

Technical Regulation TR EEU 036/2016

In accordance with Article 52 of the Treaty on the Eurasian Economic Union of 29 May 2014 and paragraph 29 of Annex No. 1 to the Rules of Procedure of the Eurasian Economic Commission, approved by Decision No. 98 of the Supreme Eurasian Economic Council of 23 December 2014, the Council of the Eurasian Economic Commission has decided:

1. To adopt the attached Technical Regulation of the Eurasian Economic Union "Requirements for Liquefied Hydrocarbon Gases for Use as Fuel" (TR EEU 036/2016).
2. To establish that the Technical Regulation of the Eurasian Economic Union "Requirements for Liquefied Hydrocarbon Gases for Use as Fuel" (TR EEU 036/2016) shall enter into force on 1 January 2018.
3. This Decision shall enter into force upon the expiry of 30 calendar days from the date of its official publication.

Members of the Council of the Eurasian Economic Commission:

For the Republic of Armenia	For the Republic of Belarus	For the Republic of Kazakhstan	For the Kyrgyz Republic	For the Russian Federation
V. Gabrielyan	V. Matyushevsky	B. Sagintayev	O. Pankratov	I. Shuvalov

ADOPTED

by Decision of the Council
of the Eurasian Economic Commission

No. 68 of 9 August 2016

**Technical Regulation
of the Eurasian Economic Union
“Requirements for Liquefied Hydrocarbon Gases
for Use as Fuel” (TR EEU 036/2016)**

This Technical Regulation has been developed in accordance with Article 52 of the Treaty on the Eurasian Economic Union of 29 May 2014.

This Technical Regulation establishes safety requirements, mandatory for application and fulfilment in the territory of the Eurasian Economic Union (hereinafter – the Union),

for liquefied hydrocarbon gases and for the processes of storage, transportation, sale and disposal related to the requirements for liquefied hydrocarbon gases, as well as requirements for the labelling of liquefied hydrocarbon gases to ensure their free movement within the territory of the Union.

If other Technical Regulations of the Union establishing requirements for liquefied hydrocarbon gases are adopted in respect of liquefied hydrocarbon gases, liquefied hydrocarbon gases shall also comply with the requirements of all Technical Regulations of the Union that apply to them.

I. Scope of Application

1. This Technical Regulation applies to liquefied hydrocarbon gases that are placed on the market and circulated in the territory of the Union and are intended for municipal, household and industrial use as fuel, as well as for use as motor fuel for road vehicles (hereinafter referred to as liquefied hydrocarbon gases).

2. This Technical Regulation has been developed to protect human life and health, property, the environment, and the life and (or) health of animals and plants, to prevent actions that mislead consumers of liquefied

hydrocarbon gases as to their purpose, safety and energy efficiency, and to conserve resources.

II. Basic Concepts

3. For the purposes of this Technical Regulation, the following concepts are used, which mean the following:

"placing of liquefied hydrocarbon gases on the market" – the supply or import of liquefied hydrocarbon gases (including dispatch from the manufacturer's warehouse or shipment without warehousing) for the purpose of distribution in the territory of the Union in the course of commercial activity, free of charge or for consideration;

"identification of liquefied hydrocarbon gases" – establishing that the characteristics of liquefied hydrocarbon gases submitted for mandatory confirmation of conformity are identical to the characteristics specified in the documents accompanying the liquefied hydrocarbon gases;

"manufacturer" – a legal entity or an individual registered as an individual entrepreneur (including a foreign manufacturer) that carries out, in its own name, the production, or the production and sale, of liquefied hydrocarbon gases and is responsible for their conformity with the requirements of this Technical Regulation, as well as with the requirements of other Technical Regulations of the Union that apply to them;

"importer" – a legal entity or an individual registered as an individual entrepreneur, being a resident of a Member State of the Union, that concludes with a non-resident of a Member State of the Union a foreign trade contract for the import of liquefied hydrocarbon gases for the purpose of their distribution in the territory of the Union in the course of commercial activity, free of charge or for consideration, and bears responsibility for the conformity of the liquefied hydrocarbon gases with the requirements of this Technical Regulation, as well as with the requirements of other Technical Regulations of the Union that apply to

them;

"batch of liquefied hydrocarbon gases" – any quantity of liquefied hydrocarbon gases of the same intended purpose and grade (if any), homogeneous in terms of quality indicators and accompanied by a quality passport;

"quality passport" – a document containing information about the manufacturer and the actual values of the regulated quality indicators obtained as a result of laboratory tests;

"consumer" – a legal entity, an individual registered as an individual entrepreneur, or an individual, acquiring and using liquefied hydrocarbon gases exclusively for their own needs;

"seller" – a legal entity or an individual registered as an individual entrepreneur, being a resident of a Member State of the Union, that sells liquefied hydrocarbon gases to the consumer and bears responsibility for the conformity of the liquefied hydrocarbon gases with the requirements of this Technical Regulation, as well as with the requirements of other Technical Regulations of the Union that apply to them;

"sale" – the transfer, for consideration, of ownership rights to liquefied hydrocarbon gases by one person to another person;

"liquefied hydrocarbon gases" – a mixture of hydrocarbons (propane, propylene, butanes, butylenes and butadienes with the presence of methane, ethane, ethylene and/or pentanes and pentenes) converted into a liquid state;

"person authorised by the manufacturer" – a legal entity or an individual registered as an individual entrepreneur in the territory of a Member State of the Union in accordance with the procedure established by the legislation of that Member State, that, on the basis of a contract with the manufacturer, acts on behalf of that manufacturer in the conformity assessment and placing on the market of liquefied hydrocarbon gases in the territory of the Union, and also bears responsibility for the conformity of the liquefied hydrocarbon gases with the requirements of this Technical

Regulation, as well as with the requirements of other Technical Regulations of the Union that apply to them;
"disposal of liquefied hydrocarbon gases" – an action aimed at preventing the use of liquefied hydrocarbon gases that do not conform to the requirements of this Technical Regulation, as well as of other Technical Regulations of the Union that apply to them.

III. Rules for the Circulation of Liquefied Hydrocarbon Gases on the Union Market

4. Liquefied hydrocarbon gases shall be placed on the market in the territory of the Union provided that they comply with the requirements of this Technical Regulation, as well as with the requirements of other Technical Regulations of the Union applicable to them.
5. Liquefied hydrocarbon gases that comply with the requirements of this Technical Regulation, as well as with the requirements of other Technical Regulations of the Union applicable to them, and that have undergone the conformity assessment procedure shall bear the single mark of product circulation on the Union market.
6. Liquefied hydrocarbon gases that do not bear the single mark of product circulation on the Union market shall not be allowed to be placed on the market in the territory of the Union.
7. At the stages of storage, transportation and sale, liquefied hydrocarbon gases shall comply with the requirements of this Technical Regulation, as well as with the requirements of other Technical Regulations of the Union applicable to them.
8. Each batch of liquefied hydrocarbon gases placed on the market in the territory of the Union shall be accompanied by a quality passport containing the following information:
 - a) the name of the manufacturer, its location (legal entity address), as well

as the address of the place where the activity of manufacturing liquefied hydrocarbon gases is carried out (if the addresses differ) – for a legal entity and its branches that manufacture the products, or the surname, first name and patronymic (if any) and place of residence – for an individual registered as an individual entrepreneur;

b) the manufacturer's trademark (if any);

c) the name of the person authorized by the manufacturer (the importer) and its location (legal entity address), or the name of the seller (when liquefied hydrocarbon gases are imported into the territory of the Union) and its location (legal entity address) – for a legal entity, or the surname, first name and patronymic (if any) and place of residence – for an individual registered as an individual entrepreneur;

d) the name, grade (if any) and code designation of the liquefied hydrocarbon gases (if any);

e) the designation and title of the document in accordance with which the liquefied hydrocarbon gases have been manufactured;

f) the standard values of the physico-chemical and performance characteristics of the liquefied hydrocarbon gases established by this Technical Regulation, as well as by other Technical Regulations of the Union applicable to them, and by the document in accordance with which the liquefied hydrocarbon gases have been manufactured, as well as the actual results of laboratory tests;

g) information on the presence of an odorant;

h) the batch number;

i) the date of manufacture;

j) the single mark of product circulation on the Union market;

k) the warranty storage period;

l) the number and date of issue of the passport;

m) the surname and signature of the person who issued the passport.

9. The quality passport shall be drawn up in Russian and, if so required by the legislation of the member states of the Union (hereinafter – member

states), in the state language(s) of the member state in whose territory the liquefied hydrocarbon gases are sold.

10. When selling liquefied hydrocarbon gases, the seller shall, at the buyer's request, provide a copy of the quality passport and a copy of the declaration of conformity of the liquefied hydrocarbon gases with the requirements of this Technical Regulation.

IV. Requirements for Liquefied Hydrocarbon Gases, the Processes of Their Storage, Transportation, Sale and Disposal, and Requirements for Their Labelling

11. Liquefied hydrocarbon gases placed on the market and circulating in the territory of the Union shall comply with the requirements set out in the Annex with respect to their physicochemical and performance characteristics.

12. The main hazards (risks) arising during the storage, transportation, sale and disposal of liquefied hydrocarbon gases are their fire and explosion hazard, adverse effects on the human or animal body, and the risks of environmental pollution.

13. When liquefied hydrocarbon gases are transported, the accompanying documents shall contain the following information:

- a) dangerous goods class;
- b) emergency action code;
- c) hazard labels;
- d) information on the fire and explosion hazard;
- e) information on the hazard to living organisms;
- f) neutralisation methods and means;
- g) fire-extinguishing agents.

14. The safety of liquefied hydrocarbon gases is ensured by compliance with the requirements established by this Technical Regulation and with

the requirements of other Technical Regulations of the Union that apply to them.

15. The transportation of liquefied hydrocarbon gases by rail, road, sea and inland waterway transport, as well as their storage and sale, shall be carried out in accordance with the legislation of the Member States.

16. Containers in which liquefied hydrocarbon gases are moved shall bear appropriate labelling containing the information provided for in paragraph 13 of this Technical Regulation.

17. The labelling of liquefied hydrocarbon gases placed on the market in the territory of the Union shall be applied in Russian and, where the legislation of the Member States so requires, in the state language(s) of the Member State in whose territory the liquefied hydrocarbon gases are sold, with the exception of the name of the manufacturer and the name of the liquefied hydrocarbon gases, as well as other text forming part of a registered trademark. Foreign languages may additionally be used provided that the content and text are fully identical.

18. Transport labelling shall be carried out in accordance with the requirements of the rules for the transportation of dangerous goods by rail, road, sea and inland waterway transport in force in the Member States.

19. Labelling shall be clear and legible and applied in a manner that ensures it withstands environmental influences.

20. The disposal of liquefied hydrocarbon gases shall be carried out in accordance with the legislation of the Member States.

21. Provided that the storage and transportation conditions are observed, compliance of liquefied hydrocarbon gases with the requirements specified in the Annex to this Technical Regulation shall be ensured throughout the entire period of circulation of the liquefied hydrocarbon gases in the territory of the Union, but for no less than the warranty storage period established in the document in accordance with which the liquefied hydrocarbon gases were manufactured.

V. Ensuring Conformity of Liquefied Hydrocarbon Gases with the Requirements of the Technical Regulation

22. Conformity of liquefied hydrocarbon gases with the requirements of this Technical Regulation, as well as with the requirements of other Technical Regulations of the Union that apply to them, ensures their safe circulation

in the territory of the Union.

23. Methods of research (testing) and measurement of liquefied hydrocarbon gases are established in the standards included in the list of international and regional (interstate) standards and, where these are absent, national (state) standards containing the rules and methods of research (testing) and measurement, including sampling rules, necessary for the application and fulfilment of the requirements of this Technical Regulation and for carrying out the Conformity Assessment of liquefied hydrocarbon gases.

VI. Conformity Assessment of Liquefied Hydrocarbon Gases

24. Conformity assessment of liquefied hydrocarbon gases against the requirements of this Technical Regulation is carried out in the form of proof of conformity.

25. Mandatory proof of conformity is carried out in the form of declaration of conformity.

26. Before being placed on the market in the territory of the Union, liquefied hydrocarbon gases are subject to proof of conformity in the form of declaration of conformity under one of the following schemes: 3d, 4d and 6d.

27. When declaring the conformity of liquefied hydrocarbon gases, the applicant may be a legal entity or an individual registered as an individual entrepreneur in the territory of a Member State in accordance with its

legislation, who is the manufacturer or the importer (seller) or a person authorized by the manufacturer.

28. Declaration of conformity of serially produced liquefied hydrocarbon gases is carried out under schemes 3d and 6d, and of a batch of liquefied hydrocarbon gases under scheme 4d.

29. When declaring the conformity of liquefied hydrocarbon gases, the applicant may be:

- a) for schemes 3d and 6d – the manufacturer (a person authorized by the manufacturer);
- b) for scheme 4d – the manufacturer (a person authorized by the manufacturer) or the importer (seller).

30. The scheme for declaring the conformity of liquefied hydrocarbon gases is selected by the applicant.

31. Declaration of conformity of liquefied hydrocarbon gases under schemes 3d, 4d and 6d is carried out by the applicant on the basis of evidence obtained with the participation of an accredited testing laboratory (center) included in the unified register of conformity assessment bodies of the Union.

32. When declaring the conformity of liquefied hydrocarbon gases, the applicant:

- a) compiles and analyzes the documents confirming the conformity of liquefied hydrocarbon gases with the requirements of this Technical Regulation, including:

documents containing information on the object of proof of conformity (name of the liquefied hydrocarbon gases, intended purpose, grade (if any));

the test report (reports) on samples of liquefied hydrocarbon gases for conformity with the requirements of this Technical Regulation, provided that no more than 3 months have passed since the test report was issued;

the supply agreement (contract) and shipping documents (scheme 4d);

the management system certificate (a copy of the certificate) (scheme

6d);

the quality passport;

copies of documents confirming the state registration of the legal entity or of the individual as an individual entrepreneur;

other documents chosen by the applicant that served as the basis for confirming the conformity of liquefied hydrocarbon gases with the requirements of this Technical Regulation, as well as with the requirements of other Technical Regulations of the Union that apply to them (if any);

b) carries out identification of the liquefied hydrocarbon gases;

c) ensures that production control is carried out and takes all necessary measures to ensure that the production process of liquefied hydrocarbon gases ensures their conformity with the requirements of this Technical Regulation (schemes 3d and 6d);

d) takes all necessary measures to ensure the stable functioning of the management system (scheme 6d);

e) carries out testing of the liquefied hydrocarbon gases;

f) adopts a declaration of conformity, which is drawn up according to the uniform form and rules approved by Decision of the Board of the Eurasian Economic Commission No. 293 of 25 December 2012;

g) applies the single mark of product circulation on the Union market to the quality passport;

h) after completion of the proof of conformity procedure, compiles a set of documents that includes the documents provided for in subparagraph "a" of this paragraph and the declaration of conformity.

33. The declaration of conformity is subject to registration in the manner provided for by Decision of the Board of the Eurasian Economic Commission No. 76 of 9 April 2013.

Depending on the scheme applied for declaring the conformity of liquefied hydrocarbon gases, the validity period of the declaration of conformity is established from the date of its registration in the unified register of issued

or adopted conformity assessment documents.

The declaration of conformity of liquefied hydrocarbon gases is registered for the following period:

for proof of conformity under scheme 3d – no more than 3 years;

for proof of conformity under scheme 4d – taking into account the storage period of the liquefied hydrocarbon gases, but no more than 1 year;

for proof of conformity under scheme 6d – no more than 5 years.

The sets of documents that served as the basis for adopting the declaration of conformity, and the registered declaration of conformity, must be kept by the applicant:

for proof of conformity of serially produced liquefied hydrocarbon gases – for 3 years from the date of termination of the declaration of conformity;

for proof of conformity of a batch of liquefied hydrocarbon gases – for 5 years from the date of registration of the declaration of conformity.

34. The declaration of conformity for a batch of liquefied hydrocarbon gases is valid only for the liquefied hydrocarbon gases belonging to that specific batch.

VII. Marking of Liquefied Hydrocarbon Gases with the Single Mark of Product Circulation on the Union Market

35. Liquefied hydrocarbon gases that comply with the requirements of this Technical Regulation, as well as with the requirements of other Technical Regulations of the Union that apply to them, and that have undergone the Conformity Assessment procedure in accordance with Section VI of this Technical Regulation shall be marked with the single mark of product circulation on the Union market.

36. Marking with the single mark of product circulation on the Union market shall be carried out before the release of the liquefied hydrocarbon gases into circulation in the territory of the Union.

37. The single mark of product circulation on the Union market shall be applied to the quality passport.

VIII. State Control (Supervision) over Compliance with the Requirements of the Technical Regulation

38. State control (supervision) over compliance with the requirements of this Technical Regulation shall be exercised in accordance with the legislation of the Member States.

IX. Safeguard Clause

39. The authorized bodies of the Member States shall take all measures to restrict and prohibit the placing on the market of liquefied hydrocarbon gases in the territory of the Union, and to withdraw from the market of the Union liquefied hydrocarbon gases that do not comply with the requirements of this Technical Regulation, as well as of other Technical Regulations of the Union applicable to them. In this case, the authorized body of a Member State shall notify the authorized bodies of the other Member States of the adoption of the relevant decision, stating the reason for its adoption and providing evidence explaining the need for the relevant measure.

ANNEX

to the Technical Regulation

of the Eurasian Economic Union

“Requirements for Liquefied Hydrocarbon Gases
for Use as Fuel”

(TR EEU 036/2016)

REQUIREMENTS

for physico-chemical and performance characteristics of liquefied hydrocarbon gases

Characteristic	Standard for liquefied hydrocarbon gases used as fuel for municipal, household and industrial consumption	Standard for liquefied hydrocarbon gases used as motor fuel for road vehicles
Octane number, not less than	-	89,0
Mass fraction of total unsaturated hydrocarbons, %, not more than	-	6,0
Saturated vapour pressure, gauge, MPa, at a temperature of:		
plus 45 °C, not more than	1,6	1,6
minus 20 °C, not less than	-	0,07

Mass fraction of hydrogen sulphide and mercaptan sulphur, %, not more than	0,013	0,01
including hydrogen sulphide, %, not more than	0,003	0,003
Odour	–	unpleasant and distinctive at a concentration in air of 20 % of the lower flammability limit
Odour intensity, points, not less than	3	–
Volume fraction of liquid residue at plus 20 °C, %, not more than	1,8	1,6
Free water and alkali content	absent	absent

Notes:

1. The saturated vapour pressure of liquefied hydrocarbon gases at a temperature of minus 20°C shall be determined only in the winter period.

2. Odour intensity need not be determined where the mass fraction of mercaptan sulphur in liquefied hydrocarbon gases is 0,002 % or more. Where the mass fraction of mercaptan sulphur is less than 0,002 % or the odour intensity is less than 3 points, liquefied hydrocarbon gases shall be odorized in accordance with a method approved in the manner established by the legislation of the Member States of the Eurasian Economic Union.

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