

C 4.2 Possible solutions

It could be considered to find a solution to the problems described above along the following lines. (N.B.: the following suggestions owe much to the important concept of ad hoc checks as introduced by the Federal Republic of Germany in CD/869)

1. The scope of the annex to article VI [2] is widened to encompass production installations that are particularly suitable for the production of highly toxic and volatile chemicals such as the chemicals 1-6 in Schedule [1] and chemicals 1-3 on Schedule [3]. This would enlarge the scope of routine inspections, but far less than the envisaged scope of ad hoc checks.

Observations:

- A useful basis for discussion of the details of a definition of equipment that would have to be declared can be found in list B of the Australian working paper CD/698. Some criteria are also given in para C 4 of CD/925 (CD/CW/WP.252)
  - In order to cover the grey zone between "particular suitable" equipment and "non-suitable" equipment, it could be considered to widen the scope of the annex to article VI [3] to production installations that are suitable to a certain extent (but not to the same extent as those under annex [2]).
  - An obligation to declare relevant production installations would greatly facilitate challenge (or ad hoc) inspection of suspected non-declared facilities. Even when it would be possible to remove all remnants of chemicals that had to be declared in the time between notification of the inspection and the arrival of the inspection team, it is very unlikely that all equipment that had to be declared could be removed so fast.
2. The scope of on-site inspection of facilities declared under Schedule [2] would, as described in the introduction of this paper, be split into:
    - a. a quantitative check of facilities that are declared for production, processing or use of Schedule [2] chemicals;
    - b. a qualitative check of the whole plant or the chemical complex of which a declared facility forms part of (see also CD/925 (CD/CW/WP.252), para C 7 and 8).

C 5. Analysis of samples

Where possible, samples should be analysed on-site, using standard operational procedures. The following should, however, be taken into consideration: