

THE CHEMICAL ACCIDENTS (EMERGENCY PLANNING, PREPAREDNESS AND RESPONSE) RULES, 1996

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THE CHEMICAL ACCIDENTS (EMERGENCY PLANNING, PREPAREDNESS AND RESPONSE) RULES, 1996

In exercise of the powers conferred by sections 6, 8 and 25 of the Environment (Protection) Act, 1986 (29 of 1986), the Central Government hereby makes the following rules, namely:—

1. Short title and commencement.—(1) These rules may be called the Chemical Accidents (Emergency Planning, Preparedness and Response) Rules, 1996.

(2) They shall come into force on the date of their publication in the Official Gazette.

2. Definitions.—In these rules unless the context otherwise requires,—

(a) "chemical accident" means an accident involving a fortuitous, or sudden or unintended occurrence while handling any hazardous chemical resulting in continuous, intermittent or repeated exposure to death, or injury to, any person or damage to any property but does not include an accident by reason only of war or radio-activity;

- (b) "hazardous chemical" means,—
- (i) any chemical which satisfies any of the criteria laid down in Part I of Schedule I or is listed in Part 2 of the said Schedule;
 - (ii) any chemical listed in column 2 of Schedule 2; (iii) any chemical listed in column 2 of Schedule 3;
- (c) "industrial activity" includes an operation or process,—
- (i) carried out in an industrial installation referred to in Schedule 4 involving or is likely to involve one or more hazardous chemicals;
 - (ii) on-site storage or on-site transport which is associated with that operation or process as the case may be;
 - (iii) isolated storage;
 - (iv) pipeline;
- (d) "industrial pocket" means any industrial zone earmarked by the Industrial Development Corporation of the State Government or by the State Government;
- (e) "isolated storage" means storage of a hazardous chemical other than storage associated with an installation on the same site specified in Schedule 4 where that storage involves at least the quantities of that chemical set out in Schedule 2;
- (f) "major chemical accident" means an occurrence including any particular major emission, fire or explosion involving one or more hazardous chemicals and resulting from uncontrolled developments in the course of industrial activity or transportation or due to natural events leading to serious effects both immediate or delayed, inside or outside the installation likely to cause substantial loss of life and property including adverse effects on the environment;
- (g) "Major Accident Hazards(MAH) Installations"—means, isolated storage and industrial activity at a site, handling (including transport through carrier or pipeline) of hazardous chemicals equal to or, in excess of the threshold quantities specified in column 3 of Schedules 2 and 3 respectively;
- (h) "Manufacture, Storage and Import of Hazardous Chemicals Rules" means the Manufacture, Storage and Import of Hazardous Chemicals Rules, 1989, published in the notification of Government of India in the Ministry of Environment and Forests, No. S.O. 966 (E), dated 27th November, 1989;
- (i) "off-site emergency plan" means the off-site emergency plan prepared under Rule 14 of the Manufacture, Storage and Import of Hazardous Chemicals Rules;
- j) "pipeline" means a pipe (together with any apparatus and works associated therewith) or system of pipes (together with any apparatus and works associated therewith) for the conveyance of a hazardous chemical other than a flammable gas as set out in column 2 of Part II of Schedule I, at a pressure of less than 8 bars absolute;
- (k) "site" means any location where hazardous chemicals are manufactured or process, stored, handled, used, disposed of and includes the whole of an area under the control of an occupier and includes pier, jetty or similar structure whether floating or not;
- (l) "transport" means movement of hazardous chemicals by any means over land, water or air.

3. Constitution of Central Crisis Group.—(1) The Central Government shall constitute a Central Crisis Group for management of chemical accidents and set up a Crisis Alert System in

accordance with the provisions of rule 4 within thirty days from the date of the commencement of these rules.

(2) The composition of the Central Crisis Group shall be as specified in Schedule 5.

(3) The Central Crisis Group shall meet at least once in six months and follow such procedure for transaction of business as it deems fit.

(4) Notwithstanding anything contained in sub-rule (2), the Central Crisis Group may co-opt any person whose assistance or advice is considered useful in performing any of its functions to participate in the deliberations, of any of its meetings.

4. Constitution of Crisis Alert System.—The Central Government shall,—

- (a) set up a functional control room at such place as it deems fit;
- (b) set up an information net working system with the State and district control rooms;
- (c) appoint adequate staff and experts to man the functional control room;
- (d) publish a list of Major Accident Hazards Installations;
- (e) publish a list of major chemical accidents in chronological order;
- (f) publish a list of members of the Central, State and District Crisis Groups;
- (g) take measures to create awareness amongst the public with a view to preventing chemical accidents.

5. Functions of the Central Crisis Group.—(1) The Central Crisis Group shall be the apex body to deal with major chemical accidents and to provide expert guidance for handling major chemical accidents.

(2) Without prejudice to the functions specified under sub-rule (1), the Central Crisis Group shall,—

- (a) continuously monitor the post-accident situation arising out of a major chemical accident and suggest measures for prevention and to check recurrence of such accidents;
- (b) conduct post-accident analysis of such major chemical accidents and evaluate responses;
- (c) review district off-site emergency plans with a view to examine its adequacy in accordance with the Manufacture, Storage and Import of Hazardous Chemical Rules and suggest measures to reduce risks in the Industrial pockets;
- (d) review the progress reports submitted by the State Crisis Groups;
- (e) respond to queries addressed to it by the State Crisis Groups and the District Crisis Groups;
- (f) publish a Statewise list of experts and officials who are concerned with the handling of chemical accidents;
- (g) render, in the event of a chemical accident in a State, all financial and infra true rural help as may be necessary.

6. Constitution of State Crisis Group.—(1) The State Government shall constitute a State Crisis Group for management of chemical accidents within thirty days from the date of the commencement of these rules.

[Explanation.—For the purpose of these rules "State Government" in relation to Union

Territory means the Administrator thereof appointed under Article 239 of the Constitution.

(2) The composition of the State Crisis Group shall be as specified in Schedule 6.

(3) The State Crisis Group shall meet at least once in three months and follow such procedure for transaction of business as it deems fit.

(4) Notwithstanding anything contained in sub-rule (2), the State Crisis Group may co-opt any person whose assistance or advice is considered useful in performing any of its functions, to participate in the deliberation of any of its meetings.

7. Functions of the State Crisis Group.—(1) The State Crisis Group shall be the apex body in the State to deal with major chemical accidents and to provide expert guidance for handling major chemical accidents.

(2) Without prejudice to the functions specified under sub-rule (1), the State Crisis Group shall,—

(a) review all district off-site emergency plans in the State with a view to examine its adequacy in accordance with the Manufacture, Storage and Import of Hazardous Chemicals Rules and forward a report to the Central Crisis Group once in three months;

(b) assist the State Government in managing chemical accidents at a site;

(c) assist the State Government in the planning, preparedness and mitigation of major chemical accidents at a site in the State;

(d) continuously monitor the post-accident situation arising out of a major chemical accident in the State and forward a report to the Central Crisis Group;

(e) review the progress report submitted by the District Crisis Groups;

(f) respond to queries addressed to it by the District Crisis Groups;

(g) publish a list of experts and officials in the State who are concerned with the management of chemical accidents.

8. Constitution of the District and Local Crisis Group.—(1) The State Government shall cause to be constituted within thirty days from the date of commencement of these rules,—

(a) District Crisis Groups;

(b) Local Crisis Groups.

(2) The composition of the District Crisis Groups and the Local Crisis Groups shall be as specified in Schedules 7 and 8 respectively.

(3) The District Crisis Group shall meet every forty-five days and send a report to the State Crisis Group.

(4) The Local Crisis Group shall meet every month and forward a copy of the proceedings to the District Crisis Group.

9. Functions of the District Crisis Group.—(1) The District Crisis Group shall be the apex body in the district to deal with major chemical accidents and to provide expert guidance for handling chemical accidents.

(2) Without prejudice to the function specified under sub-rule (1), the District Crisis Group shall,—

(a) assist in the preparation of the district off-site emergency plan;

- (b) review all the on-site emergency plans prepared by the occupier of Major Accident Hazards installation for the preparation of the district off-site emergency plan;
- (c) assist the district administration in the management of chemical accidents at a site lying within the district;
- (d) continuously monitor every chemical accident;
- (e) ensure continuous information flow from the district to the Central and State Crisis Groups regarding accident situation and mitigation efforts;
- (f) forward a report of the chemical accident within fifteen days to the State Crisis Group;
 - (g) conduct at least one full-scale mock-drill of a chemical accident at a site each year and forward a report of the strength and the weakness of the plan to the State Crisis Group.

10. Functions of the Local Crisis Group.—(1) The Local Crisis Group shall be the body in the industrial pocket to deal with chemical accidents and coordinate efforts in planning, preparedness and mitigation of a chemical accident.

Without prejudice to the functions specified under sub-rule (1), the Local Crisis Group shall,—

- (a) prepare local emergency plan for the industrial pocket;
- (b) ensure dovetailing of the local emergency plan with the district off-site emergency plan;
- (c) train personnel involved in chemical accident management;
- (d) educate the population likely to be affected in a chemical accident about the remedies and existing preparedness in the area;
- (e) conduct at least one full-scale mock-drill of a chemical accident at a site every six months and forward a report to the District Crisis Group;
- (f) respond to all public inquiries on the subject.

11. Powers of the members of the Central, State and District Crisis Groups.—(1) The members of the Central Crisis Group, State Crisis Groups and District Crisis Groups shall be deemed to be persons empowered by the Central Government in this behalf under sub-section (1) of section 10 of the Environment (Protection) Act, 1986.

12. Aid and assistance for the functioning of the District and Local Crisis Groups.—(1) The Major Accident Hazards Installations in the industrial pockets in the district shall aid, assist and facilitate functioning of the District Crisis Group.

(2) The Major Accident Hazard Installations in the industrial pockets in the district shall also aid, assist and facilitate functioning of the Local Crisis Group.

13. Information to the public.—(1) The Central Crisis Group shall provide information on request regarding chemical accident prevention, preparedness and mitigation in the country.

(2) The State Crisis Group shall provide information on request regarding chemical accident prevention, preparedness and mitigation to the public in the State.

(3) The Local Crisis Group shall provide information regarding possible

chemical accident at a site in the industrial pocket and related information to the public on request.

(4) The Local Crisis Group shall assist the Major Accident Hazard Installation in the industrial pocket in taking appropriate steps to inform persons likely to be affected by a chemical accident.

SCHEDULE 1

[See rules 2(b) and 2(j)]

PART I

(a) **Toxic Chemicals.**—Chemicals having the following values of acute toxicity and which owing to their physical and chemical properties, are capable of producing major accident hazards:

SL No	Degree of Toxicity	Oral Toxicity LD 50 (mg/kg)	Dermal Toxicity (Dermal LD 50) dust and mists (mg) (mg /kg)	Inhalation toxicity
1	Extremely toxic	1-50	1-200	0.1-0.5
2	Highly toxic	51-500	201-2000	0.5-2.0

(b) **Flammable Chemicals.**—(i) Flammable gases: chemicals which in the gaseous state at normal pressure and mixed with air become flammable and the boiling point of which at normal pressure is **20°C or below**;

(ii) Highly Flammable liquids : chemicals which have a flash point lower **than 23°C** and the boiling point of which at normal pressure is above 20°C;

(iii) Flammable liquids : chemicals which have a Hash point lower than 65°C and which **remain** liquids under pressure, where particular processing conditions, such as high pressure and high temperature, may create major accident hazards.

(c) **Explosives.**—Chemicals which may explode under the effect of flame, heat or photochemical conditions or which are more sensitive to shocks or friction than dinitro- benzene.

PART II

LIST OF HAZARDOUS AND TOXIC CHEMICALS

Sl.. No. Name of the Chemical

1	Acetone
2	Acetone cyanohydrine
3	Acetyl chloride
4	Acetylein (Ethyne)
5	Acrolein (2-properal)
6	Acrylonitrile
7	Aldicarb
8	Aldrin
9	Alkyl phthalate
10	Allyl Alcohol
11	Allylamine
12	Alpha Naphthyl Thiourea (ANTU)
13	Aminodiphenyl, -4

14		Aminophenol-2
15		Amiton
16		Ammonia
17		Ammonium Nitrate
18		Ammonium Nitrates in fertilizers
19		Ammonium sulfamate
20		Anabasine
21		Aniline
22		Anisidine-p
23		Antimony and compounds
24		Antimony Hydride (Stibine)
25		Arsenic Hydride (Arsine)
26	Salts	Arsenic Pentoxide, (Arsenic) (v) Acid and
27	Salts	Arsenic Trioxide, Arsenious (iii) Acids and
28		Asbestos
29		Azinphos-Ethyl
30		Azinphos-Methyl
31		Barium Azide
32		Benzene
33		Benzidine
34		Benzidine Salts
35		Benzoquinone
36		Benzoyl Chloride
37		Benzoyl Peroxide
38		Benzyl Chloride
39		Benzyl Cyanide
40		Beryllium (Powders, Compounds)
41		Biphenyl
42		Bis (2-chloromethyl) Ketone
43		Bis (2, 4, 6-Trinitrophenyl) Amine
44		Bis (2-chloroethyl) Sulphide
45		Bis (Chloromethyl) ether
46		Bis (tert-Butylperoxy) Butane, -2,2
47		Bis (tert-Butylperoxy) cyclohexane, 1,1
48		Bis, 1,2 Tribromohenoxy-Ethane
49		Bisphenol
50		Boron and compounds
51		Bromine
52		Bromine Pentafluoride
53		Bromoform
54		Butadiene-1, 3
55		Butane
56		Butanone-2
57		Butoxy Ethanol
58		Butylglycidal Ether
59		Butyl peroxyacetate, tert
60		Butyl peroxyisobutyrate, tert

61	Butyl peroxyisopropyl carbonate, tert
62	Butyl peroxy maleate, tert
63	Butyl peroxy pivalate, tert
64	Butyl vinyl ether
65	Butyl-n-Mercaptan
66	Butylamine
67	C9 Aromatic Hydrocarbon Fraction
68	Cadmium and Compounds
69	Cadmium oxide (fumes)
70	Calcium Cyanide
71	Captan
72	Captofol
73	Carbaryl (Sevin)
74	Carborfuran
75	Carbon Disulphide
76	Carbon Monoxide
77	Carbon Tetrachloride
78	Carbophenothion
79	Cellulose Nitrate
80	Chlorates (used in explosives)
81	Chlordane
82	Chlorfenvinphos
83	Chlorinated Benzenes
84	Chlorine
85	Chlorine Dioxide
86	Chlorine Oxide
87	Chlorine Trifluoride
88	Chlormequat Chloride
89	Chloroacetal Chloride
90	Chloroacetaldehyde
91	Chloroaniline, -2
92	Chloroaniline, -4
93	Chlorobenzene
94	Chlorodiphenyl
95	Chloroepoxypropane
96	Chloroethanol
97	Chloroethyl Chloroformate
9	

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