

SCHEDULE 7

Regulation 21(1) and (2)

CRITERIA FOR NOTIFICATION OF A MAJOR ACCIDENT TO THE EUROPEAN COMMISSION AND INFORMATION TO BE NOTIFIED

PART 1

CRITERIA

(This Part sets out the provisions of Annex VI to the Directive)

The criteria referred to in regulation 21(1) are as follows—

1. Any accident covered in sub-paragraph (a) or having at least one of the consequences described in paragraphs (b), (c), (d) and (e) must be notified to the Commission—

(a) substances involved:

any fire or explosion or accidental discharge of a dangerous substance involving a quantity of at least 5 per cent of the qualifying quantity laid down in column 3 of Parts 2 or 3 of Schedule 1;

(b) injury to persons and damage to property:

an accident directly involving a dangerous substance and giving rise to one of the following events:—

(i) a death,

(ii) six persons injured within the establishment and kept in hospital for at least 24 hours,

(iii) one person outside the establishment kept in hospital for at least 24 hours,

(iv) dwellings outside the establishment damaged and unusable as a result of the accident,

(v) the evacuation or confinement of persons for more than two hours (person x hours): the value is at least 500,

(vi) the interruption of drinking water, electricity, gas or telephone services for more than two hours (person x hours): the value is at least 1,000;

(c) immediate damage to the environment:

(i) permanent or long-term damage to terrestrial habitats:—

— 0.5 ha or more of a habitat of environmental or conservation importance protected by legislation,

— 10 or more hectares of more widespread habitat, including agricultural land;

(ii) significant or long-term damage to freshwater and marine habitats:

— 10 km or more of river or canal,

— 1 ha or more of a lake or pond,

— 2 ha or more of delta,

— 2 ha or more of a coastline or open sea;

(iii) significant damage to an aquifer or underground water:

— 1 ha or more;

(d) damage to property:

(i) damage to property in the establishment of at least ECU 2 million,

(ii) damage to property outside the establishment of at least ECU 0.5 million;

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

(e) cross-border damage:

any accident directly involving a dangerous substance giving rise to effects outside the territory of the Member State concerned;

2. Accidents or 'near misses' which Member States regard as being of particular technical interest for preventing major accidents and limiting their consequences and which do not meet the quantitative criteria above should be notified to the Commission.

PART 2

INFORMATION

The information referred to in regulation 21(2) is as follows—

1. The Member State and the name and address of the competent authority;
2. The date, time and place of the major accident, including the full name of the operator and the address of the establishment involved;
3. A brief description of the circumstances of the accident, including the dangerous substances involved, and the immediate effects on persons and the environment;
4. A brief description of the emergency measures taken and of the immediate precautions necessary to prevent a recurrence.