

Experiences for Coordination between Seveso and IED inspections

*INSPECTIONS AND CONTROLS IN SEVESO AND IED ESTABLISHMENTS:
POSSIBLE INTEGRATIONS FOR SIMPLIFICATION PURPOSES*

*Exchanges of multilateral experience Italy/Europe
MASE-Auditorium. Roma (Italy), 20 March 2026*

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The role of ISPRA for industrial control

ISPRA has a national role as a **technical body supporting the Ministry of Environment** in the national implementing of the **Seveso Directives (2012/18/UE)** for the prevention of **major accidents (D.Lgs. 105/2015)**

Definition of technical contents of laws and decrees to control Major Accidents

Set-up of the National Inventory of major accident hazards establishments and other related data-bases

Evaluation activity for the Notification form and “exclusion of substances” procedure

Pluri-annual Planning and Inspections of UT establishments SMS-PMA on a regular basis or after an accident

Support for international activities (EU, OECD, bilateral cooperation)

Technical coordination and addressing of Regional Agencies for the Protection of Environment (ARPA)

Collaboration with other Authorities competent for industrial risk (National Fire Brigades; Civil protection; Ministry of infrastructures)

Training for Seveso national inspectors aimed at Italian CCAA

Program and themes

1. Need to prepare the decree for the Seveso inspections
2. Proposal to carry out Seveso inspections with ISPRA personnel on national IEA establishments
3. Conclusions and practical applications

1. Need to prepare the decree for the Seveso inspections

Preparation of the decree updating Annex H (SMS Inspections)

According to art. 32 c5 of D.Lgs.105/2015, "Appendixes E and H are updated by decree of the Minister of the Environment, in agreement with the Ministers of the Interior, Health and Economic Development, and in agreement with the State-Regions Conference"

- **The activities concerning the decree that will update Annex H have been started, according to the reasons given below**
- **ISPRA, as proposed at the coordination table, is preparing a draft for the next phase of discussion with all interested parties**

The need to update Annex H

Over the years, **operational experience and the numerous changes** that have affected control activities have influenced **the organisation and conduct of inspections**:

- Using **hybrid** (remote-presence) **verification** modes
- Need to **update the contents of the Inspection Final Report (IFR)** format
- Need, for each **organism**, for further clarification and **homogenization of the control** activity, the **qualification** of the inspectors, the **operational areas** of the authorities and **commissions**, the management of **compliance with deadlines**, and the related **verification of the corrective actions** implemented by the managers
- Occurrence, in recent times, of **accidental events**, the main **critical issues of which** are to be found in the **not always complete implementation** of basic elements of the **SMS-PMA**, also connected to environmental protection aspects

Objective of the update proposal

Provide greater **clarity** on the methodologies for **planning, scheduling, and conducting inspections** pursuant to Article 27 of D.Lgs.105/2015, ensuring greater **uniformity and consistency** across the country of **the control** activities delegated to the **Competent Authorities**, as required by **Directive 2012/18/EU** (so-called "Seveso III")

Cooperation between IED and Seveso according to art. 27

(c.3) The **Ministry of the Interior and the Regions**, in collaboration with **ISPRA**, ensure the **coordination and harmonization of the inspection plans** under their respective jurisdiction, which contain the following **elements**, including:

- *(letter h) “where applicable, the provisions regarding cooperation between the various authorities carrying out inspections at the establishment, with particular regard to the controls carried out to verify the implementation of Regulation no. 1907/2006 REACH and compliance with the requirements of the integrated environmental authorization referred to in Legislative Decree no. 152 of 3 April 2006”*

This aspect is **reiterated in paragraph 10**, which states:

- *“Where possible, inspections for this decree shall be coordinated with inspections carried out pursuant to other legislation, with particular regard to the controls carried out to verify the implementation of Regulation no. 1907/2006 REACH and compliance with the requirements of the integrated environmental authorization pursuant to Legislative Decree no. 152 of 3 April 2006, in accordance with the provisions of paragraph 3, letter h)”*

The role of ISPRA in environmental controls

The activities for **verifying compliance with the requirements of the Integrated Environmental Authorization (under IED)** for installations under **state jurisdiction** (national IEA) are the responsibility of **ISPRA**

To ensure **cooperation** and the consequent **homogenisation of national control activities**, it is believed that, within the **inspection commissions on the SMS-PMA at establishments** also subject to national IEA, **ISPRA personnel** holding both the qualifications of **"Seveso Inspector"** and **"Environmental Inspector"** should be used

The added value of using ISPRA staff

The participation of **ISPRA** would ensure a **homogenization in the organization and carrying out of inspections**, given its role as **Environmental Control Body** (D.Lgs.152/2006), also for an ever-increasing **effectiveness** in the various **control** activities and institutional **strengthening of the SNPA** (National Environmental Protection System)

- It is proposed to consider, **in inspection mandates on upper-tier establishments**, **ISPRA** inspectors as members **of the SMS-PMA commissions**
- **ISPRA** would constitute a **link between the two activities**, representing **specificities and peculiarities**, both of a **technical-operational and organizational-managerial nature**, as emerging from the **IEA controls**, common to the **"Seveso"** inspections
- From an operational point of view, this would ease **the workload of ARPA staff**, who are continuously engaged in **upper and lower tier Seveso inspections**, **IEA**, and other institutional activities

Planning of activities and main impacts

In the annual planning phase of inspections on the SMS-PMA, the Ministry of Interior will be able to liaise with MASE and ISPRA, responsible for planning the controls under the D.Lgs. 152/2006, to harmonise, from a temporal point of view, the ordinary control activities

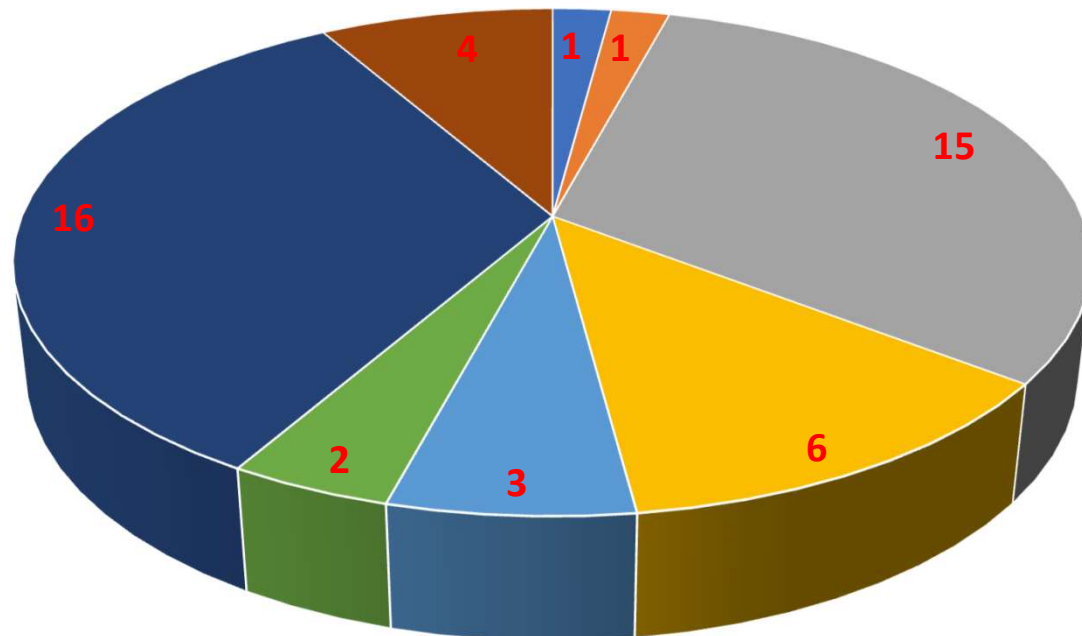
- The impact of control activities on upper-tier establishments corresponds to approximately 10% of the national total (~40 sites)
- Any IEA controls may focus on environmental matrices and technical elements not covered by the Seveso inspection carried out

2. Proposal to carry out Seveso inspections with ISPRA personnel on national IEA establishments

Participation of "Seveso Inspectors" and "IEA Inspectors" in SMS-PMA inspections of national IEA establishments

1. Coordination between the Ministry of Interior, MASE, and ISPRA, during the annual planning of Seveso inspections, to harmonise them, from a temporal point of view, with the ordinary control activities under paragraph 3 of art. 29-decies of D.Lgs.152/2006
2. Consideration, in inspection mandates on upper-tier establishments by the Technical Regional Committee, of ISPRA inspectors as members of the commissions, in addition to the CNVVF, INAIL (or UNMIG)
3. In-depth analysis, during the Seveso inspection, of the elements foreseen by the mandate, as well as of the elements concerning aspects common to the IEA requirements, under the D.Lgs.152/2006 (environmental protection)
4. Production, at the end of the activity, in addition to the IFR, of a report, with the checks carried out and any critical issues that cover aspects common to the IEA requirements, and in terms of implementation of the SMS-PMA

The industrial activities involved: Seveso establishments under IED



- (05) Processing of ferrous metals (foundries, casting, etc.)
- (07) Treatment of metals by electrolytic or chemical processes
- (08) Petrochemical/oil refineries
- (09) Energy production, supply and distribution
- (15) LNG storage and distribution
- (18) Production and storage of fertilizers
- (22) Chemical plants

3. Conclusions and practical applications

Expected products and effects on the national control system

Following the inspection, **in addition to the IFR, the ISPRA inspector** prepares a **report with the checks** carried out and any **critical issues common to the IEA** requirements, as well as regarding the **implementation of the SMS-PMA**

- *Risk analysis (environmental effects)*
 - *Operational control on critical technical systems*
 - *Experience with accidents, near misses, and anomalies*
 - *Process and plant status control*
 - *Emergency scenario management*
- **Existing procedures for inspection** activities remain in place, or in cases where ARPA **does not have personnel available**

Possible non-compliances and relevance for IED purposes

Consideration of **non-conformities and criticalities** that emerged from the inspection, which are considered **significant for IEA purposes**

- **Minor or Major non-compliances** that may be **relevant** in determining the **conditions of environmental authorization procedures**
- **A tool** to provide the **Competent Authority**, by the Commission, with a **prompt and effective contribution** in the context of environmental proceedings, **resolving specific common Seveso-IED critical issues**

Integrations for simplification purposes

Harmonized approach between **Seveso and IED controls**, in accordance with **D.Lgs.103/2024** “*Simplification of controls on economic activities*”

- Ensure principles of **effectiveness, efficiency, and proportionality**, as enshrined in **European directives**
- Take into account **information already held** by the **Competent Authorities**
- **Minimize document requests** based on the criterion of minimal **organizational sacrifice** for the site operators

If you think safety is expensive, try an accident



Questions...???

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Thanks for your attention!!!

