



FEDERAL ENVIRONMENTAL, INDUSTRIAL AND NUCLEAR  
SUPERVISION SERVICE OF RUSSIA  
(ROSTECHNADZOR)

# LEGAL REGULATION OF INDUSTRIAL SAFETY

---



## INTERNATIONAL COMMITMENTS OF THE RUSSIAN FEDERATION



### Convention on the Transboundary Effects of Industrial Accidents

*Signed at Helsinki  
17 March 1992*



### Guarding of Machinery Convention (Convention No. 119)

*Signed at Geneva  
25 June 1963*



### Prevention of Major Industrial Accidents Convention (Convention No 174)

*Adopted on 80<sup>th</sup> session  
of GC ILO at Geneva  
22 June 1993*



### Safety and Health in Mines Convention (Convention No 176)

*Adopted on 82<sup>th</sup> session  
of GC ILO at Geneva  
22 June 1995*



### The Agreement on the Eurasian Economic Union (Annex No. 9)

*Signed at Astana  
29 May 2014*



### Agreement on Cooperation in the Field of Industrial Safety at Hazardous Production Facilities

*Signed at Moscow  
28 September 2001*




## LEGAL REGULATION SYSTEM OF INDUSTRIAL SAFETY




### Federal law on Industrial Safety at Hazardous Industrial Production Facilities

*Federal law No. 116-FZ  
of July 21, 1997*


#### Other federal laws:

- 
- responsibility issues (Criminal Code of the RF, Administrative Offences Code of the RF);
  - supervisory authority activity (On Licensing Individual Types of Activities, On The Protection of Legal Entities' and Individual Entrepreneurs' Rights in the Course of State Control (Supervision) and Municipal Control);
  - compulsory liability insurance (On Compulsory Liability Insurance of Owners of the Hazardous Facility Against Harm Inflicted as a Result of the Accident at the Hazardous Facility);
  - design, construction, commissioning (Town Planning Code of the RF);
  - sectoral legislation (On Subsurface Resources, On the State Regulation in the Field of Coal Mining and Usage, On Special Features of Social Protection of Employees of the Coal Mining Industry Organizations, On Gas Supply in the Russian Federation, On Elimination of Chemical Weapons»)

#### Resolutions of the Government of the RF:

- 
- Regulations for registration of facilities in the State Register of Hazardous Production Facilities;
  - Provisions on licensing;
  - The submission procedure for Industrial Safety Declaration of Hazardous Production Facilities;
  - The provision on drafting activity plans for mitigation of accidents at hazardous production facilities;
  - Document support requirements of industrial safety management systems;
  - Regulations for organizing and exercising operational control over observance of industrial safety requirements at the hazardous production facility;
  - The statute on federal state supervision in the field of industrial safety;
  - The statute on the regime of permanent state supervision at hazardous production facilities and hydraulic structures;

#### Federal codes and regulations in the field of industrial safety:

- 
- Requirements to the activity in the field of industrial safety, including employees of hazardous production facilities or industrial safety experts;
  - Safety requirements of operational processes, including the instructions and procedures in case of the emergency or incident;
  - Requirements to the safety justification of the hazardous production facility.



## HAZARDOUS PRODUCTION FACILITIES (HPF) IDENTIFIED BASED ON THE PRESENCE OF HAZARDOUS SUBSTANCES

Hazardous substances	Amount of hazardous substances, tons			
	Hazard class I	Hazard class II	Hazard class III	Hazard class IV
	I	II	III	IV
Flammable and combustible gases	> 2000	200 - 2000	20 - 200	1 - 20
Flammable liquids stored at warehouses	> 500 000	50 000 – 500 000	1 000 - 50 000	-
Flammable liquids used in the operational process or being transported through main pipelines	> 2 000	200 – 2 000	20 - 200	1 - 20
Toxic substances	> 2 000	200 – 2 000	20 - 200	1 - 20
High-toxic substances	> 200	20 - 200	2 - 20	0,1 - 2
Oxidizers	> 2 000	200 – 2 000	20 - 200	1 - 20
Explosives	> 500	50 - 500	< 50	-
Environment-hazardous substances	> 2 000	200 – 2 000	20 - 200	1 - 20

Hazardous substances	Amount of hazardous substances, tons			
	Hazard class I	Hazard class II	Hazard class III	Hazard class IV
	I	II	III	IV
Ammonia	> 5 000	500 – 5 000	50 - 500	10 -50
Ammonium nitrate	> 25 000	2 500 – 25 000	250 – 2 500	50 - 250
Ammonium nitrate in form of fertilizer	> 100 000	10 000 – 100 000	1 000 - 10 000	200 – 1 000
Acrylonitrile	> 2 000	200 – 2 000	20 - 200	4 - 20
Chlorine	> 250	25 - 250	2,5 - 25	0,5 - 2,5
Ethylene Oxide	> 500	50 - 500	5 - 50	1 - 5
Hydrogen cyanide	> 200	20 - 200	2 - 20	0,4 - 2
Hydrogen fluoride	> 500	50 - 500	5 - 50	1 - 5
Hydrogen sulfide	> 500	50 - 500	5 - 50	1 - 5
Sulfur dioxide	> 2 500	250 – 2 500	25 - 250	5 - 25
Sulfur trioxide	> 750	75 - 750	7,5 - 75	1,5 - 7,5
Lead alkyls	> 500	50 - 500	5 - 50	1 -5
Phosgene	> 7,5	0,75 – 7,5	0,075 - 0,75	0,015 - 0,075
Methylisocyanate	> 1,5	0,15 - 1,5	0,015 - 0,15	0,003 - 0,015

If the distance between HPFs is less than 500 meters, irrespective of whether they are operated by the same organization or not, a total of hazardous substances of one kind shall be taken.

If the HPF is located at the specially protected natural reservation, continental shelf, inland sea waters, in territorial waters or contiguous zones of the RF, on artificial land strip created over a water body, a higher hazard class for such HPF shall be assigned.



## HAZARDOUS PRODUCTION FACILITIES (HPF) IDENTIFIED BASED ON THE PRESENCE OF HAZARDOUS SUBSTANCES (EXCLUSIONS)

HPFs	Classification criterion	Values			
		Hazard class I	Hazard class II	Hazard class III	Hazard class IV
Chemical weapons storage facilities, chemical weapons destruction facilities.	All facilities	+			
Drilling facilities and facilities of oil, gas and gas condensate production	The content of hydrogen sulfide in the production (%of the volume)		> 6	1 - 6	< 6
Gas distribution stations, gas distribution grids, and gas consumption grids	Pressure of natural gas, MPa		> 1,2	< 1,2	
	Pressure of liquefied hydrocarbon gas, MPa		> 1,6	< 1,6	

## HPFS IDENTIFIED BASED ON THE EXCESSIVE PRESSURE (>0,07 MPA)

Classification criterion	Values			
	Hazard class I	Hazard class II	Hazard class III	Hazard class IV
Social significance(facilities that supply with heat the population and social significant classes of customers, which are determined as provided by the heating supply legislation of the Russian Federation)			+	
Excessive pressure, MPa			> 1,6	0,07 - 1,6
Operating environment temperature, °C			> 250	115 - 250



## HPFS WITH LIFTING MACHINERY

HPFs	Hazard class I	Hazard class II	Hazard class III	Hazard class IV
Ropeways			+	
Other machinery				+

## HPFS PRODUCING ALLOYS (MELTS)

Classification criterion	Values			
	Hazard class I	Hazard class II	Hazard class III	Hazard class IV
Maximum quantity of melts used by the equipment (kg)		> 10 000	500 – 10 000	

## HPFS FOR STORING AND PROCESSING RAW PLANT MATERIAL

HPFs	Hazard class I	Hazard class II	Hazard class III	Hazard class IV
Elevators and HPFs of flour, cereal and compound animal feed production			+	
Other HPFs used for storing and processing raw plant material, in the operation of which explosive dust-air mixtures may appear. These mixtures may also self-ignite or get inflamed from an ignition source and burn independently even after the source is removed				+



## HPFS OF MINING AND MINERALS PROCESSING

HPFs	Classification criterion	Values			
		Hazard class I	Hazard class II	Hazard class III	Hazard class IV
Coal mines	All facilities	+			
Underground mining operations facilities	The presence of hazardous factors. These include: Gas and/or dust explosions; Unexpected outbursts of rock, gas and/or dust; Rock bumps; Water inrush in the underground mine workings.	Present	Absent		
Open mining operations facilities	Annual amount of rock mining, thousand m <sup>3</sup>	> 1 000	100 – 1 000	< 100	
Coal processing facilities (oil shale)	All facilities		+		
Other minerals processing facilities	All facilities			+	



## REGULATORY TOOLS

Regulatory tool	HPF Hazard class			
	I	II	III	IV
Licensing*	+	+	+	
Federal state supervision:	+			
- The regime of permanent control				
- Scheduled inspections no more frequent than once per 1 year	+	+		
- Scheduled inspections no more frequent than once per 3 years			+	
- Off-schedule inspections	+	+	+	+
Operational control	+	+	+	+
Industrial safety management systems	+	+		
Industrial Safety Declaration **	+	+		
Plans for mitigation and elimination of accidents	+	+	+	
Professional emergency rescue control	+	+	+	+
Mine rescue teams ***	+	+		
Technical accident investigation	+	+	+	+
Compulsory third party liability insurance	+	+	+	+

Industrial safety expertise

\*For explosion, fire and chemically hazardous HPFs

\*\*For HPFs identified based on the presence of hazardous substances

\*\*\* For mining HPFs





## LIABILITY FOR THE OFFENCE IN THE FIELD OF INDUSTRIAL SAFETY

### 1. Administrative liability

- Violation of industrial safety requirements or terms of license for exercising activities in the field of industrial safety of hazardous production facilities**

*Administrative penalty: for individuals ranges from 2,000 to 3,000 rubles; for officials ranges from 20,000 to 30,000 rubles or disqualifying for the term from 6 months to 1 year; for legal entities ranges from 200,000 to 300,000 rubles or administrative suspension of activities for the term up to 90 days.*

- Violation of industrial safety requirements to the acquisition, usage, processing, storing, transportation, destruction and accounting of explosive materials at hazardous production facilities**

*Administrative penalty: for individuals ranges from 4,000 to 5,000 rubles; for officials ranges from 30,000 to 40,000 rubles or disqualifying for the term from 1 year to 1,5 years; for legal entities ranges from 300,000 to 400,000 rubles or administrative suspension of activities for the term up to 90 days.*

- Major violation of industrial safety requirements or major violation of terms of license for exercising activities in the field of industrial safety of hazardous production facilities**

*Administrative penalty: for officials ranges from 40,000 to 50,000 rubles or disqualifying for the term from 1 year to 2 years; for legal entities ranges from 500,000 to 1,000,000 rubles administrative suspension of activities for the term up to 90 days.*

- Knowingly false report of the industry safety review, unless such action is a criminal offence**

*Administrative penalty: for officials ranges from 20,000 to 50,000 rubles disqualifying for the term from 6 months to 2 years; for legal entities ranges from 300,000 to 500,000 rubles.*

### 2. Criminal liability

- 3. Civil liability (involving compensation in event of causing harm to people's life and health in amount up to 2 million rubles).**

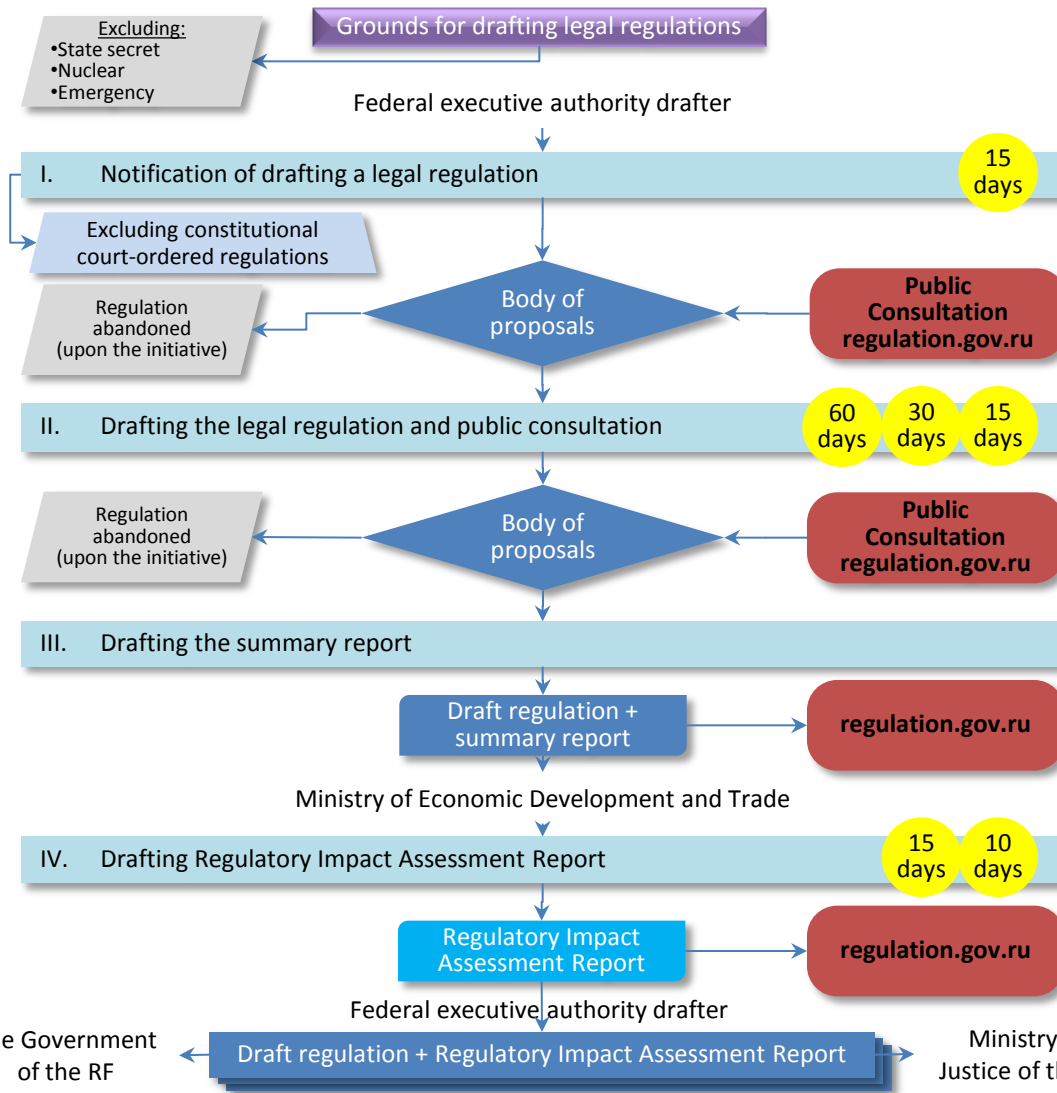


## **FURTHER IMPROVEMENT OF THE REGULATORY SYSTEM OF INDUSTRIAL SAFETY**

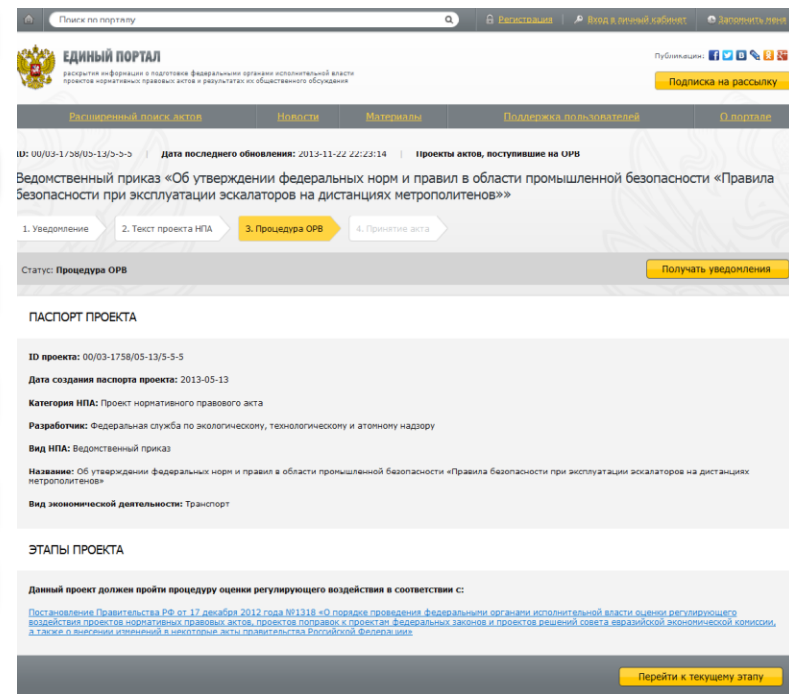
- Evolving tools of risk-informed supervision
- Promotion of remote forms of control and development of consultative function of supervisory bodies
- Improving the Industrial safety Industrial safety expertise
- Establishment of public oversight institutions
- Continuous adjustment of the technical requirements with regard to technology developments



## DRAFTING AND PUBLIC CONSULTATION PROCEDURE FOR DRAFT REGULATIONS



### regulation.gov.ru screenshot





Visit us at  
<http://en.gosnadzor.ru>