

EURACOAL Position Paper

on the Seveso III Directive

Seveso II Directive

Council Directive 96/82/EC of 9 December 1996 on the control of major-accident hazards involving dangerous substances aims to improve the safety of sites containing large quantities of dangerous substances. It is also known as the Seveso II Directive, after the Seveso disaster of 1976 in northern Italy when dioxin was accidentally released. It replaced the earlier Seveso I Directive (82/501/EEC).

The Seveso II Directive focuses on substances considered dangerous for man and the environment. It introduced requirements relating to safety management systems, emergency plans and land-use planning, and tightened provisions on inspections and public information.

Following a review process, the Commission adopted a proposal for a new directive on 21 December 2010 (COM/2010/781). This will see the Seveso II Directive repealed and replaced by 1 June 2015. The main changes proposed concern the classification and updating of dangerous substances (Annex I), data collection and transparency, and site inspection standards.

Carbon dioxide: not a dangerous substance

Carbon dioxide (CO₂) is not classified as a dangerous substance under the Seveso II Directive, and CO₂ capture and storage (CCS) sites are not covered by the directive's requirements. During the revision process, the case for adding CO₂ as a named substance was considered, but the Commission decided that its inclusion would impede the development of CCS as a greenhouse gas mitigation measure. According to the Commission, "*As CCS schemes are only at an early stage, it is premature to judge whether a major accident hazard would emerge should the technology be widely used in the future.*", and that, "*Further development of the technology will help to better understand any potential risks.*" (SEC(2010) 1590). This decision by the Commission was taken in the knowledge that the CCS Directive (2009/31/EC) imposes very strict safety requirements on operators of CCS sites.

EURACOAL supports the Commission's decision to discard the option to possibly include CO₂ in the new directive.

European Parliament Amendments (2010/0377(COD))

The inclusion of CO₂ as a named substance (CAS number 124-38-9) in Annex I of the new directive has been proposed by some MEPs, with a lower-tier requirement of 20 tonnes and an upper-tier requirement of 1 000 tonnes (the tiers relating to the level of controls at establishments, with stricter rules for larger quantities).

At a conventional coal-fired power station, the concentration of CO₂ in the flue gases is typically around 15% and is not harmful to man or the environment. At power stations, and more generally at other large industrial plants, the inclusion of CO₂ would not serve the intent of the revised Seveso II Directive for the following reasons:

- CO₂ is not a dangerous or hazardous substance and poses no immediate threat to man or the environment.
- CO₂ emissions from fossil-fuel combustion have no transboundary health or safety impacts, so EU-level legislation is not necessary.
- Inclusion of CO₂ in the new directive might influence public opinion against the very CCS projects that the EU must promote to achieve its ambitious climate targets.
- CCS safety is already regulated at the European level under the CCS Directive (2009/31/EC).
- CO₂ could be stigmatised as a “Seveso gas” by the general public which would have a negative impact on the image of any CO₂-emitting power station or industrial plant. New projects, necessary for economic growth and prosperity in Europe, would be even harder to realise than they are already today.

EURACOAL calls on MEPs to vote against any inclusion of CO₂ in the Seveso III Directive (amendment 280).

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