

Conference on EU and world-wide rules for classification, labelling and packaging of chemicals Brussels, 17 June 2009

The CLP Regulation and future implementation for downstream legislation

State of play under **Seveso**

EUROPA > European Commission > Environment

DG ENVIRONMENT

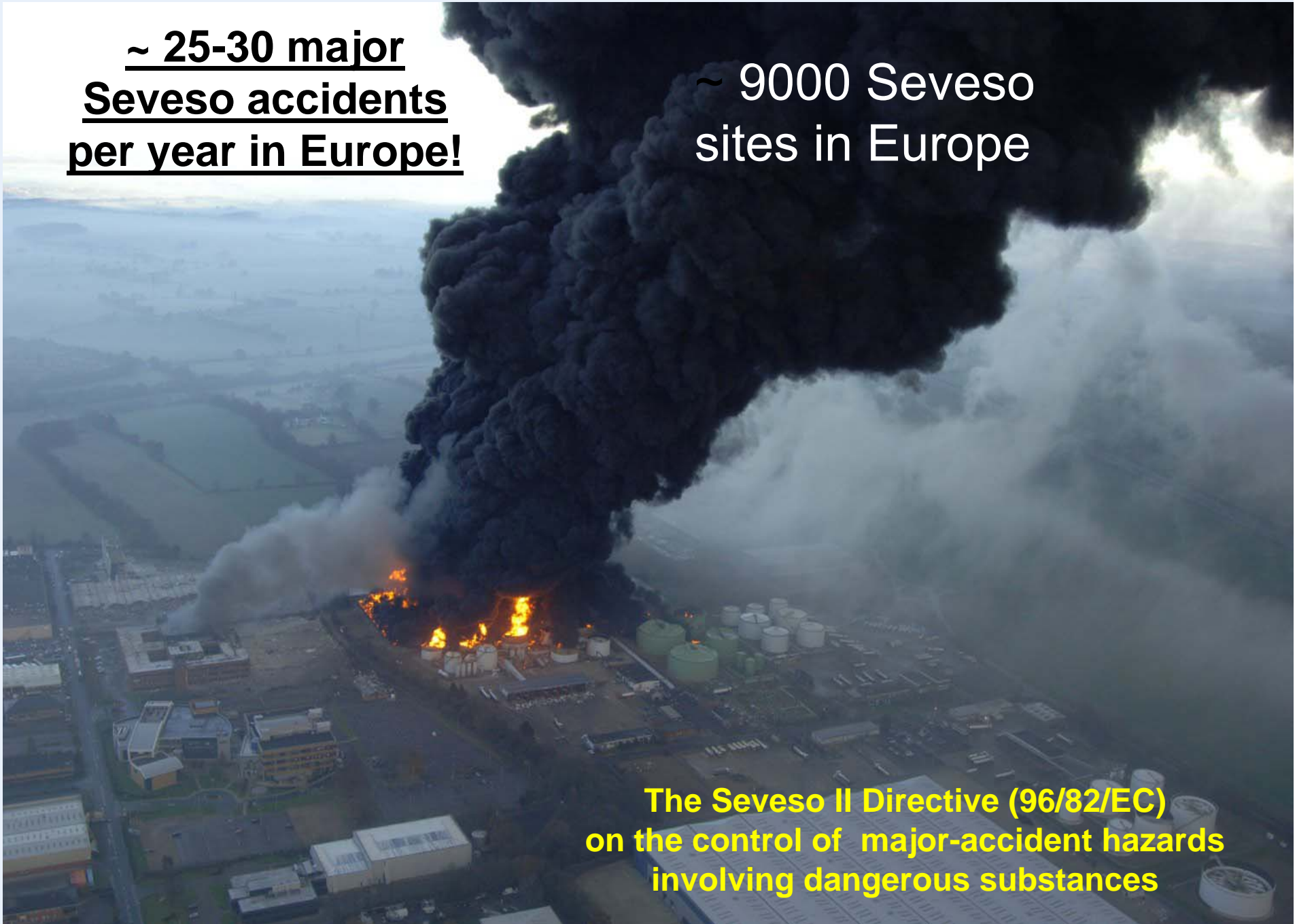
CIVIL PROTECTION

Chemical Accidents - Seveso

**~ 25-30 major
Seveso accidents
per year in Europe!**

**~ 9000 Seveso
sites in Europe**

**The Seveso II Directive (96/82/EC)
on the control of major-accident hazards
involving dangerous substances**



Philosophy of Seveso II Directive

INSPECTIONS



Accident Reporting and Lessons Learnt

Seveso scope:

- Criteria: Hazard: Quantity of dangerous substances present
- Seveso Annex I: 10 categories, classification according to DSD 67/548/EC and DPD 1999/45/EC; & named substances
- Two thresholds: examples: toxic 50/200t, extremely flammable 10/50t
- ~ 5000 lower + ~ 4000 upper tier establishments storing dangerous substances
- Mainly chemical and petrochemical industry, storage, big industrial production and energy installations, but: 2/3 of lower tier are SMEs, 1/4 have < 10 employees

Seveso and GHS - The Major Hazard Potential of the Seveso Directive

SEVESO Major Hazard Potential

Approximated in Annex I

via classification

GHS

EU Dangerous Substances and Preparations Directives
(DSD 67/548/EEC, DPD 1999/45/EC)

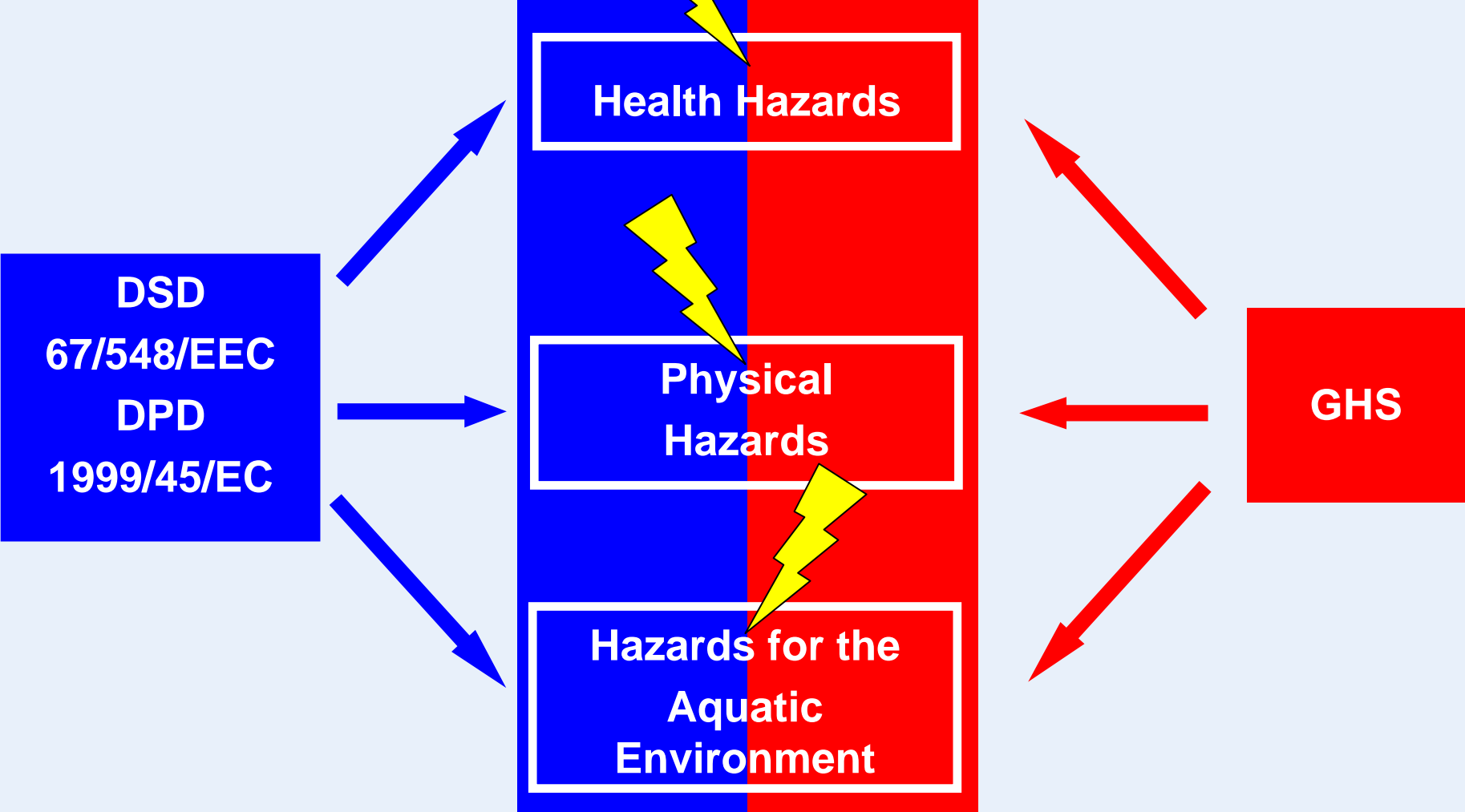
Physical Hazards

Health Hazards

Hazards for the Aquatic Environment

Seveso and GHS - Interface of Classification Systems

Systems are not identical !!!



Seveso excluded in the CLP Regulation

As a result of a downstream legislation study^[1], the Commission concluded in its proposal^[2] for this Regulation that for the Seveso II Directive necessary measures would have to be introduced **in a separate amendment.**

[1]

http://ec.europa.eu/enterprise/reach/docs/ghs/ghs_sc_study_final_and_addendum_101207_en.pdf

[2]

COM(2007) 355 final, p.4, Coherence with other policies

Technical Working Group Seveso and GHS

- Information exchange since 2005
- Research in Member States
- Seveso Committee (CCA) January 2006: GHS Seminar, decision to establish a Working Group
- First Meeting May 2006 in Brussels
- **June 2007: Commission Proposal GHS Regulation**
- Sept. 2007 1. Informal GHS Research Meeting UK
- October 2007: Seveso Committee Meeting: Start of technical work, Terms of Reference for the Group
- Nov. 2007 2. Informal GHS Meeting Sweden
 - UK/NL/DE on health hazards
 - SE/FR/DE on physical hazards

TWG Seveso and GHS - Status

- **Technical Working Group, Activities**

TWG meetings

1. February 2008
2. June 2008
3. November 2008
4. March 2009
5. 4-5 June 2009

~ 35 Members

$\frac{3}{4}$ Member States

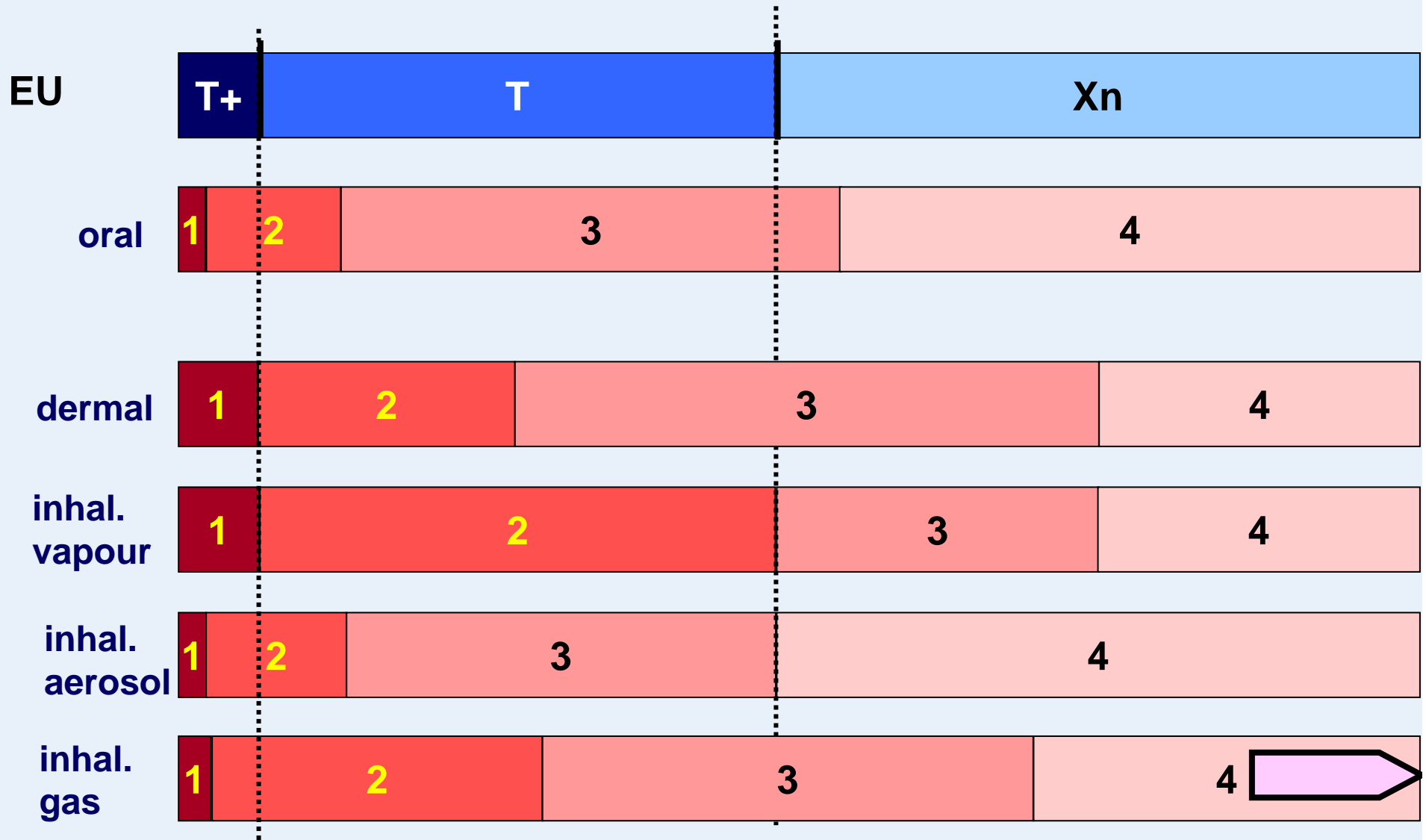
$\frac{1}{4}$ Industry, stakeholders

◀ **CLP Regulation 1272/2008/EC**

TWG Seveso and GHS - Status

- Agreement on new GHS categories for nearly all physical hazards and environmental hazards
- Some new hazards classes like flammable aerosols or pyrophoric solids still under investigation
- Discussion about health hazards:
4 possible options

Comparison toxic properties



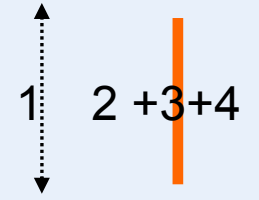
Health Hazards, 4 Options

- All options are very close to the current Seveso scope
- All between a "simple" alignment ($T^+ = T1, T=T2$) and a precautionary alignment option ($T^+ = T1/T2, T = T2/T3$)
- All have in common that T^+ should be equal to $T1$, compensation via a few more named substances.
- Three options differentiate between intake routes
- Two of the proposed options include a decision process (screening tool; decision tree) that could be implemented in various different ways
- Option 1: UK proposal, simple alignment plus screening tool
- Option 2: DE proposal
- Option 3: NL/CZ proposal
- Option 4: CEFIC proposal with a decision tree approach

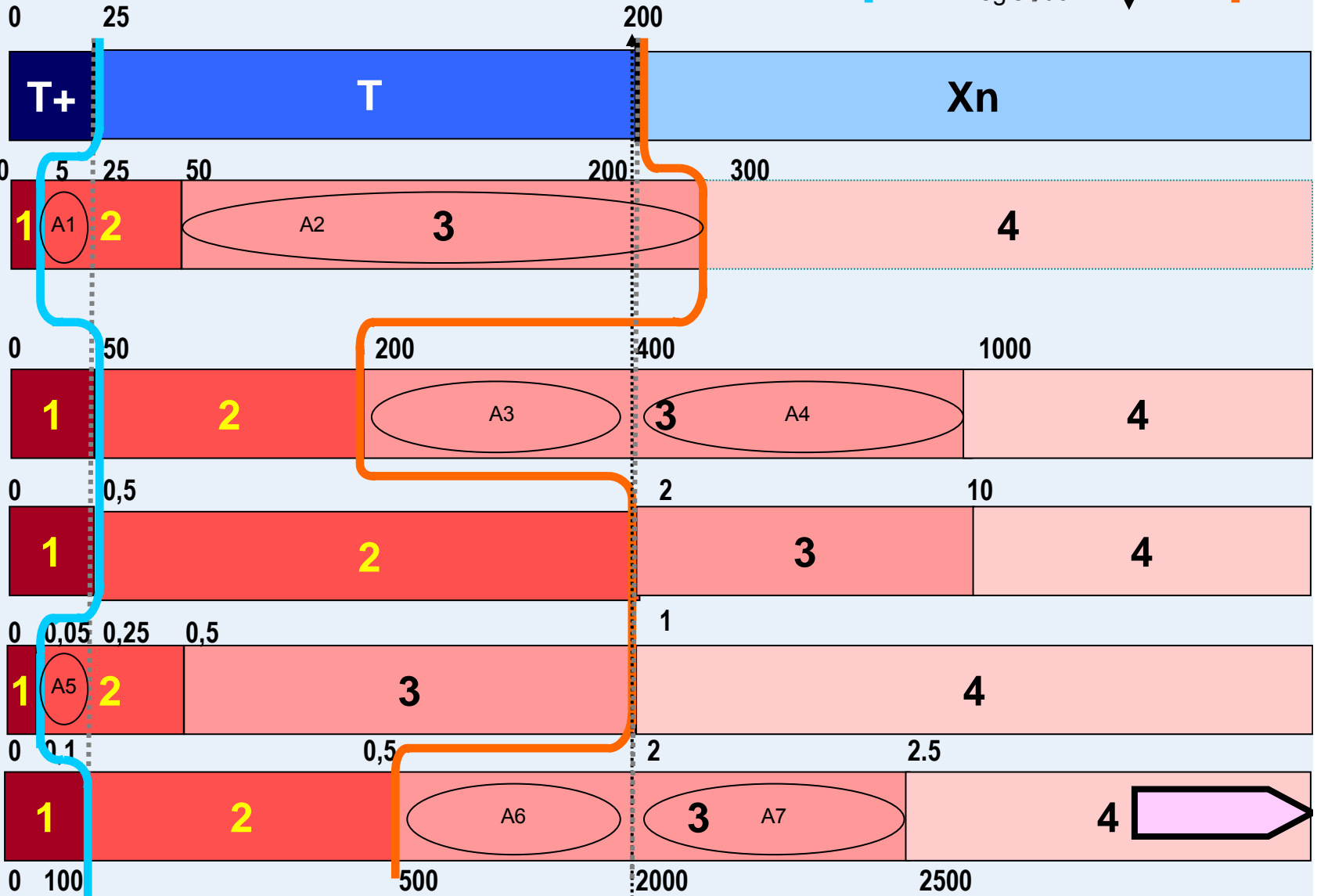
Comparison toxic properties

1+2 +3+4
for T+

comparing
line to old
legislation



EU



Impact Assessment 1

Necessary where old categories in Seveso not fully match the new GHS categories; Procedure:

- Develop options considering the hazard potential of substances
- Estimate the likely impact of these options
 - substances concerned (difficult for substances currently not in the scope; minimum classification – correct classification?)
 - are these substances relevant in industry
 - are they used in higher quantities
 - number of establishments possibly covered (in/out)

Impact Assessment 2

- Commission: contract for an Impact Assessment study into possible options
- Cooperation with the TWG
- Analysis of the technical work and of possible options
- Impact Assessment of options

Time Schedule

- Summer 2009: Technical Work to be finalized
- Autumn 2009: External Impact Assessment Study, economic impact, final report
- Winter 2009/2010 Options Annex I ready for Commission Proposal, Stakeholder Consultation
- Commission Proposal in 2010
- More information on:
 - <http://ec.europa.eu/environment/seveso/index.htm>
 - <http://mahbsrv.jrc.it/SevesoGHS/index.htm>

Thank you for your attention!