CONTROL OF MAJOR ACCIDENT HAZARDS REGULATIONS 2015 (COMAH)

SAFETY REPORT ASSESSMENT MANUAL (SRAM) – 2015
SAFETY REPORT ASSESSMENT MANUAL (SRAM) – 2015

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THE SAFETY REPORT ASSESSMENT MANUAL (SRAM) – 2015

FOREWORD

ABOUT THIS GUIDANCE

This is the COMAH Competent Authority’s (CA)\(^1\) internally-targeted guidance on the assessment of COMAH safety reports. It describes the framework within which the CA undertakes the assessment of safety reports and the processes its staff should follow in assessing safety reports submitted to them by operators of upper-tier COMAH establishments, pursuant to regulations 9 and 10 of the Control of Major Accident Hazards Regulations 2015 (COMAH).

The Safety Report Assessment Manual is not guidance to COMAH Operators on how to write safety reports.

Following this guidance enables the CA to achieve consistency in its delivery of safety report assessment, and internal review and audit functions should refer to it when evaluating the CA’s performance in assessing safety reports.

SCOPE OF THIS GUIDANCE

This guidance covers the assessment of all COMAH safety reports and / or their component parts. The assessment cycle begins with pre-receipt activities and ends with the CA communicating the conclusions of its examination of the safety report to the COMAH operator.

USING THIS GUIDANCE

The SRAM provides an overview of the safety report assessment cycle and then further detail on each of the processes that should be undertaken by relevant CA staff. There are several appendices which are referenced throughout the main text and these should be referred to, as necessary, by the reader.

The assessment processes apply in broadly the same way to all assessment work but the amount of effort and resource required will depend upon the type of safety report to be submitted and the relative risk posed by the establishment.

\(^{1}\) The competent authority for an establishment is HSE, or the Office for Nuclear Regulation (ONR) for nuclear establishments, together with the appropriate agency. In England the competent authority is HSE or ONR and the Environment Agency (EA); in Scotland it is HSE or ONR and the Scottish Environment Protection Agency (SEPA); and in Wales it is HSE or ONR and Natural Resources Body for Wales (NRW).
1. INTRODUCTION TO SAFETY REPORT ASSESSMENT

1.1 BACKGROUND
The COMAH Competent Authority uses a structured assessment approach to examine the content of COMAH safety reports. The three key elements of this approach are described in detail below:

- The duties and actions of the CA; and
- The limitations of safety report assessment; and
- The CA’s wider expectations of COMAH operators in regard to their safety reports.

1.2 THE DUTIES AND ACTIONS OF THE COMAH COMPETENT AUTHORITY

<table>
<thead>
<tr>
<th></th>
<th>Description</th>
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<tbody>
<tr>
<td>1</td>
<td>The COMAH Competent Authority (CA) has a duty to examine COMAH safety reports and this is an integrated part of its wider intervention strategy for upper-tier COMAH establishments.</td>
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<tr>
<td>2</td>
<td>The CA examines safety reports using a structured assessment process to reach conclusions on the extent to which new and revised content of the safety report meets the relevant requirements of Regulations 8, 9, 10 and Schedules 2 and 3 of the COMAH Regulations 2015. The CA uses discipline specific assessment criteria and guidance on how to use them, in Sections 8-14 of this SRAM document.</td>
</tr>
<tr>
<td>3</td>
<td>The CA must decide if the content of the safety report indicates a potential serious deficiency in the measures taken by the operator for the prevention and mitigation of major accidents; In such circumstances the CA would visit the establishment to verify if the actual arrangements on site are seriously deficient and if necessary prohibit the bringing into operation, or continued operation, of the establishment, or any part of it, in accordance with regulation 23 of COMAH.</td>
</tr>
<tr>
<td>4</td>
<td>The CA will use Pre-Receipt Activities to reach agreement with operators upon the requirements for safety report submissions.</td>
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<tr>
<td>5</td>
<td>The CA must communicate the conclusions of its examination of the safety report to the COMAH Operator within a reasonable period of time. The CA publishes its guidance on how long a safety report assessment should take to enable conclusions to be communicated to the COMAH Operator.</td>
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1.3 LIMITATIONS OF ASSESSMENT

<p>| | |</p>
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<tbody>
<tr>
<td>1</td>
<td>The assessment of a safety report does not ensure that the necessary measures have been taken to manage major accident hazards at an establishment. Actual on site conditions can only be verified through inspection.</td>
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<tr>
<td>2</td>
<td>The content of a safety report should be taken at face value and presumed to be accurate unless there is clear evidence to the contrary (e.g. conflicting statements in the report or local knowledge of the assessment team).</td>
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<td>3</td>
<td>The depth of assessment should be proportionate to the level of risk and the extent to which the information contained in the safety report is new to the CA.</td>
</tr>
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<td>4</td>
<td>The purpose of assessment is not to achieve a perfect safety report. Where a report is found to be deficient in some way the assessment team will judge its importance to the overall control of major accident hazards and, within the CA’s wider enforcement strategy, determine if any further action is required to remedy the deficiency.</td>
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1.4 THE COMPETENT AUTHORITY’S EXPECTATIONS OF COMAH OPERATORS IN REGARD TO THEIR SAFETY REPORTS

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<tbody>
<tr>
<td>1</td>
<td>Operators provide necessary assistance by entering into pre-receipt activities with the CA to reach agreement upon the requirements for a safety report submission.</td>
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<tr>
<td>2</td>
<td>Operators send safety reports to the CA which satisfy the relevant requirements of Regulations 8, 9 and 10 and Schedules 2 and 3; in doing so they fully take into account the Pre-Receipt Agreement reached between themselves and the CA.</td>
</tr>
<tr>
<td>3</td>
<td>Operators sending a safety report to the CA which has been reviewed and revised under Regulation 10(1) of COMAH, have clearly highlighted the changes in that report and provided a narrative account of the review undertaken and changes that have been made to the safety report;</td>
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<tr>
<td>4</td>
<td>Where changes are planned at an establishment that indicate the need for an operator to prepare a modification report, they inform the CA at the earliest opportunity and send the modification report to the CA in advance of the modification coming into effect.</td>
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</table>
1.5 A SUMMARY OF THE SAFETY REPORT ASSESSMENT CYCLE PROCESSES

The work to examine a safety report is undertaken by staff from the CA who are trained in and competent to work through the safety report assessment cycle which consists of five stages, as summarised in Figure 1 below:

![Figure 1 - Summary of the safety report assessment cycle](image)

Each stage must be completed before moving on to the next one, though the amount of work required by the CA and the timescales within which it should be completed will depend upon the nature of the COMAH establishment and the type of safety report which is to be submitted.

![Figure 2 - Summary of the safety report management cycle](image)

The Pre-Receipt stage is managed by the COMAH Intervention Manager and the assessment process from ‘Receipt’ through to ‘Conclusions’ managed by the Assessment Manager – both roles are usually undertaken by the same person.
1.6. TERMINOLOGY

- ‘HSE’ this term includes HSE and ONR staff
- ‘COMAH Intervention Manager’ this role may be completed by HSE, or EA/SEPA/NRW staff agreed locally by the relevant operational teams; however for the purposes of this guidance it has been assumed that this role is being fulfilled by HSE staff.
- ‘Assessment Manager’ this role may be completed by HSE, or EA/SEPA/NRW staff agreed locally by the relevant operational teams; however for the purposes of this guidance it has been assumed that this role is being fulfilled by HSE staff.
- ‘Discipline Specialists’ this refers to any specialists staff who take part in the safety report assessment including environmental assessors
- ‘Environmental Assessment’ this assessment is generally led by the principle EA/SEPA/NRW authorised person / assessor who manages any additional environmental specialist assessment requirements which may be needed e.g. groundwater specialists, conservation specialists etc.
- ‘Regulatory Assessment’ this refers to three assessments Descriptive, MAPP and Safety Management Systems, and Emergency Preparedness which are generally completed by HSE staff. Where the Assessment Manager role is fulfilled by HSE it is generally this role that completes these three assessments. Alternatives to this structure may be agreed locally.

The Safety Report Assessment Manual is not guidance to COMAH Operators on how to write safety reports.

The key points of each stage of the assessment cycle are as follows:

1.7. PRE-RECEIPT ACTIVITIES

- All safety report submissions should have a Pre-Receipt Meeting.

This meeting need not be a standalone meeting in the intervention plan but could form part of another intervention’s agenda.

Where safety reports have been assessed and all criterion met, a pre receipt meeting should still be held with the operator to establish whether any revisions will be made to the safety report and whether these may need assessing. Where no revisions are to be made the COMAH Intervention Manager should ensure that the operator sends a letter to the CA confirming this position on or before the agreed review date.

- The COMAH Intervention Manager and operator finalise the Pre-Receipt Agreement within 4 weeks of the pre-receipt meeting.
For 5 yearly reviews of safety reports:

- The Pre-Receipt Meeting should happen 1 year in advance of the planned submission of the report to the CA by the operator;
- The COMAH Intervention Manager considers and shares information held by the CA which may be relevant to the safety report review to be undertaken by the operator;
- The COMAH Intervention Manager should clearly communicate to the COMAH operator, the benefits of them providing the CA with a narrative summary of the review undertaken and changes made to their safety report;
- The operator should clearly highlight new and revised content.
- The operator should be advised that the pre-receipt agreement does not remove the duty on them to provide information within the revised safety report that satisfies regulations 8, 9 and 10 together with Schedules 2 and 3. A standard paragraph should be included in the pre-receipt agreement letter.

For “New” and “Other” Establishments (as defined) and Modifications to Existing Establishment reports:

- A Pre-Receipt Meeting or a preliminary meeting to advise the operator of the pre-receipt process should happen within 4 weeks of the operator’s original enquiry;
- Relevant discipline specialists where appropriate should attend Pre-Receipt Meetings for New and Other Establishments and do so as required for Modifications to existing safety reports;
- Pre-Receipt should be led by the assigned COMAH Intervention Manager but assessors attending for the CA need not be those who may later carry out the assessment or future inspection work.
- For rolling submissions, the Pre-Receipt Agreement may be incrementally updated.

Effect on COMAH Intervention Planning

- On the basis of the Pre-Receipt Agreement the COMAH Intervention Manager bids for the required assessment resource i.e. those for whom there should be new or revised content to assess;
  The resourcing priorities for safety report work are reflected in the CA’s operational guidance for intervention planning which is updated and issued annually.

1.8. RECEIPT OF SAFETY REPORT SUBMISSION

- The COMAH Intervention Manager is usually the Assessment Manager.
- The HSE Safety Report Administrator will receive the report on behalf of the CA and take the necessary steps to set up the assessment work on the CA shared database e.g. COIN.
Completeness Check

- Existing establishment safety reports – this is done by the Assessment Manager only;
- New / Other Establishment Reports – led by Assessment Manager with other discipline specialist assessor input for rolling submissions, where necessary;
- Confirm presence of basic elements of safety report and extent to which new / revised content reflects the Pre-Receipt Agreement;
- Confirm that a narrative summary of the review and revisions have been included;
- Confirm that revisions and new content have been highlighted.

Early Predictive Screen

- HSE Predictive discipline specialist assessor and EA/SEPA/NRW assessors usually undertake this for new and other establishment safety reports only.

1.9 ASSESSMENT PLANNING

Assessment Manager

- Drafts and maintains assessment plan;
- Arranges assessment planning meeting (telecon, VC, face to face etc.);
- Issues final Assessment Plan before assessment begins.

1.10 ASSESSING THE SAFETY REPORT

Safety report content for assessment is sampled using the CA agreed assessment criteria and should be taken at face value (see comments in 1.3 also).

Assessment is of new and revised content in the safety report.

- The CA will assess a safety report where it contains new and revised content;
- The required discipline specialist assessment team resource will be based upon the scope of changes described within the Pre-Receipt Agreement.

Use SRAM 2015 Assessment Criteria and Guidance

- ‘Criterion Met’ - where the assessment or technical read through of the existing safety report has an assessment criteria recorded as being met or satisfied, the ‘new’ safety report submission should not be reassessed against that criteria unless one or more of the following conditions are met:
  - The operator has added to or revised the relevant content; or
  - Where COMAH 2015 adds a new requirement which was not previously included in COMAH 1999; or
  - The assessor has evidence which contradicts the content of the safety report e.g. inspection and investigation conclusions.
Use of Other Relevant Sources of Information

- Assessors must be transparent about their use of any other relevant sources of information, these could be for example, the current Technical Assessment Record or where appropriate the last Technical Demonstrations Record. Use of other relevant sources should be declared and recorded, within the relevant criterion section(s) of the assessment record.

1.11 ASSESSMENT CONCLUSIONS MEETING

There must be a conclusions meeting for every type of safety report assessment

All members of the assessment team must attend the meeting

Deadlines for Conclusion of Assessment by the CA (from date of receipt):

Existing Establishment

- 5 Year Revisions = 4 Months (1 month Completeness + 3 months Assessment);
- 5 Year Full Rewrite = within 1 year but 6 months from start of assessment;
- Modification = 4 months [complexity can result in longer timetable]

New Establishment [complexity can result in longer timetable]

- Pre-Construction = 3 months;
- Pre-Operation = 3 months;
- Pre-Modification = 6 Months (where a modification of a non-COMAH site or an existing lower tier establishment results in COMAH becoming relevant);

- Other Establishment = within 1 year but 6 months from start of assessment. Note: Other Establishments have two years from the date on which COMAH applies to prepare a safety report. This does not exclude inspection in the intervening period.
2. **PRE-RECEIPT ACTIVITIES**

In respect to their COMAH duty to examine all safety reports submitted by COMAH operators, the CA undertakes the following Pre-Receipt Activities:

- **Resource Planning** – safety report submission plans and COMAH Intervention Plans
- **Pre-Receipt Meetings** – work undertaken to ensure that information is shared between the CA and the COMAH operator to provide optimal conditions for the report to meet the minimum requirements of COMAH for content and purposes.

2.1 **Resource Planning**

2.1.1. **Purpose**

To plan and co-ordinate the work to be done in support of safety report assessment, and to ensure the necessary resources are allocated through intervention planning arrangements.

2.1.2. **Five Year Safety Report Submission Plan**

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<tr>
<th>Step</th>
<th>Action – Responsibility</th>
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</thead>
<tbody>
<tr>
<td>1</td>
<td><strong>Five Year Plan</strong></td>
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<tr>
<td></td>
<td><strong>HSE Regulatory Team Leaders (with Admin assistance)</strong></td>
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<tr>
<td></td>
<td>Prepare and maintain a team ‘five year safety report submission plan’ showing all anticipated safety report submissions in respect of COMAH upper-tier establishments and the expected submission dates for the safety reports. This should be shared where necessary with EA/SEPA/NRW teams.</td>
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<tr>
<td></td>
<td><strong>ongoing basis</strong></td>
</tr>
<tr>
<td>2</td>
<td><strong>Identify Safety Report Submissions</strong></td>
</tr>
<tr>
<td></td>
<td><strong>HSE Regulatory Team Leaders and COMAH Intervention Managers</strong></td>
</tr>
<tr>
<td></td>
<td>Consult with operators of existing establishments and monitor COMAH notifications, to identify any forthcoming safety report submissions and / or changes and record these on the team five year safety report submission plan and corresponding Priorities for Inspection planning (PIP) records</td>
</tr>
<tr>
<td></td>
<td><strong>throughout work-year</strong></td>
</tr>
<tr>
<td>3</td>
<td><strong>Advise of Changes Relevant to Safety Reports</strong></td>
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<td></td>
<td><strong>Operational Strategy and Policy Units</strong></td>
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<td></td>
<td>Advise the Competent Authority’s operations units of forthcoming changes to legislation, or other factors, that may impact on the duty to send and / or examine a safety report.</td>
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<td></td>
<td><strong>throughout work-year</strong></td>
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</tbody>
</table>
### 2.1.3. Safety Report Activity and COMAH Intervention Plans

<table>
<thead>
<tr>
<th>Step</th>
<th>Action – Responsibility</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>Intervention Plans Support Safety Report Activity</td>
</tr>
<tr>
<td></td>
<td><strong>HSE Regulatory Team Leaders and EA/NRW/SEPA Team Leaders</strong></td>
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<tr>
<td></td>
<td>Ensure that COMAH Intervention Plans adequately reflect the CA resources required to support pre-receipt and assessment activity for the COMAH safety report submission expected.</td>
</tr>
<tr>
<td></td>
<td>In line with operational intervention planning guidance</td>
</tr>
<tr>
<td>2</td>
<td>Identify Resources Required for Pre-Receipt and Assessment work</td>
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<tr>
<td></td>
<td><strong>COMAH Intervention Managers</strong></td>
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<tr>
<td></td>
<td>Provide HSE Regulatory Team Leaders with sufficient information to support safety report pre-receipt and assessment activity for intervention planning. This includes:</td>
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<td>• Confirmation of the required discipline specialist types to support pre-receipt activity for safety report submissions from New and Other Establishments and Modification reports in respect of Existing Establishments; and</td>
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<tr>
<td></td>
<td>• Confirmation of the resource involvement of predictive and environment assessors in 5 yearly review pre-receipt meetings; and</td>
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<tr>
<td></td>
<td>• Following the pre-receipt meeting, confirmation of the required discipline specialist assessment team composition in respect of an operator’s safety report submission.</td>
</tr>
<tr>
<td></td>
<td>throughout work-year</td>
</tr>
<tr>
<td>3</td>
<td>Decide who leads Pre-Receipt and who will be Assessment Manager</td>
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<tr>
<td></td>
<td><strong>HSE Regulatory Team Leaders and EA/NRW/SEPA Team Leaders (as necessary)</strong></td>
</tr>
<tr>
<td></td>
<td>The COMAH Intervention Manager for an establishment will lead on Pre-Receipt Activities and usually also be the Assessment Manager in respect of the safety report submission. There may though, be good reasons where this is not the case, for example:</td>
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<tr>
<td></td>
<td>• Where the COMAH Intervention Manager is an authorised person from one of EA, NRW or SEPA - the CA will need to confirm that the COMAH Intervention Manager will lead the Pre-Receipt work and that they will be the Assessment Manager e.g. where revisions to the safety report are purely environmental; or</td>
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<tr>
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<td>• For operational or resourcing issues, the work may be assigned to an HSE Regulatory Inspector who is not also the appointed COMAH Intervention Manager.</td>
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<td></td>
<td>The decision should be made at a local level and recorded on the relevant COMAH Intervention Plan and the team ‘Five Year Safety Report Submissions Plan’.</td>
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</tbody>
</table>
Where the existing COMAH Intervention Manager will not carry out the pre-receipt work, the decision should be communicated to the COMAH operator concerned at the earliest opportunity. [The SR Administrator should be informed so that the relevant COIN records can be updated and the correct details are sent in the ‘Receipt of a Safety Report’ letter to the Operator who submitted the safety report.]

| 4 | **Specialist and Environment Resource for Pre-Receipt and Assessment**  
**HSE Discipline Specialist Team Leaders and EA/NRW/SEPA Team Leaders**  
Where the COMAH Intervention Plan indicates a resource request for their technical discipline in relation to a safety report submission, the relevant Team Leaders should identify the assessors to fill the required roles for the identified assessment and pre-receipt work. They should confirm these names to the relevant HSE Regulatory Team Leader, for inclusion in the Safety Report Assessment Plan.  
In accordance with timetable set out in Intervention planning guidance |
|---|---|
| 5 | **Confirm Assessment Team**  
**HSE Regulatory Team Leaders**  
Provide the COMAH Intervention Manager with confirmation of the name of the Assessment Manager and composition of Assessment Team.  
As soon as resourcing has been agreed |
| 6 | **Resourcing Unplanned Work**  
**HSE Regulatory and Specialist Team Leaders, and EA/NRW/SEPA Team Leaders**  
*Unplanned work* – this refers to unexpected in-year changes  
In accordance with COMAH Intervention Planning operational guidance, allocate the necessary CA resources where previously unplanned safety report activity is added to an updated COMAH Intervention Plan – typically this would be in response to an in-year submission of a ‘modification report’ or a new entrant to COMAH requiring the initial pre-receipt work.  
This means flexibility in resourcing the work, the outcome of which could be an Assessment Manager other than the appointed COMAH Intervention Manager and / or technical assessors involved in pre-receipt who do not then undertake the later assessment or inspection work.  
Ongoing throughout the work-year |
2.2 Pre-Receipt Meeting

2.2.1 Purpose
The Pre-Receipt Meeting is a key stage in the development of any safety report and it is important to both the CA and the COMAH operator. The objective is to ensure that information is shared between both parties in order to provide optimal conditions for the report to meet the minimum requirements of COMAH for content and purposes; this should mean that there are no significant gaps in the information presented and that the report is able to be progressed without issue to the assessment stage.

2.2.2 Timing of Pre-Receipt Meetings
The COMAH Intervention Manager and the operator should refer to the expected timetable below for the Pre-Receipt Meeting when agreeing upon the exact date for the meeting.

<table>
<thead>
<tr>
<th>Existing Establishments</th>
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<tbody>
<tr>
<td>Five Yearly Review Safety Report</td>
<td>1 year before the report submission date.</td>
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<tr>
<td>Modification Safety Report</td>
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<tr>
<td>New Establishments</td>
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<tr>
<td>Pre-Construction; or Pre-Modification Safety Report</td>
<td>within 4 weeks of operator’s original enquiry (or a preliminary meeting see 1.6)</td>
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<tr>
<td>Other Establishments</td>
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<tr>
<td>‘First’ Safety Report</td>
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2.2.3 Existing Establishment - Five Yearly Safety Report Review

Preparation for the Pre-Receipt Meeting

<table>
<thead>
<tr>
<th>Step</th>
<th>Action – Responsibility</th>
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<tbody>
<tr>
<td>1a</td>
<td>Documentation Review</td>
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<td><strong>COMAH Intervention Manager</strong></td>
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<td>The COMAH Intervention Manager reviews relevant documentation relating to the current safety report, which would typically include the current:</td>
</tr>
<tr>
<td></td>
<td>• Technical Assessment Records;</td>
</tr>
<tr>
<td></td>
<td>• Technical Demonstration Records; [where relevant]</td>
</tr>
</tbody>
</table>
Further information formally requested and submitted during the last safety report assessment;
Conclusions records, including revision plans;
Updated safety report documentation - sent by the operator in respect of current assessment conclusions;
A copy of the current COMAH Notification for the establishment;
A copy of intervention actions that are relevant to the operator’s safety report review;
Where issues exist regarding the assessment outcomes of previous criterion assessment then refer to section 8.2;
Where a previous technical assessment record for a particular discipline has not been completed then advice should be sought from a relevant discipline specialist Team Leader as to whether the assessment should be completed e.g. for human factors.
In advance of the pre-receipt meeting, Discipline specialist assessors should bring deficiencies in the previous assessment to the attention of the COMAH Intervention Manager.

The review of these documents forms part of the preparations for engagement with the establishment. Where appropriate, the COMAH Intervention Manager should forward the current predictive assessment to the Predictive discipline specialist assessor and the current environmental assessments to the appropriate authorised person from EA/NRW/SEPA. The COMAH Intervention Manager should consult as necessary with their counterpart in EA/NRW/SEPA and relevant discipline Specialists in order to develop a thorough understanding of the material that should be in scope of the operator’s safety report review.

At least 5-6 weeks in advance of the meeting

1b Recording the Documentation Review on COIN

COMAH Intervention Manager

On COIN, use the relevant site ‘Pre-Receipt Activities’ case created by the Safety Report Administrator to capture all pre-receipt work. The Notes field should be used to make a brief record of the pre-receipt activities as they occur.

In the Notes field make a clear record of the documentation reviewed. Although, it is not necessary to attach copies of the actual documentation referenced

This is particularly important where the pre-receipt work is undertaken by staff who do not go on to do the assessment or inspection work for the establishment.

At least 4 weeks in advance of the meeting
### 2 Sharing Information with the Operator

**COMAH Intervention Manager**

Following the documentation review, the COMAH Intervention Manager should share the information the CA believes to be in scope of the operator’s review of the establishment’s safety report.

no later than 4 weeks in advance of the Pre-Receipt Meeting.

### 3 Decide who Should Attend the Meeting

**COMAH Intervention Manager, Predictive discipline specialist assessor and EA/NRW/SEPA Authorised Person**

The COMAH Intervention Manager* leads the meeting and they may be accompanied by a Predictive Assessor and an authorised person from EA/NRW/SEPA. The respective discipline specialist assessors should proactively indicate that they also need to attend after taking into account local site knowledge, complexity of the establishment, anticipated changes to the safety report and CA operational priorities.

The CA expects the COMAH operator to provide competent personnel for the meeting and it is good practice to include any representatives from consultants if they are being used for the review and revision process.

[*CIM usually leads but refer to 2.1(3) for examples where this may not happen.]

#### Before the agenda is agreed

### 4 Agree Meeting Agenda

**COMAH Intervention Manager**

The COMAH Intervention Manager and the operator should agree the agenda for the Pre-Receipt Meeting. For an example agenda please refer to **SRAM 01 – PRE-RECEIPT - PRM Agenda - 5 yearly review**.

no later than 4 weeks in advance of the Pre-Receipt Meeting

### 2.2.4 Existing Establishment - Five Yearly Safety Report Review

**The Pre-Receipt Meeting and Outcomes**

### 1 Attend Pre-Receipt Meeting

**COMAH Intervention Manager with Predictive and EA/NRW/SEPA as appropriate.**

The COMAH Intervention Manager leads the meeting in accordance with the agenda and makes a record of the discussion and outcomes on which the CA and the operator have reached agreement. These should be:

a) the scope and depth of the review and revised information required;

b) how the revised information will be presented in the report;
c) the requirements for a narrative report on the changes made;

d) the submission date;

e) the required number of copies and format e.g. disc versus hard copies of the report needed for the assessment work.

2 **Pre-Receipt Agreement and Covering Letter**

**COMAH Intervention Manager and Operator**

The COMAH Intervention Manager and Operator should finalise a Pre-Receipt Agreement within 4 weeks of the site meeting to reflect the outcomes of the meeting. *SRAM 05 – PRA – Pre-Receipt Agreement should be used for this purpose.*

When the Pre Receipt Agreement is finalised, the COMAH Intervention Manager should send a covering letter to the operator to confirm the CA’s expectation that the safety report submission will fully meet the undertakings set out in the pre-receipt agreement. *SRAM 06 – PRA – Pre-Receipt Agreement Letter,* contains instructions on the content of the letter.

The agreement may need to be revised by the COMAH Intervention Manager in the time between the meeting and the report submission. Significant changes to the Pre Receipt agreement should be discussed with relevant Team Leaders particularly if the changes are likely to require increased discipline specialist resource.

**no later than1 month after the Pre-Receipt Meeting**

3 **Recording the Pre-Receipt Meeting work on COIN**

**COMAH Intervention Manager**

Record all work on the ‘Pre-Receipt Activities’ Case.

The meeting should be recorded on COIN as a brief contact report typed into the Notes field (stating who attended, where, and for what purpose).

Attach the Pre-Receipt Agreement and covering letter to the Case with a note to confirm when and how they were sent to the operator.

**within 2 weeks of sending the covering letter and Pre-Receipt Agreement**

4 **Determining Assessment Team Composition**

**COMAH Intervention Manager**

On the basis of the Pre-Receipt Agreement, the COMAH Intervention Manager must determine the composition of the assessment team required to examine the planned safety report submission. The key points being, where revisions / additions are likely to be made, and which discipline specialists are likely to be in scope of these changes. As necessary, they should seek advice from relevant discipline specialists, to enable an informed bid to be made for resources during the intervention planning process.
To do this the COMAH Intervention Manager will need to amend the COMAH Intervention Plan and provide information to the Regulatory Team Leader to allow the team ‘five year safety report submission plan’ to be updated. Within 2 weeks of sending the covering letter and Pre-Receipt Agreement.

2.2.5 New or Other Establishment Safety Report

Initial Pre-Receipt Activity

The Regulatory Team Leader in conjunction with the relevant EA/SEPA/NRW Team Leader will appoint a COMAH Intervention Manager for the new / other establishment and they should lead on the pre-receipt activity with the operator.

The CA must begin discussions with a New / Other Establishment at the earliest opportunity. It is vital that the CA and operator both understand the establishment’s basis for entering upper tier COMAH and the resultant duties on both parties.

New Establishments:

<table>
<thead>
<tr>
<th>New Entrants to COMAH</th>
</tr>
</thead>
</table>
| Where a new upper-tier establishment was not previously a lower tier COMAH establishment, the initial interaction between the CA and the operator should be guided by the framework for new entrants into COMAH *(Understanding COMAH - Arrangements for supporting businesses moving into COMAH)*.

This engagement should establish a reasonable mutual understanding of the operational timetable for the establishment to meet its duties under COMAH, the nature of the new entrant’s activities in scope of COMAH and the duties with which they must comply. One of which is the preparation and submission of a COMAH safety report but very closely related to that duty is the need to submit a notification under COMAH and to have obtained Hazardous Substances Consent, where relevant to do so. Both of these can impact upon the submission timetable for the safety report.

<table>
<thead>
<tr>
<th>COMAH Establishment moves from lower tier to upper tier</th>
</tr>
</thead>
<tbody>
<tr>
<td>Where the new upper-tier establishment was previously a lower tier establishment, the approach should be similar to that for new entrants to COMAH, with the focus being on the outcomes from the initial interaction between the CA and the operator. Again the CA should establish a reasonable mutual understanding of the operational timetable for the establishment to meet its duties under COMAH, the nature of the new upper-tier establishment’s activities in scope of COMAH and any additional duties with which they must comply.</td>
</tr>
</tbody>
</table>
Other Establishments

The Other Establishment may have previously been a lower tier establishment or a non-COMAH site of operation. The approach to the pre-receipt activity with the establishment is the same as for the New Establishments described above, although the Other establishment has two years to prepare and submit a safety report.

The key point to note is that the entry into COMAH of the Other Establishment is not an event that will have been planned for by the operator and this may have an impact upon their preparedness for the transition.

### 2.2.6 New or Other Establishment Safety Report

#### Preparation for the Pre-Receipt Meeting

<table>
<thead>
<tr>
<th>Step</th>
<th>Action – Responsibility</th>
</tr>
</thead>
</table>
| 1    | **Confirm Pre-Receipt Team Resource**  
**HSE Regulatory and Discipline Specialist Team Leaders, and EA/NRW/SEPA Team Leaders**  
Agree upon the identity of the specialist disciplines and discipline specialists who will be resourced to undertake the pre-receipt work with the operator. HSE Regulatory Team Leader should confirm the arrangements with the appointed COMAH Intervention Manager.  
No later than 2 weeks before the first Pre-Receipt Meeting |
| 2    | **Sharing of Documentation with Pre-Receipt Team**  
**COMAH Intervention Manager**  
The COMAH Intervention Manager should circulate any relevant documentation that has been received from the operator of the new / other establishment. This could be a COMAH notification, project overview documentation, or hazardous substance consent details.  
The basic aim is to ensure that the Pre-Receipt team are informed as fully as possible before attending site.  
No later than 2 weeks before the first Pre-Receipt Meeting |
| 3    | **Recording the work on COIN**  
**COMAH Intervention Manager**  
On COIN, use the ‘Pre-Receipt Activities’ case to capture all pre-receipt work. The Notes field should be used to make a brief record of the pre-receipt activities as they occur.  
In the Notes field make a clear record of the documentation reviewed. Do not attach copies of the actual documentation referenced. |
This is particularly important where the pre-receipt work is undertaken by staff who do not go on to do the assessment or inspection work for the establishment.

At least 1 week in advance of the meeting

4 Agree Meeting Agenda

**COMAH Intervention Manager**

The COMAH Intervention Manager and the operator should agree the agenda for the Pre-Receipt Meeting. For an example agenda please refer to either of:

- SRAM 03 - PRE-RECEIPT – PRM Agenda - New Establishment Pre-Construction and Pre-Operation
- SRAM 04 – PRE-RECEIPT – PRM Agenda - New Establishment Pre-Modification Safety Report

no later than 2 weeks in advance of the Pre-Receipt Meeting

### 2.2.7 New or Other Establishment Safety Report

**The Pre-Receipt Meeting and Outcomes**

1 **Attend Pre-Receipt Meeting**

**COMAH Intervention Manager with Pre-Receipt Team.**

The COMAH Intervention Manager leads the meeting in accordance with the agenda and makes a record of the discussion and outcomes on which the CA and the operator have reached agreement. The initial objective is to understand the operator’s plans and arrive at an agreed strategy for the required safety report submission (in terms of content and timetable for the report).

2 **Pre-Receipt Agreement and Covering Letter**

**COMAH Intervention Manager and Operator**

The COMAH Intervention Manager and Operator should finalise a Pre-Receipt Agreement within 4 weeks of the site meeting to reflect the outcomes of the meeting. **SRAM 05 – PRA – Pre-Receipt Agreement Record** should be used as a starting point.

When the Pre Receipt Agreement is finalised, the COMAH Intervention Manager should send a covering letter to the operator to confirm the CA’s expectation that the safety report submission will fully meet the undertakings set out in the pre-receipt agreement. **SRAM 06 – PRA - Pre-Receipt Agreement Letter**, contains instructions on the content of the letter.

The agreement may need to be revised by the COMAH Intervention Manager in the time between the meeting and the report submission.

no later than 1 month after the Pre-Receipt Meeting
3. Recording the Pre-Receipt Meeting work on COIN

**COMAH Intervention Manager**

Record all work on the ‘Pre-Receipt Activities’ Case.

The meeting should be recorded on COIN as a brief contact report typed into the Notes field (stating who attended, where and for what purpose).

Attach the Pre-Receipt Agreement and covering letter to the Case with a note to confirm when and how they were sent to the operator.

within 2 weeks of sending the covering letter and Pre-Receipt Agreement

4. Determining Assessment Team Composition

**COMAH Intervention Manager**

On the basis of the Pre-Receipt Agreement, the COMAH Intervention Manager must determine the composition of the discipline specialist assessment team required to examine the planned safety report submission.

Having done so, the COMAH Intervention Manager will need to amend any relevant COMAH Intervention Plan and provide information to the Regulatory Team Leader to allow the team ‘five year safety report submission plan’ to be updated.

within 2 weeks of sending the covering letter and Pre-Receipt Agreement

5. Communicate with HSE Predictive Hazardous Substance Consent Risk Assessors (CEMHD5)

**COMAH Intervention Manager**

Where an establishment is making an application for hazardous substances consent in relation to their entry into upper tier COMAH the COMAH Intervention Manager needs to communicate proactively with CEMHD5 on the progress of their advice in relation to the consent application. Delays on consulting on hazardous substance consent advice can delay safety report submission or impact the project as a whole.

2.2.8 Existing Establishment Modification Safety Report

**Preparation for the Pre-Receipt Meeting**

<table>
<thead>
<tr>
<th>Step</th>
<th>Action – Responsibility</th>
</tr>
</thead>
</table>
| 1    | **Confirm Pre-Receipt Team Resource**  
**COMAH Intervention Manager,**  
**HSE Regulatory and Discipline Specialist Team Leaders,** and **EA/NRW/SEPA Team Leaders**  
Agree upon the identity of the specialist disciplines and discipline specialists who |
will be resourced to undertake the pre-receipt work with the operator. HSE Regulatory Team Leader should confirm the arrangements with the appointed COMAH Intervention Manager.

No later than 2 weeks before the Pre-Receipt Meeting

<table>
<thead>
<tr>
<th>2</th>
<th>Sharing of Documentation with Pre-Receipt Team</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>COMAH Intervention Manager</strong></td>
<td>The COMAH Intervention Manager should circulate any relevant documentation that has been received from the operator of the establishment. This could be, an amended COMAH notification, project overview documentation, or hazardous substances consent application details.</td>
</tr>
<tr>
<td></td>
<td>The basic aim is to ensure that the Pre-Receipt team are informed as fully as possible before attending site.</td>
</tr>
<tr>
<td></td>
<td>No later than 2 weeks before the first Pre-Receipt Meeting</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>3</th>
<th>Recording the work on COIN</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>COMAH Intervention Manager</strong></td>
<td>On COIN, use the ‘Pre-Receipt Activities’ case to capture all pre-receipt work. The Notes field should be used to make a brief record of the pre-receipt activities as they occur.</td>
</tr>
<tr>
<td></td>
<td>In the Notes field make a clear record of the documentation reviewed. Do not attach copies of the actual documentation referenced.</td>
</tr>
<tr>
<td></td>
<td>This is particularly important where the pre-receipt work is undertaken by staff who do not go on to do the assessment or inspection work for the establishment.</td>
</tr>
<tr>
<td></td>
<td>At least 1 week in advance of the meeting</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>4</th>
<th>Agree Meeting Agenda</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>COMAH Intervention Manager</strong></td>
<td>The COMAH Intervention Manager and the operator should agree the agenda for the Pre-Receipt Meeting. For an example agenda please refer to:</td>
</tr>
<tr>
<td></td>
<td>• SRAM 02 – PRE-RECEIPT – PRM Agenda - Existing Establishment – Modification Safety Report</td>
</tr>
<tr>
<td></td>
<td>no later than 2 weeks in advance of the Pre-Receipt Meeting</td>
</tr>
</tbody>
</table>
### 2.2.9 Existing Establishment Modification Safety Report

#### The Pre-Receipt Meeting and Outcomes

<table>
<thead>
<tr>
<th></th>
<th>Description</th>
</tr>
</thead>
</table>
| 1 | **Attend Pre-Receipt Meeting**  
**COMAH Intervention Manager with Pre-Receipt Team.**  
The COMAH Intervention Manager leads the meeting in accordance with the agenda and makes a record of the discussion and outcomes on which the CA and the operator have reached agreement. The main objectives are to understand the scope of the modification, the likely effect of it upon the existing major hazard profile of the establishment, and to arrive at an agreed strategy for the safety report submission (in terms of content and timetable for the report). |
| 2 | **Pre-Receipt Agreement and Covering Letter**  
**COMAH Intervention Manager and Operator**  
The COMAH Intervention Manager and operator should finalise a Pre-Receipt Agreement within 4 weeks of the site meeting to reflect the outcomes of the meeting. **SRAM 05 – PRA – Pre-Receipt Agreement Record** should be used as a starting point.  
When the Pre Receipt Agreement is finalised, the COMAH Intervention Manager should send a covering letter to the operator to confirm the CA’s expectation that the safety report submission will fully meet the undertakings set out in the pre-receipt agreement. **SRAM 06 – PRA – Pre-Receipt Agreement Letter**, contains instructions on the content of the letter.  
(no later than 1 month after the Pre-Receipt Meeting) |
| 3 | **Recording the Pre-Receipt Meeting work on COIN**  
**COMAH Intervention Manager**  
Record all work on the ‘Pre-Receipt Activities’ Case.  
The meeting should be recorded on COIN as a brief contact report typed into the Notes field (stating who attended, where and for what purpose).  
Attach the Pre-Receipt Agreement and covering letter to the Case with a note to confirm when and how they were sent to the operator.  
(within 2 weeks of sending the covering letter and Pre-Receipt Agreement) |
| 4 | **Determining Assessment Team Composition**  
**COMAH Intervention Manager**  
On the basis of the Pre-Receipt Agreement, the COMAH Intervention Manager must determine the composition of the assessment team required to examine the planned safety report submission.  
Having done so, the COMAH Intervention Manager will need to amend any relevant COMAH Intervention Plan and provide information to the Regulatory Team Leader to allow |
the team ‘five year safety report submission plan’ to be updated.

within 2 weeks of sending the covering letter and Pre-Receipt Agreement

| 5 | **Communicate with HSE Predictive Hazardous Substance Consent Risk Assessors (CEMHD5)**

**COMAH Intervention Manager**

Where an establishment is making an application for hazardous substances consent in relation to their proposed modification the COMAH Intervention Manager needs to communicate proactively with CEMHD5 on the progress of their advice in relation to the consent application. Delays on hazardous substance consent advice HSC can delay safety report submission or impact the project as a whole.
3. RECEIPT

The basic elements are to receive the safety report, do a high level check that the content is as expected, and where necessary develop a basic understanding of the risk analysis presented in the report. These steps are described below as: Receipt, Completeness Check and Early Predictive Screening. This section also describes the steps to take if a report is not sent to the CA.

3.1 Receipt of Safety Report

3.1.1 Timing

The COMAH regulations provide some flexibility in terms of the timing for submission of safety reports in respect of New and Other establishments but they are more prescriptive when the safety reports are from existing establishments and in particular the submission of a safety report for the Five Yearly Review. This should be taken into account when agreeing the submission date. Once the operator has submitted their safety report documents to the CA, the clock starts ticking on the time in which the CA must complete its examination of the safety report.

The safety report is therefore, expected to be submitted to the CA on the due date indicated in the Pre-Receipt Agreement. It is good practice for the Assessment Manager to contact the operator in advance of the submission date to check that there are no unforeseen problems and that the report will be sent on the agreed date. Where there are issues, there is a clear expectation that the operator proactively informs the Assessment Manager and explains the reasons for any change to the submission date.

For five yearly review safety reports, it is important to note that the CA has no powers within the COMAH regulations to agree a late submission date other than through the use of an enforcement notice.

3.1.2 Receiving the Safety Report

This task is carried out by the HSE ‘Safety Report Administrator’ in accordance with their operational guidance. The key elements of which are as follows:

- receive the operator’s safety report on behalf of the CA;
- convert the Pre-Receipt Activities Case into the Assessment Case / Service Order combination;
- distribute copies of the safety report as instructed by the Assessment Manager; and
- keep a record of opinions expressed by the operator for possible future FOI / EIR requests.
3.2 **Completeness Check**

3.2.1 **Purpose**

To confirm that the safety report contains the basic elements of Schedules 2 and 3 of COMAH 2015 and to determine the extent to which the new / revised content of the report reflects the Pre-Receipt Agreement.

3.2.2 **Doing the Completeness Check**

The Assessment Manager carries out the completeness check for all safety report submissions, though they should seek input from other discipline specialist assessors regarding submissions from new and other establishments, and where necessary for existing establishment safety reports.

The **completeness check should be finished within 4 weeks** of receiving a safety report.

For submissions from Other Establishments or 5-yearly revised safety reports from Existing Establishments, which have been fully rewritten, the safety report assessment start date may be postponed by up to 5 months from the date of receipt. In these circumstances, where the delay will be of more than 1 month, the Assessment Manager should still carry out the completeness check before entering the period of postponement. This is to avoid a long wait in dealing with any significant errors or omissions that might necessitate returning the report to the operator.

3.2.3 **Scope of the Completeness Check**

The completeness check is not an assessment but it should typically cover the following aspects regarding the submitted safety report:

- Relevant sections covering the key requirements of COMAH Schedules 2 and 3 are present;
- New inclusions and revised material been suitably identified to allow assessment;
- The operator has provided a narrative account summarising the revisions made;
- Where applicable, requirements of the previous ‘Revision Plan’ or relevant actions from CA interventions been included;
- Where relevant, information has been provided about the review process carried out by the operator and those involved;
- The extent to which the remaining requirements of the Pre-Receipt Agreement have been incorporated.

3.2.4 **The Outcome of the Completeness Check**

The Assessment Manager must answer the question – “Can the safety report be progressed to the assessment phase?” This can only be judged after checking against the aspects set out in 3.2.3 above. Where there is an omission of information or of a requirement in the pre-receipt agreement, the Assessment Manager should determine, with appropriate advice from the assessment team, if the safety report can be progressed to assessment.
This reflects the fact that some omissions may be of greater significance than others depending upon the particular establishment. If the report is not fit for purpose it will be returned to the operator for revision and resubmission.

**For Five Yearly Review and Revision Safety Reports**
The absence of a narrative account on the revisions made is not sufficient reason to send the safety report back to the operator but it will make it more likely that the assessment takes longer to complete.

Where changes are not highlighted, the Assessment Manager should contact the operator to see if a mistake has been made and allow them 1-2 weeks to remedy the situation through a suitable resubmission – note the receipt date would then be reset. When an operator is not prepared to send copies of the safety report with highlighted changes the report should be assessed in full as if it were a fully rewritten submission. This may require the assessment team to be augmented by the inclusion of assessment disciplines that were not previously resourced on the basis of the pre-receipt agreement.

### 3.2.5. Recording the Completeness Check
Record the completeness check on the template in **SRAM 07 – RECEIPT – Completeness Check record**. The final version of which should be attached to the assessment service order.

Inform the SR Administrator that the safety report is moving to the assessment stage and they will send **SRAM 09 RECEIPT - Key Information in Safety Report Letter – to Operator** to the operator and **SRAM 10 RECEIPT - Key Information in Safety Report Letter – to EPA** to the relevant Emergency Planning Authority to let them know that the safety report has moved into assessment.

### 3.3 Early Predictive Screening

#### 3.3.1 Purpose

Early predictive screening aims to determine if the risk analysis appears suitable for the expected hazards and risks and is sufficient for the CA’s overall assessment to continue, or that, where gaps exist, these can be expected to be resolved on early provision of additional information that the operator is likely to possess or be able to obtain rapidly. Apparent large omission of key information in these areas is likely to have a major impact for further assessment of the safety report across all disciplines and therefore needs to be identified at an early stage.

It is not an assessment of the safety report and the emphasis is on completing an EPS within a short timescale

#### 3.3.2. When to carry out Early Predictive Screening

In advance of a safety report submission the Assessment Manager Predictive and environmental discipline specialist assessors will decide if an Early Predictive Screening (EPS) should be
undertaken before the report is sent to other members of the Assessment Team. The decision should be guided as follows:

- For a ‘New / Other’ Establishment safety report an EPS would normally be undertaken;
- Where a review of an Existing Establishment’s safety report has been submitted, it is normally unnecessary to carry out an EPS unless the safety report has been extensively rewritten and is essentially comprised of wholly new content e.g. where new environmental MATTE demonstration information has been provided the environmental assessor would typically undertake an EPS.
- When an Early Predictive Screening is to be carried out it should be finalised within the completeness check timeframe.

3.3.3. Early Predictive Screening Record

All Early Predictive Screening should use SRAM 08 – RECEIPT - Early Predictive Screening Record and where undertaken, the completed record should be forwarded to the Assessment Manager in advance of the draft Assessment Plan being finalised.

3.4 Resubmission

After carrying out the completeness check the Assessment Manager in conjunction with the Assessment Team, may consider the safety report does not contain the basic elements of a safety report. If this is the case then a decision should be taken on whether the operator should be required to revise and resubmit the report.

These steps should be followed:

<table>
<thead>
<tr>
<th></th>
<th>Meet with Operator and Issue an Improvement Notice</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>Assessment Manager / Relevant Authorised Person from EA/NRW/SEPA</td>
</tr>
<tr>
<td></td>
<td>Where safety report shortcomings and omissions are substantial and numerous rather than minuiae and few, and are clearly linked to the requirements of the COMAH Regulations (regulations 8, 9, and 10, and Schedules 2 and 3), arrange an immediate meeting with the operator, including a representative at director level or senior site manager, to explain the shortcomings and missing information and require revision and resubmission of the safety report within an agreed timescale e.g. six months.</td>
</tr>
<tr>
<td></td>
<td>This would usually require an Improvement Notice to be served that requires resubmission of the safety report, in accordance with the CA partner’s enforcement policies.</td>
</tr>
<tr>
<td>2</td>
<td>Assessment Manager</td>
</tr>
<tr>
<td></td>
<td>Write to the operator, using SRAM 11 – RECEIPT – Key information Not in Safety</td>
</tr>
</tbody>
</table>
Report Letter, giving the deadline for the revision and resubmission of the safety report detailing and highlighting revisions to be made to correct missing key information or shortcomings in the risk analysis. Where an Improvement Notice is being served it should be sent with the letter.

3  
Assessment Manager
Inform employees or their representatives that revision and resubmission has been required resulting in the assessment process being postponed, therefore the assessment conclusions will be delayed as a result.

3.5 Failure To Send A Safety Report

3.5.1 Purpose
A description of the action to be taken when an operator does not submit a safety report to the CA; or fails to notify the CA of the details of any safety report review which resulting in revisions not being made to a safety report.

3.5.2 Steps to be taken by the Assessment Manager
The Assessment Manager must contact the operator to establish the reasons for any delay and having done so, should take the following action as appropriate:

For 5 Yearly Review Safety Reports
- Where the report or details of the review cannot immediately be sent to the CA, then agree a deadline for submission with the operator, of not more than three weeks later than the original due date;
- Serve an Improvement Notice where a deadline within 3 weeks of the due date cannot be agreed, or where a new deadline (as above) has also been missed. The enforcement policies of the relevant CA partners should be followed;

For New or Other Establishments
- Where an operator does not produce a safety report as required by the COMAH Regulations, then consider the requirements for prohibition under reg. 23(2) of COMAH.

In all cases, inform other members of the assessment team of the delay and the expected date of submission.

Ensure that any instance of an overdue safety report is recorded in accordance with Performance Framework expectations and as an adverse dutyholder factor when using the Enforcement Management Model.
4. ASSESSMENT PLANNING

Purpose
There must be an Assessment Plan for each safety report submission, which confirms the parameters within which the assessment should be carried out. The Assessment Manager owns and drafts the Assessment Plan with appropriate input from the Assessment Team via an Assessment Planning Meeting. The final plan is approved by the Team Leader of the Assessment Manager. The detail of the plan should appropriately reflect the type of safety report under examination and be proportionate to the establishment concerned, whilst covering the following key points:

- Summary Details of the Safety Report
- Relevant background information for the assessment
- Which content is in scope of assessment and by whom
- The resource allocated through the COMAH Intervention Plan
- Key dates and actions for the Assessment Team

The Pre-Receipt agreement is a key source of information when drafting an assessment plan.

4.1 Assessment Planning Meeting

4.1.1 Timing
The Assessment Manager should arrange for the assessment planning meeting to be held within 4 weeks of receipt of the safety report. The assessment planning meeting may go ahead when the Completeness Check has been carried out and has found that the report may be progressed to the assessment stage.

4.1.2 Attendance
The assessment planning meeting should be attended by all of the assessment team but it is acceptable to make use of video / teleconference facilities as necessary. However, for safety report submissions from New and Other Establishments, the meeting of the assessment team should be face to face; although subsequent interim or follow up meetings need not be.

Where a safety report has reached a third 5 year review then, due to the decreasing amount of revisions per cycle it is permissible to agree the assessment plan by e-mail retaining all records to ensure a clear audit trail.

4.1.3 Preparation
In advance of the meeting, the Assessment Manager should draft the Assessment Plan and circulate it to the Assessment Team for discussion during the meeting. The template Assessment Plan SRAM 12 – PLANNING ASSESSMENT – Assessment Plan Record should be used by the Assessment Manager. If the establishment under assessment is part of group of sites who operate under Lead Unit or Coordinating Inspector arrangements then more time will be needed for assessment outcome agreement should revisions or similar be required, as these may need further agreement before issue to the establishment involved. These requirements should be allowed for within the assessment plan (see also section 6.2)
4.1.4. The Meeting
The Assessment Manager chairs the Assessment Planning meeting, with the objectives of:

- signing off the target agenda and ensuring a coordinated approach by the assessors with clarity on timings and resources to be used;
- agreeing upon how proportionality applies at the establishment in terms of depth and scope of assessment; and
- highlighting the approach to dealing with further information requests, potential serious deficiencies and actual significant omissions in SR content.

4.2 Elements of the Assessment Plan

4.2.1 Type of Safety Report Assessment
The extent of assessment for a given safety report is as follows:

<table>
<thead>
<tr>
<th>Safety Report Type</th>
<th>Assessment Type</th>
</tr>
</thead>
<tbody>
<tr>
<td>Existing Establishment</td>
<td>Highlighted Revisions Assessment unless the report is fully rewritten in which case a full assessment should be undertaken.</td>
</tr>
<tr>
<td>Existing Establishment Five Yearly Review Safety Report</td>
<td>Full Assessment</td>
</tr>
<tr>
<td>New Establishment</td>
<td>Full Assessment</td>
</tr>
<tr>
<td>Pre-Construction Safety Report</td>
<td>but usually not of unchanged PCSR content</td>
</tr>
<tr>
<td>Pre-Operation Safety Report</td>
<td></td>
</tr>
<tr>
<td>Pre-Modification Safety Report</td>
<td></td>
</tr>
<tr>
<td>Other Establishment</td>
<td>Full Assessment</td>
</tr>
<tr>
<td>‘First’ Safety Report</td>
<td></td>
</tr>
</tbody>
</table>

4.2.2 Deadlines for the Conclusion of Assessment by the CA (from date of receipt).
The Assessment Manager should base the Assessment Plan around the following deadlines for the completion of assessment conclusions:

<table>
<thead>
<tr>
<th>Safety Report Type</th>
<th>Assessment Conclusions Sent To Operator</th>
</tr>
</thead>
<tbody>
<tr>
<td>Existing Establishment 5-Yearly Highlighted Revisions</td>
<td>4 Months (1 month completeness + 3 months assessment)</td>
</tr>
<tr>
<td>Existing Establishment 5-Yearly Revision - Full Rewrite</td>
<td>6 months (1 month completeness + 6 months assessment, but start of the assessment phase may be postponed for up to 6 months from receipt)</td>
</tr>
<tr>
<td>Existing Establishment Modification Safety Report</td>
<td>4 Months</td>
</tr>
<tr>
<td>New Establishment</td>
<td></td>
</tr>
</tbody>
</table>
### 4.2.3 Pre-Construction Safety Reports and Pre-Operation Safety Reports

Pre-Construction Safety Report and Pre-Operation Safety Report deadlines are shorter because the COMAH Regulations do not allow the operator to start construction or operation of a new establishment until they have received the CA’s conclusions following examination of the PCSR and POSR respectively.

The assessment of a Pre-Construction Safety Report allows the CA to communicate early conclusions about the key hazard issues and associated control measures. This gives the operator a better opportunity to take appropriate remedial action before it becomes too difficult or costly to implement. Where operators provide a Pre-Construction Safety Report in the form of a rolling submission of documents, it is important for the CA to provide interim conclusions on each stage of the submission as quickly as possible to afford the best opportunity for the operator to take remedial action.

Timescales for assessment of rolling submission Pre-Construction Safety Reports will be influenced by the operator’s planned programme for the submission and cannot be subjected to a specific time frame for assessment; however, the CA should not delay its examination of such reports.

The Pre-Construction Safety Report may be a standalone document or it could be appropriately incorporated into the Pre-Operation Safety Report to constitute the complete safety report. Therefore, when judging whether the report contains sufficient information, the information provided by the operator in both the Pre-Construction Safety Report and the Pre-Operation Safety Report needs to be considered. This is unless the operator specifies that the Pre-Operation Safety Report is a fully comprehensive report, i.e. the Pre-Operation Safety Report replaces all previously supplied information.

### 4.2.4 Composition of Assessment Team

The required assessment team resource will be based upon the scope of new and revised content for the safety report as described within the Pre-Receipt Agreement and reflected in the COMAH Intervention Plan for the establishment.
4.2.5 Start Date for Assessment
The CA should start the assessment process without delay when it receives a safety report from an operator of a New Establishment.

4.2.6 Delaying the Start of Assessment
For operational reasons, such as an unforeseen peak in resource demand, it may be necessary to request a delay to the start of the assessment phase, not exceeding 6 months from receipt of the safety report. This must be agreed by the Team Leaders of the Assessment Team, and can only be used for the safety report submissions shown below:

- **Other Establishment:** 'First’ Safety Report
- **Existing Establishment:** 5-Yearly Revision - Full Rewrite

The Assessment Manager should inform the Safety Report Administrator, add a note to the COIN Assessment Service Order and inform the operator of the COMAH establishment of the delay and the reasons for it.

4.2.7 Request for Further Information
In general, a request for further information should be limited to safety reports submitted in respect of New / Other Establishments and when content required by Schedule 3 of the COMAH Regulations has been omitted from the safety report.

A request is made on the basis that the information is either readily available or can be provided by the operator within 4 weeks of the request being made.

4.3 Assessment Scope
The assessment will typically be of new and revised safety report content only, defined as below:

- A safety report may be comprised of unchanged, new or revised content.
- For a safety report from an ‘Other Establishment’ or a ‘New Establishment’ at either the pre-construction or pre-modification stage, the report content would be classed as new.
- A ‘New Establishment’s pre-operation safety report is comprised of unchanged, new and revised content. The Assessment Manager should advise the operator to indicate material that is unchanged from pre-construction. Where unchanged content from the pre-construction safety report was previously assessed and found to meet relevant criteria, then it should not be reassessed unless there is a good reason to do so.
- For Existing Establishments, five yearly revised reports are comprised of unchanged content and additions or amendments that are highlighted or for a fully rewritten report the content is all new.
- A modification report for an existing establishment would typically be comprised of new content.
Exceptions to this approach are:

- For Pre-Construction Safety Report all parts should normally be assessed and sampling is to be on an exceptional basis;
- Where the CA has evidence that contradicts the content of the safety report;
- Where a new requirement of the COMAH 2015 regulations has not been accounted for in the report prepared under the COMAH 1999 (as amended) regulations.

### 4.4 Proportionality of Assessment

#### 4.4.1 Factors affecting proportionality

A key principle of the safety report assessment process is that it is proportionate to the level of hazard and risk associated with the establishment to which it relates. The proportionality of assessment of a safety report should broadly match the proportionality required of the operator’s risk assessment for the establishment. This is essentially determined by the severity of the worst possible consequences should the worst case scenario occur, and the levels of risk that remain after taking into account the prevention and mitigation measures that the operator has put in place. The following factors are therefore important:

a) The scale (inventory, vessel sizes, etc.) and nature of the hazards (hazardous properties, toxicity, flammability, hazard to the environment, etc.);

b) The location of the establishment in relation to external populations, environmentally sensitive receptors and other risk influencing factors such as flood zones;

c) The density and types (vulnerability) of external populations (dwellings, hospitals, schools, etc.) and types of environmentally sensitive receptors;

d) The number of people on the establishment;

e) The variation of residual individual risk with distance;

f) Escalation potential (e.g. domino effects in relation to neighbouring establishments); and,

g) The criticality of applied measures to achieving the claimed level of residual risk.

#### 4.4.2 The decision-making process

The level of risk posed by the establishment should have an influence on the areas in which assessors focus their attention. Information in the safety report should enable assessors to understand site specific circumstances (on-site and off-site), so that a view on proportionality can be reached. Decisions about proportionality should be made by the assessment team as a whole. Where an early predictive screen has been completed, this will inform the decision making process until a full predictive assessment has been carried out.

In the context of the Safety Report Assessment Manual, decisions about proportionality of assessment mean considering both the breadth and depth of assessment.
4.4.3 Breadth of assessment

The nature and spread of the hazards present at an establishment determines the breadth of assessment. The assessment needs to consider a representative sample of the types of hazards found. It will therefore need to have covered different plants, units, activities and containments sufficient to reflect the varying nature of the hazards present, and the different nature of the measures taken to control them. The assessment team should agree on the sample to be selected and record their decision on the Assessment Plan.

4.4.4 Depth of assessment

The depth of assessment depends on the risk and one approach is to use the consequence extent and severity information relating to a scenario to make judgements about the required depth of assessment.

In considering the extent of a potential major accident the team will be looking at how big an accident might be and take into account matters such as: thermal radiation dose; toxicity; dose; quantity of hazardous material; and the range over which the effects extend for both people and the environment, both internally and externally to the establishment. In considering the severity of an accident the team will be looking at how severe the consequences of the accident might be. This might be expressed in terms of numbers of fatalities or serious injuries, or harm to the environment, etc. Such matters depend on the surrounding population and environment.

Establishments can be considered to fall on a scale between two extremes ranging from unmanned sites with no surrounding population which are not in an environmentally sensitive location to manned sites in the middle of a dense population and in a very sensitive environmental location.

**Low risk establishments:**

For example, a simple establishment remote from population and sensitive environments with a single dangerous substance presenting a limited range of hazards that may only require description of the extent and severity of the worst case incidents plus a simple qualitative risk assessment to demonstrate that the necessary prevention and mitigation measures are in place;

**Medium risk establishments:**

For example, a simple establishment in a sensitive location and presenting risks which may be tolerable to people and the environment, for which a more detailed description of the extent and severity of the worst case accidents is required, together with analysis to demonstrate that the associated risks are as low as is reasonable practicable (ALARP);

**High risk establishments:**

For example a complex site with many processes and several hazardous materials in the vicinity of centres of population and/or sensitive environments for which a much more detailed assessment with quantification of the likelihood of the full range of hazardous releases and their consequences, and possibly of the associated risks is needed;
It follows that the safety reports for higher risk establishments should, in principle, be assessed to a greater depth than those for establishments presenting lower risk.

4.5 Targeted Assessment Agenda
Details of the targeted assessment agenda are recorded in section 3 of the Assessment Plan. The Assessment Manager’s proposals will be based on the pre-receipt agreement, completeness check of the safety report and other background information such as the size and complexity of the establishment; and the surrounding natural environment.

At the assessment planning meeting the assessment team should agree the level of risk presented by the establishment (High/Medium/Low) in order to agree on a proportionate approach for the assessment. CA site prioritisation scores can be used as a guide which may show a higher priority for safety or the environment, meaning potential differences in the depth of assessment in these areas. The team should discuss what this means for the report in terms of breadth and depth of assessment, informed by any early observations made by the predictive and environmental assessors where appropriate.

**Full Assessment** means that all safety report content is in scope to be selected for examination against all relevant assessment criteria;

**Revisions Assessment** means only highlighted changes are assessed against relevant assessment criteria.

**Existing Establishment safety reports**
For the assessment of revisions only in five yearly reviewed safety reports, the CA has a clear expectation that the previous version of the establishment’s safety report has been fully assessed and this will have followed a suitably targeted approach to breadth and depth of assessment. If this is not the case for a particular assessment discipline e.g. no previous discipline assessment has been completed, then it should be brought to the attention of the COMAH Intervention Manager during the preparation for the pre-receipt meeting.
5. **ASSESSING THE SAFETY REPORT**

**Purpose**

To instruct staff on how to organise, communicate, operate and record in line with the assessment plan.

**5.1 Work to the Assessment Plan**

<table>
<thead>
<tr>
<th>Step</th>
<th>Action - Responsibility</th>
</tr>
</thead>
</table>
| 1    | Assess the Safety Report  
**Assessment Team**  
- Using the appropriate assessment criteria and guidance for your discipline, assess the safety report in accordance with the Assessment Plan.  
- Record your assessment on the appropriate Technical Assessment Record template provided. |
| 2    | Completing the Assessment  
**Assessment Team**  
When the assessor has completed their assessment of the safety report they should complete the ‘Conclusions Questions’ at the front of the Technical Assessment Record template. These questions are specific to each assessment discipline and reflect the relevant aspects of:  
   a) the minimum information required by Schedule 3; and  
   b) the purposes of Regulation 8 (taking into account the CA’s knowledge of the establishment any additional intelligence obtained from the operator during the assessment process);  
The assessor should also complete the summary tables relating to:  
   - Requests For Further Information  
   - Proposed Interventions Arising From Safety Report Assessment  
   - Proposed Revision Plan Items  
The assessor should write ‘none’ in each table where there is no text to be added. |
| 3    | COIN and Forwarding the Record  
**Assessment Team**  
Attach your completed Technical Assessment Record (including assessment conclusions) to the Assessment Service Order on COIN and also send a copy to the Assessment Manager and Assessment Team. |
Use of Other Relevant Sources of Information

Assessors must be transparent about their use of any other relevant sources of information, for example the assessor may refer to a recent inspection report, the current Technical Assessment Record or where appropriate the Technical Demonstrations Record. There may be other sources of relevant information that could be referred to in the assessment but there is no need for the assessor to actively seek out alternative information. Where these sources have been used these should be recorded in the relevant criterion assessment text.

5.2 Issues Which May Arise During Assessment

These issues should be covered in the Assessment Plan at a high level but this section provides greater detail on the steps to be taken by the Assessment Team members and in particular the Assessment Manager.

5.2.1 Potential Serious Deficiency

Background

The assessment team or one of its assessors may find that the safety report describes measures that appear to be seriously deficient for preventing or controlling the risks arising from a major accident hazard. The assessment team will form a view about these measures within the establishment’s wider control strategy and will balance them against the likelihood of the related major accident hazards and their consequences when considering serious deficiency as applicable to Regulation 23 of the COMAH Regulations 2015.

Under Regulation 23 the CA has a duty to prohibit that part of the seriously deficient operation which could lead to a major accident. The CA will visit the site to check whether the measures signposted by the report are actually seriously deficient, before taking action as appropriate. It is only the actual measures provided by the operator on the establishment that can be considered ‘seriously deficient’ under COMAH and not the report itself.

There is no legal precedent in health and safety legislation as to what serious deficiency might mean. The assessment team must reach a consensus that a major gap or defect exists in the measures provided, linked to prevention or limitation of a major accident, for serious deficiency to be determined.

Assessors should not consider a measure to be seriously deficient just because it might be reasonably practicable to achieve higher standards of protection. This would be a matter that should be addressed during subsequent inspection.

The steps to follow on discovering a potential serious deficiency are:

<table>
<thead>
<tr>
<th></th>
<th>Assessment Team</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>Where the assessment of safety report content reveals a potential serious deficiency in conditions on site, the Assessment Manager should be informed</td>
</tr>
</tbody>
</table>
without delay.
The Assessment Manager should discuss the issue with the Assessment Team members and their Team Leader.

2  **Assessment Manager**  
Contact the operator to check if the safety report content is actually correct. If the wrong information has been included and the right information can be provided promptly (i.e. within days) then ask for it to be sent as a matter of urgency.

At the same time arrange a visit to the establishment as soon as possible, to verify the statements which indicated the potential serious deficiency. Assessment team members should be involved as necessary.

3  **Assessment Manager**  
If there is an actual serious deficiency or significant omission this should be dealt with under Regulation 23 of the COMAH Regulations.

If the information in the safety report is incorrect, this should be remedied at the earliest opportunity by the operator and a note made on the conclusions record.

---

### 5.2.2 A Request for Further Information

**Background**

An assessor may form an opinion that significant information, such as a particular requirement of Schedules 2 or 3 of COMAH, has been omitted from a safety report. The assessor may, through the Assessment Manager and following the arrangements set out in the Assessment Plan request further information to be provided by the operator.

The information requested is expected to be readily available on the basis that the operator is presumed to have conducted the necessary work in preparing the safety report. It is therefore assumed that the operator can provide the requested information within four weeks and they must be given the opportunity to do so. It is for the operator to say that they cannot produce information when required, not for the assessor to assume they cannot provide it.

In order to effectively manage the assessment process in a timely manner the Assessment Team should make only one (combined) request and that it should usually only be in respect of New or Other Establishment Safety Reports. It should also be noted that requests for information are not to be used to obtain information to resolve issues that would be regarded as inspection topics (i.e. verification of demonstrations).

**How to Request Further Information**

1a  **Request for Further Information**  
**Assessment Team**  
Assessors should send any further information requirements to the Assessment
Manager in line with the timetable set out in the Assessment Plan.

**Assessment Manager**

Arrange, as necessary, a meeting of the assessment team to finalise the details of the request for further information though...

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<table>
<thead>
<tr>
<th><strong>1b</strong></th>
<th><strong>Assessment Team</strong></th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Assessment Team</strong> Consider holding a meeting with the operator as soon as possible, if it would be more efficient for assessors to explain their information requests in this way.</td>
<td></td>
</tr>
<tr>
<td><strong>Assessment Manager</strong> Following the meeting, write to the operator to confirm the nature of any further information obtained at the meeting, together with details of any additional further information still required and the date by which it should be provided.</td>
<td></td>
</tr>
<tr>
<td>[SRAM 13 – Further Information Required Letter may be adapted for this purpose]</td>
<td></td>
</tr>
</tbody>
</table>

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<table>
<thead>
<tr>
<th><strong>1c</strong></th>
<th><strong>Assessment Manager</strong></th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Assessment Manager</strong> Where further information is required and a site meeting is not considered appropriate, write to the operator using SRAM 13 – Further Information Required Letter, with details of the required information and the date by which it should be provided (which should be within 4 weeks).</td>
<td></td>
</tr>
<tr>
<td>When making a request for further information, assessors should ensure that:</td>
<td></td>
</tr>
<tr>
<td>a) The issue under consideration is clearly explained, preferably with an outline of how the report fails to address the issue. Reference to the relevant assessment criteria to which the deficiency relates and to the relevant COMAH regulation(s) and/or schedule(s) should be made.</td>
<td></td>
</tr>
<tr>
<td>b) There is a clear link to how the further information relates to meeting the required demonstrations, with reference to the regulations.</td>
<td></td>
</tr>
<tr>
<td>c) The nature of the required information that is expected in order to resolve the issue(s) is indicated.</td>
<td></td>
</tr>
<tr>
<td>Make it clear to the operator that if the information is not received by the deadline the assessment will continue to the conclusion stage without it.</td>
<td></td>
</tr>
</tbody>
</table>

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<table>
<thead>
<tr>
<th><strong>1d</strong></th>
<th><strong>Assessment Manager</strong></th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Assessment Manager</strong> Where further information has been requested, allow 4 weeks for receipt but check on progress with the operator in advance of the deadline.</td>
<td></td>
</tr>
<tr>
<td>Where the information requested is not received within 4 weeks, speak to the operator to ascertain whether it is likely to be provided within the next few days.</td>
<td></td>
</tr>
<tr>
<td>If the information is not forthcoming, notify the assessment team and instruct them to proceed towards conclusion of the assessment without it.</td>
<td></td>
</tr>
</tbody>
</table>
Where an operator has sent further information it must be allocated the same reference number as the safety report under assessment.
6. **Assessment Conclusions**

**Purpose**
The process of assessment is to establish that the relevant requirements of the regulations have been appropriately addressed and, as far as can be reasonably determined from a prima facie assessment of the report, that the operator has taken the necessary measures to prevent major accidents and limit the consequences to human health and the environment.

Assessment is not a check or approval by the CA of the operator's plant and process design and the conclusions of the assessment cannot be regarded as a statement that the CA has determined that an establishment is 'safe'. The duty to ensure that an establishment is designed, constructed and managed safely remains with the operator.

6.1 **Concluding the Assessment**

The safety report assessment may be concluded with issues arising from the assessment remaining unresolved at the time of conclusion. Assessors should note that the assessment process is only a part of the CA’s approach to COMAH regulation.

Where relevant, the assessment conclusions reached by the assessment team should clearly describe why a particular demonstration has not been made and refer to the relevant assessment criteria and to the specific COMAH Regulation or Schedule.

The steps to be followed for the Assessment Conclusions mainly centre on the meeting to discuss and agree the conclusions. They are as follows:

6.2 **Assessment Conclusions Meeting**

<table>
<thead>
<tr>
<th>Step</th>
<th>Responsibility/Action</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td><strong>Assessment Manager</strong>&lt;br&gt;In advance of the meeting, draft and circulate to the Assessment Team a collated version of the Assessment Record tables in relation to any request for further information, Proposed Interventions and Proposed Revision Plan Items. This will allow discussion of the priorities which arise from the assessment.&lt;br&gt;Chair the meeting unless the Assessment Manager’s Team Leader is doing so.&lt;br&gt;Complete an outline of <a href="SRAM%2023%20-%20ASSESSMENT%20-%20Assessment%20Conclusions%20Record">SRAM 23 – ASSESSMENT – Assessment Conclusions Record</a>.</td>
</tr>
<tr>
<td>2</td>
<td><strong>Assessment Team</strong>&lt;br&gt;Attend the assessment conclusions meeting – attendance face to face, or via video conference is permitted.</td>
</tr>
</tbody>
</table>
| 3 | **Team Leader of Assessment Manager**  
Where necessary, chair the Assessment Conclusions Meeting (optional).  
Sign off the conclusions record.  
Signing off confirms management agreement that the conclusions have been derived in accordance with the Safety Report Assessment Manual procedures, are consistent with the technical assessment records and that any action proposed is in accordance with the CA's enforcement principles i.e. targeting, transparency, consistency and proportionality. |
| 4 | **Assessment Team**  
Present conclusions for discussion.  
In the case of a Pre-Construction Safety Report, agree issues for consideration during assessment of the pre-operation part of the safety report.  
In the case of a Pre-Operation Safety Report, agree conclusions on the combined PCSR/POSR safety report.  
Agree the common elements of the conclusions letter to the operator.  
Propose topics for inclusion in the COMAH Intervention Plan.  
Discuss cross-team issues with other team members, as appropriate.  
Follow the disagreements resolution procedure (see section 7.2) if necessary. |
| 5 | **Chair of the Meeting**  
Seek consensus from team members on conclusions and the priorities for any remedial action by the operator.  
Agree the common elements of the conclusions letter to the operator, specifically any revision plan items or serious deficiencies  
Discuss topics for inclusion in the intervention plan for the establishment arising from consideration of the safety report.  
Take action to resolve any disagreements using the resolution arrangements in section 7.2. |
| 6 | **Assessment Manager**  
If serious deficiencies in establishment internal conditions are signposted at the conclusions stage, e.g. as a result of accumulated evidence from more than one assessor, arrange a visit to the establishment as soon as possible to make enquiries with a view to prohibition under Regulation 23 of the COMAH Regulations. |
| 7 | **Assessment Team**  
Where significant shortfalls remain in the demonstrations, justifying follow-up in the intervention plan, a revision plan for improving the report may be
proposed in which case timescales for the provision of further information should be agreed.

| 8 | **Assessment Manager**  |
|--------------------------------|
| Draft the conclusions letter using [SRAM 24 – ASSESSMENT – Assessment Conclusions Letter](#), and share with the assessment team.  |
| For multi-establishment operators, send a copy of the draft conclusions letter to the Lead Unit/Co-coordinating inspector(s), including those of the Agency where appropriate. Do this sufficiently early to allow input of relevant central knowledge of the company to the final version of the conclusions letter.  |
| Draw up the revision plan where appropriate, based on discussions at the meeting.  |

| 9 | **Assessment Team**  |
|--------------------------------|
| Finalise assessment records and send them to the Assessment Manager in order for them to be forwarded to the operator.  |

| 10 | **Assessment Manager**  |
|--------------------------------|
| Finalise the Assessment Team Conclusions Record using [SRAM 23 – ASSESSMENT – Assessment Conclusions Record](#). If an issue was subject to disagreements resolution then record details, including the person it was referred to and the outcome (see Section 7.2).  |
| Record inspection issues agreed.  |
| Copy the conclusions letter to the Lead Unit/Co-coordinating Inspector where relevant.  |

| 11 | **Assessment Manager**  |
|--------------------------------|
| Send the following items:  |
| - Conclusions letter  |
| - Part 1 of the conclusions meeting record  |
| - Safety report revision plan (where necessary), and  |
| - Finalised assessment records  |
| to the operator **by the due date in the assessment plan** (but not before any disagreements have been resolved, in accordance with section 7.2), copying to employees or their representatives.  |
| Where appropriate, the revision plan should accompany the letter.  |
| Record the details of when and to whom information was sent on the COIN service order.  |

| 12 | **Assessment Manager**  |
|--------------------------------|
| Where necessary, arrange a meeting with the operator to discuss the conclusions of the assessment including the provision of a revision plan.  |
6.3 Revision Plan

Where the assessment has found that there are significant omissions of information for Schedules 2 and 3 but not requiring a resubmission, the CA may provide the operator with a revision plan to address the failings. Examples are provided in each of the assessment criteria and guidance packs.

A failure to identify a possible major accident scenario should not by itself be sufficient to warrant return of the safety report, as measures may exist that provide a level of protection that is not ‘seriously deficient’. The matter could legitimately be raised in a revision plan.

Revision plans should address significant omissions of information and would usually be expected to have a finite life of no more than 2 years. However, it is acceptable for remaining omissions and improvements to be included in the next five yearly safety report revision.

6.4 Sharing the safety report assessment records

Following completion of the above components from the conclusions meeting all discipline specialists should finalise their assessment records so that Part 1 can be forwarded to the operator. Part 2 should not be shared with the operator. These will then help the operator revise the safety report fully against individual assessors comments in order to produce a more complete safety report revision at the next five year interval.
7. ASSESSMENT FOLLOW UP

Purpose
To provide relevant staff with instruction on the steps necessary to following the conclusion of the safety report assessment.

7.1 Responsibilities

<table>
<thead>
<tr>
<th>Step</th>
<th>Responsibility - Action</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td><strong>Assessment Manager</strong></td>
</tr>
<tr>
<td></td>
<td>Ensure the SR Assessment Service Order contains as a minimum, the following documentation:</td>
</tr>
<tr>
<td></td>
<td>a. Final Assessment Plan;</td>
</tr>
<tr>
<td></td>
<td>b. Technical Assessment Records from all disciplines that assessed the report;</td>
</tr>
<tr>
<td></td>
<td>c. Copies of all correspondence generated during the assessment;</td>
</tr>
<tr>
<td></td>
<td>d. Assessment Conclusions Record;</td>
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<tr>
<td></td>
<td>e. Conclusions Letter to the operator;</td>
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<tr>
<td></td>
<td>f. Revision Plan (where one has been produced).</td>
</tr>
<tr>
<td>2</td>
<td><strong>Assessment Manager</strong></td>
</tr>
<tr>
<td></td>
<td>Request the SR Administrator deals with any redundant safety report copies in accordance with the operator’s instructions.</td>
</tr>
<tr>
<td>3</td>
<td><strong>Assessment Manager</strong></td>
</tr>
<tr>
<td></td>
<td>Respond to any queries and correspondence from the operator in respect of the assessment conclusions and where necessary, seek advice from the appropriate assessment team member.</td>
</tr>
<tr>
<td>4</td>
<td><strong>Assessment Manager</strong></td>
</tr>
<tr>
<td></td>
<td>In the case of a Pre-Construction Safety Report, carry forward outstanding issues to assessment of the Pre-Operation Safety Report.</td>
</tr>
<tr>
<td>5</td>
<td><strong>Assessment Manager</strong></td>
</tr>
<tr>
<td></td>
<td>Where a revision plan has been issued, monitor the operator’s progress in complying with it.</td>
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<td>Where revisions are sent in response to a revision plan, assess them in the same way as any other safety report content.</td>
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## 7.2 Resolving Disagreements

This process to be followed for disagreements that arise between the Assessment Team and Assessment Manager which cannot be resolved within the team.

| Step | 
|------|---|
| 1 | **Team Leaders of Assessment Manager and Assessor(s)**  
Resolve any disagreements that arise out of these activities:  
- Assessment Planning and Assessment Conclusions Meeting  
Liaise with the Assessment Manager and/or staff member to understand the detail of the disagreement.  
Contact relevant Team Leaders to discuss the disagreement and try to agree a resolution.  
Where the disagreement cannot be resolved then refer it to the Head of the Operations Unit responsible for regulation of the operator. |
| 2 | **Head of Operations Unit**  
For a health and safety issue, the Head of the Operations Unit responsible for regulation of the operator has authority to decide the outcome.  
Resolve any outstanding environmental issue with the appropriate counterpart within EA, NRW or SEPA. |
| 3 | **Team Leader of Assessment Manager**  
Advise the Assessment Manager of the result of the resolution procedure and ask them to communicate updated assessment conclusions to the operator. |
8. HOW TO USE THE CRITERIA

Purpose

This section provides guidance on principles and the approach to using the assessment criteria. The assessment criteria are contained in sections 9 to 14 of this manual and are used by assessors to examine safety reports submitted under the COMAH regulations, and to reach conclusions on the extent to which reports meet their purposes under the regulations. Assessment criteria provide a framework to achieve a consistent and proportionate consideration of matters that may be examined during assessment. Assessors are not obligated to address every criterion, nor to the same depth of detail. The criteria reflect the broad nature of the types of establishment which are covered by COMAH and the range of hazards to be encountered.

8.1 Assessment Criteria Scope

The criteria used for a number of the technical assessment disciplines are common but the guidance which each assessor follows will provide a focused view of what the particular assessor should expect the safety report content to provide for their discipline. Clearly an operator may look to use the same piece of information to assist in making more than one demonstration and this is acceptable as long as it meets the needs of Schedules 2 and 3 as appropriate.

The criteria are applied by a competent assessor against the relevant content of the safety report. In this context, the assessor will have a good understanding of the safety report assessment process, its place within the CA’s overall approach to COMAH regulation and of any stated benchmarks.

8.2 Meeting the Criteria

a. Criteria will be “met” when all relevant items are included in descriptions and the necessary supporting information has been provided;

b. Criteria will be “not met” when all relevant items are not included in descriptions or the necessary supporting information has not been provided;

c. Criteria will be “not relevant” when they are not relevant to the establishment;

d. Criteria will be “previously met” when the previous assessor recorded the criterion as “met”.

Where the assessment or technical read through of the existing safety report has an assessment criterion recorded as being met or satisfied, the ‘new’ safety report should not be reassessed against that criterion unless one or more of the following conditions are met:

- The operator has added to or revised the relevant content; or
- Where the COMAH Regulations 2015 add a new requirement which was not previously included in the COMAH Regulations 1999 (as amended); or
- The assessor has evidence which contradicts the content of the safety report;
In which case it is reasonable for the relevant content to be in scope of assessment.

For assessment of revised safety report information where assessment records have alternatives to ‘met’ or ‘not met’ e.g. ‘partially met,’ ‘half met,’ ‘mostly met,’ etc. then assessors should comment on the matters identified by the previous assessor recording whether the criterion has been ‘met’ or not. Proportionality should have been discussed at the Assessment Planning meeting to guide all assessors.

8.3 Previous Assessment

Further to the above conditions, there may be circumstances where the Assessor has concerns about specific assessment conclusions drawn from the previous assessment. In the first instance, the Assessor should raise such concerns in the normal way with their Team Leader. Taking into account the significance of the issue and wider operational work, the relevant Team Leader will, where appropriate, approve in principle the additional assessment effort proposed to rectify the problem. The Assessor and Assessment Manager should discuss the proposal for additional assessment and agree upon the matters to be communicated to the operator regarding the change in assessment scope; where agreement cannot be reached the disagreements resolution procedure should be used.

In advance of the pre-receipt meeting, Discipline specialist assessors should bring deficiencies in the previous assessment to the attention of the COMAH Intervention Manager.

8.4 Demonstration

Regulation 8 of COMAH Regulations 2015 requires operators to prepare safety reports for the purposes of making a series of demonstrations. In this context to demonstrate means to ‘show’ or ‘justify’ by the information given which should be taken at face value. It does NOT mean ‘pursue by extensive in-depth scrutiny’ or ‘exhaustive examination to prove beyond reasonable doubt’ whether the relevant criteria have been met and the demonstrations achieved.

Schedule 3 of the regulations then specifies the type of information to be included in the safety report. Where this information is satisfactorily provided, the relevant demonstrations under Regulation 8 would usually have been made. The extent of the information expected to be present will depend on the type of safety report required by Regulation 9 and 10.

An operator is required by the COMAH regulations to ensure that the data and information contained within the safety report adequately reflects the conditions in the establishment. Verification of this can only be achieved by conducting inspections at the establishment which can then feed back into the safety report assessment, allowing more ‘in-depth scrutiny’ to be undertaken at inspection rather than assessment. Where evidence is found that undermines the safety report content this should form part of the contrary evidence referred to in the criterion assessment (see section 1.3 also).