



Council of the
European Union

Brussels, 16 October 2023
(OR. en)

**Interinstitutional File:
2023/0373(COD)**

**14248/23
ADD 1**

**ENV 1129
MI 862
IND 535
CONSOM 367
COMPET 996
MARE 22
PECHE 439
RECH 452
SAN 593
ENT 215
ECOFIN 1053
CODEC 1895**

PROPOSAL

From:	Secretary-General of the European Commission, signed by Ms Martine DEPREZ, Director
date of receipt:	16 October 2023
To:	Ms Thérèse BLANCHET, Secretary-General of the Council of the European Union
No. Cion doc.:	COM(2023) 645 final - ANNEXES 1 to 4
Subject:	ANNEXES to the Proposal for a REGULATION OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL on preventing plastic pellet losses to reduce microplastic pollution

Delegations will find attached document COM(2023) 645 final - ANNEXES 1 to 4.

Encl.: COM(2023) 645 final - ANNEXES 1 to 4



EUROPEAN
COMMISSION

Brussels, 16.10.2023
COM(2023) 645 final

ANNEXES 1 to 4

ANNEXES

to the Proposal for a

REGULATION OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL

on preventing plastic pellet losses to reduce microplastic pollution

{SEC(2023) 346 final} - {SWD(2023) 330 final} - {SWD(2023) 332 final} -
{SWD(2023) 333 final}

ANNEX I

RISK ASSESSMENT PLAN FOR INSTALLATIONS

The risk assessment plan referred to in Article 4(1) shall contain the following elements:

- (1) the site plan;
- (2) the locations where pellet spills and losses may originate from within the installation's boundaries, specifying high- and low-risk locations;
- (3) the handling operations during which pellet spills and losses may originate from within the installation's boundaries, specifying high- and low-risk operations;
- (4) the estimation of the quantities of spills and losses in the identified locations and operations;
- (5) drawing up of the list of the activities over which the installation might have authority to exercise control, including suppliers, sub-contractors and off-site storage facilities;
- (6) the definition of one specific role of a member of staff responsible for recording, investigating and follow-up on spills and losses, including reporting to competent authorities as in Article 4 (7) and Article 9 (1);
- (7) description of equipment in place to prevent, contain and clean up spills and losses.

Economic operators shall consider at least the following, taking into account the nature and size of the installation as well as the scale of its operations:

- (a) For prevention: vacuum seals on hoses and pipework; tear- and impact-resistant packaging that can withstand degradation in aquatic environments; equipment to create secure connection points with secondary barriers in place; loading systems designed to ensure transfer lines can be completely emptied after loading and unloading; sealed containers or external silos to store pellets; automated transport systems for pellets;
 - (b) For containment: catchment devices placed along the exterior edge of loading and unloading areas; industrial vacuum cleaners and hand tools for immediate cleaning; internal and external drain covers, storm water drainage or filtration systems to manage reasonably foreseeable flood or storm events; a sewage treatment system;
 - (c) For clean-up: industrial vacuum cleaners for internal and external usage; dedicated appropriate containers for recovered pellets that are covered, labelled and secured to prevent further spills and losses; hand tools (e.g., brooms, dustpan and brush, buckets, repair tapes); reinforced collection bags.
- (8) description of procedures in place to prevent, contain and clean up spills and losses.

Economic operators shall consider at least the following, taking into account the nature and size of the installation as well as the scale of its operations:

- (a) for prevention: limits on the volumes of pellets transported in certain packaging (e.g., pellets must be packaged and sealed in 25kg sacks, and loaded no more than 1tonne per pallet); regular inspection and maintenance of packaging, containers and storage facilities; use of spill trays under transfer points and during loading and unloading; clear protocols for opening, loading,

- closing and sealing containers at the start and end of loading; physical testing and monitoring of the effectiveness of prevention procedures;
- (b) for containment: regular inspection, cleaning and maintenance of catchment devices; regular inspection, cleaning and maintenance of drain covers, storm water drainage or filtration systems; regular inspection and cleaning of vehicles leaving and/or entering a site, outgoing water facilities and fences on the perimeter of the facility that are in public areas when applicable; immediate replacement or repair of leaking packaging; checks for broken and discarded packaging or containers for residual pellets before disposal or repair; maintenance of sewage treatment system.
 - (c) for clean-up: spilled plastic pellets are cleaned up immediately to prevent losses to the environment, at the latest upon termination of the operation, and collected in a designated container. If possible, spilled plastic pellets are reused as raw material to reduce wastage. If spilled plastic pellets cannot be reused as raw materials, they are retrieved and disposed of in accordance with waste legislation.
- (9) in addition to elements described in points (1) to (8), economic operators that are medium or large-sized enterprises and operate installations where plastic pellets in quantities above 1 000 tonnes have been handled in the previous calendar year shall also take the following actions:
- (a) describe the elements that should be reviewed at formal management meetings at least once a year including the estimated quantity and causes of any losses; preventive, mitigating and clean up equipment and procedures implemented and their effectiveness.
 - (b) establish an awareness and training programme, based on the employees' specific roles and responsibilities, on prevention, containment and clean-up, the installation, use and maintenance of equipment, the execution procedures, as well as the monitoring and reporting of pellet losses;
 - (c) set the procedures for informing drivers, suppliers and subcontractors about the relevant procedures to prevent, contain and clean up spills and losses.

ANNEX II

FORM FOR SELF-DECLARATION OF CONFORMITY

..... (name
and address of the economic operator).

Declares under its sole responsibility that the handling of plastic pellets in the installation located in (address) with registration number (if available) meet all requirements of Regulation (EU) No [...] of the European Parliament and of the Council of [...] on preventing plastic pellets losses to reduce microplastic pollution.

By signing this declaration, I declare that the risk assessment attached, carried out on the (date) has been implemented.

Done at ... on .../.../20....

Signature

ANNEX III

ACTIONS FOR EU CARRIERS AND NON-EU CARRIERS

Measures to be taken and equipment to be put in place by EU carriers and non-EU carriers:

- (1) For prevention: verification during and after loading and unloading, that pellets are properly removed from the outside of the transport equipment before leaving the loading/unloading site; clear communication on stowage requirements; prevention of any leakage, including during the transport journey, e.g., by technical suitability of the transport means and containers, supplemented, if necessary, with appropriate sealing; ensuring that protective covers on e.g. forklifts/hydraulic equipment are used to prevent the piercing of packaging; regularly cleaning the loading compartments and the containers to minimise the loss of spilled pellets; visual checking of openings and integrity of the loading compartments prior and, to the extent possible, during the journey, including in the multimodal terminals, rail terminals, inland and seaports.
- (2) For containment and clean-up: where possible, repair damaged packaging (e.g. by using booms, barriers and tape) and contain the remaining pellets in the loading compartment; collect the spilled pellets in closed containers or bags for proper disposal; in case of transport of pellets in bulk tanks, opening the bottom manhole/cone of the silo tank only after entering the cleaning bay; replace the container liner only in suitable and non-public areas, where any spillage can be contained; notify the authorities such as international and national emergency, or environmental authorities, as appropriate, from the Member State where the event occurred.
- (3) Equipment on board: at least one portable lightening apparatus, hand tools (e.g. brooms, dustpan and brush, buckets, repair tapes, etc.); closed collection containers/reinforced collection bags.

ANNEX IV

FORM OF THE CERTIFICATE OF CONFORMITY

..... (name).

with registration number

accredited for the scope

..... (NACE Code)

declares, after having verified the installation of the economic operator
(name) located in with registration number (if available)

.....

that the installation meets all requirements laid down in Annex I of Regulation (EU) No [...] of the European Parliament and of the Council of [...] on preventing plastic pellets losses to reduce microplastic pollution.

By signing this declaration, I declare that:

— the verification has been carried out in full compliance with the requirements of Regulation (EU) No [...], including spot-checks performed in (dates),

— the outcome of the verification confirms that there is no evidence of non-compliance with the applicable legal requirements of Regulation (EU) No [...].

Done at ... on .../.../20....

Signature