

Safety Reports – updates & 5 year reviews

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Safety Reports – New, Updates and 5-year Reviews

- Regulation 11

Requirement on upper-tier establishments to prepare a safety report.



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Three Categories of upper-tier Establishments

- New Establishments
- Existing Establishments
- Other Establishments



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Safety Report Timelines For New Establishments

- Regulation 11(3)(a)
- No later than **4 months** prior to start of construction or operation of a new establishment
- **Prior** to an existing sub-COMAH site or lower-tier establishment **increasing the dangerous substance quantities** on site to the upper-tier threshold



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Regulation 11(6) permission requirement for New Establishments

An Operator **shall not begin**-

- a) construction;
- b) Operation; or
- c) Implement modification leading to a change in the inventory of dangerous substances;

As the case may be, until it has **received the conclusions and permission** from the Central Competent Authority from its examination of the safety report under Regulation 21(3) to (5)



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Safety Report Timelines For Other Establishments

- Regulation 11(3)(c)
- 2 years from the date from which the COMAH Regulations apply to the establishment



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Existing Upper-Tier Establishments Safety Report Updates

- Regulation 11(3)(b)
- Updated safety reports are required to be submitted by 1st June 2016
- The expectation is that all existing establishments will have to submit updated safety reports



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Other Updates Requiring Safety Report Submission

- Regulation 11(8)
- Following a major accident at the establishment
- Following new technical knowledge



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Other Updates Requiring Safety Report Submission

- Regulation 12(1)
- Safety report to be updated and submitted **prior** to the following modifications which could have **significant consequences** for major accident hazards;
 - Modification to an installation, establishment, storage facility or process
 - Modification to the nature or physical form or quantity of dangerous substances



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5-Year Safety Report Reviews

- Regulation 11(7)
- 5 years from the date of the previous submission.



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Safety Report Assessment Process and Timelines

- The CCA will assess new safety reports, updates and 5-year submissions with 4 months of receipt and issue its conclusions.
- Three conclusion options
 1. The CCA considers the safety report to be adequate and doesn't require any further information
 2. The CCA requires further information
The operator has **1 month** to prepare and submit further information
The CCA then has **2 months** from receipt of the information to issue its conclusions.
 3. The CCA **rejects** the safety report



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Safety Report Assessment Guidance What's New?

- Format Change
- Pre-Construction & Pre-Operation
- Serious Deficiencies & Omissions
- Inspector Safety Report Assessment e-Tool



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Safety Report Verification Process

- Verification of the safety report will form part of the inspection process
- Where updates to the safety report are identified during the inspection these will be addressed in the report of inspection



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Thank you



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