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Tenth meeting

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Item 4 of the provisional agenda

Report of the Bureau on its activities since the ninth meeting of the Conference of the Parties

Draft decision amending the Guidelines to facilitate the identification of hazardous activities for the purposes of the Convention

Prepared by the Bureau of the Convention

Summary

At its thirty-seventh meeting (Hernstein, Austria, 30–31 January 2018), the Bureau of the Convention on the Transboundary Effects of Industrial Accidents agreed to prepare a draft revision of the Guidelines to facilitate the identification of hazardous activities for the purposes of the Convention (ECE/CP.TEIA/12, annex II, Decision 2004/2).

The objective of the present draft decision is to bring paragraph 5 (Location criteria) of the Guidelines into line with the amended text of annex I to the Convention (ECE/CP.TEIA/30/Add.1, Decision 2014/2) and with the Globally Harmonized System of Classification and Labelling of Chemicals. The draft decision is supplemented by an informal presentation of the changes made by the proposed amendments to the Guidelines (CP.TEIA/2018/INF.1).

The draft decision has been prepared by the Bureau in cooperation with the Working Group on Implementation and the Joint Ad Hoc Expert Group on Water and Industrial Accidents and with the support of the secretariat. The Conference of the Parties is invited to consider and adopt it.

GE.18-15903(E)



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I. Introduction

1. The outcomes of the subregional workshops on industrial accidents prevention¹, held in 2017 within the framework of the Economic Commission for Europe (ECE) Convention on the Transboundary Effects of Industrial Accidents, highlighted inconsistencies between paragraph 5 (Location criteria) of the Guidelines to facilitate the identification of hazardous activities for the purposes of the Convention (ECE/CP.TEIA/12, annex II, Decision 2004/2) and the amended text of annex I to the Convention (Hazardous substances for the purposes of defining hazardous activities) (ECE/CP.TEIA/30/Add.1, Decision 2014/2)².
2. In light of these inconsistencies, at its thirty-seventh meeting (Hernstein, Austria, 30–31 January 2018), the Bureau agreed to prepare a draft revision of the Guidelines, in cooperation with the Working Group on Implementation and the Joint Ad Hoc Expert Group on Water and Industrial Accidents, for review and possible adoption by the Conference of the Parties at its tenth meeting.
3. Accordingly, the Bureau prepared the draft decision in order to address the identified inconsistencies without delay, on the understanding that a more thorough review of the Guidelines could be undertaken in the future, particularly in light of the experiences exchanged within the framework of the seminar on risk assessment methodologies held during the tenth meeting of the Conference of the Parties (ECE/CP.TEIA/2018/1).
4. The objective of the draft decision is to bring the wording of paragraph 5 of the Guidelines into line with the amended text of annex I to the Convention (ECE/CP.TEIA/30/Add.1, Decision 2014/2) and with the United Nations Globally Harmonized System of Classification and Labelling of Chemicals³.
5. The draft decision is supplemented by an informal presentation of the changes made by the proposed amendments to the Guidelines (CP.TEIA/2018/INF.1).

II. Draft decision amending the Guidelines to facilitate the identification of hazardous activities for the purposes of the Convention

The Conference of the Parties,

Recalling the adoption at its first meeting of the Guidelines to facilitate the identification of hazardous activities for the purposes of the Convention (ECE/CP.TEIA/2, annex IV, appendix, Decision 2000/3), containing paragraph 5 (Location criteria), which was amended at its third meeting (ECE/CP.TEIA/12, annex II, Decision 2004/2),

¹ I.e., the subregional workshop for South-Eastern Europe on industrial accidents prevention (Zagreb, 21–23 February 2017) (<https://www.unece.org/environmental-policy/conventions/industrial-accidents/meetings-and-events/industrial-accidents/workshops/2017/subregional-workshop-for-south-eastern-europe-on-industrial-accidents-prevention/docs.html>) and the subregional workshop for the Caucasus and Eastern Europe on industrial accidents prevention (Minsk, 11–13 April 2017) (<https://www.unece.org/environmental-policy/conventions/industrial-accidents/meetings-and-events/industrial-accidents/workshops/2017/subregional-workshop-for-the-caucasus-and-eastern-europe-on-industrial-accidents-prevention/docs.html>).

² Annex I was amended in 2006 (ECE/CP.TEIA/15/Add.1, Decision 2006/2) and again in 2014 (ECE/CP.TEIA/30/Add.1, Decision 2014/2).

³ “*Globally Harmonized System of Classification and Labelling of Chemicals (GHS)*”, seventh revised edition (New York, United Nations, 2017), available at https://www.unece.org/trans/danger/publi/ghs/ghs_rev07/07files_e.html#c61353.

Recalling also that the Conference of the Parties amended annex I to the Convention at its fourth meeting (ECE/CP.TEIA/15/Add.1, Decision 2006/2) and again at its eighth meeting (ECE/CP.TEIA/30/Add.1, Decision 2014/2) in order to bring it into line with the Globally Harmonized System of Classification and Labelling of Chemicals,

Noting that some Parties reported confusion because the wording of paragraph 5 of the latest version of the Guidelines (ECE/CP.TEIA/12, annex II, Decision 2004/2) still corresponds to the original text of annex I,

Noting also that it is not clear from the current wording whether the substances mentioned in part II of annex I are to be considered,

Noting further that the experience gained from implementation of the Guidelines since 2004 suggests that a more thorough review of the Guidelines might be appropriate,

Decides to amend paragraph 5 (Location criteria) of the Guidelines (ECE/CP.TEIA/12, annex II, Decision 2004/2) as follows:

In paragraph 5 (a):

- (i) Replace “involving substances that” with “involving hazardous substances that: (i)”;
- (ii) Replace “involving toxic substances” with “(ii) fall under category 1, 2 or 3 of part I of annex I to the Convention (including any substance mentioned in part II of annex I that has any of these properties) and”;

In paragraph 5 (b):

- (i) After “involving”, insert “hazardous”;
- (ii) Replace “3, 4, 5 or 8” with “1, 2, 3, 9, 16, 17 or 18”;
- (iii) After “Convention”, add “(including any substance mentioned in part II of annex I that has any of these properties)”;

Also decides to task the Bureau, in cooperation with the Working Group on Implementation and the Joint Ad Hoc Expert Group on Water and Industrial Accidents, to review the Guidelines (taking into consideration effect and risk assessment methodologies) and to prepare a draft decision containing the proposed amendments to the Guidelines for consideration at a future meeting of the Conference of the Parties.