

MINUTES OF CHEMICAL AND DOWNSTREAM OIL INDUSTRIES FORUM
Tuesday 7th October 2008 IN ROOM 6.1.29, Redgrave COURT, Bootle

Present:

Chair

Peter Baker.....HID CID

Members

Graham HansenTSA
Mark HarrisonSabic
Bud HudspithUNITE
Doug LeechCBA
Ian McPherson.....UKPIA
Mike MurrayABPI
Phil Scott.....CIA
Wayne SmithBCF
John Brewington.....EA
Ron Wood.....UNITE
Dave SmithEEMUA

Observers

Martin GooseIChemE
Michael Ong.....Federation Petroleum Suppliers

Secretariat

Colin HarrisHID CI4e
Paula O'ShaughnessyHID CI4

Other HSE

Shaun WelshHID HQ
Ian Travers.....Buncefield Response Team/CI4

1. Welcome/chair's opening remarks

Peter Baker gave a warm welcome to everyone and led the introductions.

2. Apologies

Brian Fullam of HSE's Process Safety Unit sent his apologies. John Brewington of EA was attending CDOIF for the first time. (Richard Clarke of EA was unavailable.) John Burns (SEPA) sent apologies. Dave Smith of EEMUA was attending in place of Clive Taylor. Graham Hansen was attending for TSA – Hugh Bray and Martyn Lyons had sent apologies. Mark Harrison was now the CDOIF representative for SABIC, as John Galbraith had moved on.

3. Actions of the previous meeting and matters arising

The minutes of the previous meeting were agreed by everyone.

Item 6 The CIA have provided information on substances, to HSL, for their work on the development of a Toxic Filter, which is continuing. Sandra Ashcroft, of Policy Group, passed on her thanks to the CIA for their help.

Item 9 Helacol consultants, have sent the Report on the Influence Network for the Warehousing sector to HSE. There is a gap between the perceptions of industry and the regulator, which will be addressed in the follow up work. UKPIA's view is that most issues are being covered by PSLG, and that this is the priority for resources.

UKPIA have been involved in the work on the Refineries Report. Resource issues for UKPIA may affect the timing of any further participation in Helacol's work.

Item 10 HSE will send out invitations to CBA for the sub-COMAH workshops, planned for 11th and 12th November, in Birmingham.

Item 12 CDOIF members had responded to Ian Travers' request for views on key issues and recommendations, in anticipation of the Practitioners' workshop on 21st October.

Item 14 CDOIF Secretariat sent out the current Terms of Reference for the group, to CDOIF members.

4. Members Issues

a. COMAH Safety Reports and Public Domain Information – I McPherson

Ian McPherson had raised the concern of confidential issues within COMAH Safety Reports being put into the public domain. Colin Harris addressed these concerns, as an HSE Decision Maker for FOI. He explained that it is a time-consuming process, which involves redacting sensitive information within Safety Reports. This work is done, invoking Environmental Information Regulations (EIR), Freedom of Information Act (FOI) and Data Protection Act (DPA), and is done in consultation with the COMAH site operator on commercially confidential issues.

EA do not usually redact Safety Reports, as the time involved in the work is deemed 'manifestly unreasonable', as there are associated financial costs and front line resource at stake. HSE and EA are currently in discussions on how best to coordinate their work in these areas.

5. CDOIF, Terms of Reference

Members had been asked, by the Secretariat, to put forward their views on the future role of CDOIF. There was general agreement that the forum provided an invaluable opportunity for the Regulators and industry representatives to meet and discuss important and relevant issues. There had, historically, been good consultation across a wide range of topics.

The members were in favour of CDOIF stimulating co-operation and recognised the need for increasing leadership, particularly in areas such as promoting best practice, through the work of the forum. Peter Baker suggested an evolutionary process for this. He also favoured more input to the agenda, from members, for future meetings.

6. IChemE Roadmap for 21st Century Chemical Engineering – Health, Safety, Environment and Public Perception of Risk – Martin Goose

Martin Goose gave a presentation on the work of IChemE on the Roadmap for 21st Century Chemical Engineering, published in May 2007. The focus of the presentation was on the health, safety, environment and public perception of risk. Martin outlined the action plans as outlined in the roadmap. Hard copies of the document were passed around to members, at the meeting. Further information is available on the IChemE website. A hyperlink to the site will be sent to members.

Action: Secretariat

7. COMAH Remodelling Programme – Ian Travers

• Update on the COMAH Remodelling Programme

The Programme Board meeting is 10 October. The Board will make decisions on the future direction of the work. More cooperation between the Competent Authority (EA, SEPA and HSE) and more on-site work is preferred by the COMAH Remodelling Team. The Programme Board will be looking at the best option for achieving these objectives. A risk ranked approach to sites is being explored, as part of this.

• Review of Permissioning

The COMAH Remodelling Team has reviewed the UK Permissioning Regime, comparing COMAH with other regimes. Some issues remain to be explored, in more depth, including costs and administrative arrangements.

When the Programme Board has made its decisions, the COMAH Remodelling Team will provide feedback to Stakeholders (Trades Associations and Trades Unions) to explain the outcomes of the Board's decisions.

- **Update on the Process Safety Leadership Group**

The MIIB will shortly be publishing their final report. This was published on 11th December 2008 and can be found at the following address: The PSLG has six active workstreams, looking at technical responses. The work will be complete by mid 2009. HSE is working on overfill levels and integrity management. EA is looking at tertiary containment. These workstreams are the highest priority of the six.

Working Group 2 has listed those substances other than gasoline that could give rise to a vapour cloud, following overfill. PSLG's approach to these substances is being developed.

The Leadership conference on 21st October will focus on these issues, and will follow up with another conference on 11th November, in London. This will lay the groundwork for initiatives in Safety Management.

CDOIF, as a more long-term forum, than the PSLG, could, potentially, have a role in taking process safety leadership issues forward, in the future, following up the work begun by PSLG.

8. Major Hazards Science Research – Shaun Welsh

The list of Major Hazards Research is now on the HSE website, with proposed timings for the projects. There have not been any significant changes since the update given at the last CDOIF meeting in May 2008. Two new projects have been added – one on ageing plant, looking at key strategies and guidance at COMAH sites. The final report should be completed during 2009. The second project is on Major Accident Risk Communications, which will aim to raise awareness on key safety issues. The project should be completed by the end of this financial year. Both projects have been contracted to framework providers, external to HSE.

HSE welcomes Stakeholder involvement in the scientific research. The Energy Institute has followed up with some queries, to the Science and Technology Committee on some of the research. Patrick MacDonald, the Chief Scientist, gave EI a presentation, outlining some of the key topics in the research plan. Patrick MacDonald is leading a public consultation on HSE Scientific Planning - (the scope of the consultation extends beyond the Major Hazards spectrum).

9. Incidents and Events

HSE – Peter Baker

There was an incident involving the overflow of a crude oil tank at a site in Wales, which Peter had informed CDOIF members of, at the last meeting. All of the spillage had been contained within the bund. The level gauging system had been found to be inadequate, upon inspection. The site is still shutdown, whilst the investigation is ongoing.

A fatality at a refinery occurred, during a ship to shore operation. The incident is currently under investigation and the inspection regime at the site is being examined.

SEPA – Colin Harris reported on behalf of John Burns

No incidents of note were reported by SEPA.

EA – John Brewington

EA is taking forward the primary containment policy, with the Process Safety Leadership Group, with regard to large scale petrol storage sites. Action plans for those sites of the highest priority (in environmental risk terms) are now in place, following on site visits by EA inspectors.

Lessons Learned

The value of alerting industry and others to the immediate circumstances of major incidents or fatalities in, eg. press releases and statements from companies and the Regulators was discussed. We'll look into ways we can make better use our website or through a targeted e-mail alert to disseminate information more widely. The Secretariat agreed to circulate any HSE press releases following the two incidents reported by Peter Baker.

Action: Secretariat

A harder look needs to be taken at the legal constraints to voluntary sharing of information.

10. Information Items

Phil Scott (CIA):

Phil Scott will give a presentation at the next CDOIF meeting on Process Safety Leadership issues. This will include feedback on CIA's visits to sites of its member companies.

Action: P Scott

CIA have signed a Covenant with HSE, for the Chlorine sector, in January this year. A data matrix of incidents has been developed, aimed at providing practical examples for improvement within the industry sector.

Safety Alert

HSE has released a recent Safety Alert, for restricted pipe movement in cryogenic tanks. This is following HSE investigations into the brittle fracture of the outer jacket of a liquid nitrogen tank – where it was found that piping hidden inside the vacuum interspace between the inner vessel and outer jacket developed a fatigue crack after nine years operation. Details are available on the website. Hard copies of the alert were circulated to members at the meeting.

Registration, Evaluation, Authorisation and Restriction of Chemicals (REACH)

The implementation of the REACH Regulations is gathering momentum. A new regulatory mechanism is to be published as a Statutory Instrument. Operating REACH, in terms of the supply chain, is being led by HSE. Details of the phased compliance with the regulations are available on the REACH pages on the HSE website. There is also an e-Bulletin service available on REACH. The Secretariat will send the relevant website hyperlinks to CDOIF members, with details.

Action: Secretariat

Changes to Chemicals (Hazard Information and Packaging Supply) - CHIP Regulations

Details of the changes to the CHIP Regulations are available on the HSE website. The Secretariat will send the website hyperlinks to members.

Action: Secretariat

HSE internal guidance to inspectors on Ageing Plant

Chemical Industries Division has recently issued internal guidance to its inspectors on key inspection issues on ageing plant. The Secretariat will send a copy of the guide to CDOIF members.

Action: Secretariat

Senior Management Appointments within HSE

Peter Baker updated the meeting on Senior management appointments in HSE. Kevin Myers, currently Director of the Hazardous Installations Directorate (HID), will be taking up the permanent appointment of Deputy Chief Executive of HSE on 13th October. The Director of HID post will be advertised externally, and is likely to be filled early in the new year.

During the interim, Peter Baker is taking over as Director of HID and John Murray will move to Peter's post, as Head of Chemical Industries Division. Tim Beals, currently team leader for the CI4 Major Hazards section will be acting Head of the Chemicals Strategy Unit.

In January 2009 John Murray will take up the post of Head of Unit for CI5 (Risk Assessment Unit). Ian Travers will take up post as Head of the Chemicals Strategy Unit.

11. Date of Next Meeting:

Thursday 7 May 2009 – Globe Room, Rose Court, London