Major Accident Hazards Policy

The basics about Directive 2012/18/EU (Seveso III) and its relations to other legal acts
A bitter lesson for Europe

> 900 major accidents since 1980
= Billions € loss + fatalities/injuries + env. damage
## Selected major accidents & impact

<table>
<thead>
<tr>
<th>Location</th>
<th>Year</th>
<th>Fatalities</th>
<th>Cost (€)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Toulouse (France)</td>
<td>2001</td>
<td>29</td>
<td>&gt; 2.5 billion</td>
</tr>
<tr>
<td>Buncefield (United Kingdom)</td>
<td>2005</td>
<td>-</td>
<td>&gt; 1.1 billion</td>
</tr>
<tr>
<td>Deepwater Horizon (USA)</td>
<td>2010</td>
<td>11</td>
<td>&gt; 55 billion</td>
</tr>
<tr>
<td>Tianjin (China)</td>
<td>2015</td>
<td>173</td>
<td>&gt; 10 billion</td>
</tr>
</tbody>
</table>
Seveso III – Scope

• **Applies to:**
  - **Locations with dangerous substances present**
    - as of the quantities indicated in Annex I
    - Actual or anticipated presence

• **Excluded are:**
  - **Military**
  - **Ionising Radiation**
  - **Transport** (outside establ.)
  - **Mining** *
  - **Offshore**
    - Exploration of minerals
    - Exploration of hydrocarbons
    - Storage of gas
  - **Waste landfills** *

* Not excluded are on-site chemical or thermal processing and tailing management
Seveso III – The key pillars

Establish rules
- e.g. review legislation, share information

Limit risk
- e.g. identification, safety management, land-use planning

Learn lesson

Limit impact
- e.g. emergency plans, public participation

Use information
- e.g. reporting & data analysis -> lessons learnt

Prevent

Prepare

Respond
1st pillar: Prevention

Operator (general)
• All necessary measures to:
  • Prevent accidents
  • Limit consequences

Operator (specific)
• Notify establishments
• Major accident prevention policy
• Safety management system
• Safety report*

Authorities
• Land-use planning, incl.
  • Domino effects
  • Natural disasters
  • Inspections

* for upper tier establishments
# 2nd pillar: Preparedness

**Operator**
- Safety plan*
- Internal emergency plan*
- Train staff
- Consult staff*
- Inform public

**Authorities**
- External emergency plan
- Inform & involve public
- Inform neighbouring countries

**Public**
- Consultation and participation of public:
  - Planning
  - Modifications
  - Emergency plan
  - Access to justice & information

* for upper tier establishments
### 3rd & 4th pillar: Response & lessons

<table>
<thead>
<tr>
<th>Operator</th>
<th>Authorities</th>
<th>Commission</th>
</tr>
</thead>
<tbody>
<tr>
<td>• Provide information</td>
<td>• Activate emergency plan</td>
<td>• Analyse reported data</td>
</tr>
<tr>
<td>• Liability:</td>
<td>• Make information available to public</td>
<td>• Make reported data available</td>
</tr>
<tr>
<td>• Mitigate any effects</td>
<td>• Monitor mitigation</td>
<td>• Lessons learnt</td>
</tr>
<tr>
<td>• Prevent reoccurrence</td>
<td>• Report to Commission</td>
<td></td>
</tr>
</tbody>
</table>

- **Operator**
  - Provide information
  - Liability:
    - Mitigate any effects
  - Prevent reoccurrence

- **Authorities**
  - Activate emergency plan
  - Make information available to public
  - Monitor mitigation
  - Report to Commission

- **Commission**
  - Analyse reported data
  - Make reported data available
  - Lessons learnt
Seveso-III vs. TEIA

Seveso-III-Directive is stricter and more specific than TEIA

- Not only transboundary effects
- Applies as of lower thresholds
- Mandatory inspections
- More descriptive on all requirements
- Some aspects of TEIA are addressed in special legislation (e.g. GMO, mining, mutual assistance)

→ When deciding on how to implement TEIA: consider requirements of Seveso-III
Integrated policy making

- Maintaining relations with other policy areas
  - Avoiding double regulation & administrative burden
  - Increasing effectiveness
- Related policy areas are (examples):
  - Classification & labelling of chemicals
  - The Union's Civil Protection Mechanism
  - Protection of critical infrastructure and CBRN-E policy
  - Policy on environmental liability
  - Protection of the environment through criminal law
  - Safety of offshore oil and gas operations
  - ...
Summary

• *Major accidents have major impact*
  • Health, environment and economy

• *Continuous improvement cycle*
  • Prevention → Preparedness → Response → Lessons

• *No time for silo thinking*
  • Interactions with TEIA
  • Interactions with other legal areas
Thank you for your attention

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