

**Directive 96/82/EC on the control of major accidents involving dangerous substances (Seveso II)**

1.     Introduction

The Seveso II Directive was adopted by the European Communities in 1996. It replaces the earlier Directive 82/501/EEC, as amended, on the major accident hazards of certain industrial activities.

2.     Requirements of the Directive

The Directive aims to prevent major accidents involving dangerous substances, and to limit the consequences of such accidents for human beings and the environment. It applies to establishments where dangerous substances are or may be in quantities at or above the thresholds set out in the Directive.

Article 12 of the Directive imposes requirements on the physical planning system for the first time. The main provisions relate to:

- land-use policy objectives in development plans to prevent major accidents involving dangerous substances and to limit their consequences;
- pursuit of such objectives through controls on siting new establishments, modifying existing establishments, and new developments such as transport links, public and residential areas in the vicinity of such establishments;
- maintaining appropriate distances between establishments and residential areas, public areas, and areas of environmental sensitivity or interest;
- appropriate procedures for provision of technical advice from the HSA, where planning applications concern matters covered by the Directive.

3.     Implementation

DETE introduced regulations in December 2000, implementing the major part of the Directive. DELG will implement article 12 through planning regulations. This will include procedures for planning authorities to obtain advice from the HSA, in consultation with the EPA where necessary, where planning applications relate to establishments covered by the Directive.

4.     2000 Planning Act

The parts of the Act relevant to Seveso II are:

Section 2 (definitions)  
Section 10(k) (mandatory development plan objective)  
Section 33(2)(f) (prescribed documents to HSA)  
Section 34(8)(e) (decision time limit following HSA advice)  
Section 179(2)(b) (local authority development)  
First Schedule, Part 1 (optional development plan objectives)  
Fourth and Fifth Schedules (compensation)