Control of major-accident hazards involving dangerous substances. Seveso II

1994/0014(SYN) - 16/06/1995 - Modified legislative proposal

The Commission's amended proposal takes account of a number of amendments adopted by the European Parliament. The main changes relate to the following points: - the disclosure or confidentiality of information, which echoes the principles set out in Directive 90/313/EEC on the freedom of access to information on the environment; - the definition of the terms "risk" and "hazard", which clearly indicates that the proposal covers damage to both man and the environment; - the definition of establishments, which include "handling areas"; - the major accident prevention policies adopted by operators, which should allow major accident risks to be evaluated and identified and should, where applicable, include simulation exercises to test emergency plans; - information identifying hazardous substances, which needs to be accurate; - the obligation to give advance notice of any subsequent change, including to the number of substances present; - the involvement of interested parties in the preparation of emergency plans (the public need not be involved); - the circumstances in which operators should be able to claim compensation, which have been clarified; - the links between regional planning policies and precautions taken within establishments to minimize the risk of major accidents, which have been clarified; - the need to examine the advisability of action at Community level in the area of the transport of dangerous substances by pipeline; - as regards derogations, the exclusion of nuclear installations from the scope of the directive as far as the hazards of ionizing radiation are concerned (the inclusion of military installations is not accepted); - the authorities responsible for drawing up external emergency plans and taking suitable decisions in the event of a major accident, which need to have been given suitable training. The main amendments rejected by the Commission relate to: the limit on the number of questions which can be dealt with under the committee procedure, the role of the European Environment Agency, the definition of "near misses" in the text of the directive, the description of the facts which need to be included in the notification of a major accident, the erection of safety borders, together with guarantees for people living in the vicinity of the establishments in question, third countries, technology transfers and responsibility in the event of an accident.