OPCW **Conference of the States Parties**

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DECISION

ASSESSMENT OF THE RISK POSED BY A SCHEDULE 2 FACILITY TO THE OBJECT AND PURPOSE OF THE CONVENTION

The Conference

Recalling that the Commission, in its PC-VI/22, sub-paragraph 6.2(a), adopted the understandings on the risk assessment of a Schedule 2 pant site,

Bearing in mind that the Commission recommended in paragraph 50.4 of its Final Report that the Conference adopt the above mentioned understanding,

Hereby:

1. **Adopts** the understandings on the assessment of the risk posed by a Schedule 2 plant site to the object and purpose of the Convention annexed hereto.

Annex

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Annex[1]

ASSESSMENT OF THE RISK POSED BY A SCHEDULE 2 PLANT SITE TO THE OBJECT AND PURPOSE OF THE CONVENTION

1. When assessing the risk a facility poses to the object and purpose of the Convention, several factors have to be taken into consideration, realising that these factors may not necessarily be inclusive. Relying solely on set factors to determine the frequency and intensity of subsequent inspections may be inadequate. The Technical Secretariat/Inspectorate will have to consider that each inspected party will have varying technology bases/resources, achieved different levels of production expertise, and may have dramatically different safety standards/measures required.

2. Part VII, paragraphs 18 and 20 of the Verification Annex state that the Technical Secretariat should consider the risk posed by the relevant chemical, the characteristics of the plant site, and the nature of the activities carried out at the facility. It may also be necessary to consider the facility agreement, as well as the results of initial and subsequent inspections. It may be helpful to look at these categories separately.

3. In assessing the risk posed by **relevant chemicals at the plant sites,** the following may be considered:

   - the toxicity of the scheduled toxic chemical(s), or, for scheduled precursor chemicals, of the end-products produced with them, if any (Part VII, paragraph 18 of the Verification Annex);

   - the quantity of the scheduled chemicals typically stored at the inspected site (Part VII, paragraph 18 of the Verification Annex);

   - the quantity of feed stock chemicals for the scheduled chemicals typically stored at the inspected site (Part VII, paragraph 18 of the Verification Annex);

   - the chemical structure, to determine how closely it is related to that of toxic chemicals listed in Schedule 1, and to determine whether it has, or can be expected to have, comparable properties (Annex on Chemicals, Guidelines for Schedules of Chemicals);

   - such lethal or incapacitating toxicity as well as other properties that would enable it to be used as a chemical weapon (Annex on Chemicals, Guidelines for Schedules of Chemicals);

[1] as contained in paragraph 18 of the Chairman's Paper annexed to PC-VI/B/WP.2 in conjunction with Appendix B of PC-IV/B/WP.5.

- whether it may be used as a precursor of the final single technological stage of production of a toxic chemical listed in Schedule 1, regardless of whether this stage takes place in facilities, in munitions, or elsewhere (Annex on Chemicals, Guidelines for Schedules of Chemicals).

4. In assessing the risk posed by the **characteristics of the plant site**, the following may be considered:

- the characteristics of the process area, including:

  - production capacity of the plant (Part VII, paragraph 18);

  - the presence of process equipment, capable of handling highly toxic and corrosive materials, to include:

    -- high alloy, corrosive resistant equipment;
    -- welded pipelines;
    -- double/triple pipes;
    -- canned pumps;
    -- special seals on pumps or valves;

  - the presence of individual items of process equipment that are enclosed or have hoods over them; and

  - the physical layout, to include:

    -- air locks;
    -- large capacity ventilation systems, sufficient to maintain negative pressure,
    -- alarms designed to indicate the loss of negative pressure;
    -- air treatment systems (cyclones, charcoal filters, and scrubbers on the ventilation systems);
    -- enclosed process areas;
    -- isolated control rooms;
    -- air monitoring systems;
    -- laboratory suitable for toxic work;
    -- hoods over items of equipment;

- personnel considerations, including:

    -- background; and
    -- experience;

- consistency of security measures in force, with the declared activities, including:

    -- high security or double fences;

-- intrusion detection devices;
-- excessive restrictions of access during the inspection to raw material storage areas or waste/treatment areas;
-- excessive restrictions of access during the inspection to records;
-- restricted contact for inspectors with operating personnel;
-- armed security;
-- military presence

- specifics related to the location of the facility, such as unique location, isolation, or proximity to military facilities;

- safety equipment/procedures:

-- workers wearing impregnable clothing or carrying a protective mask;
-- workers wearing colour change badges or air samplers;
-- presence of full protective suits and self contained breathing apparatus (SCBA);
-- presence of mobile or portable decontamination equipment;
-- presence of special first aid kits containing antidotes;
-- signs warning of toxic chemicals;
-- alarm systems for evacuation of surrounding work areas;
-- emergency vehicles within close proximity;
-- isolated clothing change areas;
-- clinic/dispensary with patient wash down area and chemical emergency treatment area.

- based on the above indicators, assessments of the capability and convertibility for initiating production and storage of toxic chemicals (Part VII, paragraph 18 of the Verification Annex);

- potential for filling of toxic chemicals (Part VII, paragraph 18 of the Verification Annex);

- whether the facility is a dedicated or multi-purpose facility.

5. In assessing the risk posed by the **nature of the activities carried out at the facility:**

- whether the scheduled chemicals are produced, processed or consumed, or whether such activities take place in combination;

- which activities, not directly involving the declared Schedule 2 chemicals, take place at the plant site.

6. The presence of any one or any combination of these factors does not necessarily indicate that there is ongoing prohibited activities contrary to object and purpose of the Convention. However, these factors observed by the inspectors must be integrated

with other information available to the Technical Secretariat in determining the frequency and intensity of inspections for that facility.

7. In applying the criteria in paragraph 18 of Part VII and the factors above, the Technical Secretariat will have to take into account the consistency of features encountered during the initial inspection with the framework the inspected plant site operates in. In order that specific features of a facility are not misinterpreted, due regard should be given to those factors - including climatic and other environmental factors, national legislation or accepted industrial practices, safety and environmental protection standards and regulations, plant site specific regulations and customs, and the location of the plant site in relation to populated areas - that would affect the way the plant site and the plants located therein are designed.

8. The risk assessment conducted during the initial inspection will form the point of departure for the Technical Secretariat in deciding on inspection frequency. Over time, additional factors will also have to be considered such as the track record of the plant site in relation to declaration and verification activities.

9. The factors listed above are not to be considered all-inclusive. Neither are they to be considered information that the plant site would be obliged to provide to the inspection team. The inspection is to be conducted in the least intrusive manner consistent with the effective and timely conduct of verification.

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