

## SCHEDULE 1

Regulations 2(1) and 3(1)

## Dangerous substances

**PART 1**

## Categories of Dangerous Substances

<i>Column 1</i>	<i>Column 2</i>	<i>Column 3</i>
Hazard categories in accordance with the CLP Regulation	Qualifying quantity in tonnes of dangerous substances for the application of:	
	Lower tier requirements	Upper tier requirements
Section 'H' – HEALTH HAZARDS		
H1 ACUTE TOXIC Category 1, all exposure routes	5	20
H2 ACUTE TOXIC	50	200
— Category 2, all exposure routes		
— Category 3, inhalation exposure route (see note 7)		
H3 STOT SPECIFIC TARGET ORGAN TOXICITY – SINGLE EXPOSURE STOT SE Category 1	50	200
Section 'P' – PHYSICAL HAZARDS		
P1a EXPLOSIVES (see note 8)	10	50
— Unstable explosives or		
— Explosives, Division 1.1, 1.2, 1.3, 1.5 or 1.6, or — Substances or mixtures which have explosive properties according to method A.14 of Regulation (EC) No. 440/2008 of 30 May 2008 laying down test methods pursuant to Regulation (EC) No. 1907/2006 of the European Parliament and of the Council on the Registration, Evaluation, Authorisation and Restriction of Chemicals (REACH) (see note 9) and do not belong to the hazard classes Organic peroxides or Self-reactive substances and mixtures		
P1b EXPLOSIVES (see note 8)	50	200
Explosives, Division 1.4 (see note 10)		
P2 FLAMMABLE GASES	10	50
Flammable gases, Category 1 or 2		
P3a FLAMMABLE AEROSOLS (see note 11(1))	150 (net)	500 (net)
'Flammable' aerosols Category 1 or 2, containing flammable gases Category 1 or 2 or flammable liquids Category 1		
P3b FLAMMABLE AEROSOLS (see note 11(1))	5,000 (net)	50,000 (net)
'Flammable' aerosols Category 1 or 2, not containing flammable gases Category 1 or 2 nor flammable liquids category 1 (see note 11(2))		
P4 OXIDISING GASES	50	200
Oxidising gases, Category 1		

**Status:** Point in time view as at 01/06/2015.

**Changes to legislation:** There are currently no known outstanding effects for the The Control of Major Accident Hazards Regulations 2015. (See end of Document for details)

P5a FLAMMABLE LIQUIDS	10	50
— Flammable liquids, Category 1, or		
— Flammable liquids Category 2 or 3 maintained at a temperature above their boiling point, or		
— Other liquids with a flash point $\leq 60^{\circ}\text{C}$ , maintained at a temperature above their boiling point (see note 12)		
P5b FLAMMABLE LIQUIDS	50	200
— Flammable liquids Category 2 or 3 where particular processing conditions, such as high pressure or high temperature, may create major accident hazards, or		
— Other liquids with a flash point $\leq 60^{\circ}\text{C}$ where particular processing conditions, such as high pressure or high temperature, may create major accident hazards (see note 12)		
P5c FLAMMABLE LIQUIDS	5,000	50,000
Flammable liquids, Categories 2 or 3 not covered by P5a and P5b		
P6a SELF-REACTIVE SUBSTANCES AND MIXTURES and ORGANIC PEROXIDES	10	50
Self-reactive substances and mixtures, Type A or B or organic peroxides, Type A or B		
P6b SELF-REACTIVE SUBSTANCES AND MIXTURES and ORGANIC PEROXIDES	50	200
Self-reactive substances and mixtures, Type C, D, E or F or organic peroxides, Type C, D, E, or F		
P7 PYROPHORIC LIQUIDS AND SOLIDS	50	200
Pyrophoric liquids, Category 1		
Pyrophoric solids, Category 1		
P8 OXIDISING LIQUIDS AND SOLIDS	50	200
Oxidising Liquids, Category 1, 2 or 3, or		
Oxidising Solids, Category 1, 2 or 3		
Section 'E' – ENVIRONMENTAL HAZARDS		
E1 Hazardous to the Aquatic Environment in Category Acute 1 or Chronic 1	100	200
E2 Hazardous to the Aquatic Environment in Category Chronic 2	200	500
Section 'O' – OTHER HAZARDS		
O1 Substances or mixtures with hazard statement EUH014	100	500
O2 Substances and mixtures which in contact with water emit flammable gases, Category 1	100	500
O3 Substances or mixtures with hazard statement EUH029	50	200

## PART 2

### Named Dangerous Substances

<i>Column 1</i>	<i>CAS number</i> <i>(see note 22)</i>	<i>Column 2</i>	<i>Column 3</i>
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Dangerous substances	Qualifying quantity in tonnes of dangerous substances for the application of:		
	Lower tier requirements	Upper tier requirements	
1. Ammonium nitrate (see note 13)	5,000	10,000	
2. Ammonium nitrate (see note 14)	1,250	5,000	
3. Ammonium nitrate (see note 15)	350	2,500	
4. Ammonium nitrate (see note 16)	10	50	
5. Potassium nitrate (see note 17)	5,000	10,000	
6. Potassium nitrate (see note 18)	1,250	5,000	
7. Arsenic pentoxide, arsenic (V) acid and/or salts	1303-28-2	1	2
8. Arsenic trioxide, arsenious (III) acid and/or salts	1327-53-3		0.1
9. Bromine	7726-95-6	20	100
10. Chlorine	7782-50-5	10	25
11. Nickel compounds in inhalable powder form: nickel monoxide, nickel dioxide, nickel sulphide, trinickel disulphide, dinickel trioxide			1
12. Ethyleneimine	151-56-4	10	20
13. Fluorine	7782-41-4	10	20
14. Formaldehyde (concentration $\geq$ 90 %)	50-00-0	5	50
15. Hydrogen	1333-74-0	5	50
16. Hydrogen chloride (liquefied gas)	7647-01-0	25	250
17. Lead alkyls		5	50
18. Liquefied flammable gases, Category 1 or 2 (including LPG) and natural gas (see note 19)		50	200
19. Acetylene	74-86-2	5	50
20. Ethylene oxide	75-21-8	5	50
21. Propylene oxide	75-56-9	5	50
22. Methanol	67-56-1	500	5,000
23. 4, 4'-Methylene bis (2-chloraniline) and/or salts, in powder form	101-14-4		0.01
24. Methylisocyanate	624-83-9		0.15
25. Oxygen	7782-44-7	200	2,000
26. 2,4 -Toluene diisocyanate	584-84-9	10	100
2,6 -Toluene diisocyanate	91-08-7		

**Status:** Point in time view as at 01/06/2015.

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27. Carbonyl dichloride (phosgene)	75-44-5	0.3	0.75
28. Arsine (arsenic trihydride)	7784-42-1	0.2	1
29. Phosphine (phosphorus trihydride)	7803-51-2	0.2	1
30. Sulphur dichloride	10545-99-0		1
31. Sulphur trioxide	7446-11-9	15	75
32. Polychlorodibenzofurans and polychlorodibenzodioxins (including TCDD), calculated in TCDD equivalent (see note 20)			0.001
33. The following CARCINOGENS or the mixtures containing the following carcinogens at concentrations above 5% by weight: 4-Aminobiphenyl and/or its salts, Benzotrichloride, Benzidine and/or salts, Bis (chloromethyl) ether, Chloromethyl methyl ether, 1,2-Dibromoethane, Diethyl sulphate, Dimethyl sulphate, Dimethylcarbamoyl chloride, 1,2-Dibromo-3-chloropropane, 1,2-Dimethylhydrazine, Dimethylnitrosamine, Hexamethylphosphoric triamide, Hydrazine, 2-Naphthylamine and/or salts, 4-Nitrodiphenyl, and 1,3 Propanesultone		0.5	2
34. Petroleum products and alternative fuels (a) gasolines and naphthas, (b) kerosenes (including jet fuels), (c) gas oils (including diesel fuels, home heating oils and gas oil blending streams), (d) heavy fuel oils, (e) alternative fuels serving the same purposes and with similar properties as regards flammability and environmental hazards as the products referred to in points (a) to (d)		2,500	25,000
35. Anhydrous ammonia	7664-41-7	50	200
36. Boron trifluoride	7637-07-2	5	20
37. Hydrogen sulphide	7783-06-4	5	20
38. Piperidine	110-89-4	50	200
39. Bis(2-dimethylaminoethyl) (methyl)amine	3030-47-5	50	200
40. 3-(2-Ethylhexyloxy)propylamine	5397-31-9	50	200
41. Mixtures of sodium hypochlorite classified as Aquatic Acute Category 1 [H400] containing less than 5% active chlorine and not classified under any of the other hazard categories in Part 1 of this Schedule, provided that the mixture in the absence of sodium hypochlorite would not be classified as Aquatic Acute Category 1 [H400].		200	500
42. Propylamine (see note 21)	107-10-8	500	2,000

43. Tert-butyl acrylate (see note 21)	1663-39-4	200	500
44. 2-Methyl-3-butenitrile (see note 21)	16529-56-9	500	2,000
45. Tetrahydro-3,5-dimethyl-1,3,5-thiadiazine-2-thione (Dazomet) (see note 21)	533-74-4	100	200
46. Methyl acrylate (see note 21)	96-33-3	500	2,000
47. 3-Methylpyridine (see note 21)	108-99-6	500	2,000
48. 1-Bromo-3-chloropropane (see note 21)	109-70-6	500	2,000

### PART 3

#### Notes to Parts 1 and 2

1. Substances and mixtures are classified in accordance with the CLP Regulation.

2. Mixtures must be treated in the same way as pure substances provided they remain within concentration limits set according to their properties under the CLP Regulation, unless a percentage composition or other description is specifically given.

3. The qualifying quantities set out in Parts 1 and 2 of this Schedule relate to each establishment.

The quantities to be considered for the application of these Regulations are the maximum quantities which are present or are likely to be present at any one time. Dangerous substances present at an establishment only in quantities equal to or less than 2% of the relevant qualifying quantity must be ignored for the purposes of calculating the total quantity present if their location within an establishment is such that it cannot act as an initiator of a major accident elsewhere at that establishment.

4. The following rules governing the addition of dangerous substances, or categories of dangerous substances, apply where appropriate.

In the case of an establishment where no individual dangerous substance is present in a quantity above or equal to the relevant qualifying quantity, the following rule must be applied to determine whether these Regulations apply to the establishment.

An establishment is an upper tier establishment if the sum:  $q_1/Q_{U1} + q_2/Q_{U2} + q_3/Q_{U3} + q_4/Q_{U4} + q_5/Q_{U5} + \dots$  is greater than or equal to 1, where  $q_x$  = the quantity of dangerous substance x (or category of dangerous substances) falling within Part 1 or Part 2 of this Schedule, and  $Q_{UX}$  = the relevant qualifying quantity of dangerous substance or category x from Column 3 of Part 1 or from Column 3 of Part 2 of this Schedule.

An establishment is a lower tier establishment if the sum:  $q_1/Q_{L1} + q_2/Q_{L2} + q_3/Q_{L3} + q_4/Q_{L4} + q_5/Q_{L5} + \dots$  is greater than or equal to 1, where  $q_x$  = the quantity of dangerous substance x (or category of dangerous substances) falling within Part 1 or Part 2 of this Schedule, and  $Q_{LX}$  = the relevant qualifying quantity for dangerous substance or category x from Column 2 of Part 1 or from Column 2 of Part 2 of this Schedule.

This rule must be used to assess the health hazards, physical hazards and environmental hazards. It must therefore be applied three times—

- (a) for the addition of dangerous substances listed in Part 2 that fall within acute toxicity category 1, 2 or 3 (inhalation route) or STOT SE category 1, together with dangerous substances falling within section H, entries H1 to H3 of Part 1;

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- (b) for the addition of dangerous substances listed in Part 2 that are explosives, flammable gases, flammable aerosols, oxidising gases, flammable liquids, self-reactive substances and mixtures, organic peroxides, pyrophoric liquids and solids, oxidising liquids and solids, together with dangerous substances falling within section P, entries P1 to P8 of Part 1;
- (c) for the addition of dangerous substances listed in Part 2 that fall within hazardous to the aquatic environment acute category 1, chronic category 1 or chronic category 2, together with dangerous substances falling within section E, entries E1 and E2 of Part 1.

These Regulations apply where any of the sums obtained by (a), (b) or (c) is greater than or equal to 1.

**5.** In the case of dangerous substances which are not covered by the CLP Regulation, including waste, but which nevertheless are present, or are likely to be present, in an establishment and which possess or are likely to possess, under the conditions found at the establishment, equivalent properties in terms of major accident potential, these must be provisionally assigned to the most analogous category or named dangerous substance falling within the scope of these Regulations.

**6.** In the case of dangerous substances with properties giving rise to more than one classification, for the purposes of these Regulations the lowest qualifying quantities apply. However, for the application of the rule in Note 4, the lowest qualifying quantity for each group of categories in Notes 4(a), 4(b) and 4(c) corresponding to the classification concerned must be used.

**7.** Dangerous substances that fall within Acute Toxic Category 3 via the oral route (H 301) fall under entry H2 ACUTE TOXIC in those cases where neither acute inhalation toxicity classification nor acute dermal toxicity classification can be derived, for example due to lack of conclusive inhalation and dermal toxicity data.

**8.** The hazard class Explosives includes explosive articles (see Section 2.1 of Annex I to the CLP Regulation). If the quantity of the explosive substance or mixture contained in the article is known, that quantity must be considered for the purposes of these Regulations. If the quantity of the explosive substance or mixture contained in the article is not known, then, for the purposes of these Regulations, the whole article must be treated as explosive.

**9.** Testing for explosive properties of substances and mixtures is only necessary if the screening procedure according to Appendix 6, Part 3 of the UN Recommendations on the Transport of Dangerous Goods, Manual of Tests and Criteria (“the UN Manual of Tests and Criteria”)<sup>M1</sup> identifies the substance or mixture as potentially having explosive properties.

#### Marginal Citations

**M1** More guidance on waiving of the test can be found in the A.14 (explosive properties) method description in the Annex to Council Regulation (EC) No. 440/2008 of 30 May 2008 laying down test methods pursuant to Regulation (EC) No. 1907/2006 of the European Parliament and of the Council on the Registration Evaluation, Authorisation and Restriction of Chemicals (REACH) (O.J. L142, 31.5.2008, p. 1).

**10.** If Explosives of Division 1.4 are unpacked or repacked, they must be assigned to the entry P1a, unless the hazard is shown to still correspond to Division 1.4, in accordance with the CLP Regulation.

**11.—(1)** Flammable aerosols are classified in accordance with Council Directive [75/324/EEC](#) of 20 May 1975 on the approximation of the laws of the Member States relating to aerosol dispensers<sup>M2</sup>. “Extremely flammable” and “Flammable” aerosols of that Directive correspond to Flammable Aerosols Category 1 and 2 respectively of the CLP Regulation.

(2) In order to use this entry, it must be documented that the aerosol dispenser does not contain Flammable Gas Category 1 or 2 nor Flammable Liquid Category 1.

**Marginal Citations**

**M2** O.J. L147, 9.6.1975, p. 40.

**12.** According to paragraph 2.6.4.5 in Annex I to the CLP Regulation, liquids with a flash point of more than 35°C need not be classified in Category 3 if negative results have been obtained in the sustained combustibility test L.2, Part III, section 32 of the UN Manual of Tests and Criteria. This is however not valid under elevated conditions such as high temperature or pressure, and therefore such liquids are included in this entry.

**13.** Ammonium nitrate (5,000/10,000): fertilisers capable of self-sustaining decomposition.

This applies to ammonium nitrate based compound/composite fertilisers (compound/composite fertilisers contain ammonium nitrate with phosphate and/or potash) which are capable of self-sustaining decomposition according to the UN Trough Test (the UN Manual of Tests and Criteria, Part III, subsection 38.2), and in which the nitrogen content as a result of ammonium nitrate is—

- (a) between 15.75% <sup>M3</sup> and 24.5% <sup>M4</sup> by weight, and either with not more than 0.4% total combustible/organic materials or which fulfil the requirements of Annex III-2 to Regulation (EC) No. 2003/2003 of the European Parliament and of the Council of 13 October 2003 relating to fertilisers (“Regulation (EC) No. 2003/2003”) <sup>M5</sup>; or
- (b) equal to or less than 15.75% by weight and unrestricted combustible materials.

**Marginal Citations**

**M3** 15.75% nitrogen content by weight as a result of ammonium nitrate corresponds to 45% ammonium nitrate.

**M4** 24.5% nitrogen content by weight as a result of ammonium nitrate corresponds to 70% ammonium nitrate.

**M5** O.J. L304, 21.11.2003, p. 1.

**14.** Ammonium nitrate (1,250/5,000): fertiliser grade.

This applies to straight ammonium nitrate based fertilisers and to ammonium nitrate based compound/composite fertilisers which fulfil the requirements of Annex III-2 to Regulation (EC) No. 2003/2003 and in which the nitrogen content as a result of ammonium nitrate is—

- (a) more than 24.5% by weight, except for mixtures of straight ammonium nitrate based fertilisers with dolomite, limestone and/or calcium carbonate with a purity of at least 90%;
- (b) more than 15.75% by weight for mixtures of ammonium nitrate and ammonium sulphate; or
- (c) more than 28% <sup>M6</sup> by weight for mixtures of straight ammonium nitrate based fertilisers with dolomite, limestone and/or calcium carbonate with a purity of at least 90%.

**Marginal Citations**

**M6** 28% nitrogen content by weight as a result of ammonium nitrate corresponds to 80% ammonium nitrate.

**15.** Ammonium nitrate (350/2,500): technical grade.

This applies to ammonium nitrate and mixtures of ammonium nitrate in which the nitrogen content as a result of the ammonium nitrate is—

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- (a) between 24.5% and 28% by weight, and which contain not more than 0.4% combustible substances; or
- (b) more than 28% by weight, and which contain not more than 0.2% combustible substances.

It also applies to aqueous ammonium nitrate solutions in which the concentration of ammonium nitrate is more than 80% by weight.

**16.** Ammonium nitrate (10/50): ‘off-specs’ material and fertilisers not fulfilling the detonation test.

This applies to—

- (a) material rejected during the manufacturing process and to ammonium nitrate and mixtures of ammonium nitrate, straight ammonium nitrate based fertilisers and ammonium nitrate based compound/composite fertilisers referred to in Notes 14 and 15, that are being or have been returned from the final user to a manufacturer, temporary storage or reprocessing plant for reworking, recycling or treatment for safe use, because they no longer comply with the specifications of Notes 14 and 15;
- (b) fertilisers referred to in Note 13(a), and Note 14 which do not fulfil the requirements of Annex III-2 to Regulation (EC) No. 2003/2003.

**17.** Potassium nitrate (5,000/10,000).

This applies to any composite potassium nitrate based fertiliser (in prilled/granular form) which has the same hazardous properties as pure potassium nitrate.

**18.** Potassium nitrate (1,250/5,000).

This applies to any composite potassium nitrate based fertiliser (in crystalline form) which has the same hazardous properties as pure potassium nitrate.

**19.** Upgraded biogas.

For the purpose of these Regulations, upgraded biogas may be classified under entry 18 of Part 2 of this Schedule where it has been processed in accordance with applicable standards for purified and upgraded biogas ensuring a quality equivalent to that of natural gas, including the content of Methane, and which has a maximum of 1% Oxygen.

**20.** Polychlorodibenzofurans and polychlorodibenzodioxins.

The quantities of polychlorodibenzofurans and polychlorodibenzodioxins are calculated using the following factors:

WHO 2005 TEF <sup>1</sup>			
2,3,7,8-TCDD	1	2,3,7,8-TCDF	0.1
1,2,3,7,8-PeCDD	1	2,3,4,7,8-PeCDF	0.3
		1,2,3,7,8-PeCDF	0.03
1,2,3,4,7,8-HxCDD	0.1		
1,2,3,6,7,8-HxCDD	0.1	1,2,3,4,7,8-HxCDF	0.1
1,2,3,7,8,9-HxCDD	0.1	1,2,3,7,8,9-HxCDF	0.1
		1,2,3,6,7,8-HxCDF	0.1

<sup>1</sup> Van den Berg et al: The 2005 World Health Organisation Re-evaluation of Human and Mammalian Toxic Equivalency Factors for Dioxins and Dioxin like Compounds.



1,2,3,4,6,7,8-HpCDD	0.01	2,3,4,6,7,8-HxCDF	0.1
OCDD	0.0003	1,2,3,4,6,7,8-HpCDF	0.01
		1,2,3,4,7,8,9-HpCDF	0.01
		OCDF	0.0003

T = tetra, Pe = penta, Hx = hexa, Hp = hepta, O = octa

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<sup>1</sup> Van den Berg et al: The 2005 World Health Organisation Re-evaluation of Human and Mammalian Toxic Equivalency Factors for Dioxins and Dioxin like Compounds.

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**21.** In cases where this dangerous substance falls within category P5a Flammable liquids or P5b Flammable liquids, then for the purposes of these Regulations the lowest qualifying quantity applies.

**22.** The CAS number is shown only for indication.

## SCHEDULE 2

Regulation 7

### Requirements and matters to be addressed by safety management systems

1. A safety management system must—
  - (a) be proportionate to the hazards, industrial activities and complexity of the organisation in the establishment;
  - (b) be based on assessment of the risks;
  - (c) include within its scope the general management system, including the organisational structure, responsibilities, practices, procedures, processes and resources for determining and implementing the major accident prevention policy.
2. The following matters must be addressed by the safety management system—
  - (a) in relation to the organisation and personnel—
    - (i) the roles and responsibilities of personnel involved in the management of major hazards at all levels in the organisation, together with the measures taken to raise awareness of the need for continuous improvement;
    - (ii) the identification of the training needs of such personnel and the provision of the training;
    - (iii) the involvement of employees and of subcontracted personnel working in the establishment, who are important from the point of view of safety;
  - (b) the identification and evaluation of major hazards: the adoption and implementation of procedures for systematically identifying major hazards arising from normal and abnormal operation, including subcontracted activities where applicable, and the assessment of their likelihood and severity;
  - (c) in relation to operational control—
    - (i) the adoption and implementation of procedures and instructions for safe operation, including maintenance, of plant, processes and equipment, and for alarm management and temporary stoppages;

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- (ii) the taking into account of available information on best practices for monitoring and control, with a view to reducing the risk of system failure;
- (iii) the management and control of the risks associated with ageing equipment installed in the establishment and its corrosion;
- (iv) the inventory of the establishment's equipment, and the strategy and methodology for the monitoring and control of the condition of the equipment;
- (v) appropriate follow up actions and any necessary counter-measures;
- (d) the management of change: the adoption and implementation of procedures for planning modifications to, or the design of new installations, processes or storage facilities;
- (e) in relation to planning for emergencies—
  - (i) the adoption and implementation of procedures to identify foreseeable emergencies by systematic analysis;
  - (ii) the preparation, testing and review of emergency plans to respond to emergencies and the provision of specific training for staff, such training to be given to all personnel working in the establishment, including relevant subcontracted personnel;
- (f) in relation to monitoring performance—
  - (i) the adoption and implementation of procedures for the ongoing assessment of compliance with the objectives set by the operator's major accident prevention policy and safety management system, and the mechanisms for investigation and taking corrective action in case of non-compliance;
  - (ii) the procedures must cover the operator's system for reporting major accidents or 'near misses', particularly those involving failure of protective measures, and their investigation and follow-up on the basis of lessons learned;
  - (iii) the procedures could also include performance indicators such as safety performance indicators (SPIs) and/or other relevant indicators;
- (g) in relation to audit and review—
  - (i) the adoption and implementation of procedures for periodic systematic assessment of the major accident prevention policy and the effectiveness and suitability of the safety management system;
  - (ii) the documented review of performance of the policy and safety management system and its updating by senior management, including consideration and incorporation of necessary changes indicated by the audit and review.

### SCHEDULE 3

Regulations 9 and 10

#### Minimum data and information to be included in a safety report

1. The data and information to be included in a safety report is specified in paragraphs 2 to 6.
2. Information on the management system and on the organisation of the establishment with a view to major accident prevention, including the matters set out in Schedule 2 in relation to the safety management system.
3. The environment of the establishment—
  - (a) a description of the establishment and its environment including the geographical location, meteorological, geological, hydrographic conditions and, if necessary, its history;

- (b) identification of installations and other activities of the establishment which could present a major accident hazard;
  - (c) on the basis of available information, identification of neighbouring establishments, as well as sites that fall outside the scope of these Regulations, areas and developments that could be the source of, or increase the risk or consequences of a major accident and of domino effects; and
  - (d) a description of areas where a major accident may occur.
4. The establishment—
- (a) a description of the main activities and products of the parts of the establishment which are important from the point of view of safety, sources of major accident risks and conditions under which a major accident could happen, together with a description of proposed preventive measures;
  - (b) a description of processes, in particular the operating methods, where applicable, taking into account available information on best practices;
  - (c) a description of dangerous substances, including their classification under the CLP Regulation and—
    - (i) an inventory of dangerous substances including—
      - (aa) the identification of dangerous substances: the chemical name, CAS number and name according to IUPAC<sup>M7</sup> nomenclature;
      - (bb) the maximum quantity of dangerous substances present or likely to be present;
    - (ii) the physical, chemical, toxicological characteristics and indication of the hazards, both immediate and delayed for human health and the environment;
    - (iii) the physical and chemical behaviour under normal conditions of use or under foreseeable accidental conditions.

**Marginal Citations**

**M7** International Union of Pure and Applied Chemistry ([www.iupac.org](http://www.iupac.org)).

5. Identification and accidental risks analysis and prevention methods—
- (a) a detailed description of the possible major accident scenarios and their probability or the conditions under which they might occur including a summary of the events which may play a role in triggering each of these scenarios, the causes being internal or external to the installation; including in particular—
    - (i) operational causes;
    - (ii) external causes, such as those related to domino effects, sites that fall outside the scope of these Regulations, areas and developments that could be the source of, or increase the risk or consequences of a major accident;
    - (iii) natural causes, for example earthquakes or floods;
  - (b) an assessment of the extent and severity of the consequences of identified major accidents including maps, images or, as appropriate, equivalent descriptions, showing areas which are likely to be affected by such accidents arising from the establishment;
  - (c) a review of past accidents and incidents with the same substances and processes used, consideration of lessons learned from these, and explicit reference to specific measures taken to prevent such accidents;

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- (d) a description of technical parameters and equipment used for the safety of installations.
- 6. Measures of protection and intervention to limit the consequences of a major accident—
  - (a) a description of the equipment installed in the plant to limit the consequences of major accidents for human health and the environment, including for example detection/protection systems, technical devices for limiting the size of accidental releases, including water spray; vapour screens; emergency catch pots or collection vessels; shut-off valves; inerting systems; and fire water retention;
  - (b) the organisation of alert and intervention;
  - (c) a description of mobilisable resources, internal or external; and
  - (d) a description of any technical and non-technical measures relevant for the reduction of the impact of a major accident.

## SCHEDULE 4

Regulations 12 and 13

Information to be included in internal and external emergency plans

### PART 1

#### Internal emergency plans

An internal emergency plan must include the following information—

- (a) the name or position of—
  - (i) any person authorised to set emergency procedures in motion; and
  - (ii) the person in charge of and co-ordinating the mitigatory action within the establishment;
- (b) the name or position of the person with responsibility for liaising with the local authority responsible for the external emergency plan;
- (c) for foreseeable conditions or events which could be significant in bringing about a major accident, a description of the action which should be taken to control the conditions or events and to limit their consequences, including a description of the safety equipment and the resources available;
- (d) the arrangements for limiting the risks to persons within the establishment including how warnings are to be given and the actions persons are expected to take on receipt of a warning;
- (e) the arrangements for providing early warning of an incident to the local authority responsible for setting the external emergency plan in motion, the type of information which should be contained in an initial warning and the arrangements for the provision of more detailed information as it becomes available;
- (f) where necessary, the arrangements for training staff in the duties they will be expected to perform and, as appropriate, co-ordinating this with the emergency services;
- (g) the arrangements for providing assistance with mitigatory action outside the establishment.

## PART 2

### External emergency plans

An external emergency plan must include the following information—

- (a) the name or position of—
  - (i) any person authorised to set emergency procedures in motion; and
  - (ii) any person authorised to take charge of and co-ordinate action outside the establishment;
- (b) the arrangements for receiving early warning of incidents, and alert and call-out procedures;
- (c) the arrangements for co-ordinating resources necessary to implement the external emergency plan;
- (d) the arrangements for providing assistance with mitigatory action within the establishment;
- (e) the arrangements for mitigatory action outside the establishment, including responses to major accident scenarios as set out in the safety report and considering possible domino effects, including those having an impact on the environment;
- (f) the arrangements for providing the public and any neighbouring establishments or sites that fall outside the scope of these Regulations in accordance with regulation 24 (domino effects and domino groups) with specific information relating to an accident and the behaviour which should be adopted;
- (g) the arrangements for the provision of information to the emergency services of other Member States in the event of a major accident with possible trans-boundary consequences.

### SCHEDULE 5

Regulation 26

Criteria for the notification of a major accident to the European Commission

1. A major accident meets the criteria in this Schedule if it meets the criteria in paragraph 2 or 3.
2. A major accident falling within paragraph (a), or having at least one of the consequences described in paragraphs (b) to (e)—
  - (a) any fire or explosion or accidental discharge of a dangerous substance involving a quantity of at least 5% of the quantity in Column 3 of Part 1 or in Column 3 of Part 2 of Schedule 1;
  - (b) injury to persons and damage to property—
    - (i) a death;
    - (ii) six persons injured within the establishment and hospitalised for at least 24 hours;
    - (iii) one person outside the establishment hospitalised for at least 24 hours;
    - (iv) a dwelling outside the establishment damaged and unusable as a result of the accident;
    - (v) the evacuation or confinement of persons for more than 2 hours where the value (persons × hours) is at least 500; or
    - (vi) the interruption of drinking water, electricity, gas or telephone services for more than 2 hours where the value (persons × hours) is at least 1,000;

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- (c) immediate damage to the environment—
    - (i) permanent or long term damage to terrestrial habitats—
      - (aa) 0.5 hectares or more of a habitat of environmental or conservation importance protected by legislation; or
      - (bb) 10 or more hectares of more widespread habitat, including agricultural land;
    - (ii) significant or long-term damage to freshwater and marine habitats—
      - (aa) 10 km or more of river or canal;
      - (bb) 1 hectare or more of a lake or pond;
      - (cc) 2 hectares or more of delta; or
      - (dd) 2 hectares or more of a coastline or open sea; or
    - (iii) significant damage to an aquifer or underground water: 1 hectare or more;
  - (d) damage to property—
    - (i) damage to property in the establishment, to the value of at least EUR 2,000,000; or
    - (ii) damage to property outside the establishment, to the value of at least EUR 500,000;
  - (e) cross-border damage: any major accident directly involving a dangerous substance giving rise to consequences outside the territory of the Member State concerned.
- 3.** Any accidents or ‘near misses’ which the Member State regards as being of particular technical interest for preventing major accidents and limiting their consequences and which do not meet the quantitative criteria in paragraph 2.

## SCHEDULE 6

Regulation 30

### Amendments to secondary legislation

**1.** In the Civil Contingencies Act 2004 (Contingency Planning)(Scotland) Regulations 2005 <sup>M8</sup>, in regulation 9(a), for “1999” substitute “2015”.

#### Marginal Citations

**M8** [S.S.I. 2005/494](#), to which there are amendments not relevant to these Regulations.

**2.** In the Regulatory Reform (Fire Safety) Order 2005 <sup>M9</sup>, in article 47(2)(b), for “1999” substitute “2015”.

#### Marginal Citations

**M9** [S.I. 2005/1541](#), to which there are amendments not relevant to these Regulations.

**3.** In the Civil Contingencies Act 2004 (Contingency Planning) Regulations 2005 <sup>M10</sup>, in regulation 12(a), for “1999” substitute “2015”.

#### Marginal Citations

**M10** [S.I. 2005/2042](#), to which there are amendments not relevant to these Regulations.

4. In the Health and Safety (Enforcing Authority for Railways and Other Guided Transport Systems) Regulations 2006<sup>M11</sup>, in regulation 4(3)(c), for “1999” substitute “ 2015 ”.

**Marginal Citations**

**M11** [S.I. 2006/557](#), to which there are amendments not relevant to these Regulations.

5. In the Fire (Scotland) Act 2005 (Commencement No. 3 and Savings) Order 2006<sup>M12</sup>, in article 3, for “1999”, substitute “ 2015 ”.

**Marginal Citations**

**M12** [S.S.I. 2006/458](#).

6. In the Waste (England and Wales) Regulations 2011<sup>M13</sup>, in regulation 29(5A)(j), for “1999” substitute “ 2015 ”.

**Marginal Citations**

**M13** [S.I. 2011/988](#), amended by [S.I. 2013/755](#) and [2014/656](#); there are other amending instruments but none is relevant.

7.—(1) Schedule 4 to the 2012 Regulations is amended as follows.

(2) In paragraph 1(1)(o), for “regulation 7 of the Control of Major Accident Hazards Regulations 1999” substitute “ Part 3 of the Control of Major Accident Hazards Regulations 2015 ”.

(3) In paragraph 13—

- (a) in paragraph (d)(ii)(aa), for “regulation 5 of the Control of Major Accident Hazards Regulations 1999 (“the 1999 Regulations)”” substitute “ regulation 7 of the Control of Major Accident Hazards Regulations 2015 (“the 2015 Regulations)” ”;
- (b) in paragraph (d)(ii)(bb), for “regulation 7 of the 1999 Regulations” substitute “ Part 3 of the 2015 Regulations ”;
- (c) in paragraph (da)(i), for “regulation 5 of the 1999 Regulations” substitute “ regulation 7 of the 2015 Regulations ”;
- (d) in paragraph (da)(ii), for “regulation 7 of the 1999 Regulations” substitute “ Part 3 of the 2015 Regulations ”.

(4) In paragraph 18(a)(ii), for “regulation 7 of the Control of Major Accident Hazards Regulations 1999” substitute “ Part 3 of the Control of Major Accident Hazards Regulations 2015 ”.

8.—(1) Schedule 7 to the Natural Resources Body for Wales (Functions) Order 2013<sup>M14</sup> is amended as follows.

(2) In paragraph 9—

- (a) for sub-paragraph (1), substitute—

“(1) This paragraph applies for the purposes of regulation 21(1)(c) of the Control of Major Accident Hazards Regulations 2015.”;

- (b) for sub-paragraph (3), substitute—

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“(3) In this paragraph, “appropriate agency”, “establishment” and “safety report” have the meanings given by regulation 2(1) of the Control of Major Accident Hazards Regulations 2015.”.

**Marginal Citations**

**M14** [S.I. 2013/755](#).

**9.** In Schedule 2 to the Employment Tribunals and the Employment Appeal Tribunals Fees Order 2013 <sup>M15</sup>—

- (a) in table 1, for “Control of Major Accident Hazards Regulations 1999” substitute “ Control of Major Accident Hazards Regulations 2015 ”;
- (b) in table 2 in row 47, in columns 3 and 4 of that entry, for “Regulation 18 COMAH” substitute “ Regulation 23 COMAH ” in both places in which it appears.

**Marginal Citations**

**M15** [S.I. 2013/1893](#), amended by [S.I. 2014/590](#); there are other amending instruments but none is relevant.

**10.** In the Petroleum (Consolidation) Regulations 2014 <sup>M16</sup>, in regulation 3(1)(b), for “1999” substitute “ 2015 ”.

**Marginal Citations**

**M16** [S.I. 2014/1637](#).

**11.** In the Health and Safety and Nuclear (Fees) Regulations 2015 <sup>M17</sup>—

- (a) in regulation 20(3), for “1999” substitute “ 2015 ”;
- (b) in regulation 23(16)(a), for “1999” substitute “ 2015 ”.

**Marginal Citations**

**M17** [S.I. 2015/363](#).



**Status:**

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