

Guideline**9/24****CLAP****FORM N°85****Version : 4****Directive 97/23/EC****Keywords :**

Essential requirement

National regulation

Fluid

Risk analysis

Flammable

Directive references:

Article 1 - 97/23 EC

Article 2 - 97/23 EC

Article 3 - 97/23 EC

Article 4, Article 5 - 97/23 EC

Adopted by WPG: 18/03/2004**Adopted by CLAP:** 18/03/2004**Subject:** New approach – Additional requirements in national regulations**Question:**

What additional requirements for the design, manufacture and assessment of pressure equipment and assemblies covered by the Pressure Equipment Directive (PED) containing explosive/inflammable fluids are allowed in national regulations in addition to the requirements of the PED?

Answer:

(1) All technical (design, manufacturing, conformity assessment) requirements addressing hazards related to pressure are covered by the PED. Any additional national requirements related to pressure would constitute an impediment of the free movement of products falling into the scope of the PED and are not permissible. The following are examples of non-permissible additional requirements:

- Specific requirements for protection against the release of the fluid
- Specific requirements for materials due to the nature of the fluid
- Specific requirements to avoid explosions/fires triggered by pressure (e.g. local heating due to pressure energy converted into thermal energy)

These aspects shall have been taken into account by the manufacturer as part of the hazard analysis.

(2) The PED does not consider the prevention of and protection against explosions/inflammations, which are not triggered by pressure (e.g. electrostatic ignition of an explosive fluid, etc.). These hazards may be addressed by national legislation, unless it is covered by other European legislation (e.g. ATEX Directive).

Note 1: This question is of particular relevance for national legislation on LPG, natural gas and hydrogen installations.

Note 2: The PED provisions on risk analysis and categories for conformity assessment take into account the explosive/inflammable nature of the fluid.

Note 3: However, national requirements can address installation conditions of the pressure equipment or assembly, e.g. in order to protect operators, environment or the pressure equipment / assembly itself.

Modifications compared to the previous adopted version: copy of guideline 9/24 (18/03/2004) and editorial correction on 2004-09-16.