

Classified facilities inspectorate

Providing environmental policing
of industrial and agricultural sites



Ministry of Ecology, Sustainable Development and Energy

www.developpement-durable.gouv.fr



Industrial and agricultural facilities

Every industrial and agricultural site liable to create risks, or cause pollution or significant nuisances, particularly for the health and safety of local communities, is a facility that must be classified for the protection of the environment (ICPE).

Activities subject to classified facility legislation are listed in a classification that, according to the scale of the risks or drawbacks that may be engendered, subjects them to a declaration, registration or authorisation scheme:

- For the least polluting and least hazardous activities, a simple declaration to the prefecture

is required. The operator usually has to comply with a ministerial order that requires preventive measures to be implemented.

- For facilities presenting the highest risks of pollution, the operator must request authorisation before commissioning, demonstrating the acceptability of the risk. The prefect may authorise operation under specific conditions or refuse it altogether.
- For sectors whose technical measures to prevent the drawbacks are well-attested (service stations, warehouses, etc.), a simplified authorisation scheme, the registration scheme, was created in 2009.

Classified facilities in dates

- **1794:** The explosion at the Grenelle powder plant near Paris caused the deaths of 1,000 people. It caused people to realise the risks and nuisances that can be generated by human activity.
- **15 October 1810:** The imperial decree relating to hazardous, insalubrious and incommensurable sites, which established the first classification and a scheme requiring authorisation by the prefects, was the forerunner of French regulations on classified facilities.
- **Law of 19 December 1917:** This improved the existing measures and subjected the least detrimental sites to a simple declaration scheme.
- **Late 1960s:** The inspection of classified sites, previously carried out by the labour inspectorate, was awarded to the Mines department and transferred to the Ministry of the Environment upon its creation in 1971.
- **Law of 19 July 1976** on classified facilities for the protection of the environment (codified in book V of the Environmental code), which became the legal basis for the industrial environment in France. This text is based on an integrated approach. A single authorisation is issued and regulates every aspect concerned: accident risk, waste, discharges into water, the air, soil, etc. The inspectorate for classified facilities is also the only competent authority for the application of this legislation.
- **Law of 30 July 2003:** This followed the tragic explosion at the AZF nitrogen fertiliser plant in Toulouse in 2001 and strengthened the prevention of risks through the creation of TRPP (technological risk prevention plans). In parallel, the number of inspections by the inspectorate for classified facilities was increased.

Classified facilities in figures (as at 31 December 2013)

- **500,000** sites in total
- **44,500** sites requiring authorisation or registration, including:
 - **1,200** Seveso (high accident risk)
 - **6,700** subject to the IED directive (significant discharges)
 - **14,400** farms
 - **4,000** quarries
 - **560** waste processing facilities
- The inspectorate in 2013:
 - **1,555** inspectors in post
 - **23,000** inspections carried out
 - **5,100** prefectural orders (requirements)
 - **2,500** formal notification orders
 - **900** notices of violation

Testimonial

CHRISTOPHE RIBOULET,
inspector of classified facilities at the Auvergne DREAL (Regional Directorate for the Environment, Development and Housing)

I have been an inspector of classified facilities for fifteen years. Thanks to the diversity both of the role and of the people I meet - elected representatives, manufacturers and environmental protection associations - I have learned a lot both on a professional and personal level.

Regulating, inspecting and monitoring facilities throughout their life allows me to directly influence industrial practices, leading the entire system to reduce its environmental footprint.

In addition, it is a profession that offers the possibility of accessing a wide range of roles, like monitoring Seveso industrial sites

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Being an inspector of classified facilities is definitely playing a part in sustainable development!
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such as refineries, or smaller sites such as metal-working companies, or, on a different note, managing a team. This aspect is one of the reasons for my unflinching interest in my profession.



The inspectorate: providing a public service

The inspection authorities provide environmental policing of industrial and agricultural sites. This consists in preventing and reducing the hazards and nuisances linked with the facilities in order to protect people, the environment and public health. However, the operator remains responsible for his facility from creation to shutdown.

The inspectorate's action is organised around three areas and includes the principle of proportionality to the issues:

- Regulation: processing activity authorisation, registration, modification and cessation request files, proposing to the prefects the operating requirements for the site and updating these requirements in accordance with technical

developments and environmental protection requirements;

- Inspection of classified facilities: carrying out scheduled and unannounced inspections, examining studies and assessments, and proposing administrative sanctions to the prefect and criminal prosecutions to the public prosecutor in the event of violation;
- Provision of information to the public and operators.

Competence, impartiality, equity and transparency are the values shared by the inspectors. They form part of a permanent quest for efficacy, economical use of resources and quality of service.

An organisation operating across the whole country

The ministry responsible for ecology has jurisdiction over classified facilities. The General Directorate for Risk Prevention (DGPR) establishes the regulations, checks their application and coordinates the local inspection services in the DREAL, DDPP and DDCSPP.

Under the authority of the "département" prefect, the inspectorate's tasks are performed by:

- The DREAL (Regional Directorates for the Environment, Development and Housing), the DRIEE in Île-de-France (Regional and Interdepartmental Directorate for

the Environment and Energy) and the DEAL (Directorates for the Environment, Development and Housing) in the overseas "départements", for the majority of industrial sites;

- The DDPP (Departmental Directorates for Population Protection) and the DDCSPP (Departmental Directorates for Social Cohesion and Protection of Population) for agricultural sites, slaughterhouses, carcass disposal plants and certain other food-processing activities.

The inspectors (engineers, technicians, veterinarians, etc.) are State-certified agents.

The inspectorate's strategic programme, 2014-2017

As a genuine roadmap shared by all the departments of the inspectorate across the entire country, this programme sets out the priority actions determined during environmental conferences as part of an approach to modernise public action. It is based on three major goals:

- Simplify administrative procedures and stabilise the regulatory framework;
- Develop an approach to regulation and inspection more proportional to the priority issues;
- Involve the stakeholders in the work of the inspectorate.

Testimonial

JOCELYNE FADAT,
inspector of classified facilities at the Loire-Atlantique DDPP
(Departmental Directorate for Population Protection)

Of all the professions I have worked in in the Veterinary department, and then the Departmental Directorate for Population Protection (DDPP), that of inspector of classified facilities is the most varied and interesting for me.

For over fifteen years, I have continued to work from the farm to the fork, with live-stock farmers, food-processing industries and supermarkets, whose facility conditions need to be managed very precisely. On the one hand, meeting the farmers, exploring the countryside to check solid and liquid manure spreading plans and even checking safety conditions in zoological parks all take me back to my original vocation of veterinarian. On the other hand, ensuring water is not polluted by discharges from a slaughterhouse, checking furnaces and refrigeration facilities

are correctly controlled and encouraging the limitation as much as possible of bad odours from a rendering plant for the well-being of the local communities have allowed me to discover new fields that I am still exploring.

In addition to this experience, I manage a team and train new inspectors, keeping to the objective of passing on the torch for the protection of our environment.

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Examples of concrete actions in 2014

Modernising environmental law

- Lead times reduced for issuing authorisations to operate a classified facility for environmental protection: three-year trial in seven regions of a single authorisation that merges the ICPE authorisation procedures with those of other authorisations required by the same project. This enables greater efficiency in terms of lead times whilst maintaining the same level of protection.
- Registration scheme implemented: this simplified authorisation scheme has been in operation since 2010. To date, 29 sections benefit from this new scheme which represents 32% of operating authorisation requests.

Preventing accident risks

- Technological risk prevention plans (TRPP) established and implemented.
- Public easements relating to pipelines introduced.
- Inspection campaign conducted on the theme of gas detectors in ICPE.

Preventing water, air and soil pollution

- The best available techniques implemented to reduce discharges and improve energy efficiency in facilities subject to the IED directive (relating to industrial emissions).
- Monitoring data gathered within the frame-

work of the RSDE action (to research and reduce hazardous substances in water) verified.

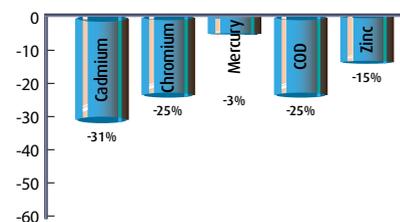
- Manufacturers and importers of chemical substances monitored (conformity with the REACH¹ regulation, aiming to make safe the manufacture and use of chemical substances in European industry).
- Operators informed of the new regulation governing cooling towers (facilities liable to stimulate the development of Legionella and have a significant health impact).
- Illegal sites processing waste with a high metal content combated.
- Methanation facilities inspected.
- The greenhouse gas emission quota market monitored.
- Campaign conducted to measure perchloroethylene in premises neighbouring dry cleaning facilities.

Providing information to the public

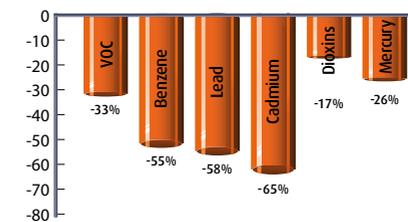
- Farmers and consultants informed of the introduction of the pig farm registration scheme.
- Almost 1,300 site monitoring committees chaired.

¹ REACH: Registration, Evaluation and Authorisation of Chemicals

Reduction in emissions into water between 2007 and 2013



Reduction in emissions into the air between 2007 and 2013



A strong presence in the field

In 2013, 23,000 inspections were carried out.



14,800 in facilities subject to authorisation



4,600 in facilities subject to declaration



2,900 in other facilities



700 in facilities subject to registration

Further information:

- **Ministry of Ecology, Sustainable Development and Energy**
www.developpement-durable.gouv.fr
- **DREAL websites**
www.region.developpement-durable.gouv.fr (replace the word "region" in the URL with the name of the desired region)
- **Inspection authorities for classified facilities**
www.installationsclassees.developpement-durable.gouv.fr

- **Classified facility regulations**
www.ineris.fr/aida
- **Inventory of technological and industrial accidents**
www.aria.developpement-durable.gouv.fr
- **French register of pollutant emissions**
www.pollutionsindustrielles.ecologie.gouv.fr
- **National portal of polluted sites and soils**
www.sites-pollues.developpement-durable.gouv.fr

“Everyone has the right to live in a balanced environment which shows due respect for health”.

Article 1 of the Charter for the Environment, constitutional law of 1 March 2005

A few reference texts

- Article L 511-1 of the French Environmental Code. “The provisions of the present Title apply to factories, workshops, depots, work sites and, in general, to all facilities operated or owned by any public or private person or entity, which might present hazards or drawbacks for the convenience of the neighbourhood, or for public health and safety, or for agriculture, or for the protection of nature, the environment and landscapes, or for the rational use of energy, or for the conservation of sites and monuments or elements of the archaeological heritage”.
- Book V of the Environmental code relating to the prevention of pollution, risks and nuisances.
- Law of 30 July 2003 relating to the prevention of technological and natural risks and the repair of the damage caused.
- Regulation (EC) No. 1907/2006 concerning the Registration, Evaluation, Authorisation and Restriction of Chemicals (REACH).
- Regulation (EC) No. 1272/2008 on classification, labelling and packaging of substances and mixtures (CLP).
- Directive 2010/75/EU of 24 November 2010 on industrial emissions (IED directive): the IED directive is a revision of directive 2008/1/EC concerning integrated pollution prevention and control, known as the IPPC directive, and six other sectoral directives.
- Directive No. 2012/18/EU of 4 July 2012 (Seveso III directive): as of 1 June 2015, new requirements will apply to facilities to prevent and better manage major accidents involving hazardous chemical products.

All regulations relating to classified facilities can be found on the AIDA website: www.ineris.fr/aida

**Ministry of Ecology,
Sustainable Development
and Energy**
General Directorate for Risk Prevention
92055 La Défense cedex
Tel. +33 (0)1 40 81 21 22

