

**Implementation of the National Plan for  
Approximation of Environmental Legislation**

*A project for Albania funded by the European Union*

**Draft**

**Decision on Notifications under the Law on the Control of Major  
Industrial Accident Hazards Involving Dangerous Substances\***

**Draft 2**

**version 1**

**07.06.2011**

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\* This Decision implements Directive 96/82/EC on the control of major-accident hazards involving dangerous substances, as amended by Regulation EC/1882/2003, Directive 2003/105/EC and Regulation EC/1137/2008, as regards Notifications



**REPUBLIC OF ALBANIA  
THE ASSEMBLY**

DRAFT 2 Version 1

07.06.2011

**DECISION**

No \_\_\_\_\_, dated \_\_\_\_\_

**ON NOTIFICATIONS UNDER THE LAW ON THE CONTROL OF MAJOR  
INDUSTRIAL ACCIDENT HAZARDS INVOLVING DANGEROUS  
SUBSTANCES <sup>(1)</sup>**

Pursuant to Articles 59 paragraph 1.d and 100 of the Constitution and to Article 7 of the Law no \_\_\_\_\_, dated \_\_\_\_\_ “On The Control of Major Industrial Accident Hazards Involving Dangerous Substances”, the Council of Ministers,

**DECIDES:**

1. This Decision establishes the format of the information to be included in a Notification to be sent by the operator of an establishment to the Competent Authority pursuant to Article 7 of the Law “On the Control of Major Industrial Accident Hazards Involving Dangerous Substances”.
2. For the purposes of this Decision, all terms used shall have the meaning given to them by Article 2 of the Law “On the Control of Major Industrial Accident Hazards Involving Dangerous Substances”.
3. Where, by virtue of Article 7 of the Law, operators of establishments to which the Regulation applies are required to inform the Competent Authority of the quantity and physical form of dangerous substances present at the establishment, the form in the Annex to this Decision shall be used for such notification.

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\* This Law transposes fully Directive 96/82/EC on the control of major-accident hazards involving dangerous substances, as amended by Regulation EC/1882/2003, Directive 2003/105/EC and Regulation EC/1137/2008

4. This Decision comes into force 15 days after publication in the Official Gazette.



Information sufficient to identify the categories of dangerous substances present. Quantity and physical form of the dangerous substances present ( <i>see Notes 2 and 3</i> )

Description of the activity or proposed activity of the installation concerned ( <i>see note 4</i> )

Details of the elements of the immediate environment liable to cause a major accident or aggravate the consequences of a major accident ( <i>see Note 5</i> )

Reason for this Notification
Have you previously submitted a notification for this establishment?
YES
NO
If YES, please give date submitted and the Competent Authority Reference Number

Why are you submitting this notification? ( <i>please tick appropriate box</i> )
<input type="checkbox"/> Prior to start of construction of a new establishment (Art. 7.1)
<input type="checkbox"/> Prior to the start of operation of a new establishment (Art. 7.2)
<input type="checkbox"/> The establishment is an existing establishment (Art. 7.3)
<input type="checkbox"/> Significant increase in quantity of dangerous substances (Art. 7.5(a))
<input type="checkbox"/> Significant change in the nature or form of dangerous substances, the processes employing them or any other information previously notified (Art. 7.5(b))
<input type="checkbox"/> Reduction in quantity of dangerous substances to below upper tier

	threshold (Art. 7.5(c))
	Modification of the establishment or an installation in the establishment which could have significant repercussions on major accident hazards (Art. 7.5(d))
	Permanent closure of an installation in the establishment (Art. 7.5(e))

Do you wish any information to be excluded from the public registers on the grounds that it is commercially or personally confidential? ( <i>see Note 6</i> )	
YES	You should complete this Part A form excluding the commercially or personally confidential information; then you should complete the Part B form including the commercially or personally confidential information and provide a justification for its exclusion from the public registers
NO	You should complete this Part A form

**Declaration**

I certify that the information in this notification Part A is correct.	
Name	
Signature	
Date	

Please send the completed notification to:

*Address of Competent Authority*

The *Competent Authority* will confirm receipt within 10 working days.

## Notification – Part B

This information not to be disclosed on the Public Register

Name and address of the operator

Address of the establishment ( <i>if different from above</i> )

### National Security

Is there any information which you believe should be excluded from the public register for reasons of national security?
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YES	<input type="checkbox"/>
NO	<input type="checkbox"/>

Has a decision been made by the Minister of [ <i>which minister?</i> ]
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YES	<input type="checkbox"/>
NO	<input type="checkbox"/>

If yes, please provide reference number and date
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Does the notification form Part A contain any national security information which would prevent it from being placed on the public register?
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YES	<input type="checkbox"/>
NO	<input type="checkbox"/>

### Commercial and Personal Confidentiality

Do you wish any information to be excluded from the public register on the grounds that it is commercial or personally confidential?
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YES	<input type="checkbox"/>
NO	<input type="checkbox"/>

If YES, then you should: Complete Part A excluding the commercially or personally confidential information.
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Complete Part B including the commercially or personally confidential information and provide a justification for its exclusion from the public register in the box below.

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**Declaration**

I certify that the information in this notification Part B is correct	
Name	
Signature	
Date	



## Notes

1. Include registered office address
2. Physical form includes gas, liquid, powder and solids. Quantity is the maximum quantity which you can anticipate will be present.
3. Provide information to identify the names and categories of dangerous substances (e.g. toxic or flammable – see Annex 1, Part 2 of the Law). Warehouses or other establishments with frequent inventory variations may notify ceiling limits of generic categories.
4. Provide a brief description of the activity or proposed activity (e.g. manufacture of ammonium nitrate fertilizers).
5. Describe other establishments or features of the environment which could lead to a major accident at your site. Describe elements of the surrounding environment which could make the consequences of a major accident worse (e.g. nearby housing, other occupied buildings, nature parks, agriculture or food production, sewage works, surface waters used for the abstraction of drinking water).
6. If you wish to submit a request for commercial or personal confidentiality then you are advised to contact the Competent Authority in advance of submitting this Notification. When a request for confidentiality is made the Competent Authority will make a decision within 28 days and inform you of the outcome.