

Deutschland, Hessen, RP
Darmstadt, Abteilung
Umwelt Frankfurt

3-5 minute presentations on implementation of
Article 14, (1) and (2)

Who implements Article 14(1) and (2)*

	Competent authority (Please indicate which authority or authorities)	Operator Obligations are specified by the Major Accidents Ordinance	Both competent authority and operator	Other
Article 14, (1) (Annex V, Part 1)	Regional council of Darmstadt	§ 8a Information of the public	X	Article 14 (1) and (2) are reviewed as part of the incident inspections. You will also be looked at when checking the security reports. The relevant area is based on the external emergency planning, which is carried out by the emergency response center in Hesse
Article 14 (1) (Annex V, Part 2)	”	§ 11 Further information of the public	X	
Article 14 (2) Determining “persons likely to be affected”	Regional council of Darmstadt + emergency response center	§ 10 Alarm and hazard prevention plans	X	
Article 14 (2) (Information for Upper tier sites)	Regional council of Darmstadt	§ 11 Further information of the public	X	

How are Article 14(1) and (2) implemented?

	Competent authority (Please indicate which authority or authorities)	Operator	Both competent authority and operator	Other
Article 14, (1) (Annex V, Part 1)	https://umwelt.hessen.de/sites/umwelt.hessen.de/files/2022-04/ueberwachungsprogramm_hessen_stand_dezember_2021.pdf	The operators prepare the information for the public according to the specifications of the Seveso guideline and coordinate this with the supervisory authority	X	The environmental departments of the regional councils in Darmstadt, Gießen and Kassel are responsible for monitoring the systems that fall under the BImSchG; technical supervision is carried out by the Hessian Ministry for the Environment, Climate Protection, Agriculture and Consumer Protection.
Article 14 (1) (Annex V, Part 2)	”	”	X	”
Article 14 (2) Determining “persons likely to be affected”	We examine the reports on land use planning and the external emergency planning	The operator provides the information for exceptional incidents and coordinates this with the emergency services	X	
Article 14 (2) (Information for Upper tier sites)	§ 16 Monitoring System Major Accidents Ordinance	<i>Brochure and Internet</i>	X	

Evaluating implementation –

Authority - Please briefly describe any rules or guidance followed **by authorities** in implementing their duties

We have the guidelines from our Ministry in the form of "Procedure Manuals".

We use Checklists.

Operator - How does the authority evaluate that the implementation **by the operator** is effective the requirement, (e.g., criteria, minimum information, frequency, methods)?

The operator is aware of his obligations under the Hazardous Incident Ordinance. This will be checked by us. The operator has to review the internal alarm and hazard prevention plans at intervals of no more than three years.

Confidentiality - How do we deal with the requests for confidentiality? What information do we consider as confidential? Are there any criteria developed for declaring information as confidential?

We have a catalog of questions and answers. Trade or business secrets, confidentiality of personal information and threats to public safety → We have a law on the subject (Environmental Information Act)

If you have any specific examples of a good practice, please explain it briefly here.

Guidance and tools

If you have any guidance online, please provide the links here.

<https://www.kas-bmu.de/reports-in-english.html>

https://umwelt.hessen.de/sites/umwelt.hessen.de/files/2021-10/ueberwachungsplan_stoerfallvo2017_2.pdf

(Alternatively, documents (e.g., .pdfs) can be shared via the MAHB Minerva Website)