



**REGULATORY IMPACT ANALYSIS REPORT ON THE DRAFT ROYAL DECREE AMENDING ROYAL
DECREE 948/2003 OF 18 JULY 2003 LAYING DOWN THE MINIMUM CONDITIONS TO BE**



**MINISTRY
OF INDUSTRY
AND TOURISM**

**DIRECTORATE-GENERAL FOR INDUSTRY
AND SMALL AND MEDIUM-SIZED
ENTERPRISES**

Sub-Directorate-General for Industrial
Quality and Safety

**MET BY INSTALLATIONS FOR THE INTERNAL CLEANING OR DEGASSING AND
DEPRESSURISATION, AS WELL AS FOR THE REPAIR OR MODIFICATION OF TANKS
FOR DANGEROUS GOODS.**

16 December 2024





REGULATORY IMPACT ANALYSIS REPORT

FICHA DE RESUMEN EJECUTIVO.....	3
1. OPORTUNIDAD DE LA PROPUESTA	7
2. CONTENIDO	8
3. ANÁLISIS JURÍDICO	10
4. ADECUACIÓN DE LA NORMA AL ORDEN DE DISTRIBUCIÓN DE COMPETENCIAS	11
5. DESCRIPCIÓN DE LA TRAMITACIÓN	12
6. ANÁLISIS DE IMPACTOS.....	13
7. EVALUACIÓN EX POST	16
ANEXO I	17
ANEXO II.....	19



Ministry/Body or proposer	Ministry of Industry and Tourism/Directorate-General of Industrial Strategy and Small and Medium-sized Enterprises.	Date	16 December 2024
Title of the regulation	DRAFT ROYAL DECREE AMENDING ROYAL DECREE 948/2003 OF 18 JULY 2003 LAYING DOWN THE MINIMUM CONDITIONS TO BE MET BY INSTALLATIONS FOR THE INTERNAL CLEANING OR DEGASSING AND DEPRESSURISATION, AS WELL AS FOR THE REPAIR OR MODIFICATION OF TANKS FOR DANGEROUS GOODS.		
Type of report	<p style="text-align: right;">Normal ~ X ~ Abbreviated O</p>		
TIMELINESS OF THE PROPOSAL			
Subject	The updating of Royal Decree 948/2003 of 18 July 2003 laying down the minimum conditions to be met by installations for the internal cleaning or degassing and depressurisation, as well as for the repair or modification of tanks for dangerous goods, will make it possible to adapt Spanish regulations in the area of installations for the internal cleaning, as well as the repair of tanks for the transport of dangerous goods, as the technology evolves, helping to ensure safety and environmental protection.		
Objectives	The fundamental objective of this regulation is to incorporate the improvements identified since the entry into force of Royal Decree 948/2003 of 18 July 2003, aligning the requirements with the applicable regulations on the transport of dangerous goods.		
Main alternatives considered	<p>There are three possible alternatives:</p> <ol style="list-style-type: none"> a. Drafting a new regulation that repeals and replaces the previous one b. Partially amending the current 2003 regulation c. Not taking any further action. 		



	<p>The alternative of not approving any regulation has been discarded, as it would not permit adaptation of the Royal Decree currently in force to the current technical and legal environment.</p>
CONTENT AND LEGAL ANALYSIS	
Type of regulation	Royal Decree.
Structure of the regulation	The regulation consists of an explanatory section, a sole article, an additional provision, a transitional provision and two final provisions.
Reports received	<ul style="list-style-type: none">- Certificate of the Coordination Commission for the Transport of Dangerous Goods (Article 3 of Royal Decree 1256/2003 of 3 October 2003 determining the competent authorities of the General State Administration for the transport of dangerous goods and regulating the commission for the coordination of such transport), dated 29/10/2024- Ministry of Industry and Tourism SGT report (Article 26(5), paragraph 4, of Law 50/1997 of 27 November 1997)- Report of the Office for Coordination and Regulatory Quality- Ministry of Transport and Sustainable Mobility SGT Report (Article 26(5), paragraph 1, of Law 50/1997 of 27 November 1997, issued by the Government)- Opinion of the Council of State (Article 22(3) of Organic Law 3/1980 of 22 April 1980 on the Council of State)
Prior consultation	<p>The Government carried out a previous public consultation was carried out to prepare the text in accordance with Article 26.2 of Law 50/1997, of 27 November.</p> <p>The public consultation procedure began on 12 February 2024 and was completed on 7 March.</p> <p>Comments have been received from the Autonomous Communities, from the private sector and the main associations in the sector.</p>
Hearing and public information process	<p>The Government published the draft Royal Decree has been published on the web portal of the Ministry of Industry and Tourism, in order to give a hearing to the interested parties in accordance with Article 26(6) of Law 50/1997 of 27 November 1997.</p> <p>The public information process began on 21 June 2024 and was completed on 15 July 2024.</p>



	Similarly, the Autonomous Communities and the most representative entities of the sector were informed of the opening of this procedure.	
IMPACT ANALYSIS		
COMPLIANCE WITH THE DISTRIBUTION OF POWERS	The draft Royal Decree is issued on the basis of the competence granted to the State under Article 149(1)(13) of the Constitution over basic rules and coordination of general economic planning, without prejudice to the powers of the Autonomous Communities to establish additional protection regulations.	
ECONOMIC AND BUDGETARY IMPACT	General impact on the economy	No significant impact
	With regard to competition	<input checked="" type="checkbox"/> the regulation has no significant impact on competition <input type="checkbox"/> the regulation has a positive impact on competition <input type="checkbox"/> the regulation has a negative impact on competition
	With respect to administrative burdens	<input type="checkbox"/> It entails a reduction in administrative burdens. Estimated quantification: <input type="checkbox"/> It incorporates new administrative burdens. <input checked="" type="checkbox"/> It does not affect administrative burdens.
	With respect to budgets, the regulation: <input type="checkbox"/> affects State budgets. <input type="checkbox"/> affects the budgets of other regional administrations.	<input type="checkbox"/> It does not entail an increase in expenditure, to the extent that it is limited to regulating certain existing aspects. <input checked="" type="checkbox"/> It does not entail an income.



GENDER IMPACT	The regulation has the following gender impact:	None.
OTHER IMPACTS CONSIDERED	Small and medium-sized enterprises (SMEs), children and adolescents, the family, climate change and energy transition.	None.
OTHER CONSIDERATIONS	None.	



1 TIMELINESS OF THE PROPOSAL

1.1. Rationale

The experience gained during the application of Royal Decree 948/2003 of 18 July 2003 has shown the need to update the provisions relating to the periodic inspection system to which installations for the internal cleaning or degassing and depressurisation, as well as those for the repair or modification of tanks for dangerous goods, are subject, with the aim of ensuring their conformity with the provisions required of such installations by the regulations.

Moreover, the aim of the legislation is to adapt the terminology relating to repairs and modifications, as well as the procedures to be followed for such operations, to the requirements of the current regulations on the inspection of tanks as per the various modal agreements on the international transport of dangerous goods (Agreement concerning the International Carriage of Dangerous Goods by Road [ADR], Regulation concerning the International Carriage of Dangerous Goods by Rail [RID], etc.).

Finally, it is necessary to revise the technical requirements for such installations in order to adapt them to technological developments and the current regulatory framework, while also contributing to ensuring safety and environmental protection.

1.2. Objectives

The fundamental objective of this regulation is to incorporate the improvements identified since the entry into force of Royal Decree 948/2003 of 18 July 2003, also aligning the requirements with the applicable regulations on the transport of dangerous goods.

In relation to repairs and modifications, the terminology used, the procedure to be followed and the tests to be carried out during the exceptional inspection are adapted to the requirements of Standard EN 12972:2018 – Tanks for the transport of dangerous goods. Testing, inspection and marking of metallic tanks, mandatory according to section 6.8.2.6.2 of the ADR/RID.

1.3. Analysis of alternatives

There are three possible alternatives:

- a. Drafting a new regulation that repeals and replaces the previous one
- b. Partially amending the current 2003 regulation
- c. Not taking any further action.

The changes that are intended to be made do not entail an amendment of sufficient magnitude to merit the drafting of a new regulation that repeals and replaces the previous one.

With regard to the alternative of not approving any regulation, this would not permit adaptation of the Royal Decree currently in force to the current technical and legal environment.



In view of the above, alternative b., i.e. partial amendment of the current 2003 regulation, is considered to be the most appropriate of the above alternatives.

1.4. Adherence to the principles of good regulation.

This regulation complies with the principles of good regulation established in Article 129 of Law 39/2015 of 1 October 2015 on Common Administrative Procedure in Public Administration. It responds to the principles of **necessity and effectiveness**, since it is justified for reasons of general interest to update the provisions of Royal Decree 948/2003 of 18 July 2003, with the aim of incorporating the improvements identified and adapting the regulations to the current technical and legal environment, permitting the alignment of the applicable regulations on dangerous goods.

With regard to the principle of **transparency**, the public consultation procedure was carried out prior to the drafting of the text, with the aim of obtaining the opinion of the subjects and the most representative organisations potentially affected, and the draft Royal Decree was submitted to the hearing procedure, as established by the procedure for drafting regulations.

It is **proportionate**, since it contains the regulation essential to meeting the need to be covered, without there being any other measures that impose fewer obligations on those affected, and it complies with the principles of **legal certainty**, being coherently incorporated into the legal system.

Finally, with regard to the principle of **efficiency**, this Royal Decree does not impose unnecessary or ancillary burdens and rationalises, in its implementation, the management of public resources.

2. CONTENT

The proposed Royal Decree includes a preamble explaining the reasons for its approval, a sole article, a transitional provision and two final provisions.

The **sole article** sets out the amendments that have been made to the content of Royal Decree 948/2003 of 18 July 2003 laying down the minimum conditions to be met by installations for the internal cleaning or degassing and depressurisation, as well as for the repair or modification of tanks for dangerous goods. This sole article sets out the wording of the articles and annexes of Royal Decree 948/2003 of 18 July 2003, according to the proposed amendments. Specifically:

- **Article 1**, concerning the scope of the Royal Decree, is amended, including the reference to the alteration.
- In **Article 2**, several definitions are amended and new definitions are introduced, such as the definition of alteration of tanks and the distinction between repair and modification of tanks.
- **Article 3**, which sets out the mandatory cases of cleaning, degassing and depressurisation of tanks for dangerous goods, is amended by adding the need for steam cleaning in tanks that might contain dangerous gases or vapours after internal cleaning and the possibility of exempting tanks from cleaning that are intended for the transport of aviation fuels, in certain cases, due to the special characteristics of the



material transported.

- **Article 5(5)**, which includes reference to the declaration of responsibility of the operator of the aforementioned installations, is amended. Changes are made to the periodic inspection system for these products, which will be implemented by an inspection body, and the frequency of inspections is established, as is the requirement for accreditation of these inspection bodies in the field of Transport of Dangerous Goods.
- **Article 6**, which details the general procedure for internal cleaning, degassing and depressurisation, is amended. Amendments are introduced to adapt these procedures to developments in the current environmental legislation, which applies to the three environmental vectors affected by the activity of these installations. These are: sources of emissions into air, waste water and waste generation. The obligation for tank cleaning installations to keep a record of cleaning certificates issued is introduced, thus improving the traceability of the activity of these installations.
- **Article 7**, which sets out the requirements to be met by installations for the repair, alteration or modification of tanks for dangerous goods, is amended.
- **Article 8(5)**, which contains the declaration of responsibility of the operator of installations for the repair and alteration of tanks for dangerous goods, is amended. It is established that it is the inspection bodies, accredited in the field of Transport of Dangerous Goods, are the parties who must check the compliance of these installations with the requirements and define a periodic inspection regime for them, including the frequency of inspection.
- **Annex I**, which sets out the minimum technical requirements for installations for internal tank cleaning, is amended. Amendments are made concerning the cleaning product dosing system and the lifting system for the rotary or spray heads. In addition, requirements are introduced concerning the treatment and management of waste water and the specific lines for washing tanks intended for the transport of foodstuffs.
- **Annex III**, which contains the template for the application number, is amended. The amendments update the fields of that template and introduce a new numbered paragraph for additional services.
- **Annex IV**, which contains the certificate of internal cleaning or degassing and depressurisation of tanks for dangerous goods, is amended. The fields of the certificate are updated; it is clarified that the check following the cleaning operation must be carried out visually through the tank's manholes, without accessing the inside of the tank, to avoid contamination. A new numbered paragraph is added concerning identification of the seals following cleaning of the tank, thus ensuring the traceability of the seals.
- **Annex V**, which establishes the requirements and procedures to be adhered to by installations for the alteration and repair of tanks for dangerous goods, is amended. This Annex is amended by adding a new paragraph f) that applies when welding work is carried out. The procedure to be followed for the repair and alteration of tanks is simplified.

An **additional provision** is introduced defining the requirements applicable to cleaning facilities located in island territories and a **transitional provision** for the auditing of compliance with the requirements in the case of installations authorised prior to the entry into



force of this Royal Decree.

The **first final provision** sets out the attribution of powers.

The **second final provision** indicates the entry into force.

3. LEGAL ANALYSIS

3.1. Legal basis and status of the regulation

The proposal falls within the scope of Law 21/1992 of 16 July 1992, industry, Article 1 of which states that:

'The purpose of this Law is to establish the bases for the organisation of the industrial sector, as well as the criteria for coordination between public administrations, in accordance with the provisions of Article 149(1). (1) and (13) of the Spanish Constitution';

Article 2 states that:

'The purpose expressed in the previous article shall be specified in the pursuit of the following objectives:

[...]

3. Industrial safety and quality'

The purpose of the law is also to contribute to making industrial activity compatible with environmental protection.

The publication of Royal Decree 2115/1998 of 2 October 1998 on the transport of dangerous goods by road, as well as the publication of Royal Decree 412/2001 of 20 April 2001 on the transport of dangerous goods by rail, introduced the need to regulate the minimum conditions that must be met by installations for the internal cleaning or degassing and depressurisation of tanks for dangerous goods, as well as workshops repairing or modifying such tanks.

The requirements of the market in terms of quality and safety mean that tanks used for the carriage of goods must be perfectly internally cleaned and steam cleaned before transporting other goods that are chemically incompatible with the previous goods, as well as properly repaired where necessary for safety reasons. Thus, contamination and loss of specifications of subsequent loads are avoided and transport safety is improved.

Regarding the status of the proposal, a draft regulation with the status of royal decree is deemed to be the appropriate instrument, since it replaces, repeals or amends other legal provisions of equal or lower status. The status of the draft regulation is equal to or greater than that of the regulations being amended.

In addition, there is no material or formal reservation of law in this matter requiring it to be regulated by means of a legal provision: approval by royal decree is sufficient.

Finally, since the draft contains provisions of a markedly technical nature, the law is not the ideal instrument for its regulation.



3.2. Repeal of regulations.

The regulation does not imply a repeal of any other regulation.

3.3. Entry into force

The Government have determined that the regulation will enter into force on 1 July 2025, in accordance with the provisions of Article 23 of Law 50/1997 of 27 November 1997.

3.4. Annual regulatory plan.

This draft royal decree will be included in the 2025 Annual Regulatory Plan.

4. ADAPTATION OF THE REGULATION TO THE ORDER OF DISTRIBUTION OF POWERS

This Royal Decree is issued under the provisions of Article 149(1)(13) of the Spanish Constitution, which grants the State exclusive competence over basic rules and coordination of general economic planning.

It is worth mentioning Law 21/1992 of 16 July 1992, industry, Title III, 'Industrial safety and quality'. Specifically, Article 12(5) of said Law provides that: 'Industrial Safety regulations at State level shall be approved by the Government of the Nation, without prejudice to the fact that the Autonomous Communities, having legislative competence over industry, may introduce additional requirements in the same matters when it comes to facilities located within their territory'.

The central section of the regulation included in the draft Royal Decree is, for the purposes of jurisdiction, brought back within the scope of 'Industry' and, in particular, that of 'industrial safety'. Although the aforementioned field of 'Industry' is not explicitly mentioned in Articles 148 and 149 of the Constitution, State powers in this matter derive from those generally granted to the State under Article 149(1) (13) of the Constitution over the 'basic rules and coordination of general economic planning'.

For their part, the Autonomous Communities have regulatory powers of development and implementation in the field of industry, without prejudice to what is determined by State regulations for reasons of security, health or military interest and regulations relating to industries subject to the legislation on mines, hydrocarbons and nuclear energy.

5. DESCRIPTION OF THE PROCESS

In accordance with Article 26 of Law 50/1997 of 27 November, the Government, the following processes have been carried out:

- The draft regulation has been subject to the prior public consultation described in Article 26(2) of Law 50/1997 of 27 November 1997.

Said consultation was published on the Ministry of Industry and Tourism website on 12 February 2024 in the section on public participation, in the paragraph on prior public consultation. The deadline for the submission of comments was 7 March 2024.

The opening of the process and the associated deadline were notified by email to the



Autonomous Communities, the accredited inspection bodies in the field of the transport of dangerous goods, the Commission for the Coordination of the Transport of Dangerous Goods, the Spanish national association of tank cleaners (ANLIC), the Business Federation of the Spanish Chemical Industry (FEIQUE/ChemSpain), the Spanish National Accreditation Body (ENAC) and the Spanish national association of tank manufacturers.

All information about the consultation was published on the Ministry's website, via the following link:

https://industria.gob.es/es-es/participacion_publica/Paginas/DetalleParticipacionPublica.aspx?k=664

Six responses were received from both the main associations related to the sector, as well as from companies and Autonomous Communities. A summary of the comments received is included in Annex I.

- The regulation has also been subject to the hearing and public information process, in accordance with Article 26(6) of Law 50/1997 of 27 November 1997, the Government.

This process was published on the Ministry of Industry and Tourism website on 21 June 2024, in the public participation section. The deadline for submitting observations was 15 July 2024.

The opening of the process and the associated deadline were notified by email to the Autonomous Communities, the accredited inspection bodies in the field of the transport of dangerous goods, the Commission for the Coordination of the Transport of Dangerous Goods, the Spanish national association of tank cleaners (ANLIC), the Business Federation of the Spanish Chemical Industry (FEIQUE/ChemSpain), the Spanish National Accreditation Body (ENAC) and the Spanish national association of tank manufacturers.

All of the information regarding the publication of the process is available on the Ministry website via the following link:

[Ministry of Industry and Tourism - Detail of Public Participation](#)

The summary of the submissions received is included in Annex II.

- On 29 October 2024, the Certificate of the Coordination Commission for the Transport of Dangerous Goods of the Ministry of Transport and Sustainable Mobility was obtained (Article 3 of Royal Decree 1256/2003 of 3 October 2003 determining the competent authorities of the General State Administration for the transport of dangerous goods and regulating the commission for the coordination of such transport), which favourably informs the draft Royal Decree.

During the processing of the draft Royal Decree, the following reports will be collected:

- Ministry of Industry and Tourism SGT report (Article 26(5), paragraph 4, of Law 50/1997 of 27 November 1997)
- Report of the Office for Coordination and Regulatory Quality
- Ministry of Transport and Sustainable Mobility SGT Report (Article 26(5), paragraph 1, of Law 50/1997 of 27 November 1997, issued by the Government)



- Opinion of the Council of State (Article 22(3) of Organic Law 3/1980 of 22 April 1980 on the Council of State)

6. IMPACT ANALYSIS

6.1 Overall economic impact

The purpose of this analysis is to study the impact on the economic aspects derived from the draft Royal Decree. This legal provision is markedly technical in nature and the changes to the current legislation that are introduced in it are mainly intended to adapt it to technical advances and changes in the regulatory framework, without incorporating significant innovations into the process or a greater processing burden for economic operators. Its approval will not have any significant economic impact on the Spanish economy as a whole.

6.2 Impact on competition

This Royal Decree will not have any significant impacts on competition, since it merely updates the current regulation on this issue, to adapt it to technical advances and changes in the regulatory framework and make it better suited to what is established in the regulatory framework. No additional restrictions on competition are introduced in any of its major aspects: number of market players, ability and incentives to compete.

In addition to this, the draft regulation respects the principle of market unity, unifying the inspection procedure applied by the inspection bodies throughout the territory and defining uniform rules known to all economic operators.

The action of inspection bodies accredited in accordance with Standard UNE-EN ISO 17020 in the field of transport of dangerous goods is addressed with regard to periodic assessment of the conformity of the installations subject to regulation.

6.3 Impact on SMEs

The study of the impact that the regulation has on SMEs is especially important in Spain, where small and medium-sized enterprises represent 99.9% of the Spanish business landscape, contributing approximately 58% to the gross value added and 63% to total employment; their activity is crucial to determining the progress of the Spanish economy.

In order to assess the impact of the proposed amendment on SMEs, the indications of the Methodological Guide for the preparation of the report on the regulatory impact analysis have been taken as a reference, notably those in paragraph 3(a) 'General economic impact'.

This regulation does not have a significant impact on SMEs since there are no new developments in the administrative procedures applied, nor a greater processing burden for economic operators. The amendments included with respect to the regulations previously in force do not include any additional burdens on SMEs, so it is understood that it is not necessary to carry out the SME Test.

6.4 Assessment of the reduction of administrative burdens

The new text does not incorporate substantial changes to the requirements covered compared to the current text, in which the requirements have been updated to the current state of the art and the references and articulation of the text in relation to the current regulatory framework have been revised.



Thus, the Royal Decree in question contains administrative burdens similar to those that currently exist.

Articles 5 and 8 of this draft Royal Decree introduce the frequency with which installations for internal cleaning, degassing and depressurisation, as well as those for the repair and modification of tanks for dangerous goods, must be inspected by an accredited inspection body. At present, the frequency of these inspections is determined by the competent body of the Autonomous Community and ranges between one and five years. This draft Royal Decree establishes a frequency of three years, so the proposed change is expected not to increase the total burden as a whole.

Budgetary impact

This measure has no budgetary impact, as the project is expected to have no effects on public expenditure and revenue, both financial and non-financial.

6.5 Gender impact

In accordance with Article 26(3)(f) of Law 50/1997 of 27 November 1997, the Government, it is stated that this Royal Decree, in terms of its form and content, has no gender impact whatsoever and certainly contains no provisions that might favour situations of gender-based discrimination. There is no impact from this perspective. There are no regulatory inequalities, in relation to equal opportunities and equal treatment between women and men, in the wording of the Royal Decree.

6.6 Impact on children and adolescents

In accordance with the provisions of Article 22(d) of Organic Law 1/1996 of 15 January 1996 on the Legal Protection of Minors, partially amending the Civil Code and the Civil Procedure Act, as amended by Law 26/2015 of 28 July 2015 amending the protection system for children and adolescents, the draft legislation has no impact on children and adolescents as it exclusively addresses technical issues relating to installations and does not have any direct legal effects on natural persons.

6.7 Impact on the family

In accordance with the provisions of the 10th additional provision of Law 40/2003 of 18 November 2003 on the protection of large families, introduced by the fifth final provision of Law 26/2015 of 28 July 2015 amending the protection system for children and adolescents, the draft legislation has no impact on the family as it mainly addresses technical issues relating to installations and does not have any direct legal effects on natural persons.

6.8 Impact in terms of climate change and the energy transition

The fifth final provision of Law 7/2021 of 20 May 2021 on climate change and energy transition has introduced this impact and amended Article 26.3 of Law 50/1997 of 27 November 1997.



In this regard, it is noted that the proposed Royal Decree does not include any relevant changes in this matter compared to the legislation previously in force. The draft Royal Decree has no impact on climate change and the energy transition.

7. EX POST EVALUATION

There is no need for ex post evaluation of the effectiveness, sustainability and results of the regulation, within the meaning of Article 3(2) of Royal Decree 286/2017 of 24 March 2017 regulating the Annual Regulatory Plan and the Annual Regulatory Evaluation Report of the General State Administration and creating the Regulatory Planning and Evaluation Board, since the main motivation behind the measures contained in this draft Royal Decree, which are of a technical nature, is adaptation to the requirements of the regulatory framework in force.



ANNEX I

PRIOR PUBLIC CONSULTATION

The replies received in response to the public consultation are summarised below:

BODY	No.	CONTENT
Principality of Asturias	1	Includes comments on the case of cleaning and degassing tanks for transporting aviation fuel prior to inspection
Cantabria	2	Proposes that checks of compliance with the requirements established by the Royal Decree be carried out by inspection bodies and that a frequency be established for the inspections. Also includes aspects relating to how the autonomous communities should send the data to the Ministry for inclusion in the Integrated Industrial Registry.
Government of the Canary Islands	3	It is proposed that, as an outermost region and a fragmented island territory, the requirements for installations located in the territory of the Autonomous Community of the Canary Islands be adapted, in line with the exception already provided for in the Royal Decree for installations belonging to chemical manufacturing companies.
VTG Rail Europe	4	Comments are included regarding the scope, the cases of mandatory cleaning, the definition of 'internal washing of tanks', clarification of certain terms or expressions (such as that of 'incompatible products', 'safe internal atmosphere' or 'empty tank') and the chapter dedicated to the requirements to be met by installations for the repair or modification of tanks for dangerous goods. Comments have also been made regarding the requirements of the installations listed in Annex I and the requirements and procedures in Annex II.
Spanish federation of associations of inspection bodies (FEDAOC)	5	Sent their agreement to draw up a new document, which could also incorporate the need to have inspection bodies perform mandatory periodic inspections.



Spanish chemical industry federation (FEIQUE)	6	Questions are cited relating to consistency and harmonisation with the language used in the articles of Royal Decree 97/2014, as well as reviewing the situation of tanks that move from transporting dangerous goods to transporting food. In addition, it is considering the convenience of compiling a list of cleaning facilities authorised by the autonomous communities and suggests including a reference to the environmental and industrial safety authorisation of the installations.
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ANNEX II

HEARING AND PUBLIC INFORMATION

The submissions received in the hearing process are summarised below:

BODY	No.	CONTENT	COMMENTS
Principality of Asturias	1	It is requested that the exemptions from cleaning be extended to include those cases in which, due to the nature of the product, a replacement test is authorised for the hydraulic test with water. In addition, it is suggested that the cleaning and degassing procedure to be followed for tanks intended for the transport of aviation fuel should be included, as well as the requirements to be met by installations performing such operations.	The proposed exemption has been accepted for inclusion. All other topics will be assessed for inclusion in a regulation.
Bondalti	2	Suggests permitting the option of personalising the cleaning certificate, in cases where it does not conform to the generic model, to adapt it to the operations performed.	Not accepted, as it is already possible to enter this information in the comments field
Spanish chemical industry federation (FEIQUE)	3	Amendments are suggested in order to clarify the wording in relation to steam cleaning, internal cleaning following degassing, visual inspection via the manholes, water pressures and flows from pressure system lines and application of the requirements of ANNEX I to degassing operations. The following are also requested: <ul style="list-style-type: none"> - Inclusion of reference to Article 46 of Royal Decree 97/2014 in relation to transport documentation after unloading - Clarification of the cases in which removal of the manifolds is appropriate - Creation of a list of approved cleaning facilities at national level, based on the information provided by the Autonomous Communities - Addition of a new additional provision to clarify the requirements for changing the use of tanks previously used for the transport of dangerous goods to the transport of foodstuffs 	Suggestions for clarification of the wording regarding steam cleaning, visual inspection via manholes and the pressures and water flows of pressure system lines are accepted. The following are not accepted: <ul style="list-style-type: none"> - The reference to Article 46: RD 97/2014 is



			<p>sufficiently clear;</p> <ul style="list-style-type: none">- Removal of manifolds: this is a requirement when the materials are incompatible;- List of cleaning facilities: the RD already requires registration in the RII- transport of food: this is an aspect regulated under Royal Decree 97/2014 and therefore its inclusion in this draft legislation is not appropriate.
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