

## ANNEX I

### Major-accident prevention policy and information to be communicated to the public concerned

#### 1. Major-accident prevention policy

The operator's major-accident prevention policy and safety management system should be proportionate to the major-accident hazards presented by the waste facility. For the purpose of implementing them, account shall be taken of the following elements:

- (1) the major-accident prevention policy should include the operator's overall aims and principles of action with respect to the control of major-accident hazards;
- (2) the safety management system should include the part of the general management system which includes the organisational structure, responsibilities, practices, procedures, processes and resources for determining and implementing the major-accident prevention policy;
- (3) the following issues shall be addressed by the safety management system:
  - (a) organisation and personnel — the roles and responsibilities of personnel involved in the management of major hazards at all levels in the organisation; identification of training needs of such personnel and the provision of the training so identified; and involvement of employees and, where appropriate, subcontractors;
  - (b) identification and evaluation of major hazards — adoption and implementation of procedures for systematically identifying major hazards arising from normal and abnormal operations and assessment of their likelihood and severity;
  - (c) operational control — adoption and implementation of procedures and instructions for safe operation, including maintenance of plant, processes, equipment and temporary stoppages;
  - (d) management of change — adoption and implementation of procedures for planning modifications to, or the design of, new waste facilities;
  - (e) planning for emergencies — adoption and implementation of procedures to identify foreseeable emergencies by systematic analysis and to prepare, test and review emergency plans to respond to such emergencies;
  - (f) monitoring performance — adoption and implementation of procedures for the ongoing assessment of compliance with the objectives set by the operator's major-accident prevention policy and safety management system, and the mechanisms for investigation and taking corrective action in case of non-compliance. The procedures should cover the operator's system for reporting major accidents or near misses, particularly those involving failure of protective measures, and their investigation and follow-up on the basis of lessons learnt;
  - (g) audit and review — adoption and implementation of procedures for periodic systematic assessment of the major-accident prevention policy and the effectiveness and suitability of the safety management system; the documented review of performance of the policy and safety management system and its updating by senior management.

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2. Information to be communicated to the public concerned
  - (1) Name of operator and address of the waste facility.
  - (2) Identification, by position held, of the person providing the information.
  - (3) Confirmation that the waste facility is subject to the regulations and/or administrative provisions implementing this Directive and, when applicable, that the information relevant to the elements referred to in Article 6(2) has been submitted to the competent authority.
  - (4) An explanation in clear and simple terms of the activity or activities undertaken at the site.
  - (5) The common names or the generic names or the general danger classification of the substances and preparations involved at the waste facility as well as waste which could give rise to a major accident, with an indication of their principal dangerous characteristics.
  - (6) General information relating to the nature of the major-accident hazards, including their potential effects on the surrounding population and environment.
  - (7) Adequate information on how the surrounding population concerned are to be warned and kept informed in the event of a major accident.
  - (8) Adequate information on the actions the population concerned should take, and on the behaviour they should adopt, in the event of a major accident.
  - (9) Confirmation that the operator is required to make adequate arrangements on site, in particular liaison with the emergency services, to deal with major accidents and to minimise their effects.
  - (10) A reference to the external emergency plan drawn up to cope with any off-site effects from an accident. This should include advice to co-operate with any instructions or requests from the emergency services at the time of an accident.
  - (11) Details of where further relevant information can be obtained, subject to the requirements of confidentiality laid down in national legislation.

## ANNEX II

### Waste characterisation

The waste to be deposited in a facility shall be characterised in such a way as to guarantee the long-term physical and chemical stability of the structure of the facility and to prevent major accidents. The waste characterisation shall include, where appropriate and in accordance with the category of the waste facility, the following aspects:

- (1) description of expected physical and chemical characteristics of the waste to be deposited in the short and the long term, with particular reference to its stability under surface atmospheric/meteorological conditions, taking account of the type of mineral or minerals to be extracted and the nature of any overburden and/or gangue minerals that will be displaced in the course of the extractive operations;

- (2) classification of the waste according to the relevant entry in Decision 2000/532/EC<sup>(1)</sup>, with particular regard to its hazardous characteristics;
- (3) description of the chemical substances to be used during treatment of the mineral resource and their stability;
- (4) description of the method of deposition;
- (5) waste transport system to be employed.

### ANNEX III

#### Criteria for determining the classification of waste facilities

A waste facility shall be classified under category A if:

- a failure or incorrect operation, e.g. the collapse of a heap or the bursting of a dam, could give rise to a major accident, on the basis of a risk assessment taking into account factors such as the present or future size, the location and the environmental impact of the waste facility; or
- it contains waste classified as hazardous under Directive 91/689/EEC above a certain threshold; or
- it contains substances or preparations classified as dangerous under Directives 67/548/EEC or 1999/45/EC above a certain threshold.

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- (1) Commission Decision 2000/532/EC of 3 May 2000 replacing Decision 94/3/EC establishing a list of wastes pursuant to Article 1(a) of Council Directive 75/442/EEC on waste and Council Decision 94/904/EC establishing a list of hazardous waste pursuant to Article 1(4) of Council Directive 91/689/EEC on hazardous waste ([OJ L 226, 6.9.2000, p. 3](#)). Decision as last amended by Council Decision 2001/573/EC ([OJ L 203, 28.7.2001, p. 18](#)).