



The Industrial Accidents Convention and the Seveso II (III) Directive

UNECE Convention on the Transboundary Effects of Industrial Accidents

Assistance Programme





History

- Flixborough (1974) and Seveso (1976) accidents
 - Attention to safe design and operating
 - Seveso Directive 82/501/EEC ("Seveso I") of 24 June 1982 on the major-accident hazards of certain industrial activities (82/501/EEC)
- Bhopal, Mexico City (1984) and Basel (1982)
 - Attention to land use planning, safety management and public information and participation
 - 1992 Convention on the Transboundary Effects of Industrial Accidents
 - Directive 96/82/EC ("Seveso II") of 9 December 1996 on the control of major-accident hazards involving dangerous substances





History

- Baia Mare (2000) and Toulouse (2001)
 - Transboundary effects and establishments out of the scope of the Seveso II Directive
 - Directive 2003/105/EC of the European Parliament and of the Council of 16 December 2003
 - Ammendment of Annex I of the Convention
- Buncefield (2010)
 - Directive 2012/18/EU of the European Parliament and of the Council of 4 July 2012 on the control of major-accident hazards involving dangerous substances
 - Alignment of Annex I to GHS
 - Public access to safety information, participation in decision-making and access to justice
 - Stricter standards for inspections
 - Ammendment of the Convention





Chemical accident



Stages of the chemical accident management cycle



Both the Convention and the Seveso Directive are intended to cover the whole management cycle





The Industrial Accidents Convention and the Seveso II Directive

□ Goal

- The Convention - to protect human beings and the environment against industrial accidents by preventing such accidents as far as possible, by reducing their frequency and severity and by mitigating their effects.
- The Seveso Directive - Prevention of major accidents which involve dangerous substances, and the limitation of their consequences for man and the environment, with a view to ensuring high levels of protection in a consistent and effective manner





The Industrial Accidents Convention and the Seveso II Directive



Scope

The Convention does not apply to:

(a) Nuclear accidents or radiological emergencies;

(b) Accidents at military installations;

(c) Dam failures, with the exception of the effects of industrial accidents caused by such failures;

(d) Land-based transport accidents with the exception of:

(i) Emergency response to such accidents;

(ii) Transportation on the site of the hazardous activity;

(e) Accidental release of genetically modified organisms;

(f) Accidents caused by activities in the marine environment, including seabed exploration or exploitation;

(g) Spills of oil or other harmful substances at sea.





UNITED NATIONS
ECONOMIC COMMISSION
FOR EUROPE



The Industrial Accidents Convention and the Seveso II Directive

Scope

The Seveso II Directive does not apply for:

(a) military establishments, installations or storage facilities;

(b) hazards created by ionizing radiation;

(c) the transport of dangerous substances and intermediate temporary storage by road, rail, internal waterways, sea or air, outside the establishments covered by this Directive, including loading and unloading and transport to and from another means of transport at docks, wharves or marshalling yards;

(d) the transport of dangerous substances in pipelines, including pumping stations, outside establishments covered by this Directive;

(e) the exploitation (exploration, extraction and processing) of minerals in mines, quarries, or by means of boreholes, with the exception of chemical and thermal processing operations and storage related to those operations which involve dangerous substances, as defined in Annex I;

(f) the offshore exploration and exploitation of minerals, including hydrocarbons;

(g) waste land-fill sites, with the exception of operational tailings disposal facilities, including tailing ponds or dams, containing dangerous substances as defined in Annex I, in particular when used in connection with the chemical and thermal processing of minerals.



The Industrial Accidents Convention and the Seveso II Directive



□ Definitions

The Convention	The Seveso Directive
<p>“Operator” means any natural or legal person, including public authorities, in charge of an activity, e.g. supervising, planning to carry out or carrying out an activity;</p>	<p>‘operator’ shall mean any individual or corporate body who operates or holds an establishment or installation or, if provided for by national legislation, has been given decisive economic power in the technical operation thereof;</p>
<p>“Hazardous activity” means any activity in which one or more hazardous substances are present or may be present in quantities at or in excess of the threshold quantities listed in Annex I hereto, and which is capable of causing transboundary effects;</p>	<p>establishment’ shall mean the whole area under the control of an operator where dangerous substances are present in one or more installations, including common or related infrastructures or activities;</p>





The Industrial Accidents Convention and the Seveso II Directive



□ Definitions

The Convention	The Seveso Directive
<p>“Industrial accident” means an event resulting from an uncontrolled development in the course of any activity involving hazardous substances either:</p> <p>(i) In an installation, for example during manufacture, use, storage, handling, or disposal; or Convention on the Transboundary Effects of Industrial Accidents</p> <p>(ii) During transportation in so far as it is covered by paragraph 2 (d) of Article 2;</p>	<p>‘major accident’ shall mean an occurrence such as a major emission, fire, or explosion resulting from uncontrolled developments in the course of the operation of any establishment covered by this Directive, and leading to serious danger to human health and/or the environment, immediate or delayed, inside or outside the establishment, and involving one or more dangerous substances;</p>





The Industrial Accidents Convention and the Seveso II Directive



☐ Main Requirements - Prevention

The Convention	The Seveso Directive
<p>Appropriate measures for the prevention of industrial accidents, including measures to induce action by operators to reduce the risk of industrial accidents.</p>	<p>The operator is obliged to take all measures necessary to prevent major accidents and to limit their consequences for man and the environment.</p>
<p>The operator to demonstrate the safe performance of the hazardous activity by the provision of information such as basic details of the process, including but not limited to, analysis and evaluation as detailed in Annex V</p>	<p>The operator is required to prove to the competent authority, at any time, in particular for the purposes of the inspections and controls, that he has taken all the measures necessary.</p>





The Industrial Accidents Convention and the Seveso II Directive



Main Requirements - Prevention

- The scope of the prevention measures is different
- The Seveso II Directive places more stress on safety management
- The requirements in Annex IV and V of the Convention are more general compared to the requirements in Annex II and III of the Seveso II Directive





The Industrial Accidents Convention and the Seveso II Directive



□ Main Requirements - Preparedness

The Convention	The Seveso Directive
<p>Appropriate measures to establish and maintain adequate emergency preparedness to respond to industrial accidents.</p> <p>Preparation and implementation of on-site and off-site contingency plans, including suitable measures for response and other measures to prevent and minimize transboundary effects.</p>	<p>Internal and external emergency plans must be established with the objectives of:</p> <ul style="list-style-type: none">— containing and controlling incidents so as to minimize the effects, and to limit damage to man, the environment and property,— implementing the measures necessary to protect man and the environment from the effects of major accidents,— communicating the necessary information to the public and to the services or authorities concerned in the area,— providing for the restoration and clean-up of the environment following a major accident.





The Industrial Accidents Convention and the Seveso II Directive



- Main Requirements - Preparedness
 - Similar requirements
 - The Convention is more explicit on transboundary cooperation and stipulates compatibility of off-site contingency plans and joint off-site contingency plans





The Industrial Accidents Convention and the Seveso II Directive



□ Main Requirements - Response

The Convention	The Seveso Directive
<p>In the event of an industrial accident, or imminent threat thereof, adequate response measures are taken, as soon as possible and using the most efficient practices, to contain and minimize effects.</p> <p>In the event of an industrial accident, or imminent threat thereof, which causes or is capable of causing transboundary effects, the effects are assessed—where appropriate, jointly for the purpose of taking adequate response measures. The Parties concerned shall endeavour to coordinate their response measures.</p>	<p>emergency plans are put into effect without delay by the operator and, if necessary by the competent authority designated for this purpose:</p> <ul style="list-style-type: none">— when a major accident occurs, or— when an uncontrolled event occurs which by its nature could reasonably be expected to lead to a major accident.





The Industrial Accidents Convention and the Seveso II Directive



- Main Requirements - Preparedness
 - Similar requirements
 - The Convention is more explicit on transboundary cooperation and stipulates for coordinated response measures





Thank you for your attention!

Nikolay Savov

Assistance Programme Manager

Convention on Transboundary Effects of Industrial Accidents

UNECE, Geneva

Tel: +41 22 917 1980

email: nikolay.savov@unece.org

