

From: Phill Jones [phill.jones@pipelineintegrity.co.uk]

Sent: 10 December 2002 14:20

To: Tony Taylor; Andy Watts; David Bruce; Dick Gray; Donal Cullen; Findlay, Ted EG; Hugh Morris; Jane Haswell; John Vardon; Ken Curtis; Ken Thomas; Lindsay Boswell; Mark Harrison; Paul Docherty; Paul Williams; Peter Roberts; Phill Brown; Robert White; Roger Ellis; Ross Michie; Stuart Kennedy; 'Rod McConnell'; 'Kish Shah'

Subject: FW: DSEAR regulations

UKOPA/02/0100

UKOPA/02/100

Dear Member,

Please see attached email from Roger Ellis together with a note by the HSE regarding the DSEAR Regulations which came into force today.

Regards,

Phill Jones.

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-----Original Message-----

From: Ellis, Roger A SUKOP-CME/20/01 [mailto:roger.ellis@shell.com]

Sent: 10 December 2002 09:00

To: phill jones UKOPA PIE office (E-mail)

Subject: DSEAR regulations

Phill,

I know we were consulted on these regulations. They came into force this week and I thought it may be worth sharing this note from HSE raising awareness of them to UKOPA members. Interesting to see it also has an ACoP

Health & Safety Executive December 09, 2002

NEW REGULATIONS TO PROTECT WORKERS FROM FIRE AND EXPLOSION

New regulations to control fire and explosion risks from dangerous substances and potentially explosive atmospheres came into force today, 9 December 2002.

The Dangerous Substances and Explosive Atmospheres Regulations 2002 (DSEAR) will implement the requirements of two European Union Directives: the safety requirements of the Chemical Agents Directive (CAD); and the requirements of the Explosive Atmospheres Directive (ATEX 137).

DSEAR will apply to all dangerous substances at nearly every business in the UK. It sets minimum requirements for the protection of workers from fire and explosion risks related to dangerous substances and potentially explosive atmospheres.

A free leaflet, Fire And Explosion - How Safe is Your Workplace: A short guide to the Dangerous Substances and Explosive Atmospheres Regulations, to assist small and medium-sized businesses has been published today. A web page for DSEAR, containing guidance on the new regulations, can be found at: www.hse.gov.uk/spd/content/dsear.htm. DSEAR will also be supported by interpretative guidance and Approved Code of Practice (ACoP) material, to be published next year.

Notes to Editors:

1. DSEAR will apply at any workplace where there is present any substance or mixture of substances with the potential to create a risk from energetic (energy-releasing) events such as fire, explosions, thermal runaway from exothermic reactions etc. Such substances, known in DSEAR as dangerous substances, include: petrol, liquefied petroleum gas (LPG), paints, varnishes, solvents and certain types of dust that are explosive (e.g. wood dust).

2. The main requirements of DSEAR are that employers and the self-employed must: carry out an assessment of the fire and explosion risks of any work activities involving dangerous substances; provide measures to eliminate, or reduce as far as is reasonably practicable, the identified fire and explosion risks; apply measures, so far as is reasonably practicable, to control risks and to mitigate the detrimental effects of a fire or explosion; provide equipment and procedures to deal with accidents and emergencies; provide employees with information and precautionary training.

3. Additionally, from 30 June 2003, where explosive atmospheres may occur: the workplaces should be classified into hazardous and non-hazardous places; and any hazardous places classified into zones on the basis of the frequency and duration of an explosive atmosphere, and where necessary marked with a sign; equipment in classified zones should be safe and satisfy the requirements of the Equipment and Protective Systems Intended for Use in Potentially Explosive Atmospheres 1996; and, the workplaces should be verified as meeting the requirements of DSEAR, by a competent person.

4. DSEAR implements the safety requirements of the Chemical Agents Directive (CAD), and the requirements of the Explosive Atmospheres Directive (ATEX). The health requirements of CAD are being implemented through amendments to current health legislation: the Control of Substances Hazardous to Health Regulations (COSHH); the Control of Lead at Work Regulations (CLAW); and the Control of Asbestos at Work Regulations (CAW).

5. DSEAR will provide a modern framework for managing the risks of fire and explosions and will enable around 20 pieces of old legislation to be repealed or modernised. This will provide benefits for employers who will in future have significantly less legislation to consider. DSEAR does not contain requirements that are fundamentally new; employers currently meeting existing legislation should therefore notice no significant change. Safety standards will be maintained through a combination of DSEAR and activity specific ACoP material.

Copies of Fire And Explosion - How Safe is Your Workplace: A short guide to the Dangerous Substances and Explosive Atmospheres Regulations, aimed at small and medium-sized businesses are available. Priced packs will be available from HSE Books; PO Box 1999, Sudbury, Suffolk, CO10 2WA, tel: 01787-881165 or fax: 01787-313995. Priced publications are also available from good booksellers. Single copies will be free of charge. The leaflet will also be available to download free from HSE's website:

<http://www.hse.gov.uk/pubns/index.htm>.

The Statutory Instruments: "The Dangerous Substances and Explosive Atmospheres Regulations 2002" (S.I. 2002/2776) will be available from:

<http://www.legislation.hmso.gov.uk/si/si2002/20022776.htm>.

PUBLIC ENQUIRIES: Call HSE's InfoLine, tel: 08701 545500, or write to: HSE Information Services, Caerphilly Business Park, Caerphilly CF83 3GG.

HSE information and press releases can be accessed on the Internet: <http://www.hse.gov.uk>

Ends

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