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EUROPEAN COMMISSION DIRECTORATE-GENERAL ENVIRONMENT Directorate C - Sustainable Resources Management, Industry & Air

Directorate C - Sustainable Resources Management, Industry & Air ENV.C.3 - Industrial Emissions, Air Quality & Noise

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MAIN ELEMENTS OF THE ASSESSMENT METHODOLOGY

The following conclusions were reached at the ad hoc expert meeting to discuss options for developing an assessment methodology under Article 4 of Directive 2012/18/EU, held on 1/2/2013 in Brussels.

1. General approach and main elements

a) The methodology will provide a general framework rather than prescribe one single detailed methodology. It will provide guidance for both Member States to establish/assess the justification of cases notified by industry, and for the EC to assess these notifications. The development of such a framework does not require studying potential test cases.

b) Procedural aspects of the assessment methodology

- Notifications emanating from Member States, who should ensure stakeholder involvement at the preparatory stage, will be the trigger for the assessment by the Commission.
- A group of technical experts from the Member States will be consulted by the Commission.

c) Technical aspects of the assessment methodology

- The main focus will be on the inherent properties of the substance at stake: physical, chemical and (physical, health and environmental) hazard properties, in particular those related to the dispersive behaviour in a major accident scenario, such as molecular mass and saturated vapour pressure; classification; physical form; concentration; substance-specific operating conditions.
- Considering that a potential derogation should be EU wide, it is highly unlikely that it would be possible to demonstrate that an accident could not happen at all. The potential consequences of an accident will be evaluated to assess whether the accident could be considered "major" in the sense of the Directive.
- An initial screening would allow to eliminate those cases for which it is obvious that a major accident could happen.

- For all other cases, consequence assessment models (national or provided by the Commission) will be used by the Member States when preparing notifications.
- The aquatic toxicity of a substance is an indicator of its overall environmental impact.
- 2. Issues requiring further detailed discussion

a) Interpretation/guidance on:

- The definition of "major accident" in Article 3 is broad and requires further guidance. The notification criteria of Annex VI can be useful in identifying a subset of "major accidents".

- The role of "packing and containment" which should be taken into account, "where appropriate", in relation to the criterion related to the physical form of the dangerous substance under normal processing or handling conditions or in an unplanned loss of containment.

- The "normal and abnormal conditions that can be reasonably foreseen", insofar as these may influence the consequences of a potential accident.

- b) Identification of the various elements or conditions to be considered in the consequence assessment models, possibly including substance related properties, storage conditions, potential worst case accident scenarios and meteorological conditions and the parameters applicable to each condition (type of containment/storage/amount/level of concentration/wind speed etc.).
- c) Identification of existing guidance or research on environmental impacts of major accidents including existing assessment models.
- 3. Next steps

The Commission will seek to develop guidance in the assessment methodology on the practical use of the notions of "major accident", "packing and containment", "normal and abnormal conditions that can be reasonably foreseen".

The Commission will carry out further research on possible environmental impacts of major accidents.

The Commission will start drafting the framework assessment methodology on the basis of the above conclusions and further research, involving Member State experts where appropriate.