

HEALTH AND SAFETY EXECUTIVE		HID SHORT LIFE CIRCULAR	
Hazardous Installations Directorate		SLC/2004/06	
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STATUS: For Urgent Information			

TO:

HID Inspectors, CI 1-4, SI 2 & 4; CD 2-5; (Bands 1-3)

FOD SG Specialist Inspectors (Bands 1-3)

LPGA CODES OF PRACTICE AND ALARP

PURPOSE

This SLC draws the attention of inspectors to the launch of revised codes of practice by the LPGA. It gives guidance on the status of the codes in demonstrating compliance with the law.

1. The LPGA, in consultation with HSE, has reviewed and revised the following codes of practice:
 - COP 1 Part 1: Bulk LPG storage at fixed installations: Design, Installation and Operation of vessels located above ground
 - COP 7: Storage of full and empty cylinders and cartridges
2. The LPGA codes have now been published.
3. These codes continue to include an HSE foreword that acknowledges their status as **relevant good practice** for the LP Gas industry. It contains a statement to the effect that conformance with the code will **normally** be enough to demonstrate compliance with duties under health and safety law. This is qualified by the caveat that installations subject to COMAH “require site specific risk assessment and consultation with the Competent Authority”. This circular provides inspectors with clearer guidance on the applicability of these codes.
4. For sites subject to COMAH the implementation of relevant good practice precautions is just the starting point for an ALARP demonstration. Operators are expected to consider the reasonable practicability of further risk reduction measures. Where relevant to one of the representative set of major accident scenarios used to make an ALARP demonstration, these arguments must be included in the safety report.

5. For COMAH sites that have risks that are shown to be in the “broadly acceptable” region, HID will accept a demonstration based on conformance with relevant good practice.
6. For sites not subject to COMAH, conformance with the relevant codes may be enough to achieve compliance with the law. As indicated by the qualifier “normally” this will typically be the case. But inspectors may encounter cases where the local circumstances require further consideration in a similar way to COMAH sites. Examples include sites subject to NIHHS (i.e. above 25t) close to housing, a school or a hospital; or another hazardous installation. When this is true, additional measures, proportionate to the risk, may be considered necessary. In such cases, inspectors expect duty holders to make an appropriate demonstration as to what is reasonably practicable.
7. As a minimum, new LPG installations should implement the requirements of the relevant codes in their entirety, unless duty holders can show that they have other **equally effective measures** in place.
8. HSE recognises that it is not reasonable to apply current codes rigidly to existing installations. However, HSE does expect duty holders to periodically review their installations against current good practice and implement relevant risk reduction measures where the costs are not grossly disproportionate. In particular, modifications to existing installations involving changes in layout or increased storage should **so far as is reasonably practicable** (taking into account practicability and/or extra costs associated with retrofitting) reflect current good practice.

CANCELLATION DATE

This document should be destroyed 6 months from the date of issue

FURTHER INFORMATION

For queries relating to HID’s policy on the status of Good Practice guidance in demonstrating compliance:

HID OPU Technical and Internal Guidance Section (CD2E)
Peter O’Grady [523 4352] or Chris Flanagan [523 4359]

For queries relating to the technical aspects of LPG storage and use:

Corporate Topic Group, Process Materials and Systems Safety (CD5)
Penny Bradley [523 4202] or Allyn Jones [523 3273]