

Presentation on implementation of
Article 14, (1) and (2)
In Denmark

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

According to the national or local law, who is responsible for implementing the obligations under Article 14 (1) and (2) as indicated in the table below, and follow-up questions (a), (b), (c), and (d) as appropriate.

Please select the appropriate box. If further clarification is necessary, please feel free to explain your selection in words .

	Competent authority (Please indicate which authority or authorities)	Operator	Both competent authority and operator	Other
Article 14, (1) (Annex V, Part 1)	The environmental authority, point 6 and 7: Municipalities or Environmental Protection Agency, for lower and upper tier sites respectively (typically)	In the Danish implementation of the SEVESO-directive has been added an obligation for the operator to make a non-technical summary of the safety report, which i.a. shall contain the information set out in Annex 5, Part 1, points 1-4 and Part 2, point 1 (It is recommended that the operator display maps with impact areas)	The task of describing the points in annex 5 is shared between the operators and the authorities, but the environmental authority collects and combines the information	Local Police: Point 5
Article 14 (1) (Annex V, Part 2)	The environmental authority, point 2 and 4: Environmental Protection Agency or Municipalities (only fireworks, storage of mineral oil and liquefied gas)			Local emergency service: Point 3
Article 14 (2) Determining “persons likely to be affected”	The environmental authority in collaboration with the planning authority (municipality) and the local emergency services.			
Article 14 (2) (Information for Upper tier sites)	The environmental authority, typically the EPA			

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

According to the national or local law, who is responsible for implementing the obligations under Article 14 (1) and (2) as indicated in the table below, and follow-up questions (a), (b), (c), and (d) as appropriate.

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	Competent authority (Please indicate which authority or authorities)	Operator	Both competent authority and operator	Other
Article 14, (1) (Annex V, Part 1)	The Environmental Protection Agency and the municipalities has a common and public website, which i.a. contains approvals and inspection reports for companies covered by the IE Directive, as well as all the information, cf. Annex 5 of the SEVESO Directive. Seveso inspection reports are not published as they often contain confidential informations	Prepare the non-technical summary and deliver to the authorities		DMA contains a link to the relevant website of the local police
Article 14 (1) (Annex V, Part 2)	<p>as all the information, cf. Annex 5 of the SEVESO Directive. Seveso inspection reports are not published as they often contain confidential informations</p> <p>https://dma.mst.dk/ (only in danish)</p> <p>(It is a general problem that the authorities do not comply with the obligation to publish the information on the website)</p>			A public extract of the external emergency plan is found on DMA, sometimes combined with the information from the police
Article 14 (2) Determining “persons likely to be affected”	Identification of affected areas/populations is done on the basis of either simple calculations of possible impact distances for worst case scenarios or on the basis of calculations of site-specific individual risk (including all scenarios)	The operator is responsible for making all calculations about the impact on the environment		
Article 14 (2) (Information for Upper tier sites)	The DMA website			

Evaluating implementation –

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

Article 16 and 27 of the Danish implementation of the Seveso Directive instructs the environmental authorities to publish the information from Annex 5 digitally on the website provided by Environmental Protection Agency (but there is no possibility of sanctions if they do not).

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

The non-technical summary is an integrated part of the safety-report, and if the risk-authorities does not find the summary good enough, then the safety report is not accepted (in extreme cases, a stop order can be notified – has never been necessary yet).

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?

The operator can request that e.g. the following is kept confidential: Some specific substances and processes, precise location of processes and storages, precise amounts, safety measures, precise information on emergency plans.

No defined criteria – it is a case by case decision by the authority.

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

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Guidance and tools

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

<https://risikohaandbogen.mst.dk/> (in danish)

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