

HEALTH AND SAFETY EXECUTIVE		HID SHORT LIFE CIRCULAR	
Hazardous Installations Directorate		SLC/2007/01	
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To: HID CI 1- 5 (Band 0 - 4) and Regulatory Compliance Officers (RCO's)

BUNCEFIELD RESPONSE PROGRAMME: COMAH COMPETENT AUTHORITY INSPECTIONS OF BULK GASOLINE STORAGE SITES

PURPOSE

1 This circular clarifies and confirms the action to be taken by inspectors to follow up the findings of the CA Safety Review of Oil/Fuel Depots¹ and the Buncefield Task Group Initial Report². This information was initially presented at the CA regulator's workshop held in Redgrave Court on 16 November 2006.

TIME TABLE

2 The follow up actions set out in this report should be completed by the end of March 2007. Initial contact with COMAH operators should start as soon as possible to arrange site visits starting in January 2007.

ORGANISATION

3 This work is being co-ordinated by the Buncefield Response Programme Team in CI4³.

BACKGROUND – Time line

Date	Event	Comment
21.Feb.06	CA Safety Alert ⁴ .	Operators to review safety of operations & report to HSE
Feb –Apr 06	CA Safety Review visits to 108 oil/fuel depots to assess 10 key areas.	Inspectors complete report forms.
13 Jun 06	10 key issues from Safety Review published ¹ .	Sites rated RED, AMBER or GREEN for the 10 key issues.
12 Oct 06	Buncefield CA/Industry Task Group Publishes Initial Recommendations ² for immediate action against 8 key issues.	
Oct 06	23 further items from the Spring Safety Review analysed.	The findings due to be published in mid 07.
July 07	CA to report on compliance with the Task Group's recommendations.	
	Task Group to Publish Final Recommendations.	

SCOPE

4 This guidance primarily applies to all COMAH sites meeting the selection criteria set out in Annex 1 the Buncefield Task Group Initial Report². These are COMAH sites at which gasoline is

¹ <http://www.hse.gov.uk/comah/buncefield/reviewjune06.pdf>

² <http://www.hse.gov.uk/comah/buncefield/bstg1.htm>

³ Contact: Ian Travers, David Pascoe or Colette Fitzpatrick.

⁴ <http://www.hse.gov.uk/comah/buncefield/alert.htm>

stored in vertical, cylindrical, non-refrigerated, above ground storage tanks with sidewalls greater than 5 metres in height and where the filling rate is greater than 100 cubic metres/hour.

ACTION

5 **Firstly - All sites in scope⁵ should be visited** to discuss compliance with the Task Group's recommendations⁶ and to agree the operator's plans to meet the deadlines set out in those recommendations. Wherever possible these visits should be made jointly with EA or SEPA. An overview of the action to be taken is given in Annex1.

6 An extension to the Task Group's deadline may be agreed locally where justifiable difficulties are encountered obtaining supplies of equipment or specialist skills required to install replacement equipment. Inspectors should ask for direct evidence of procurement difficulties before agreeing to an extension.

7 **Secondly** - to take account of improvements re-assess the 10 key items at sites in Scope where they were rated RED or AMBER in the Safety Review. Most of these issues will be covered within the Task Group recommendations. Compliance should be judged against the standards in the first part of Guidance for Inspectors booklet the most recent version of which is available on the Buncefield Inspectors' communications site

FURTHER ANALYSIS OF THE SAFETY REVIEW

8 **Thirdly** - As yet unpublished findings of a further 23 items from the initial safety review showed compliance below expected good practice (red rated) at 6 sites covering 8 items. Sites with red ratings have been notified of these. During contacts with these sites improvements on these eight items should be discussed to bring compliance to an acceptable standard. General guidance on the measures necessary is in the Guidance for Inspectors booklet the most recent version of which is available on the Buncefield Inspectors' communications site but case specific support will be provided when needed.

SITES OUTSIDE THE TASK GROUP SCOPE

9 Items rated red or amber at sites that are now outside the Task Group's work should be dealt with under normal intervention programmes. These sites need not be re-rated. Compliance should be judged against current guidance.

ORGANISATION OF CONTACTS AND SITE VISITS

10 Wherever possible visits and contacts to the site should be made jointly with EA or SEPA. If a joint visit is not practical HSE and EA/SEPA inspectors should have a pre-contact discussion to co-ordinate the intervention action.

ENFORCEMENT

11 Where significant deficiencies in the control of risk are discovered then appropriate enforcement action should be taken. Inspectors should ensure that enforcement action is in accordance with HSC's Enforcement Policy Statement. Inspectors should utilise the Enforcement Management Model to guide and record enforcement decisions.

12 Given the sensitivity of this subject Inspectors are asked to advise the BRT at the earliest opportunity when minded to take enforcement action. To ensure consistency where an Improvement Notice is being considered the BRT will facilitate a peer review. Depending on availability CI B2 team leaders may be asked at short notice to participate in these reviews. When considering prohibition action inspectors are asked to alert the BRT.

⁵ Meeting the criteria in paragraph 4

⁶ Set out in the Guidance Booklet issued to B2 inspectors – additional copies may be obtained from David Pascoe or Colette Fitzpatrick, BRT CI4.

RECORDING AND SUBMITTING THE FINDINGS

13 Site visits and contacts should be recorded in the normal way on COIN. To allow for central appraisal of the findings a separate reporting form has been provided by CI4 covering re-rating of the sites in scope and to report compliance with the Task Group's recommendations. The report form is located on the Buncefield Inspectors' Communications Site in the "Reporting Progress" folder.

CHARGING

14 This work is part of normal regulatory activity at COMAH sites and should be charged.

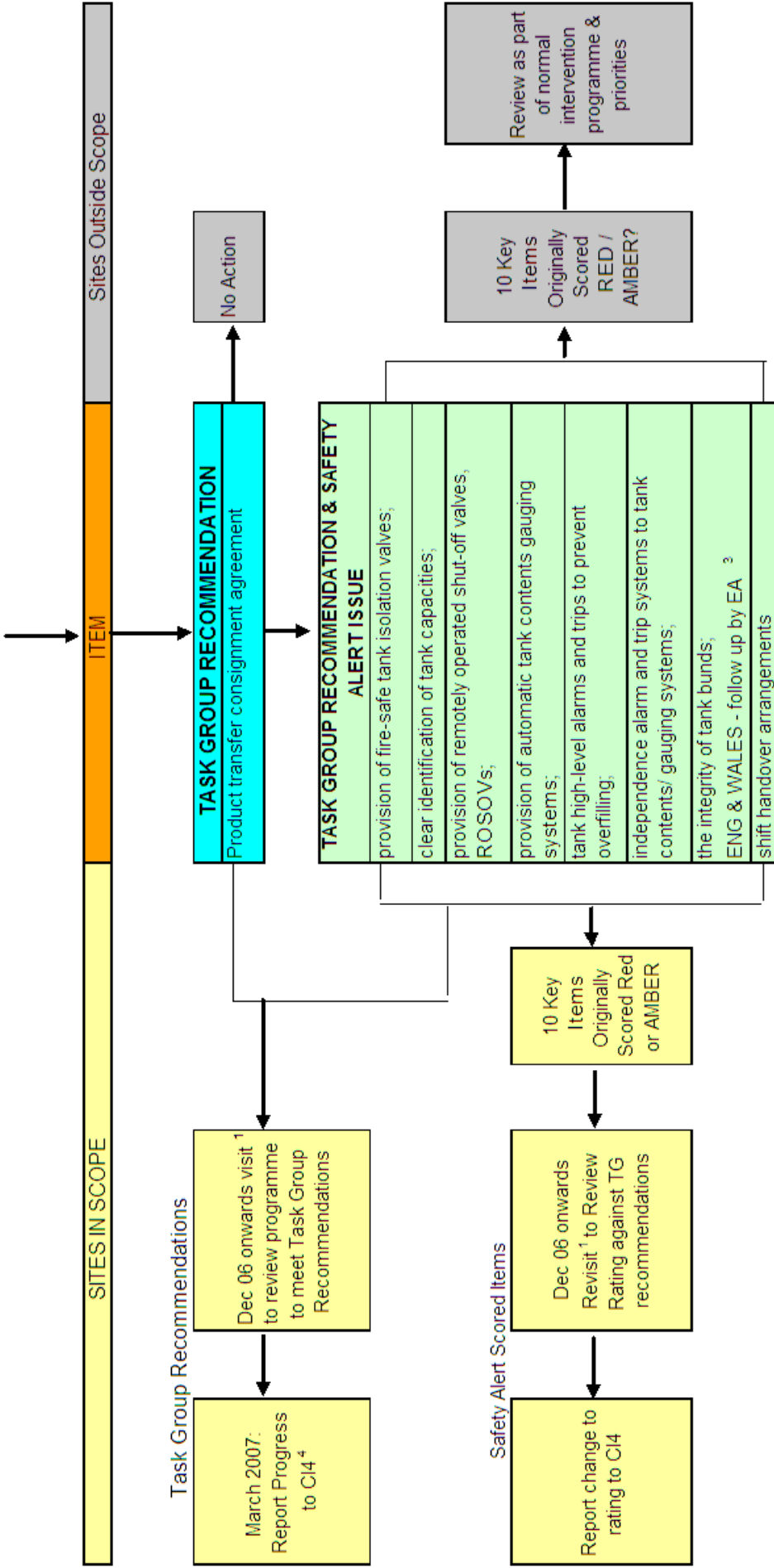
FURTHER INFORMATION

15 For further information contact BRT CI4:

- Ian Travers (523) 3834
- David Pascoe (523) 4241
- Colette Fitzpatrick (523) 4078

Annex 1: Action Flow Chart

Annex 1: Flow Sheet: Summary of Follow up the Buncefield Task Group Recommendations and the Findings from the CA Spring 06 Safety Review



Key:	Task Group Recommendation
	Combined CA Spring 06 Safety Review and Task Group Recommendation
Notes:	1. These visits can run concurrently. Wherever possible visits should be undertaken jointly with EA/SEPA
	2. Original Scores assigned in the CA Spring 06 Safety Review
	3. EA will lead on follow up work on the findings on bunding and tertiary containment arising from the CA Spring 06 Safety Review
	4. Reporting arrangements Instructions will be issued shortly