



ENVIRONMENT
AGENCY

REVIEW AND REVISION OF COMAH SAFETY REPORTS

GUIDANCE FOR OPERATORS FROM THE COMPETENT AUTHORITY

REVIEW AND REVISION OF COMAH SAFETY REPORTS GUIDANCE FOR OPERATORS

1. Introduction

- 1.1 This guidance gives advice on the requirements for review and revision of safety reports under regulation 8 of the Control of Major Accident Hazards Regulations 1999 (COMAH) ¹. It supersedes advice contained in the current version of L111 ², a revised version of which is planned for publication in July 2005.
- 1.2 Regulation 8 specifies that you must review and where necessary revise your safety report in a number of circumstances, discussed in more detail below. In broad terms this means that you should:
- Review your safety report where changes **could have** significant repercussions with respect to the prevention of major accidents or the limitation of consequences of major accidents to persons and the environment;
 - Where changes **do have** significant repercussions, revise your safety report to reflect the changes;
 - And, in any event, undertake a review of your full safety report every 5 years.
- 1.3 The purpose of review and revision is to ensure that your safety report remains up to date.

2. When should I review my safety report?

- 2.1 Regulation 8 of COMAH requires you to review your safety report under the following circumstances (see [Table 1](#) for specific examples):
- Whenever you make a change to your safety management system that could have significant repercussions with respect to the prevention of major accidents or the limitation of consequences of major accidents to persons and the environment. (**SMS changes**)
 - Whenever such a review is necessary because of new facts or to take account of new technical knowledge about safety matters. (**New facts or knowledge**)
 - Where you propose to modify your establishment or installation in it, the process carried on there, or the nature or quantity of dangerous substances present there, and that modification could have significant repercussions with respect to the prevention of major accidents or the limitation of consequences of major accidents to persons and the environment. (**Modifications**)
 - Fully at least every 5 years. (**5-year review**)
- 2.2 You should review your safety report as soon as possible following SMS changes or in response to new facts or knowledge. Where

modifications are proposed the review must be carried out in advance of the modifications being put into place. The 5-year review should be completed no later than 5 years after the original submission or last 5-year review. If you were asked to re-submit your safety report during the assessment process, the 5-year period starts from the date that the most recent version was submitted.

- 2.3 If you submitted your safety report in parts you must review each part not later than 5 years after it was submitted. Review of the final part needs to consider whether all the parts together fulfil the purposes set out in Schedule 4, Part 1 of COMAH and contain all the information detailed in Schedule 4, Part 2.
- 2.4 You may conduct a full review of your safety report at any time before the 5-year time limit expires, for example as part of a programme of SMS audit/review or when carrying out interim 'change' reviews. Provided that the entire report is reviewed and the review is adequately documented the five-year period will start again.

3. What are “significant repercussions”?

- 3.1 A change will have significant repercussions with respect to the prevention or control of major accidents if it changes the nature of the major accident risks, so requiring changes in the measures taken to ensure that those risks remain as low as reasonably practicable (ALARP)^{3,4}.
- 3.2 Whether a change has significant repercussions will depend on the degree to which it:
 - Introduces a new major accident hazard;
 - Changes the risk from an existing hazard;
 - Affects control or mitigation measures (including off-site emergency plans).
- 3.3 Changes that have a positive impact on the risk profile are also important.
- 3.4 [Table 1](#) provides some examples of changes that could have significant repercussions. [Table 2](#) gives examples of what those repercussions might be.

4. How should I review my safety report?

- 4.1 Key to the effective review of your safety report is the existence of well-developed change management procedures. If implemented properly and in a timely manner, such procedures will enable you to identify changes that could have significant repercussions with respect to the prevention of major accidents or the limitation of their consequences

(see also [Table 1](#)). Guidance on management of change is available on the HSE Website ^{5,6}.

- 4.2 Having identified changes that **could have** significant repercussions you should review your risk assessment to determine whether the assessment is still valid and whether risks are still ALARP. If they are, the changes **do not have** significant repercussions and you will not need to revise your safety report. However, it is still important that you record details of the changes and the outcome of the review for future reference.
- 4.3 Where you conclude that your risk assessment is no longer valid and/or risks are no longer ALARP, the changes **do have** significant repercussions and you should take the appropriate corrective action and revise your safety report accordingly. For more complex changes, particularly where a new process or activity is being introduced, you may need to carry out a new risk assessment. This should be to a depth that is proportionate to the level of risk. For organisational change, the approach outlined in HSE Chemical Information Sheet No CHIS7 ⁴ may be appropriate.
- 4.4 You should adopt a similar process of review of your risk assessment when you become aware of new facts or to take account of new technical knowledge about safety issues (see [Table 1](#) for examples).
- 4.5 At the 5-year review you need to determine whether your safety report:
- Meets the purposes set out in COMAH Schedule 4, Part 1; and
 - Contains the minimum information required by COMAH Schedule 4, Part 2, and that this information is up to date.

In doing so you should check whether all SMS changes, modifications and new facts or knowledge since the last full review that **could have** significant repercussions have been considered. If this is not the case it will be necessary to take the action described in paragraphs 4.2 and 4.3 above. You should also check whether changes made over the same period that did not individually result in significant repercussions when taken together mean that revision of the report is necessary.

- 4.6 Where you do not have adequate records of interim changes you may need to carry out a more detailed review of your risk assessment at the 5-year review, to determine whether the assessment is still valid and whether risks are still ALARP. You will also need to address deficiencies in your change management procedures to ensure that the necessary information is captured for future reviews.
- 4.7 [Table 3](#) summarises the scope, breadth and depth appropriate when conducting reviews of safety reports.

5. **When do I need to revise my safety report?**

- 5.1 The purpose of revision is to ensure that your safety report remains up to date. You will therefore need to revise your report whenever the review process described in [Part 4](#) confirms that changes **do have** significant repercussions with respect to the control of major accidents. It will be necessary to revise your safety report to:
- Describe the causal changes (SMS changes, new facts or knowledge, or modification);
 - Describe the resulting changes in risks and control and mitigation measures in place; and
 - Demonstrate that the risks are ALARP following the changes.
- 5.2 In addition, at the 5-year review you will need to revise your safety report to ensure that it provides the minimum information required by Schedule 4, Part 2 of COMAH, even where the changes described do not have significant repercussions. Changes in the descriptive information relating to the establishment and the processes carried on there may already have been included in other revisions. However, you may need to revise general information contained within your safety report at the 5-year review, such as a broad description of the activities carried out on site, or a description of land use or population densities off site, where you find that it is no-longer accurate.
- 5.3 Where risks have decreased due to changes such as reduction in inventories or cessation of production processes you should revise your report to reflect those changes.
- 5.4 Where you conclude that revision of your safety report is necessary, you should carry out that revision as soon as possible after completion of the review. (See also [Section 7](#))

6. How should revisions be documented?

- 6.1 The COMAH Regulations do not specify any particular format for a safety report and revisions to it. Options include
- Re-submission of the entire report;
 - Submission of a supplementary document/appendix to the safety report;
 - Submission of individual pages where the original report was in loose-leaf format and the changes are not too extensive.
- 6.2 Your "safety report" comprises **both** the original submission (or later resubmission) **and** any further information requested by the CA under regulation 7(13) of COMAH. Any subsequent documents submitted as revisions, whether in a consolidated document or a number of separate documents, **also** form part of the report.
- 6.3 However you choose to document revisions it is important that the changes are clearly identified, otherwise the CA may have to re-assess

the entire report. You should make it clear whether the revisions replace parts of the previous safety report or are additional to it.

- 6.4 You may take the opportunity at the 5-year review to consolidate any supplementary information provided in response to requests from the CA under regulation 7(13) of COMAH during the assessment process, which forms part of your safety report. However, as this material has already been assessed its consolidation does not constitute revision of the report. You will therefore need to make a clear distinction between revisions and material that has been consolidated in this way to avoid duplication of assessment.
- 6.5 The 5-year review is likely to result in changes to the descriptive information to meet the requirements of COMAH Schedule 4, Part 2, even though this information did not by itself trigger a revision of your safety report on the grounds of significant repercussions (see [paragraph 5.2](#)). You are recommended to clearly identify any such revisions, as there will generally be no need for the CA to assess them in detail unless they affect the assessment of the major accident hazards.

7. What do I need to send to the Competent Authority and when do I need to send it?

What to send

- 7.1 You should send copies of revisions to your safety report to the CA, together with a covering letter containing the following information:
- Reasons for reviewing the report;
 - An outline of the nature of the revisions;
 - Reference to any supplementary information that has been consolidated at the 5-year review;
 - Where you have reviewed the entire report at an interim change review this should be clearly stated, with a request that the 5-year time period to the next 5-year review be re-set.
- 7.2 You should initially submit 3 copies of the revisions: one for the HSE, one for the Agencies and one for the public register. If more detailed assessment involving HSE specialists is needed the CA may require additional copies. If you would prefer to know exactly how many copies will be required in advance of submission, to enable you to submit them all together, you should discuss the nature and extent of the revisions with your site inspector and seek advice. Where the revision contains information previously excluded from the public register on the grounds of national security and/or personal or commercial confidentiality, or if you consider that any new information in the revision should be similarly excluded, you should follow the procedure for exclusion of information from public registers on the HSE

web site ⁷. In cases of doubt you should contact the HSE, EA or SEPA inspector for your site for further advice.

7.3 Supporting revisions with the following information will make the assessment more efficient:

- A description of your mechanism for judging that a review was required (not needed at 5-year review);
- A description of how you conducted your review and justification for your conclusions;
- A description of your change management system, how you applied it and what the outcome was;
- Reference to issues identified in improvement plans following previous assessment or intervention together with details of progress made, issues completed or expected dates of completion;
- Where the entire report has been re-submitted it would be helpful if you could include a brief covering document, signposting the changes, to enable the assessment team to focus effort on the new information.

If you have provided this information to the CA in support of previous revisions, it may be sufficient to make reference to it rather than submitting detailed information every time you revise your report.

7.4 Where you have carried out a 5-year review and have concluded that it is not necessary to revise your safety report as a result, you should write to the CA to confirm that the report has been reviewed but not revised. It would be helpful if you could include:

- A description of how you conducted your review, with justification for your conclusions; and
- A description of your change management system, how you applied it and what the outcome was.

7.5 If you review your entire safety report before the 5-year review is due (for example as part of a programme of SMS audits or when carrying out interim change reviews) and you conclude that revision of the safety report is not necessary, you should inform the CA that you have done so. You should request that the 5-year time period to the next 5-year review be re-set. It would be helpful if you could also provide the information referred to at paragraph 7.4.

When to send it

7.6 Where modifications are proposed you are required to review and revise your safety report and inform the CA of the details of the revisions in advance of the modifications being made. You should consult the CA as early as possible before the changes are made, as you risk enforcement action if you implement changes which the CA later judges to be to an unsatisfactory standard. A new installation at an existing establishment will require at least 6 months notice, but for

most modifications a much shorter period will be appropriate. If a modification requires an application for variation of hazardous substances consent, new dangerous substances or increased quantities of existing dangerous substances cannot be brought on site until that has been granted. However, submitting details of revisions to your safety report well in advance is advisable and you need not wait for hazardous substances consent to be granted before informing the CA of the details of your proposed modifications.

- 7.7 Where you revise your safety report as a result of SMS changes or in response to new facts or knowledge you are required to do so forthwith.
- 7.8 The 5-year review of your safety report should be completed no later than the 5th anniversary of the original submission or last 5-year review and any necessary revisions to the report should be carried out forthwith.
- 7.9 To determine when to send revisions to the CA you should speak to the HSE, EA or SEPA inspector for your site at the earliest possible opportunity, to confirm that revisions are appropriate and to agree a mutually acceptable date for submitting the revisions to the CA for assessment. In the case of the 5-year review it is particularly important that you discuss and agree with your CA inspector the date by which any revisions to your safety report should be submitted. The date agreed should be a realistic one, having regard to the amount of work necessary, and once agreed should be adhered to.

8. Do I need to take any other action?

- 8.1 Where changes on site that result in revision of the safety report are likely to have implications for the off-site emergency plan you should supply your local authority with details of such revisions.
- 8.2 If you are a member of a designated domino group you will need to inform other members of the group of any changes on your site which could impact on the risk of a major accident at their establishment.
- 8.3 Where changes on site that result in revision of the safety report affect information previously given to the public under regulation 14 of COMAH ¹ this information should be updated and provided to the public again.

9. How will the Competent Authority assess revisions?

- 9.1 Assessment will be carried out in accordance with the Safety Report Assessment Manual (SRAM) ⁸, parts of which are due to be revised by February 2005.

- 9.2 Any requests from the CA for further information to enable them to complete their assessment will be justified and capable of being supported through formal enforcement mechanisms. You will be given a clear explanation of what is needed and why.
- 9.3 Assessment of revisions will be informed by the outcome of any previous revision assessments. Where you have previously revised your safety report to the satisfaction of the CA and you submit details of further revisions derived in the same way, only a brief assessment should be necessary.
- 9.4 A conclusions letter will be sent to you on completion of the assessment, giving clear and robust conclusions supported by evidence. Where you notify the CA that no revisions have been found necessary following a 5-year review, you will receive a letter of acknowledgement, confirming the date by which the next 5-year review is due.

10. Enforcement policy

- 10.1 The CA has developed an enforcement policy to ensure that inspectors from different parts of the CA adopt a consistent approach to the enforcement of COMAH, including the review and revision of safety reports.
- 10.2 Inspectors will verify that you have appropriate change management procedures in place at on-site interventions, and will check that you are implementing them properly. Where improvements to procedures are found to be necessary, inspectors will provide advice and guidance and will seek improvements by discussion and co-operation. However, formal action, such as enforcement notices, will be used where you fail to respond to advice.
- 10.3 Formal action may also be necessary where you make a major change or modification to your establishment, with significant repercussions for the prevention or control of major accidents, without undertaking adequate review and revision.
- 10.4 At the 5-year review stage, the CA is asking you to provide certain information in support of any claim that revision is unnecessary ([paragraph 7.4](#)). If this information is not provided then the CA may carry out an inspection to assess your conclusions.

11. Further advice

- 11.1 For site-specific advice on review and revision of your safety report you should contact the HSE, EA or SEPA inspector for your site.

12. Action

- 12.1 The CA would welcome Industry's comments on this guidance, and in particular on:
- Whether you found the guidance clear and easy to understand;
 - If not, which areas you consider require further clarification; and
 - Whether there is anything missing from the guidance that you feel should have been included.
- 12.2 Comments should be sent by 28 February 2005 to HID HQ 1C, Major Hazards Permissioning Team, Health & Safety Executive, 3rd Floor, St Anne's House, University Road, Bootle, Merseyside L20 3RA, or by Email to: 'contact.opu1@hse.gsi.gov.uk'
- 12.3 The contact for this guidance is Tim Beals, HM Principal Inspector, HID OPU1, Tel: 0151 951 4885.

References

¹ The Control of Major Accident Hazards Regulations 1999. SI1999 No. 743 as amended. www.hmsso.gov.uk/si/si1999/19990743.htm

² L111: A Guide to the Control of Major Accident Hazards Regulations 1999. HSE Books 1999. ISBN 0-7176-1604-5.

³ HID's approach to as low as reasonably practicable (ALARP) decisions. www.hse.gov.uk/comah/circular/perm09.htm

⁴ Guidance on 'as low as reasonably practicable' (ALARP) decisions in Control of Major Accident Hazards (COMAH). www.hse.gov.uk/comah/circular/perm12.htm

⁵ Organisational change and major accident hazards- Chemical Information Sheet No CHIS7. www.hse.gov.uk/pubns/chis7.pdf

⁶ Safety Report Assessment Guidance (Technical Aspects) – Plant Modification / Change Procedures. www.hse.gov.uk/comah/sragtech/techmeasplantmod.htm

⁷ COMAH – Background notes and brief guidance for operators: exclusion of information from public registers. www.hse.gov.uk/comah/background/comah99.htm

⁸ Safety Report Assessment Manual (SRAM). www.hse.gov.uk/comah/sram/index.htm

Further information

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, Website: www.hsebooks.co.uk (HSE priced publications are also available from bookshops and free leaflets can be downloaded from HSE's website: www.hse.gov.uk.) For information about health and safety ring HSE's Infoline Tel: 08701 545500 Fax: 02920 859260 e-mail: hseinformationsservices@natbrit.com or write to HSE Information Services, Caerphilly Business Park, Caerphilly CF83 3GG.

Following this guidance is not compulsory and you are free to take other action. But if you do follow this guidance you will normally be doing enough to comply with the law. CA inspectors seek to secure compliance with the law and may refer to this guidance as illustrating good practice.

APPENDIX

Table 1	
Changes that could have significant repercussions	
SMS changes	<ul style="list-style-type: none"> • Reorganisation of the management structure; • Contractorisation, delayering, demanning, or multi-skilling in relation to the operation or maintenance of the establishment; • Changes in health and safety policy, procedures, standards, aims, objectives or priorities, including changes to the MAPP or SMS.
Modifications	<ul style="list-style-type: none"> • A change in the quantity of a dangerous substance; • A change in the phase of a dangerous substance; for example, a change from liquid to gaseous chlorine; • The introduction of new dangerous substances or removal of existing dangerous substances; • New processes; • Changes to storage facilities; • Changes to the control systems of safety-critical plant; • Changes to the mode of delivery or transport of dangerous substances; • Changes to the design or location of control rooms and/or the number of people present within them; • Changes to the location of occupied buildings and/or the number of people present within them; • Changes to the original design parameters such as

Table 1	
Changes that could have significant repercussions	
	<p>process operating conditions or practices, changed throughput, design life extensions or removal of safety-critical plant;</p> <ul style="list-style-type: none"> • Construction of a new installation on an existing site; • A small modification which could have large consequences, such as a change to the valve type used in a particular line; • Introduction of temporary equipment; • Repairs to structures or any plant and equipment; • Decommissioning of plant and installations.
New facts/ knowledge	<ul style="list-style-type: none"> • A substance which is present on site, but not previously classified as a dangerous substance, is reclassified as dangerous (or the reverse); • A change in the risk phrases assigned to a dangerous substance; • Incidents which reveal potentially hazardous reactions or loss of control scenarios not previously considered; • Recommendations made following a public inquiry or major incident; • Lessons from worldwide incidents; • Advances in technology that might render parts of the safety report out-of-date very rapidly (though in general, steady advances in technical knowledge can be accommodated at the 5-year review stage); • New scientific or technical research, or other advances (such as reduction in the cost of safety measures) that may affect the decisions previously made about which measures are necessary; • Population changes on- and off-site; • Changes in the land-use of surrounding areas; • Changes in the conservation designation of surrounding land; • Classification or re-classification of surrounding land as environmentally sensitive areas.

Table 2	
Examples of significant repercussions	
Change in	Examples
Risk profile	New major accident scenario/ loss of existing major accident scenario*.
Frequency	Increase/decrease in frequency of scenarios by a factor of 10. Movement between qualitative risk bands in an existing risk matrix.
Severity	Increase/decrease in severity by a factor of 2. Movement between qualitative consequence bands in an existing risk matrix.
Control measures	Need for additional or different risk control measures (including SMS).
Emergency procedures	Changes (other than admin arrangements) required to on-site plans - changes to off-site plans foreseeable.

* Includes "additional repeat" major accidents from increases/changes in inventory. e.g. If there is a major accident involving flammables, and either new flammables are stored or increase in storage volumes of existing flammables, then "significant repercussions".

Table 3	
Interim reviews due to SMS changes, new facts/knowledge or modifications	
Scope	Screen all changes to identify those that could have “significant repercussions” (see Section 3) with respect to the prevention of major accidents or the limitation of their consequences. Review the risk assessment with respect to major accident hazards to take account of any such changes identified.
Breadth	Review may be limited to those parts of the report affected by the change but where the need for fairly extensive review is identified you should consider reviewing the entire report and notifying the CA that you have done so (under COMAH reg. 8(2)), such that the 5-year time period until the next 5-year review is due may start again.
Depth	Will be determined by the nature of the changes and any significant repercussions identified. For example, if a new major accident scenario is created as a result of changes, review may need to go into similar depth as preparation of the original safety report. If a particular process ceases, with the result that a major accident scenario is eliminated, no further analysis may be required beyond confirmation that this is the case. However, where the associated plant or installation is being decommissioned the implications of this will need to be considered.
5-Year Review	
Scope	Check that all significant changes over the period have been captured. Screen all changes that did not trigger interim ‘change’ reviews and/or revision of the safety report to check for cumulative effects. Review the risk assessment to take account of any such changes identified. (Or carry out a detailed review of the risk assessment where interim changes have not been captured.) Also review the safety report as a whole to check that it still meets the purposes in COMAH Schedule 4, Part 1 and the minimum information requirements in Schedule 4, Part 2.
Breadth	Review the entire report to confirm that the information it contains is still appropriate (i.e. major accident scenarios still relevant, risk assessments still valid, risks still ALARP, descriptive information still accurate).
Depth	See under ‘Depth’ above.