



Major accident prevention policies for lower-tier COMAH establishments

Chemical Sheet No 3

The Control of Major Accident Hazards Regulations 1999 (COMAH) are the most far-reaching set of regulations to apply to 'major hazard' premises for many years.

This sheet provides information to those who control the operation of establishments where COMAH applies - referred to as operators in the regulations. It explains the requirement for 'lower-tier' establishments to prepare and keep a major accident prevention policy document, or MAPP document for short. Such a document sets out your policy with respect to the prevention of major accidents.

COMAH applies to establishments where specified quantities of dangerous substances are present, or likely to be present. This includes sites where dangerous substances might be generated due to the loss of control of an industrial chemical process.

The COMAH Regulations include lists of specified quantities of dangerous substances which are used to determine whether an establishment is top or lower tier. Some of the duties imposed by COMAH do not apply to lower-tier establishments. The HSE publication L111 *A guide to the Control of Major Accident Hazards Regulations 1999* will help you decide if the Regulations apply, and whether your establishment is top tier or lower tier. The reference list at the end of the information sheet includes full details of this guide, together with other publications on COMAH.

The COMAH Regulations are enforced by a Competent Authority made up of the Health and Safety Executive (HSE) acting jointly with either the Environment Agency (EA) or the Scottish Environment Protection Agency (SEPA).

What's new?

COMAH introduced several new duties on operators of lower-tier sites; the main ones being a notification requirement and a duty to prepare a MAPP. You will find full details in the HSE publication L111 (referred to previously). Every operator of an establishment to which COMAH applies must have a MAPP document, regardless of whether the establishment is lower tier or top tier. However, for top-tier establishments, the MAPP may be included in the safety report, and in this case a separate

document is not required. Lower-tier establishments do not have to produce a safety report and therefore need to prepare a separate MAPP document.

What's not new?

The requirement for a MAPP document builds on the duties under existing legislation but focuses on major accident hazards, and the document should show that you have a safety management system in place for implementing the MAPP. Existing legislation will continue in force, such as the Health and Safety at Work etc Act 1974 and associated legislation, including the Management of Health and Safety at Work Regulations 1992, together with current environmental legislation. Much of this legislation is concerned with the provision of integrated management systems for controlling the risks to health, safety and the environment.

Advice on management systems is available from a variety of sources. You may have seen the HSE publication HSG65 *Successful health and safety management* which provides a guide on how to manage health and safety in organisations. Many companies now use environmental management systems such as ISO 14001 as part of their business. The Environment Agencies' IPC Guidance to the chemical industry contains an overview of the aspects to be considered from an environmental management viewpoint.

Although these approaches are the ones referred to by HSE and the Agencies, you may, if you choose, use another management approach, as long you achieve compliance with your legal duties and a good standard of control. Further relevant guidance is produced by the Environment Agencies in the Pollution prevention series.

What is a MAPP?

Your MAPP document should set out your policy on the prevention of major accidents: in other words a statement of general intent which includes the aims and the principles you plan to adopt. The MAPP document doesn't need to contain a detailed description of your safety management system (the organisation and arrangements for implementing the policy to ensure the control of major accident risks). However, it should give



sufficient detail to show you have systems in place to cover all the aspects listed later in the section 'What should go in your MAPP document?'. Your MAPP document must address the management of the major accident hazards at a particular establishment and should be specific to that establishment.

A MAPP document is similar in approach to a health and safety policy document, but with two important additions:

- it must deal specifically with major accident hazards; and
- it must include measures to protect the environment.

You can adapt your existing health, safety and environmental policy statement to include the MAPP information, or you may prefer to produce a separate document. Your MAPP document should be signed by a senior person in your organisation.

When does your MAPP document have to be ready?

The requirement for MAPPs was introduced when COMAH came into force. If your establishment was operating before this date, and is now a lower-tier site, you need to prepare your MAPP document as quickly as possible, and you should discuss the timescale with the Competent Authority. If your establishment did not exist before COMAH was introduced, you need to produce your MAPP document by the time the Regulations apply to your establishment.

Who will need to see your MAPP document?

Inspectors from HSE or the Agencies will probably ask to see a copy of your MAPP document, and you need to provide them with a copy if they ask for it. As your MAPP document supplements your health, safety and environmental policies, you should make it available to those who need to see these policies including employees, employee representatives and contractors.

There is no specific duty under COMAH for you to consult your employees on what is in your MAPP document as this duty is imposed by other legislation (The Health and Safety (Consultation with Employees) Regulations 1996). These Regulations require employers to enable employees to take part fully in consultation and to understand what the likely risks and hazards arising from their work are, and how these are eliminated or controlled. Similarly, much environmental legislation contains the requirement for employees to be given an understanding of the environmental risks of their workplace and how these are avoided or controlled.

What should go in your MAPP document?

Your MAPP document should contain at least the information listed in the following sections. The amount of detail should be proportionate to the level of the hazards present - the greater the hazards the more detail you will have to provide. For most establishments, the MAPP document will be relatively short and simple. You probably already have much of the information such as training records, your own internal site inspection records, audit reports, operating procedures, risk assessments, etc, and can simply refer to it in your MAPP document.

Regulation 5 and Schedule 2 to COMAH specify the information that should go into the MAPP document. The information is in two parts:

- your policy, or statement of intent, setting out your aims and principles of action with respect to the prevention of major accidents; and
- a description of your safety management system for achieving the stated aims.

The most important aspects of a safety management system for controlling major accident hazards are described in Schedule 2 of COMAH, and summarised in the following sections. The headings from the publication HSG65 are shown in brackets to illustrate the links between MAPP documents and the management of health and safety. Chapter 3 of the IPC guidance to the chemical industry gives an overview of the environmental aspects to be covered.

Roles and responsibilities of personnel at all levels involved in the management of the major hazards (Organising)

You probably already have this information in your safety policy, but you need to ensure it refers specifically to the key roles for the management of major hazards. These roles are listed in the following paragraphs, from both a safety and an environmental point of view.

Training. Arrangements for selecting personnel and providing training to ensure they are competent to work with a major hazard. Arrangements for the involvement of employees (Organising)

Your MAPP document only needs to discuss those aspects which are relevant to a major hazard. It should outline your system for addressing these issues. This includes how you identify training needs, and the follow-up you carry out, ie your training policy and your system for ensuring effective communication with and involvement of employees, and where necessary subcontractors. The MAPP document does not need to include detailed records, but should refer to them.

Hazard identification and risk assessment

(Planning and implementing)

Your MAPP document should describe your overall aims, approach and policy for hazard identification and risk assessment. You need to describe how the results are used, eg your policy on eliminating hazards. You should not include detailed reports or results in the MAPP.

Guidance on environmental assessment can be found in the EA/SEPA publication *Guidance on environmental risk aspects of COMAH safety reports*. Further help on major accidents to the environment is given in the publication from the Department of the Environment, Transport and the Regions (DETR) publication *Interpretation of major accidents to the environment*.

Procedures and instructions for safe operation

(Organising; Planning and implementing)

Your MAPP document should record how you ensure you have adequate management arrangements, workplace precautions and control measures in place for safe operation. It should outline your system for developing, reviewing and revising procedures, and describe how you make sure the procedures are properly communicated.

You do not need to include details of the procedures, although you may wish to mention where the details are located. For example, your MAPP document could say that you use a permit-to-work system for certain tasks, or an inspection and maintenance system for ensuring the integrity of safety and environmental critical control systems, but it does not need to include details of how these systems work.

Design and modifications of installations

(Planning and implementing; Measuring; Review)

Your MAPP document needs to state how you modify procedures (including management arrangements) and plant. It also has to show how you ensure that any new plant on site is designed, constructed, installed and maintained to relevant standards. It is important that your MAPP document shows you have a workable system for identifying, assessing, and authorising modifications.

Identification of foreseeable emergencies and the preparation, test and review of emergency procedures

(Planning and implementing)

This section overlaps with your policy for hazard identification and risk assessment described previously. Your MAPP document needs to detail your policy on identifying possible major accidents and to show that you have plans in place to respond. It should indicate the types of major accidents you have identified and considered.

You may find it useful to refer to the definition of a major accident in COMAH regulation 2. Unlike top-tier sites, lower-tier sites do not have to prepare full on- and off-site emergency plans. However, because lower-tier sites could cause a major accident, it is important that you identify how such accidents could occur and establish adequate emergency arrangements for dealing with them. Some documentation of these arrangements is normally required.

You need to consider the possible involvement of people in neighbouring premises (both residential and commercial) and the emergency services. Your MAPP document should include your policy on reviewing and testing the emergency procedures. However the COMAH regulations do not state how often the reviewing and testing should take place. The HSE publication HSG191 *Emergency planning for major accidents* is useful, but was written primarily for top-tier sites.

Measuring compliance (Measuring)

You need to have a system for assessing whether your site continues to meet the objectives in your MAPP document, and whether the standards you set are being maintained. Your MAPP document should describe how this assessment takes place, and how you would correct any deficiencies. This part of the document also needs to include your system for reporting and investigating accidents and near misses, and to explain how you make sure that the lessons learned are implemented.

Review and audit (Review and audit)

You need to have a system for making sure your management systems and procedures continue to be correct, and that they are being followed. Your MAPP document needs to describe how you use audit and review to maintain the validity of both the MAPP document and your safety management system.

When should I update it?

In addition to the requirement on you to review your MAPP and safety management system after audit, you also need to review them if you make any modifications which could have significant repercussions in respect of the prevention of major accidents, including changes to:

- your establishment;
- the type or amount of dangerous substances used;
- how you process and/or store them.

It is good practice to review your MAPP, and the safety management system for implementing it, after any accidents or near misses, as well as on a regular basis, although this is not specifically required by the

Regulations. Regular reviews and updates will make sure your MAPP remains correct and relevant.

What do I need to do next?

Once you have prepared your MAPP, the next step is to implement it.

Inspectors from the Competent Authority will want to verify not only that you have a MAPP and a suitable safety management system, but also that you have implemented them.

Where can I get more advice?

Local offices of HSE or Environment Agency/
Scottish Environment Protection Agency.

References

HSE publications

A guide to the Control of Major Accident Hazard Regulations 1999 L111 HSE Books ISBN 0 7176 1604 5 (due to be published April 1999)

Preparing safety reports: Control of Major Accident Hazards Regulations 1999 HSG190 HSE Books ISBN 0 7176 1687 8 (due to be published June 1999)

Emergency planning for major accidents: Control of Major Accident Hazards Regulations 1999 HSG191 HSE Books ISBN 0 7176 1695 9 (due to be published May 1999)

Successful health and safety management HSG65 HSE Books 1997 ISBN 0 7176 1276 7

HSE is also currently preparing guidance on the COMAH charging policy.

Other government publications

Priced guidance produced by the Environment Agency/Scottish Environment Protection Agency:

Integrated pollution control (IPC) guidance for the chemical industry:

Large volume organic chemicals IPC guidance note S2 4.01 Stationery Office 1999 ISBN 0 11 310153 8

Speciality organic chemicals IPC guidance note S2 4.02 Stationery Office 1999 ISBN 0 11 310154 6

Inorganic chemicals and halogens IPC guidance note S2 4.03 Stationery Office 1999 ISBN 0 11 310141 4

Inorganic chemicals IPC guidance note S2 4.04 Stationery Office 1999 ISBN 0 11 310140 6

The *Pollution prevention series* is a range of free booklets produced jointly by the Environment Agency/Scottish Environment Protection Agency, and available directly from their offices. The more relevant ones (all published in 1998) are:

Prevention of pollution of controlled waters PPG 1
Works in, near or liable to affect watercourses PPG 5
Preventing pollution on industrial sites PPG 11
Pollution prevention measures for the control of spillages and fire fighting run-off PPG 18

Guidance on environmental risk aspects of COMAH safety reports (due to be published by the Environment Agency/SEPA in June 1999)

The Environment Agency enquiry line on 0645 333 111 can provide further information on their publications.

The Department of the Environment, Transport and the Regions (DETR) is producing a revised edition of *Interpretation of major accidents to the environment*, but the title, publication date, etc, hadn't been finalised at the time of this information sheet going to press. You can obtain further details from DETR on 0171 890 5256.

HSE priced and free publications are available by mail order from:

HSE Books, PO Box 1999, Sudbury, Suffolk CO10 6FS
Tel: 01787 881165 Fax: 01787 313995

HSE priced publications are also available from good booksellers.

For other enquiries ring HSE's InfoLine Tel: 0541 545500, or write to HSE's Information Centre, Broad Lane, Sheffield S3 7HQ

HSE home page on the World Wide Web:
<http://www.open.gov.uk/hse/hsehome.htm>

This leaflet contains notes on good practice which are not compulsory but which you may find helpful in considering what you need to do.

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