

*10th Conference of Parties to the
UN ECE Convention on the Transboundary Effects of Industrial Accidents
Geneva, 4-6 Dec 2018*

**Agenda item 4:
Draft decision amending the Guidelines to
facilitate the identification of hazardous activities
for the purpose of the Convention
/draft/**

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Chair of COP

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Reasons behind a proposal to amend the guidelines and the structure of draft decision

1. Outcomes of sub.regional workshops (inconsistencies)
2. Decision by the Bureau: address inconsistencies only and without delay: bring wording of para 5 of Guidance into line with amended Annex I
3. Joint effort of the Bureau, Working Group on Implementation and Joint Expert Group on Water and Industrial Accidents
4. Draft decision (ECE/CP.TEIA/2018/4 suggests:
 - amendments to para 5,
 - a more thorough review to be performed.

Current criteria

Paragraph 4: Substance and quantity criteria

Paragraph 5: Location criteria

Paragraph 5a: „**air path**“: activities within 15 km from border and involving:

- substances that may cause a fire or explosion
- toxic substances.

Paragraph 5b: „**water path**“: activities

- along or within catchment areas of transboundary and border rivers, transboundary or international lakes, or
- within the catchment areas of transboundary groundwaters and involving substances that fall under category 3 (very toxic), 4 (toxic), 5 (oxidising) or 8 (dangerous for environment).

Development of Annex I – Part 1

Original Part 1 of Annex I	Amendment in 2006	Current Part 1 of Annex I
1.Flammable gases incl. LPG	1.Flammable	1.Acute toxic Cat 1 (all exposure routes)
2.Highly flammable liquids	2a. Highly flammable	2.Acute toxic Cat 2 (all exposure routes) and Cat 3 (inhalation exposure route)
	2b Highly flammable	
3.Very toxic	3.Extremely flammable	3.STOT
4.Toxic	4.Toxic	4.Explosives
5.Oxidising	5.Very toxic	5.Explosives
6.Explosive	6.Oxidising	6.Flammable gases
7.Flammable liquids	7a.Explosive	7.Aerosols
	7b. Explosive	
8.Dangerous for the environment	8a.Dangerous for Env.	8.Aerosols
	8b. Dangerous for Env.	
		9.Oxidising gases
		10.Flammable liquids
		11.Flammable liquids
		12.Flammable liquids
		13.Self-reactive
		14.Self-reactive
		15.Pyrophoric liquids and solids
		16.Oxidising liquids and solids
		17.Hazardous to aquatic env., Acute 1 and Chronic 1
		18.Hazardous to aquatic env., Chronic 2
		19.Violent reaction with water
		20.In contact with water emit flammable gases
		21.In contact with water liberate toxic gases

Suggested amendments - to paragraph 5(a)

As result of proposed changes in the draft decision (ECE/CP.TEIA/2018/4), paragraph 5 (a), should read as follows:

- (a) Within 15 kilometres from the border, for activities ~~involving substances that~~ **involving hazardous substances that: (i)** may cause a fire or explosion or ~~involving toxic substances~~ **(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** that may be released into the air in the event of an accident;

Suggested amendments - to paragraph 5(b)

As a result of the proposed changes in draft decision (ECE/CP.TEIA/2018/4), paragraph 5 (b), should read as follows:

- (b) Along or within catchment areas 2/ of transboundary and border rivers, transboundary or international lakes, or within the catchment areas of transboundary groundwaters, for activities involving **hazardous** substances that fall under category ~~3, 4, 5 or 8~~ **1, 2, 3, 9, 16, 17 or 18** 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 that may be released into watercourses in the event of an accident. Whether or not such an activity is capable of causing a transboundary effect in such an event should be decided by the competent authority of the Party of origin, preferably in consultation with joint bodies. 3/ The decision should depend, among other things, on the existence of river warning and alarm systems and the distance 4/ between the location of the hazardous activity and the border.