

# Challenges and actual issues of implementation of Integrated Chemical Safety and Security Program (ICSSP) in Ukraine.

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# ICSSP in UA

Newly developed Integrated Chemical Safety and Security Program in Ukraine (ICSSPU) aims to improve the chemical safety and security in Ukraine through the establishing legal and practical capabilities in prevention, preparedness and response to improper or illicit use of chemical products which are placed on Ukrainian market.

The only way of Ukraine is to implement strategic and modern approaches on chemical management, safety and security, product stewardship and worldwide accepted criteria on hazard classification and precautionary labelling.

Monumental issue of chemical security improvements is to adopt the all-hazard approach focusing on the prevention, detection, preparedness and response to CBRN threats on legal regulatory level.



# ICSSP in UA – Chemical industry

Large chemical enterprises of Ukraine have already implemented the majority of approaches to ensure chemical safety during manufacture and use of their products, as well as have resolved main security issues at their sites where hazardous chemicals are produced and stored.

These actions mostly were motivated by the requirements of European chemical legislation and similar regulations of other countries concerning chemical safety since the enterprises have become exporters. So they had to obtain in-depth current knowledge about their chemicals and obtain trainings on the proper stewardship of products for foreign regulatory compliance and simultaneously raised the safety level and level of understanding of these processes.

As for CBRN security – large chemical enterprises maintain the all-over security on sites not especially emphasizing on dual-use chemicals, but on the level of hazard and the probability of corporate raids in near past and the actual proximity of enemy terrorists' forces and saboteur activities.



# ICSSP in UA – Chemical industry

Considerable part of Ukrainian medium and small chemical enterprises (mainly the mixtures' producers) take negligent care about safety of employees and customers. Chemical security problems are often not solved and even not identified.

Exceptions are the exporters because foreign consumers are gradually forced them to increase the level of stewardship, quality and safety.

The main reasons of such situation are :

- The absence or obsolescence or unavailability of information about the hazards of certain chemicals and their wastes;
- The absence of legal requirements on CBRN management and security;
- Deliberate violation
- National consumers' unawareness of real hazards of certain chemicals in their everyday use products.



# ICSSP in UA – Agricultural sector

Measures during manufacture, handling, transportation and storage of pesticides and agrochemicals which are stipulated by national regulations primarily concern the protection of human and the environment from the exposure to hazardous chemicals, but mainly do not concern the protection against unauthorized access and dual use.

Moreover chemical safety and security violations took place such as:

- Lack of inner instructions on labor/environmental protection and operations and as a result – lack of protective industrial and personal equipment;
- Poor security and control of storage of pesticides, agricultural chemicals and other toxic substances, and poor condition of storage facilities;
- Equipment malfunction, non testing.

The main reason for the practical existence of such violations is not using theoretical and practical knowledge by workers and the leadership of agricultural enterprises about specific dangers of chemicals produced or used by them, and intentional concealment of violations as a result of corruption among authorities.



# ICSSP in UA - Steps

Proposed ICSSPA implementation steps:

## **STEP 1: Identify real hazards of chemicals on the UA market**

- First it can be done by legal implementation of the GHS hazards classification and labelling (5<sup>th</sup> or 6<sup>th</sup> version) instead of current outdated classification which was established in 1976.

*The most suitable way for Ukraine – is to develop a single national standard on GHS classification & labeling rules with the establishing a regulatory reference on it so the standard shall be subject to compulsory implementation.*

- In-parallel, the existing national list of dual-use chemicals which are subject to CBRN security is to be updated, because it actually doesn't contain all of the dual-use products and chemicals in comparison with EU or USA lists.



# ICSSP in UA - Steps

## Proposed ICSSPA implementation steps:

### **STEP 2: Create normative basis for product proper stewardship of chemicals**

- National standard on the development of safety data sheets (SDS) for chemical products is to be harmonized with Regulation EU №453/2010.
- Regulatory reference on this standard is to be established so the standard shall be subject to compulsory implementation.
- The obligations on the providing SDSs for hazardous substances and mixtures (and some articles) to consumers are to be indicated in «supreme» chemical regulation (not sectoral).
- Implemented single national standard on GHS classification & labeling rules also will contribute to the appearance of precautionary labels on products and as a result – will straighten safety and security issues during transportation, storage and use by the consumers.



# ICSSP in UA - Steps

## Proposed ICSSPA implementation steps:

### **STEP 3: Implement the main regulative basis for chemical safety and security**

- The “supreme” Regulation "On safety and security of chemical products“ is to be developed and adopted.
- The Regulation is to be harmonized with the Regulation EC №1907/2006 (REACH) and contain its main approaches, principles and regulatory levers.
- The Regulation is to contain the main regulatory levers for enhancing CBRN security at chemical plants, during transportation (inner and transboundary) and storage concerning dual-use chemicals.
- The Regulation is to be developed and adopted with taking to account national special aspects, current warlike situation and the results of socio-economical assessment of the impact and/or benefits due to the adoption and practical implementation.
- Creation of conditions for proper risk assessment during production, handling and disposal of chemicals will be the basis of a clear concept of hazardous chemicals.





# ICSSP in UA - Steps

Proposed ICSSPA implementation steps:

## **STEP 4: Implement sectoral regulative acts on chemicals**

- Current Regulation on detergents is to be updated in order to harmonize it with the Regulation (EC) No 648/2004;
- The Regulation on cosmetics (already developed and fully harmonized with the Regulation (EC) No 1223/2009) is to be adopted;
- Current Regulation on construction products and buildings is to be updated in order to harmonize it with the Regulation (EC) № 305/2011;
- The Regulation "On placing on the market of fertilizers" is to be developed and adopted and is to be harmonized with the Regulation EC №2003/2003;
- The Law of Ukraine "on pesticides and agrochemicals" is to be updated in order to be harmonized with the Regulation EC № 1107/2009;
- The provisions of the Law of Ukraine "on pesticides and agrochemicals" as well as of the CMU Resolution "On approval of state registration of disinfectants" concerning biocide active substances and products are to be transferred to new Regulation on placing on market of biocides harmonized with Regulation (EC) №528/2012.



# ICSSP in UA - Steps

Proposed ICSSPA implementation steps:

## **STEP 5: Improvement of control of production, use, transportation and storage of chemicals.**

- The creation of unified national IT information resource on chemicals which are placed on Ukrainian market which must have published and confidential parts as the result of preceding adoption and action of the Regulation "On safety and security of chemical products" will give the access to the relevant authorities to accurate and important information about trade streams of chemicals in Ukraine.
- Training of relevant authorities on the enforcement of new national regulations.
- Establishing the ways of collaborations and data exchange among authorities, trainings on joint inspections.
- The conditions of state accounting (tracking) of all chemicals without exception which are placed on Ukrainian market shall create the conditions for strengthening and facilitation of state supervision, the conditions for reduction risk of negative impact on health of worker, consumers and on the environment, and of possible dual use of highly dangerous chemicals by terrorists.



# ICSSP in UA - Steps

Proposed ICSSPA implementation steps:

**STEP 6: Distribution of contemporary information among consumers and public about the hazards and conditions of safe use of chemicals as well as about security issues.**

- National consumers and public are not aware of the hazards of certain chemical substances or products, practically they have no basic knowledge about chemicals.
- The distribution of information on chemical hazards, precautionary labelling and opened access to public part of IT information resource on chemicals which are placed on Ukrainian market will strengthen indirect civilian control on level of hazards from chemical products intended to be used by public and will naturally regulate the substitution of highly hazardous chemicals in such products.
- Such information is to be distributed in parallel with display of relevant social advertising in mass media and published guidance's for end-use consumers of chemicals.



# Thanks for your attention!

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