



Energy and Industry Department Prime Minister's Office Note to Industry (NTI)

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| TOPIC Control Major Accident Hazard (COMAH) Regulations 2013 Material Change Requirements to a Safety Case | | | Reference Number 2016/NTI/2 |
| Approved by: Head of HSE | Issue date: 27 th January 2016 | Expiry date: N/A | Revision No: 0 |

THE WORKPLACE SAFETY AND HEALTH (FACILITIES) (CONTROL OF MAJOR ACCIDENT HAZARDS) REGULATION 2013

Please be advised that under the Control of Major Accident Hazards Regulations 2013 (COMAH) a material change when identified requires for the safety case to be submitted to the Competent Authority, with the amended sections highlighted.

These changes include –

- (a) physical changes to the plant;
- (b) changes to operational parameters of the facility;
- (c) organisational or staff changes; or
- (d) change in risk profile.

A material change is relevant to Notifications and all forms of Safety Cases including Combined Operations Safety Cases, that are submitted to the Competent Authority and where the Duty Holders are in receipt of Safety Case certificates.

For your guidance, please refer to COMAH Regulations 2013 Sections 11(3); 12(3); 13(2); 14(2); 15(3) and 16(2).

With reference to Section 19, a material change can only be implemented after the Duty Holder has submitted a relevant safety case to the Competent Authority, incorporating the proposed revisions and received a new Safety Case certificate.

With due regard to the ongoing operational considerations under the Combined Operations Safety Case submissions received by the Competent Authority, it is recognized that on occasion a Fixed Facility will submit a combined operations safety case with a Mobile Facility; listing that the mobile facility will visit and undertake combined operations with a number of platforms within the same Asset. In this case, a Material Change will come into effect, if a new platform is added to the list of submitted platforms or if the mobile facility moves between two Assets in the field of operations e.g. between BSP East and West Assets.

The facilities involved in combined operations are covered by the Combined Operations Safety Case requirements, reference to COMAH Regulations Section 15.

Failure to notify and to submit relevant material changes to existing Safety Cases and Notifications to the Competent Authority will constitute a breach of Sections 9(e), 9(f) and 27 of the COMAH Regulations.