

II

(Acts adopted under the EC Treaty/Euratom Treaty whose publication is not obligatory)

DECISIONS

COMMISSION

COMMISSION DECISION

of 2 December 2008

establishing a major accident report form pursuant to Council Directive 96/82/EC on the control of major-accident hazards involving dangerous substances

(notified under document number C(2008) 7530)

(Text with EEA relevance)

(2009/10/EC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Directive 96/82/EC of 9 December 1996 on the control of major-accident hazards involving dangerous substances ⁽¹⁾, and in particular Article 15(2) thereof,

After consulting the Committee established by Article 22 of the Directive,

Whereas:

- (1) Article 14 of Directive 96/82/EC requires the Member States to ensure that, as soon as practicable following a major accident, the operator shall be required to inform the competent authorities. Article 15(1) of the Directive requires the Member States to inform the Commission as soon as practicable of major accidents within their territory meeting the criteria of Annex VI to the Directive. Article 15(2) of the Directive provides that the Member States shall, as soon as the information pursuant to Article 14 has been collected, inform the Commission of their analysis of the accident and recommendations on future preventive measures.

- (2) The information required pursuant to Article 15(2) has to be provided using a report form established and kept under review in accordance with the procedure referred to in Article 22 of the Directive.

- (3) The measures envisaged in this Decision are in accordance with the opinion of the Committee established by Article 22 of the Directive,

HAS ADOPTED THIS DECISION:

Article 1

For the purposes of Article 15(2) of Directive 96/82/EC on the control of major-accident hazards involving dangerous substances, the major accident report form set out in the Annex to this Decision is hereby adopted.

Article 2

With effect from 1 December 2008, the Member States shall provide reports containing information in accordance with the Annex, using the register and information system pursuant to Article 19(2) of Directive 96/82/EC.

⁽¹⁾ OJ L 10, 14.1.1997, p. 13.

Article 3

The definitive application of the major accident report form set out in the Annex shall be preceded by a test phase of 5 months, starting on 1 December 2008.

Article 4

If the test phase shows the necessity to amend the major accident report form set out in the Annex, the present Decision shall be amended in accordance with the procedure laid down in Article 22 of the Directive.

Article 5

Confidential information shall be handled in accordance with Commission Decision 2001/844/EC, ECSC, Euratom of 29 November 2001 amending its internal rules of procedures ⁽¹⁾.

Article 6

Member States' reports shall only contain the information available to the competent authorities.

Article 7

This Decision is addressed to the Member States.

Done at Brussels, 2 December 2008.

For the Commission

Stavros DIMAS

Member of the Commission

⁽¹⁾ OJ L 317, 3.12.2001, p. 1.

ANNEX

Information to be provided in accordance with Article 15(2) of Directive 96/82/EC

(Where reference is made to the register and information system, this is the Commission's Major Accident Reporting System electronic database, available at <http://mahbsrv.jrc.it>)

I. ACCIDENT PROFILE**1 ACCIDENT PROFILE**

Information on the place, date and time of the major accident, the name and type of the establishment and information on the reporting authority

1.1 Date/time of major occurrence

Start date:

Start time:

Finish date:

Finish time:

1.2 Accident title

A simple sentence explaining what happened or why the accident is being reported

1.3 Reporting authority (confidential (*))

Name and address:

1.4 Authority contact (confidential (*))

Name:

Telephone:

Fax:

E-mail:

1.5 Accident type

Selected from:

 major accident near miss other event**1.6 Reported under**

Selected from:

 EU Seveso I Directive EU Seveso II Directive OECD UN-ECE EU Seveso II Directive and OECD EU Seveso II Directive + UN-ECE

1.7 Seveso status

Selected from:

- Art. 6 (Notification) and Art. 7 (MAPP)
- Art. 9 (Safety Report)
- Not known/not applicable

1.8 Industrial activity

Information about the industrial activity of the plant, selected from a pre-defined list on the database.

1.9 Plant information (confidential (*))

Name:

Address:

1.10 Reasons for reporting

Selected from:

- substances involved: greater than 5 % of quantity in Column 3 of Annex I
- injury to persons: ≥ 1 fatalities, ≥ 6 hospitalising injuries, etc.
- immediate damage to the environment (according to Annex VI)
- damage to property: on-site \geq EUR 2 M, off-site \geq EUR 0,5 M
- cross-border damage: transboundary accidents
- interesting for lessons' learning

1.11 Affected neighbouring countries

Names of the neighbouring countries affected, if any, selected from a pre-defined list on the database.

II. ACCIDENT REPORT

1 ACCIDENT DESCRIPTION

A clear and detailed description of the accident clarifying the type of accident, e.g. release, fire, explosion, etc. and illustrating the circumstances leading up to it, including general information such as the time of day, the weather, etc. and any other relevant information. Information about what people were doing (operations being carried out) and where they were in relation to the accident should also be provided.

1.1 Description (free text)**1.2 Accidents involving**

Selected from:

- domino effects
- natech events
- transboundary effects
- contractors

1.3 Did the accident involve a release?

- Yes (if yes, information in section 1.3.1 should be provided)
- No (please go to 1.4)

1.3.1 Major occurrences/initiating events

Information about the type of release, distinguishing between main occurrences and initiating events, selected from:

- gas/vapour/mist/etc. release to air
- fluid release to ground
- fluid release to water
- solid release to air
- solid release to ground
- solid release to water
- not known/not applicable

1.4 Did the accident involve a fire?

- Yes (if yes, information in section 1.4.1 should be provided)
- No (please go to 1.5)

1.4.1 Major occurrences/initiating events

Information about the type of fire involved, distinguishing between main occurrences and initiating events, selected from:

- conflagration (a general engulfment fire)
- pool fire (burning pool of liquid, contained or uncontained)
- jet flame (burning jet of fluid from orifice)
- flash fire (burning vapour cloud, subsonic flame front)
- fireball (burning mass rising in air, often after BLEVE)
- not known/not applicable

- 1.5 Did the accident involve an explosion?
- Yes (if yes, information in section 1.5.1 should be provided)
- No (please go to 1.6)

- 1.5.1 Major occurrences/initiating events
- Information about the type of explosion involved, distinguishing between main occurrences and initiating events, selected from:
- pressure burst (rupture of pressure system)
- BLEVE (boiling liquid expanding vapour explosion)
- rapid phase-transition explosion (rapid change of state)
- runaway reaction explosion (usually exothermic)
- dust explosion
- explosive decomposition (of unstable material)
- VCE (vapour cloud explosion; supersonic wave front)
- not known/not applicable

- 1.6 Did the accident involve transport?
- Yes (if yes, information in 1.6.1 should be provided)
- No (please go to 1.7)

- 1.6.1 Major occurrences/initiating events
- Information about the type of transport involved, distinguishing between main occurrences and initiating events, selected from:
- road
- rail
- water (sea, river, etc.)
- air

- 1.7 Details if other type of accident not covered above (free text)

2 SITE AND INSTALLATION DESCRIPTION

Information about the area where the accident occurred.

- 2.1 Site description
- A general description of the industrial activities taking place on the site

- 2.2 Installation/unit description
- More specific information about the installation involved, including some detail of the system(s) or component(s)

- 2.3 Did the accident involve storage?
- Yes (if yes, information in sections 2.3.1 and 2.3.2 should be provided)
- No (please go to 2.4)

- 2.3.1 Major occurrences/initiating events
- Information about the type of storage, distinguishing between main occurrences and initiating events, selected from:
- distribution associated (not on site of manufacture)
 - process associated (stockholding, etc., on site of manufacture)
- 2.3.2 Equipment type
- Information about the type of equipment that failed, selected from:
- container; non-pressurised (hopper, tank, drum, bag, etc.)
 - container; pressurised (bullet, sphere, cylinder, etc.)
 - container; non-ambient temperature (refrigerated or heated)
 - free placement (unconfined pile, stack, etc.; if bagged or in cylinders, ...)
 - other
- 2.4 Did the accident involve process?
- Yes (if yes, information in sections 2.4.1 and 2.4.2 should be provided)
 - No (please go to 2.5)
- 2.4.1 Major occurrences/initiating events
- Information about the type of process, distinguishing between main occurrences and initiating events, selected from:
- chemical batch reaction
 - chemical continuous reaction
 - electrochemical operation
 - physical operations (mixing, melting crystallising, etc.)
 - power generation (burning fuel, etc.)
 - treating/use for treatment (stencing, preserving, etc.)
 - disposal activities (incinerating, burying, etc.)
 - heat exchanger (boiler, refrigerator, heating coils, etc.)
 - other
- 2.4.2 Equipment type
- Information about the type of equipment that failed, selected from:
- reaction vessel; non-pressurised
 - reaction vessel; pressurised
 - other
- 2.5 Did the accident involve transfer?
- Yes (if yes, information in sections 2.5.1 and 2.5.2 should be provided)
 - No (please go to 2.6)

- 2.5.1 Major occurrences/initiating events
- Information about the type of transfer, distinguishing between main occurrences and initiating events, selected from:
- loading/unloading activities (transfer interfaces)
 - mechanical transfer (conveyors, etc.)
 - pipeline/pipework transfer
 - vehicular transport
 - other
- 2.5.2 Equipment type
- Information about the type of equipment that failed, selected from:
- valves/controls/monitoring devices/drain cocks
 - general pipework/flanges
 - power source (engine, compressor, etc.)
 - other transfer equipment/apparatus/vehicle
 - other
- 2.6 Did the accident involve transport?
- Yes (if yes, information in sections 2.6.1 and 2.6.2 should be provided)
 - No (please go to 2.7)
- 2.6.1 Major occurrences/initiating events
- Information about the type of transport, distinguishing between main occurrences and initiating events, selected from:
- packaging (bagging, cylinder filling, drum filling, etc.)
 - other
- 2.6.2 Equipment type
- Information about the type of equipment that failed, selected from:
- machinery/equipment (pump, filter, column separator, mixer, etc.)
 - power source (engine, compressor, etc.)
 - other
- 2.7 Details if other type of equipment not covered above (free text)
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3 SUBSTANCES INVOLVED

A description of the substances involved in the accident that are either notified or notifiable for the establishment under Article 6 and classified according to Annex I to the Directive. As well as the name, the CAS number and estimates of the quantities of the most important dangerous substances involved (or potentially involved), any relevant information on their characteristics should be included, e.g. whether liquid, powder, etc., and whether they are 'raw materials', 'on-site intermediates', 'normal finished products' or 'possible abnormal products'.

3.1 Description

Information about the substances involved and their characteristics

3.2 Substance classification

Identification of the classification of the substance(s) selected from a pre-defined list on the database based on Annex I, Part 2 to the Directive.

3.3 CAS number

3.4 Quantity directly involved (tonnes)

3.5 Quantity potentially involved (tonnes)

4 CAUSES OF THE ACCIDENT

A detailed description of the nature of the failure (human, technical, etc.), subtype of error, intervention, malfunction, etc., together with an indication of how certain the identification of the causes is (preliminary analysis, root cause analysis, etc.). There should also clearly be a distinction made between immediate and underlying causes of an accident.

4.1 Description (free text)

4.2 Did the cause involve plant or equipment failure?

- Yes (if yes, information in section 4.2.1 should be provided)
- No (please go to 4.3)

4.2.1 Causative factor

Information about the type of plant or equipment failure involved, selected from:

- vessel/container/containment-equipment failure
- component/machinery failure/malfunction
- loss of process control
- corrosion/fatigue
- instrument/control/monitoring-device failure
- runaway reaction
- unexpected reaction/phase-transition
- blockage
- electrostatic accumulation
- other

- 4.3 Did the cause involve human error?
- Yes (if yes, information in section 4.3.1 should be provided)
 - No (please go to 4.4)
- 4.3.1 Causative factor
- Information about the type of human error involved, selected from:
- operator error
 - operator health (includes ailments, intoxication, death, etc.)
 - wilful disobedience/failure to carry out duties
 - malicious intervention
 - other
- 4.4 Did the cause involve organisational failure?
- Yes (if yes, information in section 4.4.1 should be provided)
 - No (please go to 4.5)
- 4.4.1 Causative factor
- Information about the type of organisational failure involved, selected from:
- management organisation inadequate
 - management attitude problem
 - organised procedures
 - training/instruction
 - supervision
 - staffing
 - process analysis
 - design of plant/equipment/system
 - user-unfriendliness (apparatus, system, etc.)
 - manufacture/construction
 - installation
 - isolation of equipment/system
 - maintenance/repair
 - testing/inspecting/recording
 - other
- 4.5 Did the cause involve external factors/failures?
- Yes (if yes, information in section 4.5.1 should be provided)
 - No (please go to 4.6)
- 4.5.1 Causative factor
- Information about the type of external factors/failure involved, selected from:
- natural event (weather, temperature, earthquake, etc.)
 - domino-effect from other accident
 - transport accident
 - struck by object
 - utilities failure (electricity, gas, water, steam, air, etc.)
 - establishment safeguarding/security deficiency

4.6 Details if other type of cause not covered above (free text)

5 CONSEQUENCES

A detailed description of the consequences of the accident, including as much quantitative information as possible (X number of persons injured, Y % of local flora destroyed, Z km of river polluted, etc.). A clear distinction should be made between on-site and off-site effects.

5.1 Description (free text)

5.2 Did the accident involve harm to humans?

Yes (if yes, information in sections 5.2.1, 5.2.2 and 5.2.3 should be provided)

No (please go to 5.3)

5.2.1 On-site/off-site

Information about where the effects were, selected from:

on-site

off-site

5.2.2 Human

Information about type of harm to humans, selected from:

at risk

fatalities

injuries

other

5.2.3 Quantity/effect for each selected human consequence (free text)

5.3 Did the accident involve harm to the environment?

Yes (if yes, information in sections 5.3.1, 5.3.2 and 5.3.3 should be provided)

No (please go to 5.4)

5.3.1 On-site/off-site

Information about where the effects were, selected from:

on-site

off-site

5.3.2 Environmental

Information about the type of environmental consequences, selected from:

- inland: urban development
- inland: rural development
- inland: parkland/commonland
- inland: grassland/pasture/meadow
- inland: arable land/crops/vineyards/orchards
- inland: woodland; predominantly or totally plantation
- inland: woodland; predominantly or totally natural
- inland: moor/heathland/upland vegetation
- inland: marsh/reedbeds
- freshwater: freshwater reservoir
- freshwater: pond/lake
- freshwater: stream/tributary
- freshwater: river
- shore: salt-marsh/mud-flats
- shore: sand/dunes/dune slacks
- shore: shingle beach
- shore: rocky shore
- offshore: saline lagoon
- offshore: estuary
- offshore: sea/seabed
- other

5.3.3 Quantity/effect for each selected environmental consequence (free text)

5.4 Did the accident involve material loss or damage to the plant?

- Yes (if yes, information in sections 5.4.1, 5.4.2 and 5.4.3 should be provided)
- No (please go to 5.5)

5.4.1 On-site/off-site

Information about where the effects were, selected from:

- on-site (establishment losses)
- off-site (social costs)

5.4.2 Cost

Information about the type of cost consequences selected from:

- material losses
- response, clean-up, restoration costs
- other

5.4.3 Quantity/effect for each selected cost consequence (free text)

5.5 Did the accident involve community disruption?

- Yes (if yes, information in sections 5.5.1, 5.5.2 and 5.5.3 should be provided)
- No (please go to 6)

5.5.1 On-site/off-site

Information about where the effects were, selected from:

- on-site
- off-site

5.5.2 Disruption

Information about the type of facilities affected, selected from:

- nearby residences, hotels
- nearby factories, offices, small shops
- schools, hospitals, institutions
- other places of public assembly
- utilities (gas, water, electricity, etc.)
- infrastructure (telecommunication, roads, railways, waterways, air transport, etc.)
- other

5.5.3 Quantity/effect for each selected disruption consequence (free text)

6 EMERGENCY RESPONSE

A description of the measures taken in response to the accident with regard to: on-site systems, external services, sheltering, evacuation, contamination, restoration and other. Details on the extent, duration, exact type of measures taken or envisaged, as well as on their effectiveness should be included. A clear distinction should be made between on-site and off-site measures. In particular, where available, the following information should be provided: numbers and types of rescuers involved and whether these were appropriate to the circumstances; and details of any health or environmental monitoring or special restoration/clean-up needed/carried out. Any safety systems that existed in the plant and did not prevent the accident from occurring should be described in section 4 (Causes of the accident).

6.1 Description (free text)

6.2.1 Emergency response measures

Information about the type of measure, selected from:

- on-site systems
- off-site external services
- sheltering
- evacuation
- other

6.2.2 Quantity/effect for each of the selected emergency response measures (free text)

6.3.1 Remedial measures

Information about the type of measure, selected from:

- decontamination
- restoration
- other

6.3.2 Quantity/effect for each of the selected remedial measures (free text)

7 LESSONS LEARNED

A description of any practical, organisational or other lessons learned on the prevention of the accident or the mitigation of the consequences. Detailed information on the exact nature of the lessons learned, and whether any of them were already implemented or are going to be implemented in the future should be provided.

7.1 Theme of the lessons learned

Information about the type of theme, selected from:

- causes — plant/equipment
- causes — human
- causes — organisational
- causes — external
- emergency response
- other

7.2 Description (free text)

8 ATTACHMENT SECTION

This section is reserved for attaching documents: reports, pictures/photos, maps, etc. in order to provide more information that can be made publicly available and would help to explain what happened in the accident.

Attach files: including file name, size and description.

8.1 File description (free text)

9 CONFIDENTIAL (*) SECTION

This section is for confidential reports and other information that should not be made publicly available, in accordance with Article 20 of the Seveso II Directive (on confidential information) and with Directive 2003/4/EC on public access to environmental information.

Includes file attachment: file name, size and description.

9.1 Description (free text)

9.2 File description (free text)

(*) Justification for this classification shall be provided.
