

DECISION

MIXED PLANTS

The Conference

Recalling that the Commission, in its PC-VII/8, paragraph 6.6, adopted an understanding on mixed plants,

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 understanding on mixed plants.

Annex

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Annex

MIXED PLANTS¹

1. "Mixed plants" are plants which are individually covered under more than one Part of the Verification Annex related to Article VI. The term covers, for example, a multipurpose plant that manufactures, in the same process line but at different points in time or parallel in several process lines, Schedule 2 and Schedule 3 chemicals (and/or DOCs). However, the term does not relate either to a case where a plant produces a Schedule 3 chemical in a multiple-step reaction involving the production of a DOC in the initial steps, or to a case when, during the production of a Schedule 3 chemical, a low concentration of a Schedule 2 chemical is simultaneously produced (this would be classified as either a Schedule 3 or a Schedule 2 plant depending on the applicable rules for low concentrations).
2. "Mixed plants" will be declared in accordance with all the appropriate Parts of the Verification Annex related to Article VI.
3. "Mixed plants" will be inspected according to the particular Part of the Verification Annex under which the inspection was mandated and will be limited to the provisions of that Part of the Verification Annex. In particular:
 - (a) notification of an inspection of the plant site where a mixed plant is located will have to be timed in accordance with the applicable provision of the Part under which the inspection is initiated;
 - (b) access within a "mixed plant" that is being inspected will be governed by the inspection provisions of the Part under which the inspection is initiated (Section E of Part VI, paragraphs 23 to 29 of Part VII, paragraphs 18 to 24 of Part VIII or paragraphs 15 to 20 of Part IX);
 - (c) inspections at a "mixed plant" are counted separately for the different Parts of the Verification Annex. Each inspection at a "mixed plant" is consequently counted under the Part under which it is initiated.
4. It was understood that if it were possible for different parts of a plant to be configured in such a way that they could be inspected separately under the different procedures without overlap, these parts would be considered as separate plants and would be declared as such. In such cases, the concept of "mixed plants" would therefore not apply.

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¹ as contained in paragraph 3.6 of PC-VII/B/WP.7.

