

F-SEVESO WORKSHOP

Bruxelles

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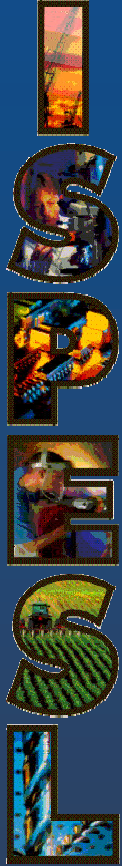
**REPORT ON THE
IMPLEMENTATION IN ITALY
OF THE “SEVESO II”
DIRECTIVE**

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**ISPESL - Italian National Institute for Prevention and Safety at Work
DIPIA - Department of Production Plants and Human Settlements**



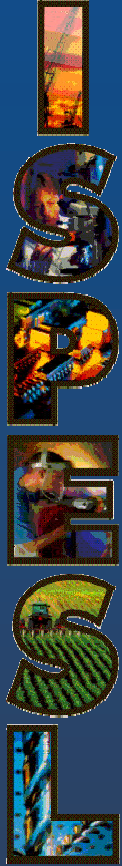
about us



- **ISPESL** is a technical-scientific body of the Ministry of Health for all aspects of occupational safety, health and prevention; it carries out research, analysis and drafting of criteria and methodologies for the prevention of accidents and the professional diseases with particular attention to the technological evolution of industrial plants, materials, equipments and productive processes;
- ISPESL is organized in 6 central Departments and 36 Territorial Agencies operating on the whole national territory;
- the central Department of **DIPIA** provides technical support to the competent authorities for the implementation of the Directive 96/82/EC “Seveso II”; its main task is to integrate health, safety and environmental protection in case of interaction between production plants and the external environment, also including the analysis of design and functioning of establishments subject to the Seveso legislation.

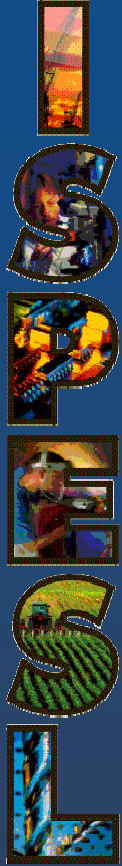
for more information see the English page at www.ispesl.it

Implementation of the Seveso II Directive



- The objectives concerning the prevention of major accident have been implemented in our legislation since 1988, when Italy implemented the first Seveso Directive by Legislative Decree n. 175 of 17 May 1988.
- The Council Directive 96/82/EC, the so-called Seveso II Directive, has been implemented in Italy by the Legislative Decree n. 334 of 17 August 1999.
- The latest amendment of the Seveso II Directive has been implemented in Italy by the Legislative Decree n. 238 of 21 September 2005.

Implementation of the Seveso II Directive



Such new Decree:

- rectifies some inconsistencies occurred in the transposition process of the Seveso II Directive into the national legislation;
- recategorizes the Seveso plants on the national territory, resulting in a change in the number of the lower and upper tier establishments.

Implementation of the Seveso II Directive

1.151 Seveso plants in Italy

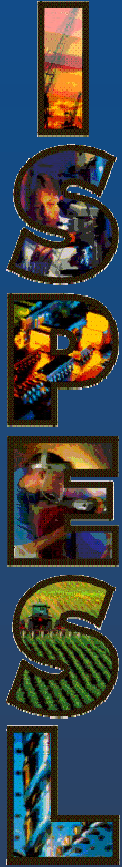
Upper tier establishments

537

Lower tier establishments

614

Implementation of the Seveso II Directive



The L. D. 334/99 is expected to be followed by specific **ministerial decrees** which are supposed to issue the rules for the practical implementation of the Seveso provisions :

already published those concerning:

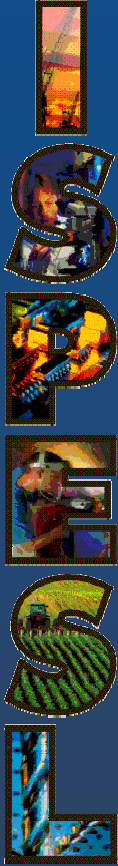
- safety managements systems;
- modifications of establishments;
- land-use planning;
- port areas.

Some others forthcoming, and, more specifically, those concerning:

- contents of the safety report;
- criteria for the inspection activities;
- risk areas assessment.

Implementation of the Seveso II Directive

Devolution process

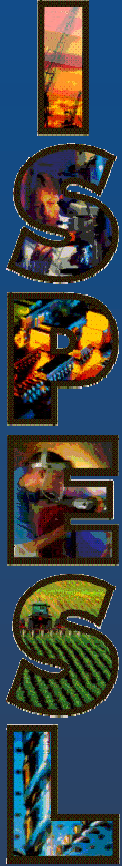


- Historically structured as a Central State government, Italy, since the 90's has been characterized by an ongoing devolution process which is transferring some roles to Regions;
- within this process, each Region has the power to issue regional law for implementing the relevant national law, within the limits fixed by the latter;
- as a consequence, due to this devolution process, **the key roles and the relevant responsibilities are currently evolving from a national to a regional context.**

Legislative provisions of the Lgs.D. 334/99 concerning MAPP, SMS, SR, IEP

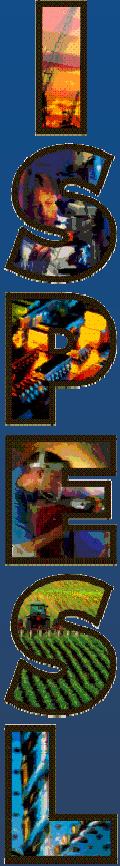
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| <p>Description of process</p> | <p>art. 25 provides for an inspection system in order to verify the adequacy of MAPP and the relevant SMS issued by operators</p> | <p>art. 21 provides for a review process on the Safety Report (for upper tier establishments) also involving inspection on the plants</p> | <p>art. 11 requires operators of upper tier establishments, to draw up an internal emergency plan in consultation with the personnel employed</p> |
| <p>Frequency of monitoring</p> | <p>by the law, at least once a year for upper tier establishment</p> | <p>by the law, at least every five years</p> | <p>the IEP is reviewed, tested and where necessary revised and updated at suitable intervals of no longer than three years</p> |
| <p>Who is responsible and who is involved</p> | <p>inspections are planned by the Ministry of the Environment and carried out by a committee composed of the representatives of the technical bodies (ISPESL, APAT, VVF)</p> | <p>assessment is carried out at regional level by a committee composed of the representatives of Region, Province, Municipality, representatives of Local Department of the technical bodies (ISPESL, ARPA, VVF)</p> | <p>revision is carried out by the operator, in consultation with the personnel employed</p> |
| <p>Implications for non-compliance</p> | <p>on the basis of the report sent by the committee, the Ministry of the Environment, where necessary, transmits the report to the local authorities in order to allowing them to assume appropriate decisions</p> | <p>the operator is obliged to adopt the requirements potentially contained in the final report drawn up by the committee, which are absolutely binding</p> | <p>the operator is obliged to put into effect the requirements of art. 11, which are absolutely binding</p> |

Possible improvements



- From a general perspective, it is possible to say that Italy, overall, is in compliance with the legislative Seveso requirements.
- Obviously there is room for improvement: for example, through a process focused on a direct consultation approach with industry trade associations gathering Seveso plants and workers representatives.

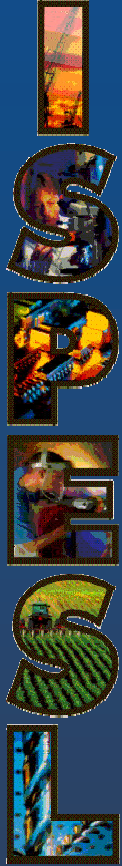
Possible improvements



However, on the basis of what we have experienced over the last decades, we can highlight the following points aimed at improving the application of the Seveso legislation as a whole:

- strengthening of the coordination among different authorities involved in the implementation of Seveso legislation requirements;
- homogeneous application of the Seveso requirements by Regions;
- reinforcement of the cooperation among all stakeholders (industry, citizens associations, public authorities, etc...);

Possible improvements



- improvement in the harmonisation of tools and procedures (e.g. inspections, reporting) regarding safety (Seveso Directives) and pollution prevention and control (IPPC, EIA, SEA Directives etc), without jeopardizing the safety level;
- inspections reinforcement: is now under evaluation a new legislative framework (*Testo Unico*) concerning safety at work, which foresees more resources, both in economic and human terms, to carry out more effective inspections for the safeguard of health and safety at work.

This implies that more efforts should be devoted to let the safety culture increase and to develop tools, procedures and methodologies aimed at strengthening the safety of workers, citizens and environment, through an integrated, effective and comprehensive approach.

THANK YOU FOR YOUR ATTENTION