

Industrial major-accidents: hazard control, dangerous substances

2001/0257(COD) - 20/02/2003 - Council position

As this proposal was never intended as a full-scale revision of the Seveso II Directive, but rather as a quick response to two, now amended to include a third, very specific accidents and some studies the Commission had undertaken on certain carcinogens and substances dangerous for the environment. The Council was therefore very keen to try to work towards a first reading agreement with the EP, with a view to having this legislation implemented as soon as possible to prevent future accidents or damage of this nature. Against this background and given the large number of amendments tabled at first reading to the Articles of Directive 96/82/EC which were not covered by the proposal, the Council has not been able to accept all of the EP amendments. The Council suggests that it would be advantageous to await the Commission's extensive review of the operation of the Directive which would give rise to a full revision of the terms of Directive before making further amendments to Directive 96/82/EC. The Council does not see merit in using this proposal as a vehicle to review the whole Directive without the proper studies having been undertaken and therefore hopes for close and constructive cooperation with the EP, with a view to reaching a quick second reading agreement. In its plenary vote on 3 July 2002, the EP adopted 47 amendment to the proposal (of which 8 related to the original Commission proposal). 21 of these have been incorporated either verbatim, in part or in spirit, into the Council's common position. The main issues are: - exemption of mining operations from this Directive. The Commission's amendment proposes that any chemical and thermal processing operations, plus storage related to it, which involves Annex I substances would not be exempt from the Directive, even if carried out in connection with mining. Tailings disposal facilities used in connection with such processing operations are also now covered by the Directive, however, offshore exploration and exploitation of minerals is not covered; - the Council introduced time limits providing a period of time for establishments falling under the scope of the Directive due to this amendment to comply with all the requirements of the Directive; - in relation to Part 2 of Annex I to the Directive the Commission's proposal for the alteration to the classification system for explosives was amended slightly to take account of other classification systems; - amendments to take account of the Toulouse accident were agreed, these create four classes of ammonium nitrate each having different thresholds and requirements, according to the danger involved in their storage; - following receipt of the EP's first reading many amendments relating to provision of information were also incorporated into the common position.