

Directive 2009/31/EC of the European Parliament and of the Council of 23 April 2009 on the geological storage of carbon dioxide and amending Council Directive 85/337/EEC, European Parliament and Council Directives 2000/60/EC, 2001/80/EC, 2004/35/EC, 2006/12/EC, 2008/1/EC and Regulation (EC) No 1013/2006 (Text with EEA relevance)

## CHAPTER 4

### **OPERATION, CLOSURE AND POST-CLOSURE OBLIGATIONS**

#### *Article 16*

#### **Measures in case of leakages or significant irregularities**

1 Member States shall ensure that in the event of leakages or significant irregularities, the operator immediately notifies the competent authority, and takes the necessary corrective measures, including measures related to the protection of human health. In cases of leakages and significant irregularities which imply the risk of leakage, the operator shall also notify the competent authority pursuant to Directive 2003/87/EC.

2 The corrective measures referred to in paragraph 1 shall be taken as a minimum on the basis of a corrective measures plan submitted to and approved by the competent authority pursuant to Article 7(7) and Article 9(6).

3 The competent authority may at any time require the operator to take the necessary corrective measures, as well as measures related to the protection of human health. These may be additional to or different from those laid out in the corrective measures plan. The competent authority may also at any time take corrective measures itself.

4 If the operator fails to take the necessary corrective measures, the competent authority shall take the necessary corrective measures itself.

5 The competent authority shall recover the costs incurred in relation to the measures referred to in paragraphs 3 and 4 from the operator, including by drawing on the financial security pursuant to Article 19.