Identification of Hazardous Activities in the UK

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Flixborough – 1 June 1974
Today’s system in UK

- UK system has evolved over 40 years
- Three part strategy
  - Identification of sites
    - Notification
  - Proportionate controls
    - Measures taken most be proportional to the risk
  - Mitigation measures
    - on and off site emergency plans,
    - information to the public
    - land use planning
Main legal instruments for identification

• Philosophy – responsibility for compliance is on regulated company

• Control of Major Accident Hazards Regulations – notification requirement for identification of sites which come into scope

• Hazardous Substances Consents – part of planning legislation to identify sites which carry out hazardous activities
COMAH - 1 June 2015

Implementing Seveso III

The Control of Major Accident Hazards Regulations 2015

Guidance on Regulations
COMAH 2015 – Regulation 6 Notifications

• Based on:
  – Article 7 of Seveso III
  – Article 4 of Industrial Accidents Convention

• Company considers its inventory of dangerous substances

• If at or above the qualifying quantities, the company has to notify under Reg 6

• Requirement for detailed information

• Electronic form to be completed

• Trigger – to establish COMAH Intervention Plan as part of a programme of inspection
Primary regulatory responsibilities:

- Provide information and guidance for operators
- Provide a programme of inspections
- Investigate incidents when things go wrong
Information and guidance for operators

- COMAH website http://www.hse.gov.uk/comah/index.htm
- Seveso website http://www.hse.gov.uk/seveso/
Programme of Inspection

- Completeness check of electronic notification data
- Intervention plan for each major hazard facility, includes
  - Desk-based inspection of key documentation
  - On site inspection
Notification - issues

• Operators fail to notify:
  – Through lack of knowledge
  – ‘trying to get away with it’

• Enforcement management model:
  – Enforcement action: letters of advice through to notices or prosecution
  – Deliberate concealment or serious accident: more severe sanction
Regulators knowledge

• Training inspectors
• Application of CLP to COMAH
• Understanding Schedule 1
• Sub-COMAH sites
• Regulatory contact officers
Which industries does COMAH apply to?

- Difficult to be precise
- Traditional COMAH industries
  - Chemical manufacturers
  - Petrochemicals
  - Explosive manufacturers
  - Whisky distilleries
- But it’s an evolving picture
  - Storage
  - Brick manufacturers
- Any site with over the qualifying quantities
Thank you