

Directive 2012/18/EU of the European Parliament and of the Council of 4 July 2012 on the control of major-accident hazards involving dangerous substances, amending and subsequently repealing Council Directive 96/82/EC (Text with EEA relevance)

*Article 12*

**Emergency plans**

- 1 Member States shall ensure that, for all upper-tier establishments:
  - a the operator draws up an internal emergency plan for the measures to be taken inside the establishment;
  - b the operator supplies the necessary information to the competent authority, to enable the latter to draw up external emergency plans;
  - c the authorities designated for that purpose by the Member State draw up an external emergency plan for the measures to be taken outside the establishment within two years following receipt of the necessary information from the operator pursuant to point (b).
- 2 Operators shall comply with the obligations set out in points (a) and (b) of paragraph 1 within the following time-limits:
  - a for new establishments, a reasonable period of time prior to the start of operation, or prior to the modifications leading to a change in the inventory of dangerous substances;
  - b for existing upper-tier establishments, by 1 June 2016 unless the internal emergency plan drawn up under the requirements of national law before that date, and the information contained therein, and the information referred to in point (b) of paragraph 1, complies with this Article and has remained unchanged;
  - c for other establishments, two years from the date from which this Directive applies to the establishment concerned.
- 3 The emergency plans shall be established with the following objectives:
  - a containing and controlling incidents so as to minimise the effects, and to limit damage to human health, the environment and property;
  - b implementing the necessary measures to protect human health and the environment from the effects of major accidents;
  - c communicating the necessary information to the public and to the services or authorities concerned in the area;
  - d providing for the restoration and clean-up of the environment following a major accident.

Emergency plans shall contain the information set out in Annex IV.

4 Member States shall ensure that the internal emergency plans provided for in this Directive are drawn up in consultation with the personnel working inside the establishment, including long-term relevant subcontracted personnel.

5 Member States shall ensure that the public concerned is given early opportunity to give its opinion on external emergency plans when they are being established or substantially modified.

6 Member States shall ensure that internal and external emergency plans are reviewed, tested, and where necessary updated by the operators and designated authorities respectively

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at suitable intervals of no longer than three years. The review shall take into account changes occurring in the establishments concerned or within the emergency services concerned, new technical knowledge, and knowledge concerning the response to major accidents.

With regard to external emergency plans, Member States shall take into account the need to facilitate enhanced cooperation in civil protection assistance in major emergencies.

7 Member States shall ensure that emergency plans are put into effect without delay by the operator and, if necessary, by the competent authority designated for this 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.

8 The competent authority may decide, giving reasons for their decision, in view of the information contained in the safety report, that the requirement to produce an external emergency plan under paragraph 1 shall not apply.