

**REGULATORY BENCHMARK FOR THE CONTROL OF MAJOR-ACCIDENT
HAZARDS INVOLVING PIPELINES (PIPELINES SAFETY INSTRUMENT)**

Pipelines Safety Instrument

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Article 1

Aim

This Instrument is aimed at **the prevention of major accidents** which involve pipelines carrying dangerous substances and the **limitation of their consequences** for man and the environment with a view to ensuring high levels of protection **throughout the Community** in an effective manner.

Article 2

Scope

This Instrument shall apply to pipelines carrying dangerous substances listed in Annex I.

Article 3

Definitions

For the purposes of this Instrument:

1. 'pipeline' shall mean a pipe or a system of piping for the conveyance of fluids to or from an installation or premises, including the pipeline isolation device located within the confines of the installation or premises. This includes pumping stations and other equipment which are an integral part of the pipeline and all equipment relevant to the safe operation of the pipeline;
2. 'operator' shall mean any individual or corporate body who operates a pipeline or if provided for by national legislation, has been given decisive economic power in the technical operation thereof;
3. 'dangerous substances' shall mean a substance, mixture or preparation fulfilling the criteria laid down in **Annex I**, including those substances which it is reasonable to suppose may be generated in the event of accident;
4. 'major accident' shall mean an occurrence such as a major emission, fire, or explosion resulting from uncontrolled developments in the course of the operation of any pipeline covered by this Instrument, and leading to serious danger to human health and/or the environment, immediate or delayed, and involving one or more dangerous substances;
5. 'hazard' shall mean the intrinsic property of a dangerous substance or physical situation, with a potential for creating damage to human health and / or the environment;
6. 'risk' shall mean the likelihood of a specific effect occurring within a specified period or in specified circumstances;
7. 'safe operating limits' shall mean the operating limits for which the pipeline is suitable;

Article 4

Exclusions

This Instrument shall not apply to the following:

- (a) distribution pipelines for natural gas. These are pipeline systems downstream of the transmission pipelines including piping above and below ground and all annexed installations necessary to supply customers;
- (b) in-field gathering lines for oil and gas production;
- (c) pipelines within an establishment as defined by Directive 96/82/EC of 9 December 1996 on the control of major-accident hazards involving dangerous substances;

CHAPTER II: Obligations of the operator

Article 5

General obligations

1. Member States shall ensure that the operator is obliged to take all measures necessary to prevent major accidents and to limit their consequences for man **and the environment**.
2. Member States shall ensure that the operator is required to prove to the competent authority referred to in Article 11, hereinafter referred to as the 'competent authority', at any time, **in particular for the purposes of the inspections** and controls referred to in Article 17, that he has taken all the measures necessary as specified in this Instrument.

Article 6

Notification

1. Member States shall require the operator to send the competent authority a notification:
 - for new pipelines, a reasonable period of time prior to the start of construction or operation, and
 - for existing pipelines.
2. The notification required by paragraph 1 shall contain the following details:
 - (a) the name or trade name and address of the operator;
 - (b) the registered place of business of the operator, with the full address;
 - (c) the name or position of the person in charge of the pipeline(s), if different from (a);
 - (d) information sufficient to identify the dangerous substances or category of substances involved;
 - (e) the size and safe operating limits of the pipeline and the physical form of the dangerous substance or substances carried;
 - (f) the function or intended use of the pipeline(s),
 - (g) the location and the immediate environment of the pipeline(s) including elements liable to cause a major accident or to aggravate the consequences thereof.
3. In the case of existing pipelines for which the operator has already provided all the information under paragraph 2 to the competent authority under the requirements of national law, notification under paragraph 1 is not required.
4. In the event of:
 - any significant increase to the operating limits or significant change in the nature or physical form of the dangerous substance carried, as indicated in the notification provided by the operator pursuant to paragraph 2, or
 - permanent closure of the pipeline(s),

the operator shall immediately inform the competent authority of the change in the situation.

Article 7

Major-accident prevention policy (MAPP) and Pipelines Management System (PMS)

1. Member States shall require the operator to draw up a document setting out a Major-Accident Prevention Policy (MAPP) and to establish a Pipeline Management System (PMS) to ensure that it is properly implemented. The Major-Accident Prevention Policy (MAPP) and the Pipeline Management System (PMS) shall be designed to guarantee a high level of protection for man and the environment.
2. Member States shall require the operator to demonstrate to the competent authority that a Major-Accident Prevention Policy (MAPP) and the Pipeline Management System (PMS) for implementing it have been put into effect in accordance with the structure set out in Annex II and covering the areas set out in Annex III.

3. Member States shall require that the operator establishes performance measures for monitoring the Pipeline Management System (PMS) in accordance with the principles contained in Annex II and covering the areas set out in Annex III.

4. The document setting out the Major-Accident Prevention Policy (MAPP) and a description of the Pipeline Management System (PMS) including the associated performance measures must be made available to the competent authority.

Article 8

Modifications to a pipeline

In the event of the modification of a pipeline, or its operating limits or the nature of dangerous substances which could have significant repercussions on major-accident hazards, the Member States shall ensure that the operator:

- reviews and where necessary revises the Major-Accident Prevention Policy (MAPP) and the Pipelines Management System (PMS),
- informs the competent authority referred to in Article 11 of the details of such revision in advance of such modification.

Article 9

Emergency planning

1. Member States shall ensure that, for all pipelines covered by this Instrument:
 - (a) the operator draws up an emergency plan containing the information set out in Annex IV,
 - (b) the operator supplies to the authorities designated for that purpose the necessary information to enable the latter to draw up local emergency plans.
2. The emergency plans must be established with the objectives of:
 - containing and controlling incidents so as to minimize the effects, and to limit damage to man, the environment and property,
 - implementing the measures necessary to protect man and the environment from the effects of major accidents,
 - communicating the necessary information to the public and to the services or authorities concerned in the area,
 - providing for the restoration and clean-up of the environment following a major accident.
3. Member States shall ensure that emergency plans are reviewed, tested, and where necessary revised and updated by the operators at suitable intervals of no longer than three years. The review shall take into account changes of the pipelines concerned or within the emergency services concerned, new technical knowledge, and knowledge concerning the response to major accidents.
4. Member States shall ensure that emergency plans are put into effect without delay by the operator:
 - when a major accident occurs, or
 - when an uncontrolled event occurs which by its nature could reasonably be expected to lead to a major accident.

Article 10

Information to be supplied by the operator following a major accident

Member States shall ensure that, as soon as practicable following a major accident, the operator shall be required, using the most appropriate means:

- (a) to inform the competent authorities;
- (b) to provide them with the following information as soon as it becomes available:
 - the circumstances of the accident,

- the dangerous substances involved,
 - the data available for assessing the effects of the accident on man **and the environment**, and
 - the emergency measures taken;
- (c) to inform them of the steps envisaged:
- to alleviate the medium- and long-term effects of the accident,
 - to prevent any recurrence of such an accident;
- (d) to update the information provided if further investigation reveals additional facts which alter that information or the conclusions drawn.

CHAPTER III: Duties of the competent authority

Article 11

Competent authority

Without prejudice to the operator's responsibilities, Member States shall set up or appoint the competent authority or authorities responsible for carrying out the duties laid down in this Instrument and, if necessary, bodies to assist the competent authority or authorities at technical level.

Article 12

Prevention of external interference

Member States shall ensure that an information system for the prevention of external interference with the pipeline is implemented. This system should **oblige**:

- operators to supply details of the exact routing of their pipeline(s),
- all third parties, prior to undertaking excavation work in the vicinity of pipelines, to use the information system in order to inform themselves of the exact routing of the pipeline(s) in order to avoid any damage to the pipeline(s) which might result in a major accident, and
- land owners, users and occupiers of land where pipelines are located to be supplied with details of the exact routing of pipeline(s) without them having to request it.

Such a system can either be set up by operators, or by other organisations, where the operators or organisation has the task of supplying information and/or assistance to third parties carrying out excavation work.

Article 13

Local emergency planning

1. Member States shall ensure that, for all pipelines covered by this Instrument, the authorities designated for that purpose by the Member State draw up local emergency plans for the measures to be taken in the surroundings of pipelines.
2. The emergency plans must be established with the objectives of:
 - containing and controlling incidents so as to minimize the effects, and to limit damage to man, the environment and property,
 - implementing the measures necessary to protect man and the environment from the effects of major accidents,
 - communicating the necessary information **to the public** and to the services or authorities concerned in the area,
 - providing for the restoration and clean-up of the environment following a major accident.
3. Without prejudice to the obligations of the competent authorities, Member States shall ensure that the local emergency plans are drawn up in consultation with **the public liable to be affected** by a major accident originating from a pipeline.
4. Member States shall ensure that local emergency plans are reviewed, and where necessary tested, revised and updated at suitable intervals of no longer than three years. The review shall take into account changes of the pipelines concerned or within the emergency services concerned, new technical knowledge, and knowledge concerning the response to major accidents.
5. Member States shall ensure that local emergency plans are put into effect without delay by the authorities designated for that purpose:
 - when a major accident occurs, or
 - when an uncontrolled event occurs which by its nature could reasonably be expected to lead to a major accident.

6. The competent authority may decide, giving reasons for its decision, in view of the information received from the operator, that the requirement to produce a local emergency plan shall not apply.

Article 14

Land-use planning

1. Member States shall ensure that the objectives of preventing major accidents and limiting the consequences of such accidents are taken into account in their land-use policies and/or other relevant policies. They shall pursue those objectives through controls on:

- (a) the siting of new pipelines;
- (b) modifications to existing pipelines covered by Article 8;
- (c) new developments such as transport links, locations frequented by the public and residential areas in the vicinity of existing pipelines, where the siting or developments are such as to increase the risk or consequences of a major accident.

Member States shall ensure that their land-use and/or other relevant policies and the procedures for implementing those policies take account of the need, in the long term, **to maintain appropriate distances between pipelines covered by this Instrument and residential areas, areas of public use and areas of particular natural sensitivity or interest**, and, in the case of existing pipelines, of the need for additional technical measures in accordance with Article 5 so as not to increase the risks to people.

2. Member States shall ensure that all competent authorities and planning authorities responsible for decisions in this area set up appropriate consultation procedures to facilitate implementation of the policies established under paragraph 1. The procedures shall be designed to ensure that technical advice on the risks arising from the pipelines is available, either on a case-by-case or on a generic basis, when decisions are taken. Member States shall also ensure that the public is able to give its opinion.

Article 15

Information to persons liable to be affected by a major accident

1. Member States shall ensure that information on safety measures and on the requisite behaviour in the event of an accident **is supplied, without their having to request it, to persons liable to be affected** by a major accident originating from a pipeline covered by this Instrument.

The information shall be **reviewed every three years** and, where necessary, repeated and updated, at least if there is any modification within the meaning of Article 8. **It shall also be made permanently available to the public.** The maximum period between the repetition of the information to the public shall, in any case, be no longer than five years.

Such information shall contain, at least, **the information listed in Annex V.**

2. Member States shall, with respect to the possibility of a major accident with **transboundary effects** originating from a pipeline covered by this Instrument, provide sufficient information to the potentially affected Member States so that all relevant provisions contained in Articles 13, 14 and this Article can be applied, where applicable, by the affected Member State.

Article 16

Duties of the competent authority following a major accident

1. Member States shall require the competent authority:
 - (a) to ensure that any urgent, medium- and long-term measures which may prove necessary are taken,
 - (b) to collect, by inspection, investigation or other appropriate means, the information necessary for a full analysis of the technical, organisational and managerial aspects of the major accident,
 - (c) to take appropriate action to ensure that the operator takes any necessary remedial measures and
 - (d) to make recommendations on future preventive measures.

2. For the purpose of prevention and mitigation of major accidents, Member States shall inform the Commission as soon as practicable of major accidents meeting the criteria of Annex VI which have occurred within their territory. They shall provide it with the following details:

- (a) the Member State, the name and address of the authority responsible for the report;
- (b) the date, time and place of the major accident, including the full name of the operator and the location of the pipeline involved;
- (c) a brief description of the circumstances of the accident, including the dangerous substances involved, and the immediate effects on man and the environment;
- (d) a brief description of the emergency measures taken and of the immediate precautions necessary to prevent recurrence.

3. Member States shall, as soon as the information provided for in Article 10 is collected, inform the Commission of the result of their analysis and recommendations using a report form established and kept under review.

Reporting of this information by Member States may be delayed only to allow for the completion of legal proceedings where such reporting is liable to affect those proceedings.

- 4. Member States shall inform the Commission of the name and address of any body which might have relevant information on major accidents and which is able to advise the competent authorities of other Member States which have to intervene in the event of such an accident.

Article 17

Inspections

1. Member States shall ensure that the competent authorities organise **a system of inspections**, or other measures of control in order to ensure that operators meet their duties under this Instrument. Such inspections or other control measures shall be sufficient for a planned and systematic examination of the systems being employed for pipelines, whether of a technical, organisational or managerial nature, so as to ensure in particular:

- that the operator can demonstrate that he has developed **appropriate performance measures to monitor the Pipeline Management System (PMS)**,
- that the operator can demonstrate that he has taken appropriate measures to prevent major accidents,
- that the operator can demonstrate that he has provided appropriate means for limiting the consequences of major accidents,
- that any data and information submitted, adequately reflects the conditions of the pipeline(s).

2. The system of inspection specified in paragraph 1 shall comply with the following conditions:

- (a) there shall be a programme of inspections for all pipelines;
- (b) following each inspection, a report shall be prepared by the competent authority;
- (c) where necessary, every inspection carried out by the competent authority shall be followed up with the operator, within a reasonable period following the inspection.

3. The competent authority may require the operator to provide any additional information necessary to allow the authority fully to assess the possibility of a major accident and to determine the scope of possible increased probability and/or aggravation of major accidents, and to permit the preparation of a local emergency plan.

Article 18

Prohibition of use

1. Member States shall prohibit the use or bringing into use of any pipeline, or any part thereof where the measures taken by the operator for the prevention and mitigation of major accidents are seriously deficient.

Member States may prohibit the use or bringing into use of any pipeline, or any part thereof if the operator has not submitted the notification or other information required by this Instrument within the specified period.

2. Member States shall ensure that operators may appeal against a prohibition order by a competent authority under paragraph 1 to an appropriate body determined by national law and procedures.

CHAPTER IV: Information system and exchanges, reporting

Article 19

Information system and exchanges

1. Member States and the Commission shall exchange information on the experience acquired with regard to the prevention of major accidents and the limitation of their consequences. This information shall concern, in particular, the functioning of the measures provided for in this Instrument.

2. The Commission shall set up and keep at the disposal of Member States a register and information system containing, in particular, details of the major accidents which have occurred within the territory of Member States, for the purpose of:

- (a) the rapid dissemination of the information supplied by Member States pursuant to Article 15, paragraph 1 among all competent authorities;
- (b) distribution to competent authorities of an analysis of the causes of major accidents and the lessons learned from them;
- (c) supply of information to competent authorities on preventive measures;
- (d) provision of information on organizations able to provide advice or relevant information on the occurrence, prevention and mitigation of major accidents.

The register and information system shall contain, at least:

- (a) the information supplied by Member States in compliance with Article 15, paragraph 1;
- (b) an analysis of the causes of the accidents;
- (c) the lessons learned from the accidents;
- (d) the preventive measures necessary to prevent a recurrence.

3. The access to the register and information system shall be open to government departments of the Member States, industry or trade associations, trade unions, non-governmental organisations in the field of the protection of the environment and other international or research organisations working in the field.

Article 20

Reporting

Member States shall provide the Commission with a three-yearly report for pipelines covered by this Instrument in accordance with the procedure laid down in Council Directive 91/692/EEC of 23 December 1991 standardising and rationalising reports on the implementation of certain Directives relating to the environment. The Commission shall publish a summary of this information every three years.

ANNEX I

APPLICATION OF THE INSTRUMENT

INTRODUCTION

1. This Annex applies to the carriage of dangerous substances by pipelines within the meaning of Article 2 of this Instrument.
2. Mixtures and preparations shall be treated in the same way as pure substances provided they remain within concentration limits set according to their properties under the relevant Directives given in Note 1, or their latest adaptation to technical progress.

Categories of substances

1.	VERY TOXIC
2.	TOXIC
3.	OXIDIZING
4.	FLAMMABLE (where the substance or preparation falls within the definition given in Note 2)
5.	HIGHLY FLAMMABLE (where the substance or preparation falls within the definition given in Note 2)
6.	EXTREMELY FLAMMABLE (where the substance or preparation falls within the definition given in Note 2)
7.	DANGEROUS FOR THE ENVIRONMENT in combination with risk phrases: (i) R50: 'Very toxic to aquatic organisms' (ii) R51: 'Toxic to aquatic organisms'; and R53: 'May cause long term adverse effects in the aquatic environment'
8.	ANY CLASSIFICATION not covered by those given above in combination with risk phrases: (i) R14: 'Reacts violently with water' (including R14/15) (ii) R29: 'in contact with water, liberates toxic gas'

NOTES

1. Substances and preparations are classified according to the following Directives (as amended) and their current adaptation to technical progress:

- Council Directive 67/548/EEC of 27 June 1967 on the approximation of the laws, regulations and administrative provisions relating to the classification, packaging and labelling of dangerous substances¹,
- Council Directive 88/379/EEC of 7 June 1988 on the approximation of the laws, regulations and administrative provisions of the Member States relating to the classification, packaging and labelling of dangerous preparations²,
- Council Directive 78/631/EEC of 26 June 1978 on the approximation of the laws of the Member States relating to the classification, packaging and labelling of dangerous preparations (pesticides)³.

In the case of substances and preparations which are not classified as dangerous according to any of the above Directives but which nevertheless are present, or are likely to be present, in the pipeline and which possess or are likely to possess, under the conditions found in the pipeline, equivalent properties in terms of major-accident potential, the procedures for provisional classification shall be followed according to the relevant Article of the appropriate Directive.

¹ OJ No 196, 16.8.1967, p. 1. Directive as last amended by Directive 93/105/EC (OJ No L 294, 30.11.1993, p.21).

² OJ No L 187, 16. 7. 1988, p. 14.

³ OJ No L 206, 29.7.1978, p. 13. Directive as last amended by Directive 92/32/EEC (OJ No L 154, 5. 6. 1992, p. 1).

2. 'Flammable', 'highly flammable', and 'extremely flammable' in categories 4, 5 and 6 mean:
- (a) flammable liquids:
substances and preparations having a flash point equal to or greater than 21 °C and less than or equal to 55°C (risk phrase R 10), supporting combustion;
 - (b) highly flammable liquids:
 - 1. — substances and preparations which may become hot and finally catch fire in contact with air at ambient temperature without any input of energy (risk phrase R 17),

— substances which have a flash point lower than 55 °C and which remain liquid under pressure, where particular conditions, such as high pressure or high temperature, may create major-accident hazards;
 - 2. substances and preparations having a flash point lower than 21 °C and which are not extremely flammable (risk phrase R 11, second indent);
 - (c) extremely flammable gases and liquids:
 - 1. liquid substances and preparations which have a flash point lower than 0 °C and the boiling point (or, in the case of a boiling range, the initial boiling point) of which at normal pressure is less than or equal to 35 °C (risk phrase R 12, first indent), and
 - 2. gaseous substances and preparations which are flammable in contact with air at ambient temperature and pressure (risk phrase R 12, second indent), whether or not kept in the gaseous or liquid state under pressure, and
 - 3. liquid substances and preparations maintained at a temperature above their boiling point.
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*ANNEX II***STRUCTURE OF A MAJOR-ACCIDENT PREVENTION POLICY (MAPP) AND A PIPELINE MANAGEMENT SYSTEM (PMS) AS REFERRED TO IN ARTICLE 7**

For the purpose of implementing the operator's Major-Accident Prevention Policy (MAPP) and Pipeline Management System (PMS) account shall be taken of the following elements:

- (a) the Major-Accident Prevention Policy (MAPP) should be established in writing and should include the operator's overall aims and principles of action with respect to the control of major-accident hazards;
- (b) the Pipeline Management System (PMS) should include the part of the general management system which includes the organisational structure, responsibilities, practices, procedures, processes and resources for determining and implementing the Major-Accident Prevention Policy (MAPP);
- (c) the following issues shall be addressed by the Pipeline Management System (PMS):
 - (i) organisation and personnel — the roles and responsibilities of personnel involved in the management of major hazards at all levels in the organization. The identification of training needs of such personnel and the provision of the training so identified. The involvement of employees and, where appropriate, subcontractors;
 - (ii) identification and evaluation of major hazards — adoption and implementation of procedures for systematically identifying major hazards arising from normal and abnormal operation and the assessment of their likelihood and severity;
 - (iii) operational control — adoption and implementation of procedures and instructions for safe operation of the pipeline, including maintenance and temporary stoppages;
 - (iv) management of change — adoption and implementation of procedures for planning modifications to pipelines, including during the design of new pipelines;
 - (v) planning for emergencies — adoption and implementation of procedures to identify foreseeable emergencies by systematic analysis and to prepare, test and review emergency plans to respond to such emergencies;
 - (vi) monitoring performance — adoption and implementation of procedures and performance measures for the ongoing assessment of compliance with the objectives set by the operator's Major-Accident Prevention Policy (MAPP) and Pipeline Management System (PMS), and the mechanisms for investigation and taking corrective action in case of non-compliance. The procedures should include the operator's system for reporting major accidents or near misses, particularly those involving failure of protective measures, and their investigation and follow-up on the basis of lessons learnt;
 - (vii) audit and review — adoption and implementation of procedures for periodic systematic assessment of the Major-Accident Prevention Policy (MAPP) and the effectiveness and suitability of the Pipeline Management System (PMS); the documented review of performance of the Major-Accident Prevention Policy (MAPP) and of the Pipeline Management System (PMS) and its updating by senior management.

*ANNEX III***AREAS TO BE COVERED BY THE PIPELINE MANAGEMENT SYSTEM (PMS)
SPECIFIED IN ARTICLE 7****I. Identification and accidental risks analysis and prevention methods**

With respect to the essential requirements set out in II. below, the operator is under an obligation to

- identify possible major-accident scenarios and their probability or the conditions under which they occur including a summary of the events which may play a role in triggering each of these scenarios, the causes being internal or external to the pipeline;
- assess the extent and severity of the consequences of identified major accidents;
- provide appropriate technical measures and equipment for the safety of the pipeline.

In choosing the most appropriate solutions, the manufacturer must apply the principles set out below in the following order:

- eliminate or reduce hazards as far as is reasonably practicable,
- apply appropriate protection measures against hazards which cannot be eliminated.

II. Essential requirements

Pipelines which conform to European and international standards shall be presumed to conform to the essential requirements listed below in as far as the scope of these standards cover such requirements.

A. Design and construction of the pipeline

Dangerous substances shall not be conveyed in a pipeline unless it has been properly designed and constructed, taking all relevant factors into account, to prevent loss of containment that could lead to major accident.

B. Operation of the pipeline

Dangerous substances shall not be conveyed in a pipeline unless the safe operating limits of the pipeline have been established.

A pipeline shall not be operated beyond its safe operating limits.

C. Maintenance and inspection of the pipeline

Dangerous substances shall not be conveyed in a pipeline unless the pipeline and all equipment relevant to the safe operation of the pipeline is properly maintained and inspected and if necessary repaired so that the required function is safeguarded.

D. Prevention of third-party interference

Provision must be made for appropriate surveillance measures aimed at the prevention of third-party interference.

III. Measures of protection and intervention to limit the consequences of an accident

Dangerous substances shall not be conveyed in a pipeline unless an emergency plan has been established in compliance with Article 9 and Annex IV.1.

ANNEX IV

DATA AND INFORMATION TO BE INCLUDED IN THE EMERGENCY PLANS SPECIFIED UNDER ARTICLES 9 AND 13**1. Emergency plans prepared by the operators**

- (a) Names or positions of persons authorized to set emergency procedures in motion and the person in charge of and coordinating the mitigatory action.
- (b) Name or position of the person with responsibility for liaising with the authorities responsible for the local emergency plans.
- (c) For foreseeable conditions or events which could be significant in bringing about a major accident, a description of the action which should be taken to control the conditions or events and to limit their consequences, including a description of the safety equipment and the resources available.
- (d) Arrangements for providing early warning of the incident to the authorities responsible for setting the local emergency plans in motion, the type of information which should be contained in an initial warning and the arrangements for the provision of more detailed information as it becomes available.
- (e) Arrangements for training staff in the duties they will be expected to perform, and where necessary coordinating this with local emergency services.
- (g) Arrangements for providing assistance with mitigatory action.

2. Local emergency plans

- (a) Names or positions of persons authorized to set emergency procedures in motion and of persons authorized to take charge of and coordinate action.
 - (b) Arrangements for receiving early warning of incidents, and alert and call-out procedures.
 - (c) Arrangements for coordinating resources necessary to implement the local emergency plan.
 - (d) Arrangements for mitigatory action.
 - (e) Arrangements for providing the public with specific information relating to the accident and the behaviour which it should adopt.
 - (f) Arrangements for the provision of information to the emergency services of other Member States in the event of a major accident with possible transboundary consequences.
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*ANNEX V***ITEMS OF INFORMATION TO BE COMMUNICATED TO THE PUBLIC AS PROVIDED FOR IN
ARTICLE 15, PARAGRAPH 1**

1. Name of operator and location of the pipeline(s).
2. Identification, by position held, of the person giving the information.
3. Confirmation that the pipeline is subject to the regulations and/or administrative provisions implementing this Instrument and that the notification referred to in Article 6 has been submitted to the competent authority.
4. An explanation in simple terms of the function of the pipeline(s).
5. The common names or the generic names or the general danger classification of the substances and preparations carried which could give rise to a major accident, with an indication of their principal dangerous characteristics.
6. General information relating to the nature of the major-accident hazards, including their potential effects on the population and the environment.
7. Adequate information on how the population concerned will be warned and kept informed in the event of a major accident.
8. Adequate information on the actions the population concerned should take, and on the behaviour they should adopt, in the event of a major accident.
9. Confirmation that the operator is required to make adequate arrangements, in particular liaison with the emergency services, to deal with major accidents and to minimise their effects.
10. A reference to the local emergency plan(s) drawn up to cope with any effects from an accident. This should include advice to co-operate with any instructions or requests from the emergency services at the time of an accident.

ANNEX VI

**CRITERIA FOR THE NOTIFICATION OF AN ACCIDENT TO THE COMMISSION AS PROVIDED
FOR IN ARTICLE 16, PARAGRAPH 2**

- I. Any accident covered by paragraph 1 and having at least one of the consequences described in paragraphs 2, 3, 4 and 5 must be notified to the Commission.

1 Substances involved

Any fire or explosion or accidental discharge of a dangerous substance carried by a pipeline.

2. Injury to persons and damage to real estate

An accident involving pipelines and giving rise to one of the following events:

- a death,
- six persons injured and hospitalized for at least 24 hours,
- dwelling(s) damaged and unusable as a result of the accident,
- the evacuation or confinement of persons for more than 2 hours (persons x hours): the value is at least 500,
- the interruption of drinking water, electricity, gas or telephone services for more than 2 hours (persons x hours): the value is at least 1 000.

3. Immediate damage to the environment

- *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,
- *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,
- *significant damage to an aquifer or underground water*
 - 1 ha or more.

4. Damage to property

- damage to pipelines, including the loss of substances carried, of at least ECU 2 million,

* In assessing damage, reference could be made where appropriate to Directives 75/440/EEC, 76/464/EEC and Directives adopted for its application in relation to certain substances, namely, Directives 76/160/EEC, 78/659/EEC, 79/923/EEC, or to the Lethal Concentration (LC) for 50 % of the species representative of the environment affected as defined by Directive 92/32/EEC for the criterion 'dangerous for the environment'.

— damage to property other than pipelines of at least ECU 0,5 million.

5. Cross-border damage

Any accident involving a pipeline giving rise to effects outside the territory of the Member State concerned.

- II. 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.
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