-paragraphs "a" to "d"	–	2 500	25 000
35.	Anhydrous Ammonia	7664-41-7	50	200
36.	Boron trifluoride	7637-07-2	5	20
37.	Hydrogen sulphide	7783-06-4	5	20
38.	Piperidine	110-89-4	50	200

39.	Bis(2-dimethylaminoethyl) (methyl)amin	3030-47-5	50	200
40.	3-(2-Ethylhexyloxy)propylamin	5397-31-9	50	200
41.	Mixtures ⁹ of sodium hypochlorite classified as Aquatic Acute Category 1 [H400] containing less than 5 % active chlorine and not classified under any of the other hazard categories in Table 1 of this Annex		200	500
42.	Propylamine ¹⁰	107-10-8	500	2 000
43.	Tert-butyl acrylate ¹⁰	1663-39-4	200	500
44.	2-Methyl-3-butenenitrile ¹⁰	16529-56-9	500	2 000
45.	Tetrahydro-3,5-dimethyl-1,3,5,- thiadiazine-2-thione (Dazomet) ¹⁰	533-74-4	100	200
46.	Methyl acrylate ¹⁰	96-33-3	500	2 000
47.	3-Methylpyridine ¹⁰	108-99-6	500	2 000
48.	1-Bromo-3-chloropropane ¹⁰	109-70-6	500	2 000

Notes.

1. Number of the chemical substance in the register of chemical substances Chemical Abstracts Service (CAS number) is shown only for indication.

2. The capability of self-sustaining decomposition of the fertilisers containing ammonium nitrate or a complex fertiliser is determined by the UN Trough Test, which is described in Part III, section 38.2 of the United Nations (UN) Recommendations on the Transport of Dangerous Goods, Manual of Tests and Criteria.

3. The nitrogen content 15.75 % (per cent by weight) corresponds to 45 % ammonium nitrate from the weight of the relevant fertiliser or another mixture.

4. The nitrogen content 24.5 % (per cent by weight) corresponds to 70 % ammonium nitrate from the weight of the relevant fertiliser or another mixture.

5. The nitrogen content 15.75 % (per cent by weight) corresponds to 45 % ammonium nitrate from the weight of the relevant product or another mixture.

6. The nitrogen content 28 % (per cent by weight) corresponds to 80 % ammonium nitrate from the weight of the relevant product or another mixture.

7. Upgraded biogas may be classified under this section where it has been processed in accordance with applicable standards for purified and upgraded biogas ensuring a quality equivalent to that of natural gas, including the content of Methane, and which has a maximum of 1 % Oxygen.

8. In order to determine the maximum quantities of polychlorodibenzofurans and polychlorodibenzodioxins, the following international toxic equivalent factors shall be used for each polychlorodibenzodioxin or polychlorodibenzofuran group:

8.1. 2,3,7,8-TCDD (for 2,3,7,8-tetrachlorodibenzodioxins) – 1;

8.2. 1,2,3,7,8-PeCDD (for 1,2,3,7,8-pentachlorodibenzodioxins) – 1;

8.3. 1,2,3,4,7,8-HxCDD (for 1,2,3,4,7,8-hexachlorodibenzodioxins) – 0.1;

8.4. 1,2,3,6,7,8-HxCDD (for 1,2,3,6,7,8-hexachlorodibenzodioxins) – 0.1;

8.5. 1,2,3,7,8,9-HxCDD (for 1,2,3,7,8,9-hexachlorodibenzodioxins) – 0.1;

8.6. 1,2,3,4,6,7,8-HpCDD (for 1,2,3,4,6,7,8-heptachlorodibenzodioxins) – 0.01;

8.7. OCDD (for octachlorodibenzodioxins) – 0.0003;

- 8.8. 2,3,7,8-TCDF (for 2,3,7,8-tetrachlorodibenzofurans) – 0.1;
- 8.9. 2,3,4,7,8-PeCDF (for 2,3,4,7,8-pentachlorodibenzofurans) – 0.3;
- 8.10. 1,2,3,7,8-PeCDF (for 1,2,3,7,8-pentachlorodibenzofurans) – 0.03;
- 8.11. 1,2,3,4,7,8-HxCDF (for 1,2,3,4,7,8-hexachlorodibenzofurans) – 0.1;
- 8.12. 1,2,3,7,8,9-HxCDF (for 1,2,3,7,8,9-hexachlorodibenzofurans) – 0.1;
- 8.13. 1,2,3,6,7,8-HxCDF (for 1,2,3,6,7,8-hexachlorodibenzofurans) – 0.1;
- 8.14. 2,3,4,6,7,8-HxCDF (for 2,3,4,6,7,8-hexachlorodibenzofurans) – 0.1;
- 8.15. 1,2,3,4,6,7,8-HpCDF (for 1,2,3,4,6,7,8-heptachlorodibenzofurans) – 0.01;
- 8.16. 1,2,3,4,7,8,9-HpCDF (for 1,2,3,4,7,8,9-heptachlorodibenzofurans) – 0.01;
- 8.17. OCDF (for octachlorodibenzofurans) – 0.0003.

The maximum quantity of polychlorodibenzofurans and polychlorodibenzodioxins at an establishment shall be determined by multiplying the quantities of polychlorodibenzofurans or polychlorodibenzodioxins by the factors referred to in this Paragraph and adding up the resulting outcomes.

9. Provided that the mixture in the absence of sodium hypochlorite would not be classified as Aquatic Acute Category 1 [H400].

10. In cases where this dangerous substance falls within category P5a Flammable liquids or P5b Flammable liquids, the lowest qualifying quantities shall apply.

3. Dangerous substances and mixtures shall be classified in accordance with Regulation No 1272/2008.

4. Mixture containing dangerous chemical substances is dangerous, if the concentration of dangerous chemical substance therein is not lesser than the concentration laid down in Regulation No 1272/2008. In handling such mixture, the same requirements shall be complied with as in handling the relevant dangerous chemical substance, unless other hazard characterisation is indicated for the composition expressed as percentage of such mixture in Regulation No 1272/2008.

5. Qualifying quantities shall apply to each establishment.

6. In determining the maximum quantity of dangerous substances or in calculating the quantity criterion of dangerous substances, such dangerous substances shall be taken into account that simultaneously are present or may be present at an establishment or at all the installations of the establishment that are located in a single territory in the following quantity:

6.1. is 2 % of the minimum qualifying quantity of the relevant substance or more;

6.2. less than 2 % of the minimum qualifying quantity of the relevant substance, if the location of the dangerous substance at the establishment is such that such dangerous substance may provoke an industrial accident.

7. The quantity criterion of dangerous substances shall be calculated by utilising the following formula:

$$Q_{\text{total}} = q_1/Q_1 + q_2/Q_2 + q_3/Q_3 + \dots + q_n/Q_n, \text{ where}$$

Q_{total} – is the quantity criterion of dangerous substances;

q_i ($q_1, q_2, q_3 \dots q_n$) – the maximum quantity in tonnes for the relevant dangerous substance or group of dangerous substances indicated in Table 2 of this Annex, or for the hazard category indicated in Table 1 of this Annex;

Q_i ($Q_1, Q_2, Q_3 \dots Q_n$) – the relevant minimum or maximum qualifying quantity in tonnes indicated in Table 1 or 2 of this Annex for the dangerous substance, group of dangerous substances or hazard category;

n – the number of dangerous substances, groups of dangerous substances or categories of dangerous substances included in the calculation of the relevant quantity criterion of dangerous substances.

8. If the quantity criterion of dangerous substances, which has been calculated using the minimum qualifying quantities, is greater than or equal to 1, the requirements of this Regulation apply to an establishment, including:

8.1. if the quantity criterion of dangerous substances, which has been calculated using the minimum qualifying quantities, is greater than or equal to one and the quantity criterion of dangerous substances, which has been calculated using the maximum qualifying quantities, is less than one, a responsible person shall draw up an industrial accident prevention programme; and

8.2. if the quantity criterion of dangerous substances, which has been calculated using the maximum qualifying quantities, is greater than or equal to 1, a responsible person shall draw up a safety report and a civil protection plan of the establishment.

9. The quantity criterion of dangerous substances shall be utilised in assessing the overall hazard that is related to hazard to health, physical hazard and environmental hazard. The quantity criterion of dangerous substances shall be determined for three times - by separately assessing the overall hazard to health, physical hazard and environmental hazard.

10. The quantity criterion of dangerous substances shall be calculated together for the following dangerous substances that are, or may be, at an establishment or at all the installations of an establishment that are located in a single territory:

10.1. for the substances and mixtures listed in Table 2 of this Annex that in accordance with the classification fall within acute toxicity category 1, 2 or 3 (inhalation route) or STOT SE category 1, together with dangerous substances falling within section H (entries H1 to H3) of Table 1;

10.2. for the substances and mixtures listed in Table 2 of this Annex that in accordance with the classification are explosives, flammable gases, flammable aerosols, oxidising gases, flammable liquids, self-reactive substances and mixtures, organic peroxides, pyrophoric liquids and solids, oxidising liquids and solids, together with substances falling within section P (entries P1 to P8) of Table 1 of this Annex;

10.3. for the substances and mixtures listed in Table 2 of this Annex that in accordance with classification fall within hazardous to the aquatic environment acute category 1, chronic category 1 or chronic category 2, together with substances falling within section E (entries E1 and E2) of Table 1 of this Annex.

11. Dangerous substances, which are not covered by Regulation No 1272/2008, including waste, but which nevertheless are present, or are likely to be present, in an establishment and which possess or are likely to possess equivalent properties in terms of major-accident potential, shall be assigned to the analogous category or equalled to a particular dangerous substance or group of dangerous substances included in Table 2 of this Annex.

12. If a dangerous substance, classified according to the properties thereof, conforms to several hazard categories or groups of dangerous substances, then in determining the qualifying quantities of the dangerous substance the category or group with numerically smaller qualifying quantities shall be selected.

Minister for Environmental Protection
and Regional Development

Kaspars Gerhards

Information to be Indicated in a Submission Regarding Dangerous Substances in the Establishment

1. Owner, possessor of the establishment or organisation of performer of activities, which is responsible for the establishment:
 - 1.1. name;
 - 1.2. registration number;
 - 1.3. legal address.

2. Establishment:
 - 2.1. name;
 - 2.2. location:
 - 2.2.1. full address;
 - 2.2.2. co-ordinates;
 - 2.2.3. cadastre number of the land property on which the establishment is located.

3. Owner of the establishment or owners of the capital company (which owns the establishment) who own at least 5 % of the equity capital of the capital company:
 - 3.1. if the owner of the establishment is a natural person:
 - 3.1.1. given name, surname and address or electronic mail address;
 - 3.1.2. firm name and legal address if a natural person is the individual merchant;
 - 3.2. if the land owner is a legal person other than indicated in Paragraph 1 of this Annex:
 - 3.2.1. firm name;
 - 3.2.2. legal address.

4. Land owner:
 - 4.1. if the landowner is a natural person:
 - 4.1.1. given name, surname and address or electronic mail address;
 - 4.1.2. firm name and legal address if the land owner is the individual merchant;
 - 4.2. if the land owner is a legal person other than indicated in Paragraph 1 of this Annex:
 - 4.2.1. firm name of the firm or branch;
 - 4.2.2. legal address.

5. Responsible person:
 - 5.1. if the responsible person is a natural person:
 - 5.1.1. position;
 - 5.1.2. given name, surname;
 - 5.1.3. telephone number or numbers;
 - 5.1.4. electronic mail address;
 - 5.2. if the responsible person is a legal person:

- 5.2.1. firm name;
- 5.2.2. legal address;
- 5.2.3. telephone number;
- 5.2.4. electronic mail address;
- 5.2.5. given name, surname of a procurator holder or other natural person who is authorised to represent the legal person.

6. Information regarding the manager of the establishment if it is a legal person other than indicated in Paragraph 1 of this Annex:

- 6.1. name;
- 6.2. registration number in the Commercial Register;
- 6.3. legal address;
- 6.4. a natural person assigned by the manager who is authorised to represent a legal person and is responsible for the management of the establishment and ensuring of safety thereof:
 - 6.4.1. position;
 - 6.4.2. given name, surname;
 - 6.4.3. telephone number;
 - 6.4.4. electronic mail address.

7. Information that is necessary in order to identify dangerous substances at the establishment or at all installations of the establishment that are located in a single territory, and their classification or the categories of dangerous substances:

- 7.1. the trade names and the names of dangerous chemical substances or mixtures according to the IUPAC nomenclature;
- 7.2. the names of the dangerous chemical substances that are contained in the mixture;
- 7.3. formulae or structural formulae of the dangerous chemical substances;
- 7.4. the CAS numbers of the dangerous chemical substances;
- 7.5. classification of dangerous chemical substances and mixtures and labelling in accordance with globally harmonised system laid down in Regulation No 1272/2008;
- 7.6. quantities of specific dangerous substances:
 - 7.6.1. maximum possible quantity (in conformity with a project data);
 - 7.6.2. average quantity (in accordance with inventory data if the establishment has been brought into use);
- 7.7. physical states of the dangerous substances;
- 7.8. the maximum quantities of dangerous substances laid down in accordance with Annex 1 to this Regulation:
 - 7.8.1. for a dangerous substance or a group of dangerous substances;
 - 7.8.2. for hazard category in accordance with Regulation No 1272/2008;
- 7.9. quantity criteria of dangerous substances, by assessing separately hazard to health, physical hazard and environmental hazard of dangerous substances, as specified in accordance with Annex 1 to this Regulation;
- 7.10. the presence of dangerous substances at the establishment or at all installations of the establishment located in a single territory, as specified in accordance with Annex 1 to this Regulation.

8. A description regarding the activity or proposed activity at the establishment or at all installations of the establishment or storage facilities located in a single territory.

9. A description of all the installations of the establishment that are located in a single territory or a description of the territory and the adjacent area of the establishment, indicating

the factors that may provoke or promote the occurrence of an industrial accident or aggravate the consequences thereof, including:

- 9.1. the location of dangerous substances;
- 9.2. the location of dangerous equipment;
- 9.3. the registration of dangerous installations (place and date);
- 9.4. other sources of industrial accident risk and the location thereof in the establishment;
- 9.5. external factors likely to cause an industrial accident or to aggravate the consequences thereof, their nature, location, possible effect and domino effect, including details of neighbouring sites of operation that fall outside the scope of this Regulation (if such information is available);
- 9.6. potentially endangered territories and a schematic depiction thereof.

Minister for Environmental Protection
and Regional Development

Kaspars Gerhards

Industrial Accident Prevention Policy Document and Programme of an Establishment

I. Information to be included in the industrial accident prevention policy document

1. An industrial accident prevention policy document shall describe the responsible person's overall short-term and long-term aims, principles and tasks of action, in order to continuously improve operation of the safety management system, the control of industrial accident risks, and ensure a high level of protection in the case of such accidents, including:

1.1. to determine duties and responsibility of employees and ensure corresponding qualification and training of the employees (especially for the employees involved in the safety management system and industrial accident elimination);

1.2. to ensure identification of risk factors of an industrial accident, detection of hazard thereof and severity of possible consequences of industrial accidents and assessment of likelihood thereof;

1.3. to ensure safety of technological process, including accessibility to shut-down devices of alarm systems and technological installations, taking into account the best practices in the field of control and management of the technological process, replacement of used technological installations by appropriate modern and safer installations and equipment, and warning of the establishment, also in order to develop, approve and amend relevant instructions in a timely manner;

1.4. to implement planning, designing, construction and operation of technological installations, storage facilities or other structures safe for people and the environment, if changes are intended in the establishment or a new establishment is planned;

1.5. to ensure planning of emergency preparedness and appropriate resources for the implementation of such plans, also in order to develop, accept, examine (including in practical studies) and amend the relevant emergency plans in a timely manner;

1.6. to ensure systematic supervision of the operation of the establishment, safety management (including error registration) system and emergency preparedness, by assessing whether they conform to the short-term and long-term aims indicated in the industrial accident prevention policy document of the establishment, by using safety requirement performance indicators;

1.7. to carry out an audit of industrial accident prevention policy and safety system and documented review, which is carried out by the management of the establishment, in order to ensure suitability, efficiency and improvement of this policy and system, by taking into account that detected during the audit and review, including in respect of the necessary improvements.

II. Information to be included in the industrial accident prevention programme

2. Industrial accident prevention programme shall comprise:

2.1. general characterisation of the establishment, including name of the establishment and address of the location, also a cadastral designation of the land parcel;

2.2. an industrial accident prevention policy document of the establishment;

2.3. a description and brief characterisation of the work organisation and management system of the establishment, including a safety management system;

2.4. information regarding necessary and available resources and measures for industrial accident risk prevention and reduction, also for the elimination of consequences of such accidents and reduction of impact on human health and the environment, also the restoration of the environment after an industrial accident;

2.5. documentation and evaluations which attest for appropriate implementation of industrial accident prevention policy at the establishment.

3. The following shall be indicated in a general characterisation of the establishment:

3.1. a brief information regarding vicinity of the establishment, indicating the territories to which damage may be caused in the case of industrial accident, also possible domino effect with other establishments or sites of operation;

3.2. dangerous substances and classification thereof in accordance with Regulation No 1272/2008 or an approval shall be provided that no changes have occurred in respect of dangerous substances at the establishment compared to that indicated in the submission lodged to the State Environmental Service;

3.3. dangerous equipment and other technological installations used at the establishment, structures and sites where activities are carried out or dangerous substances are stored, and the amount of dangerous substances therein, also main technological processes, technical methods and activities to be performed.

4. The following shall be characterised in information regarding safety management system and industrial accident risk reduction measures and resources at the establishment:

4.1. the organisational structure of the safety management, duties and liability of employees, providing for the involvement of other merchants, and the duties and liability of the employees thereof;

4.2. education, qualification, training and instruction of employees, especially indicating:

4.2.1. information regarding education and qualification of the responsible employees (specialists), if the laws and regulations determine requirements regarding education or training of a person responsible for fire safety, a labour protection specialist, for example, in provision of first aid;

4.2.2. theoretical and practical training carried out and intended for employees to be involved in containment and elimination of undesirable events and industrial accidents;

4.3. procedures for systematic determination of industrial accident risk factors and possible undesirable events which may arise during the course of normal operation, technical maintenance, renovation or reconstruction, in the cases of uncontrolled technological processes or operation depending on specifics or amount of the relevant operations or properties of the dangerous substances to be used and taking into account also operations to be carried out by other merchants;

4.4. industrial accident risk reduction measures during the operation, technical maintenance, renovation or reconstruction of the establishment in conformity with specifics of the operations and properties of dangerous substances to be used and amount thereof, including measures for replacement of used technological installations by appropriate modern and safer installations and equipment;

4.5. information regarding control and safety of technological processes:

4.5.1. the requirements for the safety of technological processes, including instructions regarding the operational safety of the installations and technological processes, safety of the installations and technological processes during the course of technical maintenance, and safe temporary interruption of operation;

4.5.2. a brief characterisation of control devices, measuring instruments, fire detection and alarm and other warning systems, also devices for shutting down of technological installations;

4.6. procedures for planning of changes in the technological process or other changes, for example designing of warehouses or installations, also information regarding industrial accident risk factors and measures for reduction of such risk to be carried out during construction works;

4.7. likelihood of industrial accident and assessment of the amount and severity of such accident;

4.8. the procedures for documenting information regarding errors in the safety system (including regarding the ineffectiveness of the safety or protective measures, undesirable events or industrial accidents) and informing State authorities thereof;

4.9. the procedures for drawing up, approving, updating and testing plans in practice (also by organising training) for action in case of an industrial accident or emergency situation;

4.10. the procedures by which a responsible person in co-operation with the State Fire-Fighting and Rescue Service and other rescue and emergency services shall take response measures and consequence-liquidation measures in accordance with the civil protection plan in cases of undesirable events or industrial accidents, also plan and implement preventive measures for the reduction, containment or elimination of the consequences of possible accidents;

4.11. preventive, response and consequence-liquidation measures to be carried out in case of undesirable events or industrial accidents;

4.12. the procedures by which the responsible person shall investigate and assess undesirable events, accidents or industrial accidents, ensure the examination of the location contaminated as a result of an accident, depollution and environmental restoration, also make improvements in order to prevent the recurrence of an industrial accident;

4.13. measures for reduction of possible undesirable effect of external risk factors, including domino effect;

4.14. installations, material reserves and other resources that are necessary for the implementation of industrial accident risk reduction measures;

4.15. conformity of risk reduction measures carried out and intended (including by assessing whether the registration, investigation of technical and organisation errors and notification thereof are carried out) and the safety management system of the establishment with this Regulation and efficiency assessment, also procedures for systematic assessment of such conformity and efficiency and for performance of necessary improvements;fg

4.16. the procedures for systematic assessment, adjustment and supplementation of the industrial accident prevention programme.

5. An industrial accident prevention programme shall be appended by:

5.1. a plan of long-term and short-term industrial accident risk reduction measures;

5.2. a plan of the establishment with location of main technological structures, dangerous substances, water supply points for fire-fighting, alarm notification devices installed outside premises and emergency exits;

5.3. a list of orders regarding appointment of employees involved in the safety management system and indications regarding internal regulations which determine their duties and responsibility, where necessary;

5.4. theoretical and practical training programmes of employees or other appropriate documentation;

5.5. information regarding agreements with other merchants involved in the safety management system of the establishment;

- 5.6. a list of instructions for safety of technological processes, fire-safety, labour and environmental protection;
- 5.7. in respect of installations or structures to be reconstructed or newly erected – a list of those laws and regulations (including standards) and documents on the basis of which such installations or structures are being designed and constructed;
- 5.8. a printout of the calculation (by a computer program) of the spread of possible undesirable effect of an industrial accident (with the most aggravated consequences), where necessary;
- 5.9. a display on a map of the calculated spread of possible undesirable effect of the consequences of an industrial accident;
- 5.10. a notification scheme in the case of industrial accidents;
- 5.11. plans (copies thereof) for action in the case of discharge of dangerous substances, fire or other undesirable events;
- 5.12. copies of safety data sheets of dangerous chemical substances and mixtures for at least those substances for which the spread calculation of possible undesirable effect of an industrial accident has been made, if such safety data sheets have not been appended to a submission;
- 5.13. the list of those laws and regulations and sources of information which have been used in development of the industrial accident prevention programme.

Minister for Environmental Protection
and Regional Development

Kaspars Gerhards

Information to be Included in a Safety Report

1. A safety report shall indicate the information, which is included in an industrial accident prevention programme in accordance with Annex 3 to this Regulation, the information referred to in this Annex, also additional information if a responsible person finds such additional information necessary.

2. In a safety report a responsible person shall:

2.1. substantiate the compliance of the safety management system of the establishment with the requirements of this Regulation;

2.2. indicate that the necessary safety measures have been complied with during the designing, construction, operation or servicing of the establishment or infrastructure related to the operation thereof (including the constructions and materials of structures, equipment or infrastructure have been selected and constructed, taking into account the loads under normal operating conditions and in the case of an undesirable event or industrial accident);

2.3. indicate that the significant risks have been identified and that the necessary measures have been taken in order to prevent industrial accidents or reduce the impact of such accidents on people and the environment in case of such accidents;

2.4. indicate information regarding the civil protection plan of the establishment that provides information required for the development of a civil protection plan of the off-establishment and gives the opportunity to take the necessary measures during industrial accidents;

2.5. taking into account the identified industrial accident risks, indicate such information regarding the potential negative effects of the establishment on the surroundings thereof that may affect the decision regarding the construction of new structures, or the commencement of other activities in the vicinity of the establishment;

2.6. indicate the procedures for adjusting and supplementing the safety report; and

2.7. indicate whether the establishment is marked as a sensitive establishment in spatial plans and whether a protection zone, restrictions on the utilisation of the territory or other risk reduction measures have been specified in the spatial plans of the establishment in accordance with the requirements of the laws and regulations governing protection zones and Chapter VIII of this Regulation.

3. A safety report shall provide information regarding the layout of an establishment and a characterisation of the environment and the surroundings of the establishment, indicating:

3.1. geographical position of the establishment, address of the place of location, also cadastral designation of the land parcel;

3.2. the meteorological conditions in the vicinity of the establishment (including the direction and speed of the dominant winds, other meteorological conditions and possible natural disasters, if such winds, conditions and disasters may increase the hazard of an industrial accident or aggravate the consequences thereof);

3.3. hydrological conditions in the vicinity of the establishment (for example, maximum and minimum water level in the watercourse), also characterisation of geological and hydrogeological condition of the vicinity of the establishment;

3.4. information regarding the previous utilisation of the establishment and its surrounding territory (including information regarding establishments that have been used previously and which contain or have contained dangerous substances, or regarding dangerous waste landfill sites or dumps if such landfill sites or dumps may cause an industrial accident or aggravate the consequences thereof);

3.5. information regarding gas or oil pipelines, carriage of dangerous freight by rail or by road, other establishments or activities in the vicinity of the establishment (indicating the distance to such establishments), which may cause the risk of domino effect, an industrial accident or aggravate the consequences thereof;

3.6. information regarding surrounding territory of the establishment which may be affected by the industrial accident:

3.6.1. information regarding nature territories that may be harmed in case of an industrial accident (including information regarding surface waters and groundwater, specially protected nature territories, micro-reserves and protective zones, also protected species and biotopes);

3.6.2. information regarding greenery territories;

3.6.3. residential and public building and public open space territories, by indicating density and number of inhabitants, employed persons and visitors, also information regarding State protected cultural monuments;

3.6.4. industrial and technical building territories, including regarding establishments and other sites of operation where domino effect could be caused;

3.6.5. the requirements for use of the territory in accordance with a spatial plan of the local government.

4. The following shall be appended to a safety report:

4.1. the layout of an establishment at a scale of 1:500 or 1:1 000, wherein the structures, main engineering communications, infrastructure and equipment are indicated;

4.2. a location map of the establishment at a scale of at least 1:10 000, wherein the type of land utilisation of the surrounding territories, the nearby watercourses and bodies of water, specially protected nature territories and micro-reserves, protective zones, and the layout of main transport and utility lines, nearby establishments, territories of public and residential buildings are indicated;

4.3. a technological scheme wherein the equipment, controlling devices and measuring instruments for the ensuring and supervision of the safety of technological operations are indicated;

4.4. photographs of an establishment and the main production, storage and other technological installations and pipelines (lines and manifolds);

4.5. the list of those laws and regulations (including standards) and sources of information:

4.5.1. which are used when developing a safety report, including references to the used software and cartographic material;

4.5.2. on the basis of which technological equipment and structures of the establishment have been designed and built;

4.5.3. on the basis of which installations and structures intended for the prevention of undesirable event or industrial accident or consequences thereof have been designed and built;

4.6. a description and analysis of undesirable events or industrial accidents that have occurred at the establishment or similar establishments, including information regarding errors in the safety system or the ineffectiveness of protection measures, if such information is available;

4.7. copies of safety data sheets for dangerous chemical substances and mixtures;

4.8. minutes of the public consultation, where necessary.

5. The plan of an establishment shall indicate:

5.1. areas, sheds, containers, tanks or receptacles for storage of dangerous substances (hereinafter – receptacles), indicating the number of receptacles, the volume of each receptacle, the total volume of the receptacles and the distances between receptacles for explosive, flammable, highly flammable or extremely flammable substances;

5.2. technological structures, lines, installations and equipment (including pipelines, the dimensions thereof, the distances between installations or parts thereof, where accident may arise, also the quantity of dangerous substances therein);

5.3. dangerous installations;

5.4. fire alarm devices placed outside premises;

5.5. fire-fighting equipment, fire-fighting water supply sources (fire hydrants, water reservoirs and other water supply sources with indicated driveways to such sources and water supply points for fire-fighting vehicles);

5.6. other installations and structures that are intended for the containing or elimination of an undesirable event or industrial accident (for example, reserve receptacles, delimiting walls);

5.7. emergency exits and emergency routes in the territory of the establishment;

5.8. administrative premises of the establishment;

5.9. temporary parking areas for tank vehicles and rail tank-wagons intended for the carriage of dangerous goods, and railway branch lines, docks and unloading quays belonging to establishment for servicing such establishment.

6. A safety report shall provide listing of those installations of the establishment and operation thereof which could cause industrial accident hazard, and description of zones where accidents could occur. Information regarding the establishment and installations present therein shall contain:

6.1. a characterisation and description of the installations, working methods and technological processes, the amount of dangerous substances in warehouses and in production, storage or other technological installations, in pipelines (lines and manifolds), tank vehicles and rail tank-wagons, which are located or may be located in the territory of an establishment or on a railway branch line belonging to the establishment, in docks, unloading quays for servicing such establishment, on a wharf or similar structures (including floating structures) that are necessary for the operation of the establishment;

6.2. a description of raw materials, ancillary materials, intermediate products, by-products, residue and products;

6.3. a description of industrial accident hazard and sources of risk (indicating external sources of risk) and a hazard analysis;

6.4. an assessment of establishments and technological installations and structures located therein from the viewpoint of the safety of people and the environment;

6.5. information regarding the technical safety of the process and the safety of operation;

6.6. a characterisation of control equipment and measuring instruments, also information regarding the monitoring of the safety of technological operations during the entire production process;

6.7. information regarding possible incorrect operation of the installations and systems (for example, regarding the accumulation of electrostatic charge, damage to the walls of receptacles or pipelines, or other technological or construction deficiencies, or deficiencies of the territorial planning of the establishment that may facilitate an industrial accident or aggravate the consequences thereof);

6.8. the analysis of the quantity of manual work necessary in the operation of the establishment and of the possibility of employee error;

6.9. information regarding intended prophylactic and preventive measures that ensure a safe production process, prevent the possibility of an industrial accident or reduce the consequences thereof, also an analysis of the usefulness and effectiveness of such measures;

6.10. information regarding the starting, shutting down and servicing of the technological installations and auxiliary equipment, the frequency and duration of technical maintenance, also the safety measures taken or the necessity thereof (for example, protection against vibrations);

6.11. information regarding actions that must be performed in cases of undesirable events, referring to the relevant instructions;

6.12. information regarding the energy supply for the technological process – sources of energy and the parameters thereof, possible interruptions of the energy supply, and alternative sources of energy that are intended for utilisation in case of an industrial accident and an interruption in the energy supply; and

6.13. information regarding the structures and installations that are to be dismantled and the time periods for the demolition thereof, if the dismantling or demolition of such structures and installations is related to an industrial accident risk.

7. A safety report shall indicate the following information regarding dangerous substances:

7.1. the commercial name and the name in accordance with the International Union of Pure and Applied Chemistry (IUPAC) nomenclature, the identifier of a chemical substance, for example the registration number of the chemical substance in the Chemical Abstracts Service (CAS number), the empirical formula and the degree of purity, but for mixtures – the components thereof;

7.2. the maximum and average quantities at an establishment;

7.3. the location at the establishment and the quantity in the technological process scheme, also whether the substance is a raw material, intermediate product, auxiliary product, finished product, by-product or residue, and whether such substance may be generated as a result of undesirable events;

7.4. the physical and chemical properties, also the physical state under normal operating conditions and under possible emergency conditions;

7.5. the possible chemical reactions and mutual interaction of substances that may cause an undesirable event or industrial accident, or aggravate the consequences thereof;

7.6. ignition temperature, flash point and spontaneous inflammation (spontaneous combustion) temperature, combustibility, explosive concentrations and the temperature limits of such concentrations;

7.7. a characterisation of corrodibility (especially for receptacle and pipeline materials);

7.8. a characterisation of the toxicological and ecotoxicological properties, also the threats of immediate effect on people or the environment under the conditions of possible industrial accidents;

7.9. harmful effect the symptoms of which may appear after a certain time period (slowed-effect risks or delayed impact), and a characterisation of the risk of such effect on people or the environment; and

7.10. classification of a dangerous substance or mixtures in accordance with Regulation No 1272/2008.

8. For existing establishments or establishments that have been put into operation, information regarding dangerous substances at the establishment shall be indicated. Such information shall be obtained and aggregated (hereinafter – inventory data of dangerous substances) not earlier than six months prior to the submission of a safety report. For establishments that have not been put into operation, the planned quantities of dangerous substances shall be indicated.

9. The technological, fire safety, labour safety, first aid and emergency medical assistance, civil protection and environmental protection measures shall be indicated in a safety report in order to reduce or prevent the harm that the relevant dangerous substances may cause.

10. A safety report shall provide information regarding performed numerical risk assessments that contain detailed descriptions regarding the scenarios of industrial accidents and the likelihood of occurrence thereof or the conditions under which such accidents may occur, substantiate the chosen assumptions and methods of risk analysis, observing the identified industrial accident risks, the properties and quantities of dangerous substances and the conditions of the technological process, also substantiate and analyse risk scenarios, taking into account the following for each variant of development of industrial accident (risk scenario):

10.1. the possible internal and external causes of undesirable events, including:

10.1.1. causes created by operation (use) of an installation of the establishment;

10.1.2. external technogenic (having anthropogenic nature) causes;

10.1.3. undesirable nature phenomena and natural disasters, for example earthquakes or floods;

10.2. forecast place and amount of discharge of dangerous substance, also the calculated contamination concentration of the discharge or spread and hazard of harmful effect of other type;

10.3. the possibility, conditions or circumstances of the occurrence of undesirable events;

10.4. the time period during which the undesirable event may turn into an industrial accident;

10.5. internal and external factors that may facilitate or delay the development of undesirable events;

10.6. possible mutual undesirable effect between dangerous substances in different technological installations or structures (local domino effect);

10.7. the planned risk reduction measures, including measures which minimise likelihood of rapid development of the industrial accident.

11. The possible consequences of an accident shall be assessed in a safety report for one of the development scenarios of similar undesirable events and for each development scenario of different undesirable events, which may cause an industrial accident, and such consequences shall be compared with the criteria referred to in Annex 8 of this Regulation, and the following shall also be indicated:

11.1. the possible undesirable impact of an industrial accident on human life, health or the environment under unfavourable conditions of the development of events and the effects of external factors;

11.2. the possible distance of the spread of undesirable effect of the industrial accident;

11.3. the territory that will be affected by the industrial accident:

11.3.1. providing on a map a schematic depiction of endangered territories of residential buildings, educational, health care, public and other institutions and structures, and transport main roads with intensive movement of people and transport, also establishments covered by this Regulation, and sites of operation where activities with dangerous substances are carried out;

11.3.2. using the most updated data of the Latvian Geospatial Information Agency, the information referred to in Paragraph 11.3.1 of this Annex shall be displayed on a topographic back or orthophoto map, if the necessity of information to be displayed in such way is specified by the relevant local government.

12. If in assessing the risk of an industrial accident a responsible person determines that changes are necessary in the safety management system or other industrial accident risk reduction measures must be taken, such changes or measures and the time periods for the implementation thereof shall be indicated in a safety report.

13. The safety of technological installations and processes and devices for containment of the spread of the accident shall be characterised and analysed in a safety report, including:

13.1. the technical parameters of installations and equipment (especially for those installations and equipment used for ensuring of safety of establishments), the process management system and the system for shutting down of the installations;

13.2. the measures and equipment used for the safety of the process (for example, the process control system, the notification and alarm system at the establishment, automatic fire-detection and alarm equipment, anti-corrosion measures, use of safety valves);

13.3. automated fire-fighting equipment, other measures and equipment intended for fire safety, fire extinguishing or protection against a possible explosion, the technical parameters thereof;

13.4. installations and equipment that reduce likelihood of industrial accident, contain or reduce severity of such accident (including use of shut-off-valves, detectors, water sprays, fire water retention, inert gases, for example, nitrogen), briefly characterising under what circumstances it is intended to use this equipment or installations;

13.5. installations for containment of the spread of accidents, installations and receptacles for the collection of accidental leakage, protective walls, devices for determining contamination from an accident, and other installations, equipment and measures intended for human safety or environmental protection.

14. A safety report shall provide a summary regarding the notification and alarm system of an establishment, the resources to be involved, the planned and performed technical and organisational measures regarding which information is necessary in the drawing up of the civil protection plan of the establishment, and characterise civil protection of the establishment:

14.1. indicating the civil protection structure of the establishment, the designated responsible employees (for example, in the field of environmental protection, labour protection, civil protection), the work organisation and duties of employees under normal operation circumstances and in cases of accidents, also the structure and duties of the civil protection (operative) units of the establishment;

14.2. indicating the most important measures that shall be taken in the case of an immediate threat of an industrial accident and in case of an industrial accident or an emergency situation;

14.3. describing the notification and alarm system of the establishment and indicating the emergency notification devices and alarm signals, also the warning of employees and other persons in the endangered zone of the establishment regarding the threats, the provision of information regarding the protection measures and the procedures for evacuation;

14.4. describing the resources and material reserves to be involved at the establishment and outside the establishment; and

14.5. indicating the procedures for co-operation with the State Fire-Fighting and Rescue Service and other emergency services.

15. The following shall be indicated a safety report:

15.1. legal or natural persons, who have drawn up this report, and their qualification;

15.2. where and when or how a safety report is accessible for the public;

15.3. information on when and how the information provided for in a safety report is made known to employees;

15.4. where it is stored, by taking into account that a safety report, together with a civil protection plan of the establishment, shall be easily accessible by the State Fire-Fighting and Rescue Service, other operative and emergency services and civil protection (operative) units of the establishment in the case of an industrial accident or an immediate threat of such accident.

Minister for Environmental Protection
and Regional Development

Kaspars Gerhards

Information to be Included in a Civil Protection Plan of the Establishment

1. Name of an establishment and address of the location, cadastral designation of the land parcel.
2. Information regarding geographical location and meteorological, hydrological and climatic characterisation of its surroundings.
3. Information regarding the surrounding territory of the establishment that may be affected by an industrial accident (including information regarding the number of those inhabitants, employees of neighbouring establishments, sites of operation, organisations and institutions that may be affected by the accident at the establishment of the merchant).
4. Information regarding external threats of the establishment and possible consequences thereof (including regarding other establishments or activities in the vicinity of the establishment that may cause industrial accident or aggravate consequences thereof).
5. A short characterisation of buildings and structures in the establishment and operation thereof, including:
 - 5.1. working hours, number of persons in the establishment of the merchant (during working hours and after working hours);
 - 5.2. technological processes and installations;
 - 5.3. general characterisation of engineering systems and equipment:
 - 5.3.1. water supply (including for fire-fighting purposes);
 - 5.3.2. sewerage;
 - 5.3.3. electric power supply;
 - 5.3.4. heat supply;
 - 5.3.5. ventilation;
 - 5.4. security guard system of the establishment;
 - 5.5. internal threats of the establishment, including dangerous installations and maximum amounts of dangerous substances to be produced, used, managed or stored at the establishment.
6. A short summary regarding possible variants of the development of industrial accidents and severity and spread of such accidents, also assessment of consequences for the worst variants of the development of accidents with severe consequences for people and the environment, including impact on the territory outside the establishment.
7. Information regarding organisation of civil protection in the establishment and data regarding responsible employees and duties thereof:
 - 7.1. given name and surname of the person who takes a decision to commence the implementation of the civil protection plan of the establishment, to co-ordinate action, to manage measures to reduce the hazard and consequences of an accident in case of undesirable events, industrial accidents or the immediate threat thereof at the establishment, and who is

responsible for the implementation of consequence-liquidation measures after an industrial accident;

7.2. given name, surname, phone number and electronic mail address of the person who is responsible for daily communication with the State Fire-Fighting and Rescue Service, other State institutions, local governments and emergency services, and co-operation with the referred to authorities, local governments and services in case of undesirable events, industrial accident or the immediate threat thereof;

7.3. information regarding duties of the employees for the provision of civil protection and containment and liquidation of industrial accidents at the establishment;

7.4. information regarding fire-fighting service of the establishment, civil protection (operative) units, first aid and other operative emergency units established at the establishment.

8. Information regarding the theoretical and practical training of employees for action in the case of industrial accidents, civil protection issues and provision of first aid, by characterising:

8.1. the procedures for the theoretical and practical training of employees regarding measures to be taken in the case of an undesirable event or industrial accident in the territory of the establishment;

8.2. examinations of the planned measures (action planes) and resource involvement preparedness;

8.3. co-operation with the State Fire-Fighting and Rescue Service, emergency services, State and local government institutions for organisation and performance of such training;

8.4. procedures for theoretical and practical training of the employees regarding measures to be taken in case of an industrial accident or emergency outside the territory of the establishment, implementing co-operation and mutual assistance plans with the State Fire-Fighting and Rescue Service, other State authorities or emergency services.

9. A description regarding the measures that reduce the risk to employees at their workplace and other persons who are located in the territory of the establishment:

9.1. warning of employees regarding threats, information regarding action in case of an accident or emergency and the protection measures to be taken, also further information;

9.2. a short description of action to be taken by employees after the receipt of a warning;

9.3. safety measures for employees and other persons who are located in the territory of the establishment.

10. Characterisation of the system for registration of undesirable events and external warning measures, indicating:

10.1. the procedures for registration of undesirable events, accidents or the immediate threats of an industrial accident;

10.2. the procedures and method in accordance with which the responsible person shall notify the State Fire-Fighting and Rescue Service, the relevant local government and other authorities regarding undesirable event, immediate threats of industrial accident or industrial accident;

10.3. the information that is included in the initial warning, and the procedures in accordance with which the responsible person shall provide further information, also more detailed information, as soon as such information becomes available;

10.4. the procedures and method in accordance with which the responsible person shall warn the persons employed in the establishment, sub-contractors, sub-lessees and visitors, also inhabitants, endangered sites of operation and organisations regarding an industrial accident or immediate threats of industrial accident.

11. Information regarding measures which:

11.1. ensure the containment and elimination of undesirable events, in order for them not to escalate into an industrial accident, but in the case of industrial accident – containment, control and elimination thereof in the territory of the establishment, also reduce the impact of and damage caused by an undesirable event or industrial accident;

11.2. are related to the protection of people and the environment in the territory of the establishment in case of an industrial accident;

11.3. prevent or delay the spread of the consequences of an industrial accident outside the territory of the establishment;

11.4. ensure the warning of the public and timely provision of information to State authorities, public and local governments in the endangered territory, where necessary;

11.5. ensure the survey, depollution and environmental restoration of the polluted area in order to eliminate the effects of an industrial accident on people or the environment.

12. A detailed description of the following significant measures to be ensured in case of industrial accident (appending appropriate pictures, where necessary):

12.1. evacuation measures;

12.2. first aid and emergency medical assistance measures for victims;

12.3. maintenance of public order at the establishment and security guard of the property;

12.4. ensuring of alternative energy source;

12.5. preventive measures limiting development of the accident;

12.6. measures for ensuring of the operation of the establishment or safe interruption thereof;

12.7. preparedness, response and elimination of consequences emergency measures, including fire-fighting measures;

12.8. measures after an industrial accident necessary in order to prevent, eliminate or significantly reduce effect of the industrial accident on people or the environment.

13. A description regarding the action to reduce or contain the scale or severity of the undesirable consequences of an undesirable event or industrial accident and to control the situation, indicating also the installations that must be protected or saved from the impact of the industrial accident, also emergency exits, assembly points, evacuation pathways and the procedures for shutting down technological processes, installations or establishments.

14. A characterisation of resources (including material reserves, alarm systems, other safety equipment, adequately trained employees and other available resources), indicating:

14.1. resources available at the establishment:

14.1.1. alarm and notification system, ensuring of communications;

14.1.2. fire safety and fire-fighting engineering systems and equipment;

14.1.3. material and technical support of fire-fighting services, civil protection (operative) units, first aid and other operative emergency units of the establishment;

14.1.4. personal protective equipment and procedures for handing out thereof;

14.1.5. a list of materials necessary for provision of first aid and location thereof at the establishment;

14.1.6. engineering machinery, transport, tools, special clothing, material reserves or stockpiles;

14.1.7. installations for containment of the spread of accidents, installations and receptacles for the collection of accidental leakage, protective walls, devices for determining contamination from an accident, and other installations and equipment intended for human safety or environmental protection;

14.2. the resources that are intended to be supplied from other merchants in accordance with a mutual assistance and co-operation agreement, also the time period within which it is possible to receive the relevant resources.

15. Information regarding the time period within which the State Fire-Fighting and Rescue Service and other rescue services may arrive at the place of an industrial accident after the receipt of the relevant information.

16. A civil protection plan of the establishment shall indicate measures and procedures for provision of assistance to the State Fire-Fighting and Rescue Service and performance of activities outside the territory of the establishment for reduction of hazard of the industrial accident or consequences thereof, also information which is necessary for the State Fire-Fighting and Rescue Service for the development of a civil protection plan of the off-establishment.

17. The following shall be indicated in the civil protection plan of an establishment:

17.1. a map at a scale at least 1:10 000 where location of the establishment and areas of undesirable effect of consequences of possible accidents at the establishment outside the territory of the establishment are indicated;

17.2. a plan of the establishment in which structures, main engineering communications, emergency exits and evacuation routes, fire-fighting equipment, alarm devices, fire-fighting water supply sources, places of storage of dangerous substances are indicated;

17.3. safety data sheets of dangerous chemical substances and mixtures, if the abovementioned chemical substances and mixtures may be present at the establishment and may be involved in an industrial accident;

17.4. a notification scheme (schemes), intending to notify:

17.4.1. employees;

17.4.2. responsible institutions;

17.4.3. co-operation organisations;

17.4.4. merchants, institutions and organisations which may be endangered by an industrial accident at the establishment;

17.5. action plans in cases of discharge of dangerous substances and collection thereof, also in cases of fire and explosion;

17.6. copies of agreements or contracts with co-operation organisations, if a responsible person has intended to involve resources of other institutions, organisations or merchants for containment or elimination of the industrial accident;

17.7. a scheme (map) of the storage of dangerous chemical substances and mixtures at the establishment a copy of which shall be placed also in the security guard room of the establishment.

18. In developing a civil protection plan of the establishment, the following shall be taken into account and indicated:

18.1. the information obtained during the assessment of the establishment from the point of view of human safety and environmental protection, also during the performance of an industrial accident risk assessment;

18.2. recommendations of the employees of the establishment regarding the measures to be included in the civil protection plan of the establishment and the implementation of such plan in case of an industrial accident or emergency;

18.3. the requirements laid down in the laws and regulations regarding dangerous equipment, fire safety and labour and civil protection which govern activities or action in cases of undesirable events, accidents or emergency situations.

19. In reviewing a civil protection plan of the establishment, the following shall be taken into account and indicated:

- 19.1. the experience acquired and the conclusions made;
- 19.2. changes that have taken place at the establishment;
- 19.3. changes that have occurred to the functions and material and technical supply of State authorities, local governments or emergency services (of the establishment);
- 19.4. the latest technical knowledge or information regarding effective measures for the containment or elimination of industrial accidents;
- 19.5. amendments to laws and regulations;
- 19.6. other factors that may affect the implementation of the civil protection plan of the off-establishment.

Minister for Environmental Protection
and Regional Development

Kaspars Gerhards

Information to be Included in a Civil Protection Plan of the Off-establishment

1. Official (given name, surname, position):
 - 1.1. who is authorised to start operative action and perform response and liquidation of consequences measures in case of industrial accident or immediate threats thereof;
 - 1.2. who is authorised to take management (responsibility for operative action) and co-ordinate actions outside territory of the establishment.

2. Characterisation of alarm and notification system:
 - 2.1. the procedures by which the State Fire-Fighting and Rescue Service, local government and other responsible authorities receive and give a warning or information regarding an undesirable event or industrial accident;
 - 2.2. the procedures for alarm notification and the procedures for summoning emergency or emergency (operative) services;
 - 2.3. a short characterisation of alarm and notification system of the establishment;
 - 2.4. a short characterisation of communication and other technical means for ensuring of operation of the alarm and notification system at the establishment and off-establishment, including sites of location of the alert sirens in the vicinity of the establishment.

3. A characterisation of resources necessary and available for the implementation of a civil protection plan of the off-establishment, including:
 - 3.1. institutions, authorities, organisations and merchants to be involved, their duties, responsible officials and their phone numbers;
 - 3.2. material and technical resources – resources for implementation of emergency response and elimination of consequences measures, personal protective equipment (for employees of the establishment and inhabitants) and other resources.

4. The procedures for co-ordinating resources available for the implementation of a civil protection plan of the off-establishment.

5. A short description of response and reduction and liquidation of consequences emergency measures, including characterisation of measures for reduction of consequences of major industrial accident scenarios which are indicated in a safety report of the establishment, by taking into account possible domino effect, also such that could undesirably affect only the environment. The following measures shall be characterised in a civil protection plan of the off-establishment which:
 - 5.1. ensure provision of warning and information to the public, including in case of an industrial accident;
 - 5.2. ensure the containment, control and elimination of an industrial accident outside the territory of the establishment, also reduce the impact of and damage caused by an undesirable event or accident;
 - 5.3. are related to the protection of people and the environment outside the territory of the establishment in case of an industrial accident.

6. Information regarding co-operation and mutual assistance system for the performance of emergency response and liquidation of consequences measures, indicating:

6.1. the procedures for provision of assistance and support to the employees of the establishment for the performance of response and reduction and liquidation of consequences measures within the territory of the establishment by the State Fire-Fighting and Rescue Service, other State institutions and local governments;

6.2. the procedures for performing the containment and reduction of the hazard and consequences of an industrial accident outside the territory of the establishment;

6.3. the procedures for providing assistance for performance of emergency measures for containment, reduction and liquidation of consequences outside the territory of the establishment, including when responding to major industrial accidents with possible domino effect.

7. A time period within which the State Fire-Fighting and Rescue Service and other authorities involved in the containment, reduction and liquidation of consequences of the accident may arrive at the site of industrial accident after receipt of information. The time period shall be determined by taking into account the distance of the location of the authorities from the establishment, the technical and organisational supply of such authorities and road conditions.

8. The procedures for warning neighbouring merchants and organisations to which the requirements of this Regulation do not apply, also inhabitants, regarding threats, and for providing information regarding action in case of an industrial accident and protective measures to be carried out.

9. The procedures for performing special protective measures for inhabitants, where necessary, including evacuation of inhabitants, handing out of personal protective equipment.

10. The procedures for informing the relevant services of other states in case of an industrial accident, if transboundary impact of the accident is possible.

11. The procedures for performing collection of dangerous waste generated as a result of an industrial accident and containment and liquidation thereof and transfer for storage or recycling, also containment of the environmental pollution caused in the result of the industrial accident and containment and elimination thereof.

12. In developing a civil protection plan of the off-establishment, the most severe consequences caused by the development of events to the environment, human life, health or property, location of establishments and external technogenic (including domino effect, interruptions of electric power supply) factors and possible undesirable effect of natural phenomena and disasters shall be taken into account.

13. In reviewing a civil protection plan of the off-establishment, the following shall be taken into account and indicated:

13.1. the experience acquired and the conclusions made;

13.2. changes that have taken place at the establishment;

13.3. changes that have occurred to the functions and material and technical supply of State authorities, local governments or emergency services (of the establishment);

13.4. the latest technical knowledge or information regarding effective measures for the containment or elimination of industrial accidents;

13.5. amendments to laws and regulations; and

13.6. other factors that may affect the implementation of the civil protection plan of the off-establishment.

Minister for Environmental Protection
and Regional Development

Kaspars Gerhards

Informative Material to the Public

1. Responsible persons shall include the following information in the informative material to the public regarding establishments covered by this Regulation:

1.1. an owner or holder of the establishment responsible for the site of operation and organisation of the performer of activities (name);

1.2. given name and surname of a responsible person, also other information on where additional information regarding the relevant establishment may be obtained;

1.3. full address of the establishment;

1.4. approval that this Regulation is applied to the establishment, also approval that a responsible person has submitted:

1.4.1. a submission to the State Environmental Service;

1.4.2. a safety report to the State Environmental Bureau, if Paragraph 16 of this Regulation applies to the establishment;

1.5. an outline of the operations of the establishment or installations;

1.6. the following information regarding the dangerous substances that are located at the establishment and which may cause an industrial accident:

1.6.1. names of substances;

1.6.2. belonging of substances to certain hazard category in accordance with Regulation No 1272/2008 or to certain group of dangerous substances in conformity with Annex 1 to this Regulation;

1.6.3. explanation of characterisation of hazard of substances, by indicating in simple language their main hazard properties, significant symptoms and consequences caused by substance exposure;

1.7. information regarding how people will be warned and informed regarding an industrial accident, and how people who may be affected by such accident should act and behave.

2. Responsible persons shall additionally include also the following information in the informative material to the public regarding establishments to which Paragraph 16 of this Regulation applies:

2.1. information regarding the industrial accident hazard and the risk factors, also the potential effects of an industrial accident on human health, life, property and the environment;

2.2. brief (concentrated) descriptions regarding scenarios of the development of industrial accidents;

2.3. a report regarding emergency measures in cases of industrial accidents at the establishment which shall be performed for containment, control of the accidents of each type of scenario and prevention of escalation thereof;

2.4. an approval that an alarm and notification system is established at the establishment and the procedures in accordance with which a responsible person in co-operation with the State Fire-Fighting and Rescue Service and other emergency (operative) services shall take response measures and liquidation of consequences measures in accordance with the civil protection plan in cases of undesirable events or industrial accidents,

also plan and implement preventive measures for the reduction, containment or liquidation of the consequences of possible accident;

2.5. an approval that necessary resources are ensured at the establishment in order to be able to act in case of industrial accident, also to implement preventive measures for reduction, containment or liquidation of possible consequences of the accident;

2.6. advice to follow orders, instructions or requests from the emergency services at the time of an accident;

2.7. an indication that information regarding a civil protection plan of the off-establishment is available on the website of the State Fire-Fighting and Rescue Service;

2.8. an indication whether an industrial accident with undesirable effect of transboundary consequences is possible, if the establishment is located in the vicinity of the territory of other Member State to the Convention on the Transboundary Effects of Industrial Accidents of UN Economic Commission for Europe.

Minister for Environmental Protection
and Regional Development

Kaspars Gerhards

Criteria for Industrial Accident Assessment and Provision of Information

1. The State Environmental Service shall classify an industrial accident as major and provide information to the European Commission regarding each accident that has occurred at an establishment to which this Regulation apply if the industrial accident conforms to at least one of the following criteria:

1.1. a fire which has been caused by or which involves dangerous substances the quantity of which is at least 5 % of the quantities indicated in Tables 1 and 2, Column three of Annex 1 to this Regulation;

1.2. an explosion of one or several dangerous substances, which has been caused by or which involves dangerous substances the quantity of which is at least 5 % of the quantities indicated in Tables 1 and 2, Column three of Annex 1 to this Regulation;

1.3. leakage of one or several dangerous substances, which has been caused by or which involves dangerous substances the quantity of which is at least 5 % of the quantities indicated in Tables 1 and 2, Column three of Annex 1 to this Regulation;

1.4. in the result of industrial accident:

1.4.1. the death of a person has occurred;

1.4.2. at least six persons have been injured at the establishment and such persons have been hospitalised for at least 24 hours;

1.4.3. at least one person non-related to the establishment has been injured and such person has been hospitalised for at least 24 hours;

1.4.4. residential houses outside the establishment have been damaged and are unfit for use;

1.4.5. evacuation or temporary isolation of persons has taken place for a period exceeding two hours, if the outcome of multiplying the number of persons by the number of evacuation or isolation hours is not less than 500; or

1.4.6. the supply of drinking water, electricity or gas, or the provision of telephone services has been interrupted for more than two hours, if the outcome of multiplying the number of persons who have been affected by the referred to interruption by the number of hours is not less than 1 000;

1.5. an industrial accident, which causes immediate harm to the environment with long-term or serious consequences, contaminating or otherwise damaging:

1.5.1. land ecosystems with surface area of not less than 0.5 hectares in specially protected nature territories, protected nature territories of European significance (*Natura 2000*), micro-reserves, protection zones specified for the purposes of nature protection or in other nature territories the protection of which is laid down in the laws and regulations;

1.5.2. widespread land ecosystems, including land utilised for agriculture, with area of not less than 10 hectares;

1.5.3. the freshwater environment in a river or canal with length of not less than 10 km;

1.5.4. the freshwater environment in a lake or pond with area of not less than one hectare;

- 1.5.5. the freshwater environment in a river delta with area of not less than two hectares;
- 1.5.6. the marine environment at the seacoast, in coastal waters or in the open sea with area of not less than two hectares;
- 1.5.7. groundwater with area of not less than one hectare;
- 1.6. an industrial accident caused by dangerous substances, which has caused the following damages to property:
 - 1.6.1. damage to the property of the establishment in the amount of not less than two million EUR;
 - 1.6.2. damage to property outside the establishment in the amount of not less than 0.5 million EUR;
- 1.7. an industrial accident caused by dangerous substances, which creates or may create transboundary impact.

2. The European Commission shall be provided with information also regarding undesirable events or industrial accidents of other types, although they do not comply with the abovementioned criteria, if after the examination and assessment of such events or accidents new information of a technical nature has been acquired that may help prevent other industrial accidents or reduce the undesirable consequences thereof.

Minister for Environmental Protection
and Regional Development

Kaspars Gerhards