



TYNE AND WEAR FIRE AND RESCUE AUTHORITY
EMERGENCY PLANNING UNIT

Committee Report

Meeting : CIVIL CONTINGENCIES COMMITTEE: 7 JULY 2008

Subject : COMAH REGULATIONS 1999: INTERNATIONAL PAINT OFF SITE EMERGENCY PLAN – CONSULTATION AND EVALUATION

Report of the Chief Emergency Planning Officer and Chief Fire Officer

1. Introduction

- 1.1 The Control of Major Accident Hazards (COMAH) Regulations 1999 place a duty upon Tyne and Wear Fire and Rescue Authority to prepare, publish and validate the off-site emergency plans for designated 'top-tier' COMAH sites in Tyne and Wear. This function is discharged on behalf of the Fire and Rescue Authority by the Tyne and Wear Emergency Planning Unit (TWEPU). These off-site emergency plans detail the roles to be carried out by the site operator, the emergency services, local authorities and other external organisations in the event of a major accident.

2 Background

- 2.1 International Paint, Felling, Gateshead was designated as a top-tier COMAH site as a result of an amendment to the COMAH Regulations in 2005. Within the company, there were no changes in the processes or storage of materials. It was a lowering of the thresholds within Schedule 1 of the Regulations which re-classified International Paint as a 'top-tier' COMAH site. The specific category which was identified as being exceeded within the Regulations was Schedule 1 part 3 which is substances classified as being "Dangerous to the environment".
- 2.2 Although TWEPU received notification of the site designation in December 2005, as part of the off site planning process a number of other documents must be in place under the COMAH Regulations before the Off-Site Plan can be completed. These documents were nearing completion in 2007. In conjunction with the Competent Authority (Health and Safety Executive (HSE) and Environment Agency) it was agreed to complete the Off Site Plan by 31st May 2008.

3 Public Consultation

- 3.1 Regulation 10(6) of the COMAH Regulations states that the Local Authority must consult "Such members of the public as it considers appropriate". As with previous designated sites this process was carried out via consultation

with Elected Councillors, a recommended method in COMAH Guidance documentation. A meeting was held at International Paint on the 10th March 2008, where a presentation was given by the Site Manager of International Paint together with a detailed overview of the business and process activities carried out on the Felling site by the company.

- 3.2 An officer from TWEPU also gave a presentation on the Off Site emergency planning process and the information which is contained within the plan.
- 3.3 The meeting was attended by Councillor Doreen Boyes and Councillor Robin Stanaway representing Pelaw and Heworth Ward. Three officers represented Community Based Services of Gateshead Council.
- 3.4 The consultation raised some interesting observations, and the public information which is statutorily required to be issued to the public and businesses in the vicinity of the site (Regs. 14(3) and 25) was discussed in detail. This information is to advise local residents and others within the vicinity what to do in the event of a major accident at the site.

4 Validation of Emergency Plans

- 4.1 A validation of the draft off-site emergency plan was carried out by a two stage exercise process on the 18th-19th March 2008. By carrying out this validation all agencies (see 4.4) consulted in the planning process were able to observe the plan being invoked through the standard Table Top exercise format adopted by the Local Resilience Forum (LRF) Training and Exercising Sub Group. By carrying out the exercise at an early stage any adjustments required to the final draft were carried out prior to its publication.

- 4.2 The exercise format which was developed by TWEPU in 2007 was used which breaks the exercise into 2 key phases of the incident (Operational and Tactical).

Phase 1 of the exercise was held at International Paint on the 18th March 2008 which covered the immediate operational activities at an incident following the receipt of a call to the site. This phase of the exercise was attended by Tyne and Wear Fire and Rescue Service and responders from within International Paint. The exercise was facilitated by the COMAH lead Officer from TWEPU. As the exercise developed the scenario reached a stage where it was necessary to declare a "Major Accident". This is the trigger within the regulations to invoke the provisions of the Off Site Emergency Plan and create a tactical support. The exercise was terminated at this point the information and scenario was taken forward to the second phase of the exercise.

- 4.3 Phase 2 of the exercise which was again facilitated by the TWEPU lead COMAH officer was held at Gateshead Community Fire Station on the 19th March 2008. Representatives from the organisations identified within the plan considered the content of the plan through a series of information injects which provided them with detail of the developing incident.
- 4.4 The organisations represented included;
 - Northumbria Police

- Tyne and Wear Fire and Rescue Service
- North East Ambulance Service
- Gateshead Council
- Health Protection Agency
- Environment Agency
- Primary Care Trust
- International Paint

- 4.5 Northumbria Police chaired the group's response to the information injects and actions were considered in light of the available information.
- 4.6 The exercise was a success and a number of minor improvements were identified through the debrief and evaluation process. This led to some minor amendments of the plan.
- 4.7 The Phase 2 exercise was also observed by Councillor Doreen Boyes and Councillor Robin Stanaway

5. Conclusion

- 5.1 As required under the COMAH Regulations the off-site emergency plan for International Paint has been developed and validated in accordance with statutory guidance, the procedures developed by TWEPU, and agreed by the COMAH Off-Site Planning Group. The plan will be regularly reviewed to ensure the continued safety of the public near to the site.

6 Recommendation

- 6.1 Members are asked to note this report.

BACKGROUND PAPERS

The under-mentioned Background Papers held in the EPU offices relate to the subject matter of the above report:-

- Case files relating to the International Paint Off Site Emergency Plan.
- Northumbria Local Resilience Forum - Multi-Agency Post Incident De-Briefing Protocol (June 2004).
- Control of Major Accident Hazards Regulations 1999 (as Amended).