

## COMAH Competent Authority Workstream 2010/11

### **Buncefield Response Programme**

– Implementing PSLG Report Recommendations (Operational Delivery Guide)

the Competent Authority



### 1. Purpose

- 1.1 **This delivery guide sets out the work required for the 2010/11 plan of work.**
- 1.2 **Operators of Buncefield type sites should comply with the recommendations and guidance contained in the PSLG report.**

### 2. Background

- 2.1 The 2009/10 work programme required verification of compliance with the recommendations of the Buncefield Standards Task Group (BSTG) Final Report<sup>1</sup> – published in July 2007. The BSTG report provided standards agreed between the CA and industry to fulfil the requirements of the COMAH CA containment policy for bulk hazardous liquids at COMAH establishments and in particular, Part 2 - the expanded framework for handling bulk petrol (Gasoline) and similar petroleum products, or other fuels.
- 2.2 The 2009/10 delivery guide requested completion of the BSTG work at high and medium priority sites by the end of Q2 2009/10. However, due to resource constraints the deadline for completion of this work was extended into Q3/Q4 of 2009/10. EA/SEPA had a programme of work on secondary and tertiary containment.

### 3. Scope

#### 3.1 **Process Safety Leadership Group (PSLG) Report (Dec 2009) recommendations at Buncefield type sites as previously identified.**

- 3.2 The BSTG Final Report did not address completely all the recommendations in the MIIB's report on the Design and Operation of Fuel Storage Sites. Accordingly, the PSLG was established to build on the developments of the original Buncefield Standards Task Group (BSTG). PSLG comprised a small, focused, oversight team from the CA and industry to provide leadership and support to expert working groups in developing guidance on specific topics.
- 3.3 The PSLG Final report, published on 11 December 2009, incorporates and supersedes the BSTG report by providing overarching guidance to address the MIIB's recommendations.
- 3.4 The report is in six parts:
  - systematic assessment of safety integrity level requirements;
  - protecting against loss of primary containment using high integrity systems;
  - engineering against escalation of loss of primary containment;
  - engineering against loss of secondary and tertiary containment;
  - operating with high reliability organisations;
  - delivering high performance through culture and leadership.The MIIB recommendations and PSLG guidance are summarised in Table 1, Page 14 of the report, which we supplied to inspectors at the training workshop.

3.5 The report commits operators as follows -

- 'Within six months of the publication of the report (11th June 2010), duty holders will have undertaken a gap analysis of their compliance with the revised and new guidance contained in the report for in scope gasoline tanks and record their findings'.
- 'Within nine months (September 2010) of the publication of the report, duty holders should agree with the Competent Authority an improvement plan to comply with this guidance'.
- For a number of recommendations there is a requirement for COMAH TT operators to ensure that any changes are incorporated within the safety report. For lower-tier sites, duty holders will demonstrate improvements in the normal way, by having systems and procedures in place at the establishment to deliver the intended outcome.

#### 4. Justification

4.1 Based on risk, checking standards of compliance at Buncefield type sites is high or medium priority for the CA. Buncefield follow up on containment policy is a Competent Authority Strategic Management Group (CASMG) priority topic for 2010-2011. The results from the intervention will be recorded on COIN and reported to CASMG at the end of the work year. The results will be used to inform future interventions.

#### 5. Main Actions for 2010/11

- 5.1 HSE HID CI4 has arranged to receive centrally operators' gap analyses and proposals for action to implement the PSLG recommendations in a consistent format. CI4 will undertake the administrative procedures for receipt and handling of submissions from Operators.
- 5.2 In July 2010, a central team of discipline specialist and regulatory inspectors (the Overfill Protection Regulatory Team) will:
- review the gap analysis reports and duty holder improvement plans, focussing on SILs and LOPA risk assessments, to ensure that they comply with the guidance given in the PSLG report, making appropriate assumptions and reaching acceptable conclusions;
  - respond to duty holders on issues relating to these aspects of their improvement plan and resolve any issues of regulatory concern;
  - agree the final version of improvement plans with duty holders for these issues;
  - prioritise, organise and manage site visits or other work necessary to complete the review and agree the improvement plan;
  - monitor and report on progress with the implementation of improvement plans and report progress to the CA Business Support Team and PSLG;
  - liaise with regulatory site inspectors to keep them informed on the above issues, and
  - establish a Practitioners' Group with industry representatives to resolve issues of common concern and to agree, in particular, the arrangements for plant operator involvement in SIL rated systems.

- 5.3 CI4 will review all the submissions from Operators to form an overview of compliance with PSLG recommendations.
- 5.4 At the same time, field team site inspectors will review the remaining aspects of the operator's improvement plan to check that it meets the agreed PSLG recommendations. Inspectors will need to form a view about the overall acceptability of the gap analysis and improvement plan and communicate the conclusions to the Operator. Further details of the procedure we will follow and liaison with the EA/SEPA will be provided later.

### 6. Core intervention issues

- 6.1 In December 2009, an interim delivery guide asked field teams to allow sufficient resource in 2010/11 work-plans to:
- consider the operator's gap analysis and findings, and agree a time bound improvement plan at each in scope site;
  - verify that operators have implemented the key recommendations in accordance with the PSLG guidance.
- 6.2 There is now **no requirement** to verify implementation in Q4 2010-11 work year. Instead, this resource may be used to deal with any issues arising from the operator's gap analysis and proposals for improvement.
- 6.3 Verification of implementation of operator's improvement plans at Buncefield type sites should be undertaken as part of the planned CA inspection programme, guided by the priority rating scheme. Inspectors should avoid any interventions on PSLG issues until after the current work (agreeing an improvement plan) is complete.

### 7. Supporting information

- **Buncefield investigation pages on HSE internet including access to MIIB final report**
- PSLG guidance on emergency planning on the Buncefield Response page on HSE COMAH website **<http://www.hse.gov.uk/comah/buncefield/recommendations.htm>**
- PSLG Final Report 'Safety and environmental standards for fuel storage sites' **<http://www.hse.gov.uk/comah/buncefield/bstgfinalreport.pdf>**

### 8. Success criteria

- 8.1 There are three desired outcomes from this phase:
- receipt and review of operator's gap analysis and proposals;
  - an agreed improvement plan – meeting the PSLG guidance;
  - a report on COIN detailing the outcome of this work.

### 9. COIN IRF Scoring

9.1 The COIN Inspection Rating Form (IRF) tab on the COMAH Intervention Plan Service Order should be used to record the operator's progress on compliance with PSLG issues in the "Overfill Protection" line

Site Ranking						
Type	*Base	Population	Societal	Sensitivity	Pathway	Total
Environmental	<input type="text"/>			<input type="text"/>	<input type="text"/>	
Safety	<input type="text"/>	<input type="text"/>	<input type="text"/>			

  

Performance Rating										
Topic	Relevant	Rating	Date	Rating	Date	Rating	Date	Rating	Date	Rating
Ageing Plant	<input type="text"/>	No								
Emer. Prepared Off-Site	<input type="text"/>	No								
Emer. Prepared On-Site	<input type="text"/>	No								
Future Strategic Topics	<input type="text"/>	No								
Key Performance Indicators	<input type="text"/>	No								
Overfill Protection	<input type="text"/>	No								
Second/Tertiary Containment	<input type="text"/>	No								

  

Inspection Rating		
*Rating Type	*Score	*Date
<input type="text"/>		

9.2 The operators progress should be recorded following each intervention as follows:

Performance Rating	Description	CA action required	Score
Exemplary	Good practice or above in all respects. All success criteria fully met.	No action required.	10
Good	Good practice in most respects. Most success criteria met.	Provision of advice or confirmatory letter only with no plans for follow-up.	20
Broadly Compliant	Some success criteria not fully met. May not preclude close out depending on scope of improvements required and operator attitude.	Will need confirmation (at least with a letter) of work required. May need follow-up.	30
Poor	Many success criteria not met or not fully met	Enforcement action likely - IN	40
Very Poor	Majority of success criteria not met or not fully met	Enforcement action Very likely – IN, consider prosecution	50
Unacceptable	None of success criteria met	Enforcement action inevitable – Prosecution and IN	60

The purpose of the table above is to assist in deciding when an intervention can be closed out. However the **Enforcement Management Model** (EMM) and local factors will ultimately determine the close-out of an inspection and whether there should be any enforcement action.

## 10. COIN time report

10.1 In order that the Competent Authority can demonstrate the deployment of resources to Strategic Topics, there has been a slight alteration to the way we record time spent on these inspections on COIN:

- for Strategic Topics there should be an entry made in the 'Category' box of the Time Line via a drop down menu;
- the category selection will be restricted to the Strategic Topics and the relevant one should be selected when completing the timeline;
- all other time line instructions are as before.

Business unit (BU)	Work Desc	Activity	Category	Work context	Type
COMAH	Company	INSP_COMAH	StratTop emer onsite StratTop emer off-site StratTop PSPI KPI StratTop Ageing Plant <b>StratTop Buncefield</b> <b>PSLG</b> StratTop Containment	ELSE/ OFFCO/ OFFNC/ OSITE	Case/ Service Order

## 11. Dependencies and associations

11.1 Emergency response aspects of the PSLG report should be dealt with in accordance with DG 6 COMAH On-Site Emergency Planning and Mitigation and DG 7b Off-Site emergency Planning

11.2 Process Safety Performance Measures should be pursued in accordance with DG 2e Process safety performance indicators

11.3 This guidance was prepared and revised by HID CI4 (VPN 519 6226)