

MAJOR HAZARD SITES AND SAFETY REPORTS

WHAT YOU NEED TO KNOW

Who should read this leaflet?

This leaflet is aimed at people who live or work near to a major hazard site. The leaflet will also be useful to others who have an interest in understanding the regulatory controls placed on operators of major hazard sites.

What this leaflet will tell you

This leaflet tells you about:

- major accidents at major hazard sites;
- safety reports;
- how safety reports are assessed by the regulators;
- what action can be taken by the regulators; and
- where you can go for more information.

Introduction

Major hazard sites are industrial sites that manufacture, process or store dangerous chemicals and substances in quantities that could pose a risk to workers, people in the vicinity of the site, and the environment in the event of a major accident. These 'major accidents' include fires, explosions or incidents in which dangerous substances are released. Major accidents are rare, but can occur at sites ranging from large petrochemical plants to chemical storage warehouses.

Under the Control of Major Accident Hazards Regulations 1999, as amended (COMAH), operators of sites with dangerous substances above specified quantities have to take all necessary measures to:

- prevent major accidents; and
- in the event of such accidents, limit the effects on people and the environment.

For certain sites, with particularly high quantities of dangerous substances, operators must also describe their control measures to prevent major accidents in a 'safety report'.

The COMAH Regulations are enforced by a Competent Authority (CA). In England and Wales the CA comprises the Health and Safety Executive (HSE) and the Environment Agency, and in Scotland, the HSE and the Scottish Environment Protection Agency (SEPA). The CA is responsible for checking that site operators take steps to prevent and limit the effects of major accidents.

What is a safety report?

A safety report is a document written by the site operator and sent to the CA to demonstrate that all the necessary measures have been taken to prevent major accidents and to limit their consequences to people and the environment.

To write a safety report, operators have to look systematically and carefully at how they manufacture, store and use dangerous substances. This helps them to identify

any necessary improvements to their management systems, plant, equipment or safety procedures and so reduce the risk of a major accident occurring.

Operators of existing sites have already submitted their safety reports. Operators of new sites need to prepare a report before they build and operate the plant.

Operators must also review the safety report at least every five years, and also when any changes occur that could have a significant effect on the safety of the site. The operator must tell the CA of any changes made to the safety report from these reviews.

Are safety reports independently checked?

The CA has inspectors who specialise in enforcing the law at major hazards sites through a system of inspections. Inspectors who regularly visit the site (or who will visit a planned new site) will assess the adequacy of the information contained in safety reports.

When the CA receives a safety report it is assessed by a team of inspectors from HSE and the Environment Agency, or in Scotland HSE and SEPA. The assessment is managed by an assessment manager and follows a systematic approach. The assessment manager is the point of contact for all issues connected with the report. The approach is described in a document called the Safety Report Assessment Manual (SRAM). This is available on the HSE website at www.hse.gov.uk/comah

The inspectors will tell the site operator about their conclusions on the safety report, for example they may identify areas for improvement. Their conclusions will also be made available to the public. The inspectors will use the outcome of the safety report assessment to plan future inspections of the site.

If there appear to be serious deficiencies in the measures taken by the operator to prevent major accidents, inspector(s) will investigate these at a site visit.

If the inspectors find serious deficiencies they will stop the activity causing concern using Prohibition Notices until the problems are corrected.

What does a safety report contain?

The legal duty for operating the site safely rests with the site operator. They have to control the risks that site operations could cause to people who live and work nearby, as well as to site workers and to the environment.

The CA will assess whether the safety report has provided sufficient evidence that the site operator is doing this.

The safety report must include:

- a policy on how to prevent major accidents;
- a management system for implementing that policy;
- a description of possible major accidents, how likely these are and their potential consequences;
- measures (such as safe plant and safe operating procedures) to properly prevent major accidents;

- information on the safety precautions built into plant and equipment when it was designed and constructed;
- details of measures (such as fire-fighting, relief systems and filters) to limit the consequences of any major accident that may occur; and
- information about the emergency plan for the site, which is also used by the local authority in drawing up an off-site emergency plan.

The report will also contain technical data about the likelihood of major accidents occurring and the likely consequences for workers, the public and the environment. Operators are required to describe the consequences so that they can show that they have assessed the risks and that adequate control measures are in place to prevent major accidents. This does not mean that such accidents will happen; the chance could be negligible when compared with day-to-day risks.

The description of major accident scenarios allows the CA to properly judge, for example:

- how well the operator has assessed the risks on the site;
- whether the measures the operator has in place are adequate to prevent major accidents; and
- the priority the CA will give to inspection activities.

This information is also used to prepare on- and off-site emergency plans which set out the arrangements for emergency response if a major accident happens.

How could COMAH affect me?

The operator of the site has to give you information if you live in an area that could be affected by a major accident. This includes information about the activities on the site, what the operator will do in dealing with a major accident, how they will warn you, and what *you* should do if there is a major accident. Also, because local

authorities will consult with the public about emergency plans, you may hear about this issue through contact with your council or through your councillor. This leaflet is intended to explain the reasons behind the information you will see.

Can I see these safety reports?

Due to heightened National Security concerns you cannot presently view copies of safety reports, many of which contain information that is deemed sensitive for security reasons. However, some information from safety reports is available to the public under the terms of the Environmental Information Regulations 2004 (EIR).

Requests for information should be made to the local office of the Environment Agency or SEPA, or to the HSE office responsible for the site in which you are interested. Certain types of information are exempt from disclosure under EIR, including information deemed to be sensitive for reasons of national security or on grounds of commercial or personal confidentiality.

You can obtain the address of the local Environment Agency office from their web site: www.environment-agency.gov.uk or by telephoning 08708 506 506. In Scotland, you can obtain details of the local SEPA office from their web site: www.sepa.org.uk or by telephoning 01786 457700. HSE offices with responsibility for major hazard sites are listed on the HSE web site: www.hse.gov.uk and details may also be obtained from HSE InfoLine Tel: 0845 345 0055.

Is any other information available to me?

Yes, you may look at copies of the CA's final conclusions on a particular safety report and any Prohibition Notices issued under COMAH free of charge by visiting the Environment Agency or SEPA office local to the site in which you are interested (see above).

Prohibition Notices are also available to the public at HSE offices, or through the HSE web site.

If you want a copy of any information, there will be a fee.

Want to know more?

More information about COMAH and how safety reports are assessed can be found on the HSE's web site at www.hse.gov.uk/comah/

Further information can also be found in the following priced publications:

- *A guide to the Control of Major Accident Hazards Regulations 1999 (as amended)* L111 HSE Books 2006 ISBN 0 7176 6175 X. This book gives details about what must be included in a safety report.
- *Preparing safety reports: Control of Major Accident Hazards Regulations 1999* HSG190 HSE Books 1999 ISBN 0 7176 1687 8. This book provides advice to site operators on how to put together a safety report under COMAH.
- *Emergency planning for major accidents: Control of Major Accident Hazards Regulations 1999* HSG191 HSE Books 1999 ISBN 0 7176 1695 9. This book provides advice to those with responsibilities for emergency planning arrangements for COMAH sites.

Details of how to obtain these publications and further information on the work of HSE are given below.

Information on the work of the environment agencies is available from their web sites:

Environment Agency (England and Wales): www.environment-agency.gov.uk

Scottish Environment Protection Agency: www.sepa.org.uk

HSE priced and free publications are available by mail order from:

HSE Books, PO Box 1999, Sudbury, Suffolk CO10 2WA

Tel: 01787 881165 Fax: 01787 313995 Web site: www.hsebooks.co.uk

HSE priced publications are also available from bookshops and free leaflets can be downloaded from HSE's web site: www.hse.gov.uk

For other enquiries ring HSE's InfoLine Tel: 0845 345 0055, e-mail:

infoline@natbrit.com or write to HSE Information Services, Caerphilly Business Park, Caerphilly, CF8 3GG.

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