

Letter to COMAH site operators; issued in August 2013

CO NAME
ADDRESS1
ADDRESS2
ADDRESS3
CITY
COUNTY
POSTAL

Date

Reference:

cc: Environment Agency / Scottish Environment Protection Agency / Natural Resources Wales

Dear Sir or Madam

**HEALTH AND SAFETY AT WORK ETC ACT 1974
CONTROL OF MAJOR ACCIDENT HAZARDS REGULATIONS 1999 AS
AMENDED BY THE CONTROL OF MAJOR ACCIDENT HAZARDS AMENDMENT
REGULATIONS 2005 (COMAH)**

You may be aware that the Fire Brigades Union (FBU) is balloting for possible strike action. The COMAH Competent Authority (CA), comprising the Health and Safety Executive (HSE), Environment Agency (EA), Scottish Environment Protection Agency (SEPA) and Natural Resources Wales (NRW), has produced this note to assist COMAH Operators in determining the action they need to take in the event of a strike being called.

We consider that any fire fighters' strike should not, in itself, cause activities at a COMAH establishment to be stopped, and we recognise that the shut-down of complex plant and processes might, in fact, temporarily increase the risks (i.e. compared with continuing operation). However, we also recognise that the level of external emergency response cover may be significantly reduced during a strike, even allowing for any contingency arrangements that the emergency responders might have in place. In particular, there may be a reduction in the level of relevant competence of personnel available to deal with chemical-related incidents, and they are less likely to be familiar with, for example, your installations and/or local geography, etc.

You should consider the implications of, and risks associated with, reduced external emergency response cover, and should review/revise your emergency arrangements and implement interim contingency measures, as necessary, to ensure the prevention of major accidents and limiting of the consequences for the duration of any strike.

For instance, you should consider:

1. Raising awareness of the implications that a strike might have for a fire/incident requiring external emergency response;
2. Re-scheduling certain activities, e.g. non-urgent maintenance or shut-downs if they might lead to an increased risk of major accidents;
3. Checking your emergency arrangements to ensure that plans are up to date and that sufficient information is provided to enable safe rescue (e.g. of those trapped by fire, debris or wreckage by those who may be less familiar with the site/hazards), and that suitable fire-detection, -alarm, -suppression and -fighting materials and equipment (including PPE) are suitably located, in sufficient quantities, and are suitably maintained and in good working order;
4. Ensuring that all persons on-site are aware of, and are suitably trained in, the interim contingency measures;
5. Discussing your interim contingency measures with your local emergency planners and statutory consultees to ensure that they are aware of the action you have taken and vice versa;
6. Reviewing (and revising, as necessary) information you provide to the public, especially with regard to any changes in terms of the action they should take in the event of an emergency; and
7. Incorporating the interim contingency arrangements (as supplementary information) in your site's emergency plans.

Should you need clarification of any of the above, please contact your Site Inspector.

For further information regarding COMAH emergency planning in general, please go to: <http://www.hse.gov.uk/comah/index.htm>, and for a free-to-download, web-friendly version of the publication: HSG191 'Emergency planning for major accidents', please go to: <http://www.hse.gov.uk/pubns/priced/hsg191.pdf>.

In accordance with obligations placed upon me by Section 28(8) of the Health and Safety at Work etc. Act 1974 to assist in keeping employees adequately informed about matters affecting their health and safety, I ask that you please bring a copy of this letter to the attention of your employees.

Yours faithfully

Gordon MacDonald (Director, Hazardous Installations)