

Summary of changes to the draft Control of Major Accident Hazards (Amendment) Regulations following consultation

1. The main change following consultation is to Schedule 1, Part 2, Note 4(b) of the Amendment Regulations to give full effect to recital 7 of Directive 2003/105/EC.
2. Other changes are minor/editorial in nature and relate to:
 - i. the definition of “the Directive” in regulation 2(1) of COMAH 1999 – this now indicates that Directive 96/82/EC has been amended by Directive 2003/105/EC (amendment regulation 3);
 - ii. the definition of “notify” in regulation 2(1) of COMAH 1999 has been amended to allow ‘in writing’ to include e-mail and other forms of communication allowed by the recipient (amendment regulation 3);
 - iii. the wording of the provisions on timescales for establishments becoming subject to certain regulations have been re-drafted to give greater clarity (amendment regulations 5, 6, 7 and 9)
 - iv. the addition of the words “and implementation”, which had been inadvertently omitted from indent (e) in amendment regulation 15(2) when the provision was inserted to implement the Directive;
 - v. a correction to the entry for 1,2,3,7,8-PeCDD in the International Toxic Equivalent Factors table which corrects an omission in Seveso II (Schedule 1, Part 2); and
 - vi. the addition of the Explanatory Note at the end of the Amendment Regulations.