

COMMISSION IMPLEMENTING DECISION (EU) 2022/1979**of 31 August 2022****on establishing the form and databases for communicating the information referred to in Articles 18(1) and 21(3) of Directive 2012/18/EU of the European Parliament and of the Council on the control of major-accident hazards involving dangerous substances and repealing Commission Implementing Decision 2014/895/EU***(notified under document C(2022) 6124)***(Text with EEA relevance)**

THE EUROPEAN COMMISSION,

Having regard to the Treaty on the Functioning of the European Union,

Having regard to Directive 2012/18/EU of the European Parliament and of the Council of 4 July 2012 on the control of major-accident hazards involving dangerous substances, amending and subsequently repealing Council Directive 96/82/EC ⁽¹⁾, and in particular Article 21(5) thereof,

Whereas:

- (1) In accordance with Article 18(1) of Directive 2012/18/EU, Member States are to inform the Commission of the major accidents which have occurred within their territory and which fulfil the criteria of Annex VI to this Directive, using the specific form set out in the Annex to Commission Decision 2009/10/EC ⁽²⁾.
- (2) In accordance with Article 21(3) of Directive 2012/18/EU, Member States are also to supply the Commission with certain information regarding establishments covered by that Directive, using the specific form set out in the Annex to Commission Implementing Decision 2014/895/EU ⁽³⁾.
- (3) To report the information referred to in Articles 18(1) and 21(3) of Directive 2012/18/EU, Member States are to use the databases referred to respectively in Article 21(3) and (4) of that Directive that are to be set up and kept up to date by the Commission.
- (4) According to Article 2 of Regulation (EC) No 401/2009 of the European Parliament and of the Council ⁽⁴⁾, the European Environment Agency (EEA) is, in the context of the European Environment Information and Observation Network (Eionet), to collect, process and analyse the data, in particular on the quality of and pressures on the environment, as well as on the chemicals that are hazardous for the environment. In order to increase the synergies with the existing databases developed by the EEA, consolidate information on the environmental impacts stemming from these plants, enhance the quality of the information made available to the public and policy makers and facilitate the identification of potential risks (e.g. domino effects), it is appropriate that the EEA sets up and keeps up to date, on behalf of the Commission, the databases referred to in Article 21(3) and (4) of Directive 2012/18/EU. Member States should use these databases when reporting the information referred to in Articles 18(1) and 21(3) of Directive 2012/18/EU.

⁽¹⁾ OJ L 197, 24.7.2012, p. 1.

⁽²⁾ Commission Decision 2009/10/EC 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 (OJ L 6, 10.1.2009, p. 64).

⁽³⁾ Commission Implementing Decision 2014/895/EU of 10 December 2014 establishing the format for communicating the information referred to in Article 21(3) of Directive 2012/18/EU of the European Parliament and of the Council on the control of major-accident hazards involving dangerous substances (OJ L 355, 12.12.2014, p. 51).

⁽⁴⁾ Regulation (EC) No 401/2009 of the European Parliament and of the Council of 23 April 2009 on the European Environment Agency and the European Environment Information and Observation Network (OJ L 126, 21.5.2009, p. 13).

- (5) The report forms and databases used pursuant to Directive 2012/18/EU should allow for the communication and availability of streamlined information which is submitted by Member States, in order to maximise the accuracy, usefulness and comparability of the information provided and minimise the administrative burden for Member States, whilst also respecting the requirements set out in Directive 2007/2/EC of the European Parliament and the Council ⁽⁵⁾.
- (6) In order to maximise the synergies of the information provided by Member States with the reporting set out for similar industrial plants, the report forms and databases should be similar to, and compatible with those used for reporting under Directive 2010/75/EU of the European Parliament and of the Council ⁽⁶⁾ and under Regulation (EC) No 166/2006 of the European Parliament and of the Council ⁽⁷⁾, whose format, frequency and content is respectively established by Commission Implementing Decision (EU) 2018/1135 ⁽⁸⁾ and by Commission Implementing Decision (EU) 2019/1741 ⁽⁹⁾.
- (7) To achieve these objectives, it is appropriate that the report form that Member States are to use when providing the information on establishments referred to in Article 21(3) of Directive 2012/18/EU, as set out in Implementing Decision 2014/895/EU, is updated. Thus, Implementing Decision 2014/895/EU should be repealed accordingly.
- (8) The development by the EEA of the two databases referred to respectively in Article 21(3) and (4) of Directive 2012/18/EU should be completed by 31 December 2025. That is why the reporting of the information referred to in Articles 18(1) and 21(3) of that Directive should only start after that date.
- (9) The measures provided for in this Decision are in accordance with the opinion of the Committee established by Article 27 of Directive 2012/18/EU,

HAS ADOPTED THIS DECISION:

Article 1

1. The European Environment Agency shall, on behalf of the Commission, set up and keep up to date the electronic databases referred to in Article 21(3) and (4) of Directive 2012/18/EU.
2. For the purpose of the reporting in accordance with Articles 18(1) and 21(3) of Directive 2012/18/EU, Member States shall use the electronic databases referred to in paragraph 1 of this Article.
3. Member States shall use the report form laid down in the Annex to this Decision when providing the information on establishments referred to in Article 21(3) of Directive 2012/18/EU.
4. Member States shall ensure that the information supplied to the Commission in accordance with paragraph 3 of this Article is updated regularly.

⁽⁵⁾ Directive 2007/2/EC of the European Parliament and of the Council of 14 March 2007 establishing an Infrastructure for Spatial Information in the European Community (INSPIRE) (OJ L 108, 25.4.2007, p. 1).

⁽⁶⁾ Directive 2010/75/EU of the European Parliament and of the Council of 24 November 2010 on industrial emissions (integrated pollution prevention and control) (OJ L 334, 17.12.2010, p. 17).

⁽⁷⁾ Regulation (EC) No 166/2006 of the European Parliament and of the Council of 18 January 2006 concerning the establishment of a European Pollutant Release and Transfer Register and amending Council Directives 91/689/EEC and 96/61/EC (OJ L 33, 4.2.2006, p. 1).

⁽⁸⁾ Commission Implementing Decision (EU) 2018/1135 of 10 August 2018 establishing the type, format and frequency of information to be made available by the Member States for the purposes of reporting on the implementation of Directive 2010/75/EU of the European Parliament and of the Council on industrial emissions (OJ L 205, 14.8.2018, p. 40).

⁽⁹⁾ Commission Implementing Decision (EU) 2019/1741 of 23 September 2019 establishing the format and frequency of data to be made available by the Member States for the purposes of reporting under Regulation (EC) No 166/2006 of the European Parliament and of the Council concerning the establishment of a European Pollutant Release and Transfer Register and amending Council Directives 91/689/EEC and 96/61/EC (OJ L 267, 21.10.2019, p. 3).

Article 2

Implementing Decision 2014/895/EU is repealed with effect from 31 December 2025.

References to the repealed Decision shall be construed as references to this Decision.

Article 3

Article 1(1) shall apply from 1 January 2023.

Article 1(2) to (4) shall apply from 1 January 2026.

Article 4

This Decision is addressed to the Member States.

Done at Brussels, 31 August 2022.

For the Commission
Virginijus SINKEVIČIUS
Member of the Commission

ANNEX

Establishing the report form of data to be made available by Member States for the purposes of reporting under Article 21(3) of Directive 2012/18/EU

Note:

- All fields with an asterisk are mandatory.
- Fields not marked with an asterisk have a multiplicity of 0-1 under INSPIRE, and are therefore not a mandatory field.
- Confidential information shall be marked as such with an indication, for each type of data, of the grounds for refusal in accordance with Article 4 of Directive 2003/4/EC of the European Parliament and of the Council ⁽¹⁾.

1.	Contextual information	
Type	Format	
1.1	Country identifier*	Identification of the country where the reported establishment is located.
1.2	Reporting year*	Calendar year to which the reporting refers.
2	Information on the competent authority for the establishment	
Type	Format	
2.1	Competent authority name*	
2.2	Competent authority address*	Postal address as defined by building number, street, city/town, postal code, country.
2.3	Competent authority email*	
2.4	Competent authority phone number*	
2.5	Comments	Comments the user may want to add regarding the reporting competent authority.
3	Information where the Seveso establishment is part of, or coincides with, a 'Production site' ⁽²⁾ .	
Type	Format	
3.1	InspireId*	Unique identifier of the 'production site' that meets the requirements of Directive 2007/2/EC.
3.2	ThematicId	Thematic object identifier of the 'production site'.
3.3	Geometry*	Latitude and longitude (coordinates for the approximate centre of the production site) expressed with reference to the ETRS89 (2D)-EPSG:4258 coordinate reference system to a precision of 5 decimal places.

⁽¹⁾ Directive 2003/4/EC of the European Parliament and of the Council of 28 January 2003 on public access to environmental information and repealing Council Directive 90/313/EEC (OJ L 41, 14.2.2003, p. 26).

⁽²⁾ 'Production Site' as defined in Regulation (EU) No 1253/2013, point 8.2.4 of Annex IV: 'all land at a distinct geographic location where the production facility was, is, or is intended to be located. This includes all infrastructure, equipment and materials' and covered by Regulation (EC) No 166/2006 or Directive 2012/18/EU.

3.4	Name of production site*	Official denomination, proper name or conventional name of the production site.
4	Information on the Seveso establishment	
Type		Format
4.1	InspireId*	Unique identifier of the establishment ⁽³⁾ that meets the requirements of Directive 2007/2/EC.
4.2	ThematicId	Thematic object identifier of the production facility.
4.3	Seveso establishment tier*	Indication whether it is a lower tier or upper tier establishment according to Annex I to Directive 2012/18/EU.
4.4	Status*	Operational status of the establishment (functional, disused, decommissioned).
4.5	Name of the establishment*	Official denomination, proper name or conventional name of the establishment.
4.6	Name of the parent company	A parent company is a company that owns or controls the company operating the establishment (for example by holding more than 50 % of the company's share capital or a majority of voting rights of the shareholders or associates) – see Directive 2013/34/EU of the European Parliament and of the Council ⁽⁴⁾ .
4.7	Establishment address*	Postal address of the establishment as defined by building number, street, city/town, postal code, country.
4.8	Geometry*	Latitude and longitude (coordinates for the approximate centre of the establishment) expressed with reference to the ETRS89 (2D)-EPSG:4258 coordinate reference system to a precision of 5 decimal places.
4.9	Industry type* using the Eurostat NACE classification. (Where an establishment relates to more than one NACE code, a distinction shall be made between primary activity and secondary activities)	NACE code: NACE is the European industry standard related to a statistical classification of economic activities, consisting of a 6-digit code. The user is expected to relate the Seveso establishment to this classification scheme, referring to the first 4 digits, in addition or as an alternative to the SPIRS codes.
4.10	Industry type using SPIRS code. An optional secondary industry category can also be selected that further defines the nature of the hazard. (Where an establishment relates to more than one SPIRS code, a distinction shall be made between primary activity and secondary activities)	The user may want to report SPIRS Code. Industry type to be indicated in accordance with the SPIRS Codes: (1) Agriculture (2) Leisure and sport activities (e.g. ice rink) (3) Mining activities (tailings & physicochemical processes) (4) Processing of metals

⁽³⁾ For the purpose of the reporting in this Decision, 'establishment' is equivalent to 'production facility' as defined in Regulation (EU) No 1089/2010, point 8.2.1 of Annex IV.

⁽⁴⁾ Directive 2013/34/EU of the European Parliament and of the Council of 26 June 2013 on the annual financial statements, consolidated financial statements and related reports of certain types of undertakings, amending Directive 2006/43/EC of the European Parliament and of the Council and repealing Council Directives 78/660/EEC and 83/349/EEC (OJ L 182, 29.6.2013, p. 19).

		<ul style="list-style-type: none"> (5) Processing of ferrous metals (foundries, smelting, etc.) (6) Processing of non-ferrous metals (foundries, smelting, etc.) (7) Processing of metals using electrolytic or chemical processes (8) Petrochemical/Oil Refineries (9) Power generation, supply and distribution (10) Fuel storage (including heating, retail sale, etc.) (11) Production, destruction and storage of explosives (12) Production and storage of fireworks (13) LPG production, bottling and bulk distribution (14) LPG storage (15) LNG storage and distribution (16) Wholesale and retail storage and distribution (excluding LPG) (17) Production and storage of pesticides, biocides, fungicides (18) Production and storage of fertilisers (19) Production of pharmaceuticals (20) Waste storage, treatment and disposal (21) Water and sewage (collection, supply, treatment) (22) Chemical installations (23) Production of basic organic chemicals (24) Plastic and rubber manufacture (25) Production and manufacturing of pulp and paper (26) Wood treatment and furniture (27) Textiles manufacturing and treatment (28) Manufacture of food products and beverages (29) General engineering, manufacturing and assembly (30) Shipbuilding, shipbreaking, ship repair (31) Building & works of engineering construction (32) Ceramics (bricks, pottery, glass, cement, etc.) (33) Manufacture of glass (34) Manufacture of cement, lime and plaster (35) Electronics & electrical engineering (36) Handling and transportation centres (ports, airports, lorry parks, marshalling yards, etc.) (37) Medical, research, education (including hospitals, universities, etc.) (38) General chemicals manufacture (not otherwise specified in the list) (39) Other activity (not otherwise specified in the list).
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		<p>Secondary activities;</p> <p>(40) Production, storage and handling of Biogas</p> <p>(41) Production, storage and handling of technical gas (the most common could be listed, such as Oxygen, Chlorine, Ammonia, Phosgene, Acetylene, etc.)</p> <p>(42) Production, storage and handling of Hydrogen</p> <p>(43) Production, storage, handling of Sodium</p> <p>(44) Production, storage, handling of Lithium</p> <p>(45) Production, storage and handling of Potassium</p>
4.11	Link to the website with information to the population*	Website address where can be found the information provided for by Art. 14 (Information to the public) of Directive 2012/18/EU.
4.12	Link to the generic website	
4.13	Date of last inspection ^(?)	
4.14	Link to the last inspection conclusions	
4.15	Comments	
5.	Establishment substances	
Type		Format
5.1	Substance(s)	The common name or the generic name or the hazard classification.
5.2	CAS Number	A CAS Registry Number is a unique numeric identifier, is designated to only one substance, has no chemical significance and is a link to a wealth of information about a specific chemical substance. It can contain up to 10 digits, divided by hyphens into three parts. (http://www.cas.org/content/chemical-substances)
5.3	Quantity(ies)	Amount of each hazardous substance in tonnes triggering the Seveso status.
5.4	Physical properties	Storage conditions under which the substance is maintained, such as state (solid, liquid, gas), granularity (powder, pellets, etc.), pressure, temperature, etc.
5.5	Substances comments	

^(?) As defined in Article 3, point (19), of Directive 2012/18/EU.