
STATUTORY RULES OF NORTHERN IRELAND

2003 No. 152

**Dangerous Substances and Explosive
Atmospheres Regulations (Northern Ireland) 2003**

Elimination or reduction of risks from dangerous substances

6.—(1) Every employer shall ensure that risk is either eliminated or reduced so far as is reasonably practicable.

(2) In complying with his duty under paragraph (1), substitution shall by preference be undertaken, whereby the employer shall avoid, so far as is reasonably practicable, the presence or use of a dangerous substance at the workplace by replacing it with a substance or process which either eliminates or reduces the risk.

(3) Where it is not reasonably practicable to eliminate risk pursuant to paragraphs (1) and (2), the employer shall, so far as is reasonably practicable, apply measures, consistent with the risk assessment and appropriate to the nature of the activity or operation –

- (a) to control risks, including the measures specified in paragraph (4); and
- (b) to mitigate the detrimental effects of a fire or explosion or the other harmful physical effects arising from dangerous substances, including the measures specified in paragraph (5).

(4) The following measures are, in order of priority, those specified for the purposes of paragraph (3)(a) –

- (a) the reduction of the quantity of dangerous substances to a minimum;
- (b) the avoidance or minimising of the release of a dangerous substance;
- (c) the control of the release of a dangerous substance at source;
- (d) the prevention of the formation of an explosive atmosphere, including the application of appropriate ventilation;
- (e) ensuring that any release of a dangerous substance which may give rise to risk is suitably collected, safely contained, removed to a safe place, or otherwise rendered safe, as appropriate;
- (f) the avoidance of –
 - (i) ignition sources including electrostatic discharges; and
 - (ii) adverse conditions which could cause dangerous substances to give rise to harmful physical effects; and
- (g) the segregation of incompatible dangerous substances.

(5) The following measures are those specified for the purposes of paragraph (3)(b) –

- (a) the reduction to a minimum of the number of employees exposed;
- (b) the avoidance of the propagation of fires or explosions;
- (c) the provision of explosion pressure relief arrangements;
- (d) the provision of explosion suppression equipment;

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- (e) the provision of plant which is constructed so as to withstand the pressure likely to be produced by an explosion; and
 - (f) the provision of suitable personal protective equipment.
- (6) The employer shall arrange for the safe handling, storage and transport of dangerous substances and waste containing dangerous substances.
- (7) The employer shall ensure that any conditions necessary pursuant to these Regulations for ensuring the elimination or reduction of risk are maintained.
- (8) The employer shall, so far as is reasonably practicable, take the general safety measures specified in Schedule 1, subject to those measures being consistent with the risk assessment and appropriate to the nature of the activity or operation.