



EUROPEAN COMMISSION  
DIRECTORATE-GENERAL  
ENVIRONMENT  
Zero Pollution  
Industrial Emissions & Safety

## European Commission statement Seminar in follow-up of the Beirut accident

I would like first to thank the Secretariat of the Convention on Transboundary Effect of Industrial Accident (TEIA) and to the Organisation for Economic Co-operation and Development (OECD) for this webinar and the opportunity given to the Commission to share its statement.

At the end of 2020, during the 11<sup>th</sup> Conference of the Parties (COP 11) to the TEIA Convention, the European Union and its Member States expressed their expectations following the accident in the port of Beirut. They indicated to the Secretariat and to the Bureau of the Convention that they considered worthwhile to have an exchange about the lessons learned from this accident.

The Commission is therefore very grateful for the organization of this webinar.

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### *Beirut and AN accidents*

As public authorities, citizens and professionals acting in the field of risk management, we have all been strongly concerned by the accident that occurred in the port of Beirut, given its significant human, social, environmental and economic consequences. We are aware that there is no “zero risk” but our respective actions on prevention of major industrial accidents and limitation of their impacts at the local, national and international levels are aimed at preventing such tragedies from occurring or reoccurring. The international cooperation and sharing of best practices and lessons learned is one of these important actions.

Following the accident in Toulouse, in France, in 2001 involving ammonium nitrate, the Commission, with the JRC, quickly organized a workshop to learn from

this accident. My colleague Maureen Wood presented this work to you. This led to adapting EU legislation on the prevention of industrial accidents involving hazardous chemicals, whose cornerstone is the Seveso Directive, to better take into account the risks associated with ammonium nitrate among other hazardous substances and to avoid another such accident.

### *Last developments under EU legislation on industrial accidents*

More recently, the Seveso-III Directive (2012/18/EU) came into force on 1<sup>st</sup> June 2015. This is currently the latest generation of the Seveso laws, which aim at industrial accident prevention and the limitation of their consequences.

### *Seveso-III main provisions and results*

The main provisions set out in this Seveso-III Directive, which also apply to industrial plants where ammonium nitrate is present in certain quantities, are the following:

- operators must notify to the competent authority the industrial plants, develop a major accidents policy and implement a safety management system;
- If higher thresholds are exceeded (upper-tier establishments), operators must also elaborate a safety report and an internal emergency plan; and the competent authority must develop an external emergency plan.
- In all cases, Member States have duties regarding land-use planning and the conduct of inspections. They shall set up risk-based inspection plans covering all establishments, carry out frequent inspections and keep the public informed. In case of serious deficiencies, Member States action is required to suspend if needed the concerned activities.

Overall, the EU Seveso legislation has been successful in reducing the risks and consequences of major accidents involving hazardous substances. Their frequency reached a low level, around 25 major accident per year, over the 12 000 industrial plants covered by the Seveso-III Directive.

### *Seveso-III enforcement*

Finally, regarding the enforcement of these provisions, the Commission, as guardian of the EU Treaties, is responsible for monitoring whether EU laws are applied correctly and on time. The Commission makes sure that EU rules are correctly transposed at national level; and takes action in cases giving rise to any

issue indicating the existence of a general unlawful practice or a systemic failure to comply with EU law.

In addition, The Commission regularly evaluates the implementation by Member States of EU legislation, such as the Seveso-III Directive, whose last report on the implementation and efficient functioning has been delivered in September 2021<sup>1</sup>.

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Besides, the Commission is satisfied to note that the Seveso-III Directive is widely considered as a benchmark for industrial accident policy and that its standards are considered in legislation in many countries worldwide.

It is also pleased to note the pro-active role of the EU and its member states in the TEIA Convention implementation, which is a key instrument to promote cross-border cooperation.

Finally, as it is proving today, the Convention is also a noteworthy partner regarding the sharing of good practices and lessons learned on industrial accident prevention. The Commission is then pleased to see the large participation in this seminar and has no doubt about its success. It will allow us to improve the management of the risks associated with the storage, handling and transport of ammonium nitrate, to prevent such accidents and to mitigate their consequences.

Thank you very much.

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<sup>1</sup> [https://ec.europa.eu/environment/pdf/industrial-accidents/seveso\\_implementation\\_report.pdf](https://ec.europa.eu/environment/pdf/industrial-accidents/seveso_implementation_report.pdf)