

THE GOVERNMENT OF THE REPUBLIC OF CROATIA

3302

Pursuant to Article 97, paragraph 2 of the Environmental Protection Act (Official Gazette 110/2007) the Government of the Republic of Croatia, at its session on 30 September 2008, adopted the following

REGULATION

ON THE PREVENTION OF MAJOR ACCIDENTS INVOLVING DANGEROUS SUBSTANCES

I GENERAL PROVISIONS

Article 1

(1) This Regulation establishes the list of types of dangerous substances which are present in installations and may cause major accidents or which may be generated during a major accident; the method of determining quantities, permitted quantities and criteria according to which those substances are categorised as dangerous.

(2) The Regulation sets out special obligations of the company or operator in undertaking measures for preventing major accidents, obligations in case of a significant change in the installation, obligations in case of a major accident, procedure and obligations in case of major accidents with transboundary effects, obligations to limit the consequences of major accidents, and other requirements and measures for preventing major accidents in accordance with internationally recognised standards and regulations; the method of submitting and mandatory content of the notification on implementation of safety measures.

(3) The Regulation prescribes the mandatory content of the Safety Report, method of submitting the application for approval of the Safety Report; mandatory content and method of issuing approval; method of submitting the application for extension of the approval issued and related deadlines; method and requirements for supervision over the implementation of activities and measures in accordance with the Safety Report and notification on the presence of dangerous substances.

(4) The Regulation sets out the content and manner of keeping registers on companies and their installations which may cause domino effect accidents.

Terms and definitions

Article 2

The terms used in this Regulation have the following meaning:

1. Presence of dangerous substances means:

- the actual presence of dangerous substances in an existing installation at the moment of submission of the prescribed notifications to the Ministry,
- anticipated – estimated – presence of dangerous substances in an existing installation which

may be generated during a major accident,

– anticipated – estimated – presence of dangerous substances in a new installation following its construction and start of operation,

– anticipated – estimated – presence of dangerous substances in an existing installation following its reconstruction,

– anticipated – estimated – presence of dangerous substances in installations under indents 1 through 4 of this item, which may be generated during loss of control of an industrial chemical process, in quantities equal to or in excess of the thresholds in Parts 1 and 2 of Annex I to this Regulation;

2. Storage means the presence of a quantity of dangerous substances for the purposes of warehousing, depositing in safe custody or keeping in stock;

3. Major hazard means any hazard which:

1. presents a threat to human life or may have harmful consequences to human health

2. may damage the health of a large number of individuals

3. may damage the environment, especially the flora, fauna, soil, waters, atmosphere or cultural property;

4. Impact area is the area in the immediate vicinity of the site of a major accident involving dangerous substances, which extends to the borders within which the properties of dangerous substances may have a harmful impact on the environment, or the natural habitat of organisms and their communities, including man;

5. The latest achievements in safety technology refer to the state of development of modern processes, equipment and operational techniques which guarantee feasible application of measures for prevention of major accidents or mitigation of their effects;

6. An existing installation is an installation which started operating before the entry into force of this Regulation.

7. Competent public authorities are: the Ministry, all competent inspections in accordance with the law and the National Protection and Rescue Directorate;

8. The Act is the Environmental Protection Act;

Scope

Article 3

(1) This Regulation applies to installations where dangerous substances are present in quantities equal to or in excess of the quantities set out in the List in Annex I to this Regulation, Parts 1 and 2, columns 2 and 3.

(2) By way of derogation from paragraph 1 of this Article, in certain cases the Ministry may require the operator to apply certain obligations in accordance with this Regulation in respect of his installation to the extent necessary to prevent major accidents or mitigate their consequences even where dangerous substances are not present in quantities equal to or in excess of the quantities listed in Annex I to this Regulation, Parts 1 and 2, columns 2 and 3.

(3) The provisions of this Regulation also apply to installations – landfill sites for unusable waste, such as waste management centres according to special regulations, including pits or dams, containing dangerous substances as defined in the List in Article 3 paragraph 1 of this Regulation, in particular when used in connection with the chemical and thermal processing of minerals.

(4) Where the operator ascertains that dangerous substances are present in quantities lower than the quantities set out in the List in Annex I to this Regulation, Parts 1 and 2, columns 2 and 3, he shall proceed in accordance with the requirements prescribed by regulations

governing protection and rescue operations, which relate to the content of the operational protection and rescue plan.

Article 4

This Regulation does not apply to the following:

- military installations and storage facilities,
- hazards created by ionizing radiation,
- transport by road, rail and air and transport of dangerous substances by internal waterways and by sea,
- temporary storage of dangerous substances outside the installations subject to provisions on the prevention of major accidents, including loading and unloading stations and transport to and by other means of transport at docks, wharves or marshalling yards,
- transport of dangerous substances by pipeline, including pumping stations, with the exception of inside installations to which provisions on the prevention of major accidents apply,
- exploitation (exploration, extraction and processing) of minerals in mines, quarries, or by means of boreholes, with the exception of chemical and thermal processing operations and storage related to those operations which involve dangerous substances,
- offshore exploration and exploitation of minerals, including hydrocarbons, and
- waste landfills, with the exception of those specified in Article 3 paragraph 3 of this Regulation.

II DANGEROUS SUBSTANCES AND THEIR CLASSIFICATION

Criteria for determining substances which are categorised as dangerous substances in installations

Article 5

- (1) Substances which are categorised as dangerous and qualifying quantities for the application of this Regulation are set out in the List in Annex I to this Regulation.
- (2) Criteria for determining that large quantities of dangerous substances listed under paragraph 1 of this Article are present in an installation are set out in Annex I to this Regulation in Parts 1 and 2, Column 3.
- (3) Criteria for determining that small quantities of dangerous substances listed under paragraph 1 of this Article are present in the installation are set out in Annex I to this Regulation in Parts 1 and 2, Column 2.
- (4) By way of derogation from Annex I to this Regulation, substances which are ascertained to be present in the installation in quantities lower than the qualifying quantities set out in Annex I to this Regulation in Parts 1 and 2, Column 2 shall also be categorised as dangerous substances for the purposes of this Regulation if, in the event of domino effect, the Ministry establishes the operator's obligations pursuant to this Regulation by virtue of a special decision.

III OBLIGATIONS OF THE OPERATOR

Basic obligations

Article 6

- (1) In order to prevent major accidents the operator shall undertake all the necessary precautionary measures in proportion to the potential hazards in the installation.
- (2) The measures referred to in paragraph 1 of this Article do not apply to obligations in respect of air quality control pursuant to the provisions of the act governing air protection.
- (3) When fulfilling the obligation under paragraph 1 of this Article, the operator shall in particular consider the following sources of hazard:
 1. technologic and process hazard sources,
 2. natural hazard sources (earthquakes, floods, etc.)
 3. unauthorised access to operations in the installation (persons involved or undertaking actions such as: operating a piece of machinery, or other activities during the manufacturing process, other than the work process or position to which the person is assigned) and to work involving dangerous substances in the installation.
- (4) The operator shall not consider the sources referred to in paragraph 3 of this Article when those sources may be excluded as sources, or as partial sources of hazard.
- (5) The precautionary measures referred to in paragraph 1 of this Article shall be undertaken so as to minimise, at the very source within the installation, the likelihood of a major accident hazard occurring, and any adverse consequences in the case of occurrence of a major accident.
- (6) The nature and operations of the installation in which dangerous substances are present must comply with the latest achievements in safety technology. The latest achievements in safety technology shall be established in relation to equipment, operational techniques and processes comparable to those successfully tested in the operations of the installation;

Requirements concerning the prevention of major accidents

Article 7

The operator shall fulfil his obligations referred to in Article 6, paragraph 1 of this Regulation by:

1. undertaking measures to ensure that fire and/or explosion:
 - is prevented from occurring within the installation
 - occurring in one unit cannot impact other units within the installation, and
 - occurring outside the installation cannot impact the installation in such a manner as to present a safety hazard;
2. installing suitable warning, alarm and safety equipment in the installation;
3. installing measuring and control equipment which shall be separate and independent from other systems if required for safety purposes;
4. protecting the safety of relevant installation units against any potential actions or interference by unauthorised individuals.

Obligations aimed at limiting the effects of major accidents

Article 8

(1) The operator shall fulfil the obligations aimed at limiting the effects of major accidents referred to in Article 6, paragraph 5 of this Regulation by:

1. assessing the potential consequences for human beings and the environment taking into account several anticipated scenarios in terms of potential effects of major accidents, and calculating the size of the impact area according to the worst case scenario;
2. undertaking safety measures in order to prevent any additional hazards from occurring in the installation infrastructure (sewage system, pipelines, gas conduits, etc.) in the event of a

major accident;

3. installing required safety devices in the installation and undertaking all technical and organisational measures of precaution.

(2) The operator shall ensure that professional and comprehensive information is immediately communicated to competent public authorities responsible for major accident prevention and to emergency services in the event of a major accident.

Other obligations

Article 9

In addition to complying with the provisions of Articles 7 and 8 of this Regulation, the operator shall also fulfil the obligations referred to in Article 6, paragraphs 1 and 5 of this Regulation by:

1. ensuring supervision of any building activities concerning the installation, supervising the proper operation of safety devices in the installation, and continuously monitoring and ensuring regular maintenance of auxiliary utilities in respect of safety;
2. performing maintenance and repairs in the installation using best available technology;
3. undertaking required technical precautionary measures so as to prevent improper operations in the installation and improper handling of dangerous substances;
4. preventing improper and illicit conduct of workers and other individuals in the installation by providing appropriate instructions for conduct during regular operations and during lunch breaks, and appropriate instructions for conduct under exceptional circumstances;
5. providing suitable training to workers with the aim of identifying the hazards, in particular where new techniques are introduced, and in order to inform the workers of the requisite behaviour in the event of hazard or in the event of a major accident.

Mandatory notification of the presence of dangerous substances in the installation

Article 10

(1) The operator shall ascertain whether dangerous substances are present in the installation in accordance with the List of dangerous substances given in Annex I to this Regulation. The operator shall notify the Ministry of the presence of dangerous substances using the notification form provided in Annex II to this Regulation within the deadlines established by the Act.

(2) The operator shall also notify the Ministry using the form provided in Annex II to this Regulation if he intends to reconstruct an existing installation concerning which a notification on the presence of dangerous substances within the meaning of paragraph 1 of this Article has already been submitted, if he intends to modify the manufacturing or work processes, in the event of a significant increase in the quantity or a significant change in the nature or physical form of the dangerous substance present in relation to the previously submitted notification, or in the event of any modifications to processes involving dangerous substances in respect of the nature or quantity of dangerous substances which could have significant repercussions on major accident hazards, as well as in the event of permanent shutdown of the installation.

(3) A significant increase in the quantity of dangerous substances in the installation within the meaning of paragraph 2 of this Article refers to an increase in the quantity of dangerous substances which increased from previously established small quantities to the qualifying quantities prescribed for small quantities in Annex I to this Regulation, in the List of dangerous substances, Column 2 or higher. A significant increase in the quantity of dangerous

substances in the installation for the purposes of paragraph 2 of this Article also refers to any increase in the quantity of dangerous substances which were previously established to be present in the installation in the qualifying quantities prescribed in Annex I to this Regulation, in the List of dangerous substances, Column 2 (for small quantities) or Column (for large quantities), as well as any increase in the quantity of dangerous substances above those qualifying quantities.

(4) The operator shall deliver the notification in the cases referred to in paragraphs 1 and 2 of this Article to the Ministry before submitting the application for any required permit to the competent bodies, or immediately in the event of modifications within the meaning of paragraph 3 of this Article.

(5) In order to ensure complete and timely provision of information to the Ministry within the meaning of paragraph 2 of this Article, in case the operator intends to shut down the installation in which dangerous substances are present, he shall issue a written decision setting out the method and final deadline for the shutdown of the installation. The operator shall deliver the decision attached to the notification referred to in paragraph 2 of this Article. He shall deliver the notification to the Ministry within 15 days from the date the decision on shutdown of the installation was issued.

(6) The operator shall also deliver the notifications referred to in paragraphs 1, 2 and 5 of this Article to the Croatian Environment Agency for the purpose of entering them into the registers prescribed by the Act, within the deadlines prescribed by the regulation governing the environmental protection information system, and to the central state administration body competent for protection and rescue for the purpose of further procedural actions in accordance with the requirements set out by regulations governing protection and rescue.

Article 11

(1) In addition to the data stated in the form provided in Annex II to this Regulation, when delivering notifications referred to in Article 10 of this Regulation, the operator may provide supplementary descriptive information.

(2) In the notifications referred to in Article 10 of this Regulation in accordance with the prescribed form, the operator may indicate the included data and information which he considers as business secrets pursuant to the internal acts of his company, and may request that such information be kept confidential in accordance with the Act and the act governing data confidentiality.

Installations in which small quantities of dangerous substances are present

Article 12

(1) When the operator ascertains, in accordance with the provisions of the Act and this Regulation, the presence of small quantities of dangerous substances in the installation, pursuant to Annex I, Column 2 of this Regulation, he shall immediately draw up the Notification on the presence of small quantities of dangerous substances in the installation (hereinafter: Notification on small quantities of dangerous substances).

(2) In the Notification on small quantities of dangerous substances, the operator shall set out guidelines and measures for major accident prevention defining arrangements for the organisation and management of the installation in order to minimise the risk of major accidents. The measures shall be designed to guarantee a high level of protection for man and the environment.

(3) The Notification on small quantities of dangerous substances must include an estimate of

required resources, structures and installation management systems in the event of major accidents, and relevant information and data in accordance with Annex V to this Regulation.

(4) The operator must ensure that the measures set out in the Notification on small quantities of dangerous substances can be implemented at any one time. The Notification must be made available for inspection and supervision by the competent public authorities at appropriate premises in the installation.

(5) The operator shall deliver the Notification on small quantities of dangerous substances to the Ministry as prescribed by the provisions of the Act for an existing installation, an installation to be constructed or reconstructed. The operator shall also deliver the Notification to the central state administration body competent for protection and rescue.

Installations in which large quantities of dangerous substances are present

Article 13

(1) When the operator ascertains the presence of large quantities of dangerous substances in the installation in accordance with the provisions of this Regulation, he shall produce the Safety Report.

(2) The Safety Report shall demonstrate that:

1. major accident hazards in the installation have been identified and that the necessary measures have been established and undertaken to prevent such accidents and to limit their consequences for man and the environment;
2. that adequate safety and reliability have been incorporated into the design, construction, technological processes, operation and maintenance of all parts of the installation which are linked to major accident hazards inside the installation;
3. the operator has drawn up the internal plan for procedures within the installation in accordance with the Act and this Regulation, the internal alert programme and the operational protection and rescue plan, adopted pursuant to regulations governing protection and rescue, and that information has been supplied to enable the external plan to be drawn up in order to take the necessary measures in the event of a major accident, and in the event of construction of new installations or developments around existing installations;
4. the insurance policy and the safety management system for its implementation shall be put in place in accordance with the requirements of Annex IV to this Regulation.

Article 14

(1) The operator, who is obliged to draw up the Safety Report for his installation in accordance with the Act and this Regulation, shall purchase appropriate insurance as a guarantee for the secured funds in the event of major accidents before the start of operation of the installation. The insurance policy must include the installation safety management system, and must be contracted in the amount proportional to the major accident hazards. When contracting the insurance, the operator shall take into account the requirements set out in the provisions of Annex IV to this Regulation.

(2) The operator referred to in paragraph 1 of this Article shall ensure that the insurance policy is made available to the competent public authorities.

IV SAFETY REPORT

Content of the Safety Report

Article 15

- (1) In accordance with the best available techniques and the latest achievements in safety technology, the Safety Report shall establish guidelines for major accident prevention and the safety management system. With the aim of setting out the organisation and management of the installation in order to minimise major accident hazards, the Report shall also contain the internal plan for procedures within the installation (hereinafter: internal plan).
- (2) The internal plan shall comply with the requirements of Annex V to this Regulation.
- (3) The Safety Report shall include the data required to draw up the external plan for protection measures and activities to be undertaken outside the installation to be drawn up in order to take the necessary measures in the event of a major accident (hereinafter referred to as: the external plan). The external plan shall be drawn up in accordance with special regulations governing protection and rescue and for the purpose of mitigating the impact of potential domino effects caused by a major accident in the installation and for other purposes in accordance with special regulations.
- (4) The operator may indicate that a part of the content of the Safety Report may not be available to the public due to industrial, trade or business confidentiality, public safety and/or national defence, which he shall substantiate by providing a Statement and proof of confidentiality in accordance with the Act.
- (5) If the operator ascertains the presence of dangerous substances or parts thereof in the installation, and if the Safety Report demonstrates that those substances are not likely to cause major accidents, the operator may, when submitting the application for approval of the Safety Report, request the Ministry to make available to the public only the information and data in the Report which concerns events related to prevention of residual major accident hazards and limiting the consequences for man and environment.
- (6) The Safety Report shall be designed so that the measures provided therein guarantee a high level of protection for man and the environment by appropriate means, structures and management systems. The Report must take account of the principles and requirements contained in Annex IV to this Regulation. The Safety Report must contain as a minimum the data set out in Annex III to this Regulation.
- (7) The Safety Report shall include the names of experts or persons involved in its preparation and the bodies which adopted the Report in the internal administrative procedure of the operator.
- (8) The Safety Report which is submitted for an existing installation and in the event of reconstruction of an existing installation must contain an updated list of dangerous substances present in the installation on the basis of designation and classification contained in Annex I to this Regulation, and in accordance with the status ascertained in the installation on the date corresponding to the date indicated on the Report.

Article 16

- (1) In exceptional cases, the Safety Report or parts thereof may be based on data which the operator is obliged to provide in accordance with special regulations in certain areas (e.g. protection and rescue, fire protection, etc.), which are equivalent to, i.e. included in the data prescribed in Annex I to this Regulation. A Report drawn up on the basis of transposed data and information kept pursuant to special regulations must comply with all the requirements in accordance with the provisions of this Regulation concerning the content of the Safety Report.
- (2) Data transposed within the meaning of paragraph 1 of this Article must not be older than six months from the date indicated on the Safety Report.

(3) The Safety Report must be based on authentic facts on dangerous substances present in the installation.

(4) The Safety Report must be drawn up through a legal person authorised in accordance with the Act.

(5) The operator must ensure that the Safety Report can be implemented at any time. The Report must be made available for inspection and supervision by the competent public authorities at the appropriate premises of the installation.

Article 17

The operator shall submit the Safety Report to the Ministry for approval within the following deadlines:

- for new installations, in the period prior to the start of construction or of operation,
- for existing installations, within six months from the date of entry into force of this Regulation.

Obligation to review the Safety Report and the insurance policy

Article 18

(1) The operator shall review the Safety Report approved by the Ministry and where necessary update the data and information, including the insurance policy required in accordance with the provisions of this Regulation, as follows:

1. at least every 5 years;
2. forthwith in case of any changes in:
 - the installation,
 - the process involving the dangerous substance,
 - the quantity, nature or physical form of the dangerous substance compared to the data contained in the existing Report;
3. at any other time:
 - to take account of new technical knowledge, safety measures and advancements concerning the approach to hazards,
 - in the event of any new knowledge or assumptions on modifications concerning potential significant consequences of major accident hazards.

(2) After amending the Report within the meaning of the provision of paragraph 1 of this Article, the operator shall obtain the approval of the amended Report from the Ministry.

(3) After the Ministry grants its approval, the amended Safety Report within the meaning of paragraph 1 of this Article shall be delivered to the central state administration body competent for protection and rescue.

Article 19

The Ministry shall supervise the content of the Notification and the Safety Report as follows:

- every five years,
- at any other time at the initiative of the operator or the request of the competent authority, where justified by new facts or to take account of new technical knowledge about safety matters, for example arising from analysis of accidents or, as far as possible, 'near misses', and of developments in knowledge concerning the assessment of hazards.

V APPROVAL OF THE SAFETY REPORT

Method of submitting the application for approval

Article 20

(1) The application for granting approval of the Safety Report shall be submitted in written form and using an electronic data storage medium (CD, DVD etc.) and shall include the Safety Report for which approval is requested.

(2) The application referred to in paragraph 1 of this Article shall contain:

1. data on the company and operator of the installation:

- for legal and natural persons (craftsmen), the name and headquarters of the company, registration number, name of the responsible person, telephone and fax number, and e-mail address, if applicable;
- for natural persons: name and surname, address; telephone number, and e-mail address, if applicable.

Data referred to in this item shall be substantiated by an excerpt from the Court Registry for legal persons, an excerpt from the Central Trades and Crafts Registry for a natural person - craftsman, an excerpt from the Agricultural Registry for a natural person - farmer and a copy of the identification card for natural persons - citizens;

2. data on the installation site:

- for the site, the name of the local and regional self-government unit where the installation is located, including data on the cadastre municipality,
- for the installation, the exact name and all types of activities performed in the installation;

3. data on the authorised person who prepared the Safety Report, substantiated by a copy of the approval obtained from the Ministry for performing expert environmental protection activities – for drawing up safety reports;

4. the administrative fee in the prescribed amount.

Procedure for issuing approval

Article 21

(1) If the application referred to in Article 20 of this Regulation does not contain all the prescribed data and evidence, or if the Safety Report attached to the application does not contain all the data and information in accordance with the provisions of this Regulation, the Ministry shall, in accordance with the act which regulates general administrative procedure, request that the operator rectify the deficiencies in the application or the Report within a reasonable deadline which shall not exceed thirty days.

(2) The Ministry shall inform the public and the public concerned of the operator's application for granting approval after it has ascertained that the application contains all the prescribed data and evidence and that the Safety Report contains all the data and information in accordance with the provisions of this Regulation.

(3) The public and the public concerned shall be informed of the application referred to in paragraph 1 of this Article in accordance with the Act and the regulation governing the provision of information and participation by the public and the public concerned in environmental protection matters.

Article 22

(1) When the Ministry ascertains that the operator's application for granting approval of the Safety Report is complete, it may obtain the opinion of an auditor accredited in accordance with the Safety Report Act attached to the application, depending on the specific techniques applied in the operations of the installation. The company shall cover the costs of obtaining the opinion of the auditor.

(2) The approval of the Safety Report may be granted when it is ascertained that the Safety Report complies with all the requirements pursuant to the Act and this Regulation.

(3) When the Ministry ascertains that the Safety Report does not comply with all requirements pursuant to the Act and this Regulation, it shall adopt a decision dismissing the application for granting approval.

(4) The Ministry shall inform the public and the public concerned of the approval or the decision referred to in paragraph 2 of this Article in accordance with the Act and the regulation governing the provision of information and participation by the public and the public concerned in environmental protection matters.

Application for extension of issued approval

Article 23

(1) The application for extension of approval of the Safety Report shall be submitted no later than six months prior to the expiry of the term of validity of the approval of the Report.

(2) Applications for extension of approval submitted outside the deadline referred to in paragraph 1 of this Article shall be dismissed.

(3) The procedure for granting extension of issued approval of the Safety Report shall be conducted in accordance with the provisions of the Act and the provisions of this Regulation which accordingly apply to the issuing of approvals.

Content of the approval

Article 24

The approval shall in principle contain a dispositive part granting approval of the Safety Report, the term for which approval is granted, the statement that the Safety Report is a mandatory attachment to the approval, and a corresponding statement of reasons.

VI OBLIGATIONS OF THE COMPANY OR THE OPERATOR IN UNDERTAKING MAJOR ACCIDENT PREVENTION MEASURES

Obligations in the event of significant modifications in the installation after the Safety Report has been approved

Article 25

In the event of modification of an installation, storage facility, or process involving dangerous substances or of the nature or quantity of dangerous substances which could have significant repercussions on major accident hazards, the company, i.e. the operator shall:

1. determine whether the major accident prevention policy, management systems and procedures included in the Safety Report need to be revised;
2. after determining that the Safety Report needs to be revised, inform the Ministry and the

central state administration body competent for protection and rescue of the details of the required revision of the Safety Report.

Notification on the implementation of safety measures in the installation in which the presence of small quantities of dangerous substances was initially ascertained

Article 26

(1) The operator who acted in accordance with the provisions of this Regulation on small quantities of dangerous substances shall, in the event of an increase in the quantity of dangerous substances in the installation or in the event of modifications which may result in a higher major accident hazard, forthwith notify the Ministry and central state administration body competent for protection and rescue.

(2) In the case referred to in paragraph 1 of this Article the Ministry shall, if deemed necessary, request the operator to amend the existing Notification on small quantities of dangerous substances, or to draw up the Safety Report.

(3) The operator and the competent public authorities shall periodically review, assess and verify the necessity for amendments to the Notification on small quantities of dangerous substances within a period of three years from the date of delivery of the Notification. Account shall be taken of any changes concerning the operator and/or modifications of emergency services, new technical knowledge and knowledge concerning major accident responses.

VII INFORMING THE PUBLIC IN THE EVENT OF MAJOR ACCIDENTS

Article 27

(1) The operator shall inform the public in accordance with Annex VI to this Regulation in the event of major accident hazards or in the event of major accidents.

(2) The operator shall inform the public in accordance with Annex VI to this Regulation in the event of major accident hazards with transboundary effects.

VIII SUPERVISION OVER THE IMPLEMENTATION OF ACTIVITIES AND MEASURES IN ACCORDANCE WITH THE OPERATOR'S NOTIFICATIONS AND THE ISSUED APPROVAL OF THE SAFETY REPORT

Actions of the Ministry after receipt of the operator's notifications

Article 28

(1) After receiving the notifications submitted by the operator in accordance with this Regulation, the Ministry shall request additional information if deemed necessary.

(2) After reviewing the notifications, including the amendments referred to in paragraph 1 of this Article, the Ministry shall deliver its opinion on the reviewed notifications to the operator, providing, if necessary, instructions for further action pursuant to the provisions of the Act and this Regulation.

(3) The Ministry does not have the obligation to act in accordance with the provisions of paragraph 2 of this Article in case the operator is required to obtain the Ministry's approval of the Safety Report in accordance with the provisions of this Regulation.

Domino effect

Article 29

- (1) The Ministry shall ascertain the potential consequences of major accidents in installations in which the presence of dangerous substances has been established and which may cause a domino effect according to the calculation method in Annex I to this Regulation, Part 2, item 4.
- (2) The Ministry shall notify the operators of installations in the impact area with a potential or heightened risk of domino effect of the potential consequences for the installations within the meaning of the provision of paragraph 1 of this Article.
- (3) The notification referred to in paragraph 2 of this Article shall also be delivered to the central state administration body competent for protection and rescue.

Supervision over readiness to act in accordance with the Safety Report

Article 30

Competent public authorities – inspections competent for individual installations shall, depending on the techniques, supervise the installations in which dangerous substances are present at least once every 12 months.

IX REGISTER OF COMPANIES AND THEIR INSTALLATIONS WHICH MAY CAUSE DOMINO EFFECT ACCIDENTS

Content of the register

Article 31

- (1) The register of companies and their installations which may cause domino effect accidents (hereinafter: Register) shall contain the information provided in the form in Annex VII to this Regulation concerning:
 1. the company and installation,
 2. the presence of dangerous substances in the installation,
 3. the hazard type and impact area in accordance with the developed worst case scenario,
 4. the operator and
 5. other data.
- (2) Data referred to in paragraph 1 of this Article shall be entered into the Register based on data in the Register of installations in which dangerous substances are present which is kept by the Croatian Environment Agency and based on the notifications which the operator is obligated to submit to the Ministry in accordance with this Regulation.

Method of keeping the register

Article 32

- (1) The Register shall be kept in accordance with the form prescribed in Annex VII to this Regulation.
- (2) Data shall be entered into the Register on a separate enumerated page for each company and its installation, in the chronological order of creation after the first entry.

(3) The Register shall be kept using electronic software (application) which allows for network input, processing and display of data stored in the Register.

(4) The electronic software (application) referred to in paragraph 2 of this Article shall enable internet access to the Register using the username and password assigned by the Ministry to persons whose activities, authorisations and employment positions are directly linked to the use of the Register data..

(5) Access to data in the Register may be limited in the interests of general security and defence of the Republic of Croatia, or the protection of personal information, as specified by special regulations.

X TRANSITIONAL AND FINAL PROVISIONS

Integral parts of this Regulation

Article 33

The Annexes:

- I 'List of dangerous substances and qualifying quantities in which the substances are categorised as dangerous',
 - II 'Form for the notification on the presence of dangerous substances in the installation',
 - III 'Data and information to be included in the Safety Report',
 - IV 'Requirements concerning the management system and the organisation of installations with a view to the prevention of major accidents',
 - V 'Required data and information in the notification on small quantities of dangerous substances, the internal plan included in the Safety Report and the minimum required content of the external emergency plan',
 - VI 'Information to be communicated by the operator to the public in the event of hazards and major accidents',
 - VII 'Form for the Register of companies and their installations which may cause major domino effect accidents',
- form an integral part of this Regulation.

Initiated procedures

Article 34

The provisions of this Regulation concerning existing installations shall apply to installations subject to the obligation to ascertain the presence of dangerous substances, arising in connection with projects for which the environmental impact assessment procedure or the evaluation of the need for environmental impact assessment was initiated before the entry into force of this Regulation.

Obligation to harmonise existing installations

Article 35

(1) Operators of existing installations shall deliver a notification on the necessity to draw up a Safety Report for the installation in accordance with this Regulation within 30 days from the date of entry into force of this Regulation.

(2) Operators of existing installations shall harmonise existing installations with the

provisions of this Regulation within six months from the date of entry into force of this Regulation.

Article 36

(1) By virtue of the entry into force of this Regulation, the Environmental Protection Intervention Plan (Official Gazette 82/99 and 13/01) shall cease to have effect.

(2) Bodies appointed and established pursuant to the Intervention Plan referred to in paragraph 1 of this Article shall continue to operate until bodies pursuant to special regulations governing the protection and rescue system are established and appointed.

Article 37

This Regulation shall be published in the Official Gazette and shall enter into force on 31 March 2009.

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The Prime Minister
Ivo Sanader, m. p.

ANNEX I

LIST OF DANGEROUS SUBSTANCES AND QUALIFYING QUANTITIES IN WHICH THE SUBSTANCES ARE CATEGORISED AS DANGEROUS

PART 1

List of dangerous substance and qualifying quantities in which the substances are categorised as dangerous

Where a substance or group of substances listed in Part 1 also falls within a category listed in Part 2, the qualifying quantities set out in Part 1 must be used.

Column 1	Column 2	Column 3
Dangerous substances	Qualifying quantities to be used (in tonnes):	
	Qualifying quantity of dangerous substances where	Qualifying quantity of dangerous substances where a Safety

	notification is required	Report is required
ammonium nitrate (see note 3)	5 000	10 000
ammonium nitrate (see note 4)	1 250	5 000
ammonium nitrate (see note 5)	350	2 500
ammonium nitrate (see note 6)	10	50
ammonium nitrate (see note 7)	5 000	10 000
ammonium nitrate (see note 8)	1250	5 000
arsenic pentoxide, arsenic (V) acid and/or salts	1	2
arsenic trioxide, arsenic (III) acid and/or salts	-	0,1
bromine	20	100
chlorine	10	25
nickel compounds in inhalable powder form (nickel monoxide, nickel dioxide, nickel sulphide, trinickel disulphide, dinickel trioxide)	-	1
ethylenamine	10	20
fluorine	10	20

formaldehyde (concentration $\geq 90\%$)	5	50
hydrogen	5	50
hydrogen chloride (liquefied gas)	25	250
lead alkyls	5	50
liquefied extremely flammable gases (including LPG) and natural gas	50	200
acetylene	5	50
ethylene oxide	5	50
propylene oxide	5	50
methanol	500	5000
4,4-methylene-bis(2- chloraniline) and/or salts in powder form	-	0,01
methylisocyanate	-	0,15
oxygen	200	2000
toluene diisocyanate	10	100
carbonyl dichloride (phosgene)	0,3	0,75

arsenic trihydride (arsine)	0,2	1
phosphorus trihydride (phosphine)	0,2	1
sulphur dichloride	1	1
sulphur trioxide	15	75
polychlorodibenzofurans and polychlorodibenzodioxins (including TCDD), calculated in TCDD equivalent	-	0,001
carcinogens at concentrations above 5 % by weight: 4-aminobiphenyl and/or salts, benzidine and/or salts, bis(chloromethyl) ether, chloromethyl methyl ether, dimethylcarbamoyl chloride, dimethylnitrosamine, heksamethylphosphoric triamide, 2-naphtylamine and/or salts and 1.3 propanesultone	0,5	2
petroleum products: petrol and ligroines gas oils (including diesel fuels, home heating oils and gas oil blending streams)	2 500	25 000

NOTES

1. Mixtures and preparations shall be treated in the same way as pure substances provided they remain within concentration limits set according to their properties and in accordance with the provisions of this Regulation.

2. The quantities to be considered for the application of the relevant provisions of this Regulation are the maximum quantities which are present or are likely to be present in the installation at any one time.

3. Ammonium nitrate (5 000/10 000): fertilisers capable of self-sustaining decomposition. This applies to nitrate-based compound/composite fertilisers (compound/composite fertilisers containing ammonium nitrate with phosphate and/or potash) in which the nitrogen content as a result of ammonium nitrate is:

- between 15,75 % () and 24,5 % () by weight, and either with not more than 0,4 % total combustible/organic materials or which fulfil the requirements of Annex II of Directive 80/876/EEC,

- 15,75% () by weight or less and unrestricted combustible materials, and which are capable of self-sustaining decomposition according to the UN Trough Test (see United Nations Recommendations on the Transport of Dangerous Goods: Manual of Tests and Criteria, Part III, subsection 38.2)

4. Ammonium nitrate (1 250/5 000): fertiliser grade

This applies to simple ammonium-nitrate based fertilizers and to composite ammonium-nitrate based fertilizers in which the nitrogen content as a result of the ammonium nitrate is

- more than 24,5 % by weight, except for mixtures of ammonium nitrate with dolomite, limestone and/or calcium carbonate with a purity of at least 90 %,

- more than 15,75 % by weight for mixtures of ammonium nitrate and ammonium sulphate,

- more than 28 % () by weight for mixtures of ammonium nitrate with dolomite, limestone and/or calcium carbonate with a purity of at least 90 %, and which fulfil the requirements of Annex II of Directive 80/876/EEC.

5. Ammonium nitrate (350/2 500): technical grade

This applies to:

- ammonium nitrate and ammonium nitrate compounds in which the nitrogen content as a result of the ammonium nitrate is

- between 24,5 % and 28 % by weight, and which contain not more than 0,4 % combustible substances,

- more than 28 % by weight, 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.

6. Ammonium nitrate (10/50): 'off-specs' material and fertilisers not fulfilling the detonation test

This applies to:

- material rejected during the manufacturing process and to ammonium nitrate and preparations of ammonium nitrate, straight ammonium nitrate-based fertilisers and ammonium nitrate-based compound/composite fertilisers referred to in Notes 2 and 3, that are being or have been returned from the final user to a manufacturer, temporary storage or reprocessing plant for reworking, recycling or treatment for safe use, because they no longer comply with the specifications of Notes 2 and 3;

- fertilisers referred to in Note 1, first indent, and Note 2 which do not fulfil the requirements of Annex II of Directive 80/876/EEC.

7. Potassium nitrate (5000/10000): composite potassium-nitrate based fertilisers composed of

potassium nitrate in prilled/granular form.

8. Potassium nitrate (1250/5000): composite potassium-nitrate based fertilisers composed of potassium nitrate in crystalline form.

Polychlorodibenzofurans and polychlorodibenzodioxins

The quantities of polychlorodibenzofurans and polychlorodibenzodioxins are calculated using the following factors:

International Toxic Equivalent Factors (ITEF) for the congeners of concern (NATO/CCSM)			
2,3,7,8-TCDD	1	2,3,7,8-TCDF	0,1
1,2,3,7,8-PeDD	0,5	2,3,4,7,8-PeCDF	0,5
		1,2,3,7,8-PeCDF	0,05
1,2,3,4,7,8-HxCDD	0,1	1,2,3,4,7,8-HxCDF	
1,2,3,6,7,8-HxCDD		1,2,3,7,8,9-HxCDF	0,1
1,2,3,7,8,9-HxCDD	0,01	1,2,3,6,7,8-HxCDF	0,01
	0,001	2,3,4,6,7,8-HxCDF	0,001
1,2,3,4,6,7,8-HpCDD		1,2,3,4,6,7,8-HpCDF	
OCDD		1,2,3,4,7,8,9-HpCDF	
		OCDF	

(T = tetra, P = penta, Hx = hexa, HP = hepta, O = octa)

PART 2

Categories of substances and preparations not specifically named in Part 1

Column 1	Column 2	Column 3
Categories of dangerous substances	Qualifying quantity (tonnes) of dangerous substances as	

stipulated in Article 3 paragraph 4, for the

	application of	
	Articles 6 and 7	Article 9
1. VERY TOXIC SUBSTANCES	5	20
2. TOXIC SUBSTANCES	50	200
3. OXIDIZING SUBSTANCES	50	200
4. EXPLOSIVE SUBSTANCE (see Note 2) where the dangerous substance falls under UN/ADR Division 1.4	50	200
5. EXPLOSIVE SUBSTANCE (see Note 2) where the dangerous substance falls under any of: UN/ADR Divisions 1.1, 1.2, 1.3, 1.5 or 1.6. or risk phrase R2 or R3	10	50
6. FLAMMABLE SUBSTANCES (substances or preparations falling within the definition given in Note 3 item (a))	5 000	50 000
7a. HIGHLY FLAMMABLE SUBSTANCES (substances or preparations falling within the definition given in Note 3 item (b) paragraph (1))	50	200
7b. HIGHLY FLAMMABLE liquids (substances or preparations falling within the definition given in Note 3 item (b) paragraph (2))	5 000	50 000
8. EXTREMELY FLAMMABLE SUBSTANCES (substances or preparations falling within the definition given in Note 3 item (c))	10	50
9. <i>DANGEROUS FOR THE ENVIRONMENT in combination with risk phrases:</i>		
(i) R50: 'very toxic to aquatic organisms' (including R50/53)	100	200
(ii) R51/53 'toxic to aquatic organisms; may cause long term adverse effects in the aquatic environment'	200	500
10. <i>OTHER SUBSTANCES, not covered by classifications given above in combination with risk phrase</i>		
(i) R14: 'reacts violently with water' (including R14/15)	100	500

(ii) R29: 'in contact with water, liberates toxic gas'	50	200
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NOTES

1. Substances and preparations are classified according to the following Directives (as amended) and their current adaptation to technical progress:

Council Directive 67/548/EEC of 27 June 1967 on the approximation of the laws, regulations and administrative provisions relating to the classification, packaging and labelling of dangerous substances (1),

Council Directive 88/379/EEC of 7 June 1988 on the approximation of the laws, regulations and administrative provisions of the Member States relating to the classification, packaging and labelling of dangerous preparations (2).

In the case of substances and preparations which are not classified as dangerous according to any of the above Directives, such as waste, but which nevertheless are present, or are likely to be present, in an establishment and which possess or are likely to possess, under the conditions found at the establishment, equivalent properties in terms of major accident potential, the procedures for provisional classification shall be followed according to the relevant Article of the appropriate Directive.

In the case of substances and preparations with properties giving rise to more than one classification, for the purposes of this Directive the lowest thresholds shall apply. However, when applying rules given in Note 4, the relevant threshold for the given classification shall be used.

For the purposes of this Directive, the Commission shall establish and keep up to date a list of substances which have been classified into the above categories by a harmonised Decision in accordance with Directive 67/548/EEC.

2. "Explosive" means:

- a substance or preparation which creates the risk of an explosion by shock, friction, fire or other sources of ignition (risk phrase R2),
- a substance or preparation which creates extreme risks of explosion by shock, friction, fire or other sources of ignition (risk phrase R3), or
- a substance, preparation or article covered by Class 1 of the European Agreement concerning the International Carriage of Dangerous Goods by Road (UN/ADR), concluded on 30 September 1957, as amended by Council Directive 94/55/EC of 21 November 1994 on the approximation of the laws of the Member States with regard to the transport of dangerous goods by road (3).

Included in this definition are pyrotechnics, which for the purposes of this Regulation are defined as substances (or mixtures of substances) designated to produce heat, light, sound, gas or smoke or a combination of such effects through self-sustained exothermic chemical reactions. Where a substance or preparation is classified by both UN/ADR and risk phase R2 or R3, the UN/ADR classification shall take precedence over assignment of risk phrases.

Substances and articles of Class 1 are classified in any of the divisions 1.1 to 1.6 in accordance with the UN/ADR classification scheme. The divisions concerned are:

Division 1.1: "Substances and articles which have a mass explosion hazard (a mass explosion is an explosion which affects almost the entire load virtually instantaneously)."

Division 1.2: "Substances and articles which have a projection hazard but not a mass explosion hazard."

Division 1.3: "Substances and articles which have a fire hazard and either a minor blast hazard or a minor projection hazard or both, but not a mass explosion hazard:

- (a) combustion of which gives rise to considerable radiant heat; or
- (b) which burn one after another, producing minor blast or projection effects or both.”

Division 1.4: “Substances and articles which present only a slight risk in the event of ignition or initiation during carriage. The effects are largely confined to the package and no projection of fragments of appreciable size or range is to be expected. An external fire shall not cause virtually instantaneous explosion of virtually the entire contents of the package.”

Division 1.5: “Very insensitive substances having a mass explosion hazard which are so insensitive that there is very little probability of initiation or of transition from burning to detonation under normal conditions of carriage. As a minimum requirement they shall not explode in the external fire test.”

Division 1.6: “Extremely insensitive articles which do not have a mass explosion hazard. The articles contain only extremely insensitive detonating substances and demonstrate a negligible probability of accidental initiation or propagation. The risk is limited to the explosion of a single article.”

Included in this definition are also explosive or pyrotechnic substances or preparations contained in articles. In the case of articles containing explosive or pyrotechnic substances or preparations, if the quantity of the substance or preparation contained is known, that quantity shall be considered for the purposes of this Regulation. If the quantity is not known, then, for the purposes of this Regulation, the whole article shall be treated as explosive.

Substances and preparations which have a flash point lower than 55 ° C and which remain liquid under pressure, where particular processing conditions, such as high pressure or high temperature, may create major accident hazards;

Gases which are flammable in contact with air at ambient temperature and pressure (risk phrase R12, second indent), which are in a gaseous or supercritical state, and

3. Flammable and highly flammable liquid substances and preparations maintained at a temperature above their boiling point.

4. In the case of an establishment where no individual substance or preparation is present in a quantity above or equal to the relevant qualifying quantities, the following rule shall be applied to determine whether the establishment is covered by the relevant requirements of this Regulation. The addition of dangerous substances to determine the quantity present at an establishment shall be carried out according to the following rule:

$$q_1/Q + q_2/Q + q_3/Q + q_4/Q + q_5/Q + \dots \leq 1,$$

where q_x = the quantity of dangerous substances x (or category of dangerous substances) falling within Parts 1 or 2 of this Annex,

Q = the relevant qualifying quantity from Parts 1 or 2.

This rule applies in the following circumstances:

- (a) for substances and preparations appearing in Part 1 in quantities less than their individual qualifying quantity present with substances having the same classification from Part 2, and the addition of substances and preparations with the same classification from Part 2,
- (b) for the addition of categories 1, 2 and 9 present together at an operator, referred to in Annex I, Part 2,
- (c) for the addition of categories 3, 4, 5, 6, 7 a, 7 b and 8, present together at an operator, referred to in Annex I, Part 2.

ANNEX II

FORM FOR NOTIFICATION ON THE PRESENCE OF DANGEROUS SUBSTANCES IN THE INSTALLATION

1. GENERAL DATA ON THE COMPANY			
1.1 Name:		1.2 Registration number:	
1.3 Headquarters: street and street number:		Postal code:	City:
1.4 Activity code / subgroup:		1.5 Activity description:	
2. DATA ON THE INSTALLATION SITE			
<i>(If the installation has several sites, the following section must be filled separately for each site. See Annex I)</i>			
2.1 Site name:	2.2 Address (street and number):	Postal code:	City:
2.3 4 Gauss-Krüger coordinates of the hazardous device within the installation, or of the installation:		x	y
2.4 Person responsible for organisation of emergency action:	Telephone:	Fax:	E-mail:
	()	()	
2.5 Brief description of the surroundings of the installation (roads, location of residential and business facilities in the vicinity):			
3. MEASURES TO PREVENT AND MITIGATE THE CONSEQUENCES OF EMERGENCY EVENTS			
<i>(This section shall be duplicated as necessary. See Annex I)</i>			
3.1 Measures to prevent the consequences of emergency events:			
3.2 Devices and equipment for the prevention and mitigation of consequences of emergency events in the installation:			
3.3 Is there a fire-fighting service in the installation?		Yes	No
3.4 External company contracted to limit and mitigate the consequences of emergency events <i>(if the scope of activities surpasses the capacity of the company or the installation)</i>			
Name of external company:	Telephone:	Fax:	E-mail:
	()	()	
3.5 Date of the last Notification or the internal plan for major accident prevention, or the Safety Report?		Date:	
3.6 Has the Operational Protection and Rescue Plan been drawn up?		Yes	No

3.7 Systematic training of workers with the aim of identifying the hazards and the requisite behaviour in the event of emergencies?	Yes	No
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4. DATA ON DANGEROUS SUBSTANCES PRESENT IN THE INSTALLATION

(This section shall be duplicated as necessary. See Annex I)

4.1 Types (names) of dangerous substances in the installation (in accordance with Annex I to the Regulation):				
4.2 Maximum quantity of individual dangerous substance in the installation (tonnes)				
4.3 Method of storage of dangerous substances in the installation (<i>select one</i>)	underground container overground container process equipment pipeline other Description:			
4.4 Is the container holding the dangerous substances continuously supervised?	<input type="checkbox"/> Yes <input type="checkbox"/> No			
4.5 Hazard type (<i>select one or more</i>)	fire explosion toxic gas cloud emission of dangerous substances			
4.6 Is there a risk of domino effect in case of emergency events?	<input type="checkbox"/> Yes <input type="checkbox"/> No			
4.7 Name of the site containing the dangerous substance:				
4.8 Size of the end point exposure area – maximum reach of the impact of emergency event (meters)				
4.9 Does the end point impact extend outside the installation area?	<input type="checkbox"/> Yes <input type="checkbox"/> No			
4.10 Likelihood of events:				

4.11 Estimate of casualties:				
5.	CONFIDENTIALITY OF DATA ON THE INSTALLATION			
5.1. List of confidential data contained in this form				
5. 2. List of attached documents providing proof of confidentiality				
I hereby declare that the data and information contained in this form are truthful and accurate and accept full material and criminal responsibility for untruthful and inaccurate data.				
Signature and stamp of the responsible person:			Location:	Date:

ANNEX III

DATA AND INFORMATION TO BE INCLUDED IN THE SAFETY REPORT

The Safety Report shall include the following data and information:

I The basic information including data in accordance with Annex II to this Regulation.

II Description of the installation site:

- A. description of the site and its environment including the geographical location, meteorological, geological, hydrographical conditions and, if necessary, its history;
- B. identification of installations and other activities of the undertaking which could present a major accident hazard;
- C. description of areas where a domino effect may occur after a major accident.

III Technological description of the installation:

- A. description of the main activities and products of the parts of the installation which are important from the point of view of safety, sources of major accident risks and conditions under which such a major accident could happen, together with a description of planned preventive measures;
- B. description of processes, in particular the operating methods;
- C. description of dangerous substances:
 - 1. inventory of dangerous substances including:
 - the identification of dangerous substances: chemical name, CAS number, name according to IUPAC nomenclature,
 - the maximum quantity of dangerous substances present or likely to be present at the site;
 - 2. physical, chemical, toxicological characteristics and indication of the hazards, both immediate and delayed for man and the environment;
 - 3. physical and chemical behaviour under normal conditions of use or under foreseeable accidental conditions.

IV Identification and risks analysis and prevention methods :

- A. detailed description of the possible major accident scenarios and their probability or the conditions under which they occur including a summary of the events which may trigger each of these scenarios, the causes being internal or external to the installation;
- B. assessment of the extent and severity of the consequences of identified major accidents;
- C. description of technical parameters and equipment used for the safety of installations.

V Measures of protection and intervention to limit the consequences of an accident:

- A. description of the equipment in the installation used to limit the consequences of major accidents;

- B. organisation of alert and intervention;
- C. description of disposable resources, internal or external;
- D. summary of elements described in A, B, and C above necessary for drawing up the internal plan referred to in the Safety Report.

ANNEX IV

REQUIREMENTS CONCERNING THE MANAGEMENT SYSTEM AND THE ORGANISATION OF INSTALLATIONS WITH A VIEW TO PREVENTING MAJOR ACCIDENTS

For the purpose of implementing the operator's major accident prevention policy and safety management system account shall be taken of the elements prescribed in this Annex. The requirements laid down in the Safety Report should be proportionate to the major accident hazards presented by the operator:

- (a) the major accident prevention policy must be established in writing and must include the operator's overall aims and principles of action with respect to the control of major accident hazards;
- (b) the safety management system must include the part of the general management system which includes the organisational structure, responsibilities, practices, procedures, processes and resources for determining and implementing the major accident prevention policy;
- (c) the following issues must be addressed by the safety management system:
 1. organisation and personnel - the roles and responsibilities of personnel involved in the management of major hazards at all levels in the organisation; the identification of training needs of such personnel and the provision of the training so identified; the involvement of employees and, where appropriate, subcontractors;
 2. identification and evaluation of major hazards - adoption and implementation of procedures for systematically identifying major hazards arising from normal and abnormal operation and the assessment of their likelihood and severity;
 3. operational control of the installation - adoption and implementation of procedures and instructions for safe operation, including maintenance, of the installation, processes, equipment and temporary stoppages;
 4. management of change - adoption and implementation of procedures for planning modifications to, or the design of new installations, processes or storage facilities;
 5. planning for emergencies - adoption and implementation of procedures to identify foreseeable emergencies by systematic analysis and to prepare emergency plans to respond to such emergencies;
 6. monitoring performance through internal verification of competence, adoption and implementation of procedures for the ongoing assessment of compliance with the objectives set by the operator's major accident prevention policy and safety management system, and the mechanisms for corrective action in case of non-compliance; the procedures should also cover the operator's system for reporting major accidents or near misses, particularly those involving failure of protective measures, and their investigation and follow-up on the basis of lessons learnt;
 7. audit and review - adoption and implementation of procedures for periodic systematic assessment of the major accident prevention policy and the effectiveness and suitability of the safety management system; the documented review of performance of the policy and safety management system and its updating by senior management.

ANNEX V

REQUIRED DATA AND INFORMATION IN THE NOTIFICATION ON SMALL QUANTITIES OF DANGEROUS SUBSTANCES, THE INTERNAL PLAN INCLUDED IN THE SAFETY REPORT AND THE MINIMUM REQUIRED CONTENT OF THE EXTERNAL PLAN

1. The notification on small quantities of dangerous substances and the internal plan included in the Safety Report must include:
 - (a) name and surname of the person authorised to set emergency procedures in motion and the person in charge of leading and coordinating the on-site mitigation action,
 - (b) name and surname of the person responsible for liaising with the authority responsible for the external emergency plan,
 - (c) for foreseeable conditions or events which could be significant in bringing about a major accident, a description of the action which should be taken to control the conditions or events and to limit their consequences, including a description of the safety equipment and the resources available,
 - (d) arrangements for limiting the risks to persons on site including how warnings are to be given and the actions persons are expected to take on receipt of a warning,
 - (e) arrangements for providing early warning of the incident to the authority responsible for setting the external plan in motion, the type of information which should be contained in an initial warning and the arrangements for the provision of more detailed information as it becomes available,
 - (f) arrangements for training staff in the duties they will be expected to perform, and where necessary, coordinating this with off-site emergency services,
 - (g) arrangements for providing assistance with off-site mitigation action.
2. The external plan in the event of major accident hazards shall contain at least:
 - (a) names and surnames of persons authorised to set emergency procedures in motion and of persons authorised to take charge of and coordinate off-site action,
 - (b) arrangements for receiving early warning of incidents, and alert and call-out procedures,
 - (c) arrangements for coordinating resources necessary to implement the external emergency plan,
 - (d) arrangements for providing assistance with on-site mitigation action,
 - (e) arrangements for off-site mitigation action,
 - (f) arrangements for providing the public with specific information relating to the accident and the behaviour which it should adopt,
 - (g) arrangements for the provision of information to the emergency services of other Member States in the event of a major accident with possible transboundary effects.

ANNEX VI

INFORMATION TO BE COMMUNICATED BY THE OPERATOR TO THE PUBLIC IN THE EVENT OF HAZARDS AND MAJOR ACCIDENTS

The operator shall communicate the following information to the public in the event of hazards and major accidents:

1. name of the operator's company and address of the installation,
2. data on persons responsible for providing information to the public on the installation and major accident hazards,
3. confirmation that the operator is subject to the obligations prescribed by this Regulation,

that the Notification on the presence of dangerous substances has been submitted to the competent authority and that the Safety Report has been approved,

4. an explanation, in simple terms, of the activity or activities undertaken at the installation,
5. the common names or, in the case of dangerous substances covered by Part 2 of Annex I, the name of the group or the general danger classification of the substances and preparations involved at the installation which could give rise to a major accident, with an indication of their principal dangerous characteristics,
6. information relating to the nature of the major accident hazards, including their potential effects on the population and the environment,
7. information on how the population concerned will be warned and kept informed in the event of a major accident,
8. information on the actions the population concerned should take, and on the behaviour they should adopt, in the event of a major accident,
9. confirmation that the operator is required to make adequate arrangements on site, in particular liaison with the emergency services, to deal with major accidents and to minimize their effects,
10. confirmation that a reference to the external emergency plan has been drawn up to cope with any off-site effects from an accident, and that any instructions or requests from the emergency services at the time of an accident must be cooperated with,
11. where further relevant information can be obtained, subject to the requirements of confidentiality laid down in the valid legislation of the State.

ANNEX VII

FORM FOR THE REGISTER OF COMPANIES AND THEIR INSTALLATIONS WHICH MAY CAUSE MAJOR DOMINO EFFECT ACCIDENTS

THE REPUBLIC OF CROATIA
MINISTRY OF ENVIRONMENTAL PROTECTION,
PHYSICAL PLANNING AND CONSTRUCTION

DATA ON THE COMPANY AND INSTALLATION WHICH MAY CAUSE DOMINO EFFECT ACCIDENTS

I DATA ON THE COMPANY AND INSTALLATION:

_____ Company name and headquarters

Registration number	Commercial Court register folio number	SR approval class and reg. no.
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INSTALLATION SITE: _____

ACTIVITIES UNDERTAKEN AT THE INSTALLATION:

DATE OF START OF OPERATIONS: _____

DATE OF STOPPAGE OF OPERATIONS: _____

II DATA ON THE PRESENCE OF DANGEROUS SUBSTANCES

PRESENCE OF DANGEROUS SUBSTANCES:

large quantities

small quantities

III HAZARD TYPE AND IMPACT AREA ACCORDING TO THE WORST CASE SCENARIO:

IV DATA ON THE OPERATOR:

Name, surname and position of the responsible person in the company

Name, surname and position of the responsible person in the installation
IV OTHER INFORMATION:

company/installation telephone number, fax number, e-mail address

data on major accidents if such occurred: date of occurrence, consequences:
internal, external, transboundary

PROVISIONAL TRANSLATION