



HIGHLIGHTS – ECOLOGICAL ACCIDENT: RUPTURE OF A PIPE IN YVELINES: WHAT IS TOTAL'S RESPONSIBILITY?

On February 25, an oil pipeline broke from Ile-de-France, owned by Total, which transported crude oil between the port of Le Havre and the Grandpuits refinery. 900 cubic meters of oil poured into Yvelines fields and water courses. The environmental consequences are: the contamination of fields, soil, water tables, streams ...

Difficult to make a more accurate definition of ecological damage. This accident represents "a significant attack on the elements or functions of the ecosystems or the collective benefits derived by the human being from the environment" (Article 1247 of the Civil Code), so it falls within the scope of the law of August 8, 2016, which recognizes the concept of ecological damage and frames its repair. The personal nature of prejudice until now prevented classical responsibility from being applied to this type of damage. The legislator has eliminated this last condition with respect to ecological damage. It should be borne in mind that the risk of damage now lies with Total because it is the second time that this type of accident has occurred. The holders of the action (Article 1248), therefore, can ask the judge to order Total to stop the damage, but also to prevent it since the law legitimizes the plaintiffs who come forward in terms of prevention. In this case, Total could be forced to take numerous measures deemed necessary so that this type of accident does not happen again.



RENEWABLE ENERGY – TOTAL TO THE LIMIT AT THE DUNKIRK WIND FARM

"Total, the greatest future of renewable energies": an ambition that is reflected in the latest developments of the French company.

In fact, while Total announces the abandonment of its drilling operations in French Guiana, it is requesting, within an association formed by Elicio and Orsted, the construction of the offshore wind farm in front of Dunkirk. Other pre-selected companies include Shell-Quadran Marine-Deme, Vattenfall-WPD Offshore-Caisse des Dépôts, Engie-EDPR or EDF-Innogy-Enbridge.

This initiative is a real revolution for French energy production, since at the moment the wind energy sector in France is exclusively terrestrial. It should be remembered that the Dunkirk wind project is the seventh of its kind. Six offshore wind farms, or offshore ones, were tendered between 2012 and 2014. The projects of Fécamp (Seine-Maritime), Courseulles-sur-Mer (Calvados), Saint Nazaire (Loire-Atlantique), Tréport (Seine-Maritime), Saint-Brieuc (Côtes-d'Armor) and Noirmoutier (Vendée) form this first group of wind farms in the sea, with a total power of about 3,300 MW. The present objective in the law relating to the energy transition for green growth is to reach 32% of renewable energy in energy consumption and 40% of electricity production in France by 2030.

At the end of 2017, the French wind farm produced 24 TWh or 4.5% of the national electricity production, less than its European neighbors: Denmark (41.2%), Ireland (24%), Portugal (23.3%), Spain (16, 6%), Germany (15.3%).



Aude - Contamination of arsenic water in the Orbiel Valley

After the deadly floods of the Aude River, many people feared arsenic contamination, caused by the presence of an old gold mine in Salsigne. According to a chemical specialist, the concentration of arsenic per



POLLUTION – FASHION IS THE MOST POLLUTING INDUSTRY IN THE WORLD BEHIND OIL

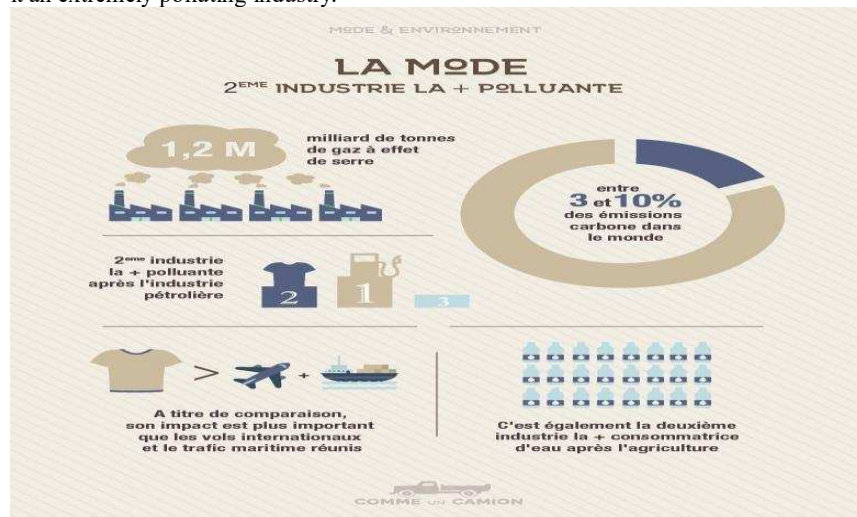
Fashion is at the center of attention in France, with Fashion Week and its fashion shows. But behind the glamor lies a much darker reality: the fashion industry is the second most polluting industry in the world, behind oil.

The vast majority of clothing is made of synthetic and / or natural fibers. One can easily guess the impact that the production of synthetic fibers such as acrylic, nylon, polyester and polyamide can have. All come from petrochemicals, the most polluting industry in the world.

Also, contrary to what one might think, plant matter is far from being free from reproaches because the way it is grown today is not very natural anymore. Cotton is the most used fiber in clothing. But to grow cotton you need a lot of water. In addition to this, to ensure good yields, producers use a large amount of fertilizers, pesticides and herbicides, in addition to the fact that these are often genetically modified. During the harvest, to separate the cotton fibers from the leaves, a defoliant product that is toxic is also used. To which must be added that some manufacturers use additives to make the cotton thread stronger. And when it is dyed, it is made through heavy metals and chromium. All these toxic products contaminate the soil and contaminate textile workers, who then develop cancer.

And let's not forget the clothes that are made of animal materials: fur, wool and animal skins that have a serious ecological impact.

In summary, to fully understand the ecological impact of the manufacture of a garment, it is necessary to take into account its entire life cycle: the production of textile fibers, the production of the garment itself, the treatment, washing and the purpose of life; a complex circle that makes it an extremely polluting industry.



COAL - THE INCREASE IN GLOBAL COAL CONSUMPTION

After two years of decline, global coal consumption is increasing again (+ 1%), and

liter is ten times higher than the standard for drinking water or more.

It was the largest gold mine in Europe, before its closure in 2004. Located in the Orbiel Valley, the Salsigne mine has driven France for more than a century in the yellow metal, but also in silver or copper. An ancient source of wealth for the country and the region, the mine is now considered the most polluted site in France, due to the hundreds of thousands of tons of toxic waste that remain. And the recent floods in the Aude have spread this pollution throughout the valley.

This arsenic comes from the two hills that border the two banks of the Orbiel River, next to the mine: the Artus and the Montredon. The first contains 10 million tons of dust, including 2% arsenic, and the second 2 million tons of waste, of which between 5% and 15% is arsenic.

The Regional Directorate of Environment, Planning and Housing (DREAL, for its acronym in French) and the Office of Geological Inquiries and Mining (BRGM, for its acronym in French) noted the damage. The head of DREAL announced the repair work in November, while declaring: "no significant risk was identified."

Meanwhile, in this area, which is subject to a permanent risk of flooding every 5 and 100 years, several tons of arsenic continue to be poured every year.



JURISPRUDENCE - Court of Cassation, Social Chamber, February 6, 2019, No. 17-21.2019D

In a judgment of February 6, 2019, the Social Chamber of the Court of Cassation recalled that employees who have been exposed to asbestos due to their professional activity can claim permission for the early termination of the activity of asbestos workers (ACAATA). The latter can also be compensated for his anxiety injury, which is a personal action prescribed for five years.

The Social Chamber came to specify that this limitation period of five years, derived from the employee's anxiety injury, begins to run from the publication, in the official journal, of the ministerial order that records the establishment in the ACAATA List

coal-based power generation has increased by about 3%, according to a recent report by the International Energy Agency (IEA).

Banks and investors around the world regularly announce that they no longer want to finance it. "There is a lot of talk, but there are few changes," says the IEA in its annual report on the situation of this fossil fuel, which emits the most greenhouse gas. This increase is due to the increase in global growth and the consumption of electricity, of which 38% is still supplied by coal.

Published just after the 24th UN Climate Conference (COP24) in Poland, this report confirms that the world resists the necessary changes to combat global warming. Consumption is expected to remain stable over the next five years, with a decline in Europe, particularly in Western Europe and the United States, which will be offset by an expansion in India (+ 4% annually) and other Asian countries.

China uses one in four tones burned every year worldwide to produce electricity. Therefore, the evolution of global coal demand will depend to a large extent on the trend that will be observed in the Asian giant in the coming years, between the efforts to improve air quality and the increase of electricity needs for the transport, the supply of heat and energy of an expanding middle class.



WASTE – EXTENSION OF THE FIELD OF APPLICATION OF THE WASTE DISPOSAL PROCEDURE

Source of pollution, waste and danger, the issue of waste and its management was taken by French and European legislators since 1975, in order to limit its impact. The development of the principle of circular economy within our modes of consumption seeks to transform waste into a product, and stop being a good that we do not know how to get rid of, with which we literally create islands of garbage all over the world. On the other hand, with this approach, the waste status can be left by assessing the latter. Introduced by Directive 2008/98 / CE, the establishment of criteria that allow the exit of the waste status aims to guarantee a high level of protection of the environment and offers a real economic asset.

With the desire to accelerate this movement, the legislators have published two decrees related to chemicals and objects that can leave the state of waste: on the one hand, the decree of December 11, 2018 establishes the criteria to leave the state of waste of objects and chemical products that have been prepared for reuse under the terms of Article L.541-1 of the Environment Code. It is aimed at printing cartridges, tires, all packaging with waste, or waste electrical and electronic equipment (WEEE), textiles, furniture with bulky waste, vacuum pressure containers, gases in a pressure vessel and discarded chemicals. The latter must not contain asbestos or persistent organic pollutants in concentrations above the European regulatory limits.

On the other hand, the decree of February 22, 2019 establishes the criteria for the objects and chemical products that have been regenerated, that is, a recycling operation that must return the equivalent performance of the product, or the object from which it arises, taking consider the intended use, which includes the extraction, destruction or transformation of impurities. Covers articles, substances or mixtures as defined in Article 3 of the REACH Regulation, whether or not they have a waste status. Annex I of the decree establishes the criteria that must be met for these residues in order to be eligible for the SSD device.

This extension of the scope of the waste disposal procedure tends to allow a better valuation of the objects and chemical products, which today constitute a significant part of the total amount of waste produced.



ECOLOGY – TOWARDS AN EVOLUTION OF THE DEFINITION OF THE GOOD ECOLOGICAL STATUS OF MARINE WATERS

The draft definition of the good ecological status of the marine waters and the evaluation methodologies are in public consultation until June 4, 2019. They constitute the essential points of the European strategy for the marine environment. In fact, the framework directive on "the strategy for the marine environment" establishes several objectives, including achieving the good ecological status of marine waters by 2020. At the national level, it is the "national strategy for the sea and the coast" that should allow the objectives of the framework directive to be met. Currently in development, the strategic documents facing the 2030 coastal platform must comply with European requirements at the same time that they reconcile the interests of those involved.

It should be noted that the National Council for the Conservation of Nature has issued a favorable opinion on this draft definition, however, has presented some recommendations. In fact, the council recommends that unicellular cryptogenic species be included in the nomenclature that lists non-native species introduced through human activities, as well as the implementation of monitoring the impacts of global warming and the consequences of climate change. The last one in all the functionalities of the marine ecosystems must be reflected in the 11 descriptors.