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COMAH Competent Authority

Health & Safety Executive
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<http://www.hse.gov.uk/comah/index.htm>

HM Principal Inspector of Health & Safety
[REDACTED]

Reference: 4217016

17th June 2016

For the attention of: [REDACTED] Operations and Maintenance Manager, Northern Systems and Plants

Dear [REDACTED]

HEALTH & SAFETY AT WORK ETC ACT 1974

CONTROL OF MAJOR ACCIDENT HAZARDS REGULATIONS 2015 (COMAH)

During our telephone discussion on 1st June 2016 I said that I would write to outline action required to ensure that the proposed organisational changes will not increase the risk of major accidents on NSP sites.

Background

The Competent Authority's investigation into the loss of containment incident at Braefoot Bay Loading Terminal has highlighted apparent inadequacies in the provision of suitably competent and experienced process, reliability and technical safety engineers with sufficient time available to identify and assess required improvements to controls to prevent a major accident at Braefoot Bay.

Given the recent announcement of plans to reduce numbers of personnel operating and supporting the major hazard onshore establishments at St Fergus, Mossmorran and Braefoot Bay, the Competent Authority requires assurance that Shell U.K. Limited is managing organisational changes with adequate focus on safe operations and the control of major accident hazards.

**Action 1: Management of Organisational Change
(Ref: SHELL/NSP/010616/01)**

Your safety management system should require identification and analysis of safety implications of the proposed organisational changes (see COMAH 2015 Schedule 2). As part of your demonstration under COMAH Regulation 5(2) that you have taken all necessary measures to prevent, control and mitigate major accidents at the St Fergus, Mossmorran and Braefoot Bay establishments, you should provide the Competent Authority with a detailed assessment of the proposed changes in:

- i. Roles
- ii. Resource
- iii. Function
- iv. Competence

v. Experience

For the key areas of:

- a) operational control, including performing safety critical tasks;
- b) handling and controlling plant and equipment in upset and emergency conditions;
- c) maintenance of safety critical equipment for prevention, control and mitigation of major accident hazard;
- d) investigation of underlying causes of failure of safety critical equipment;
- e) process engineering support for safe operation of major hazard establishments;
- f) process engineering support for modification and change to site operations;
- g) day to day health and safety management and support for safe site operations;
- h) day to day environmental management and support for safe site operations;
- i) process safety technical support for operations, modifications, changes, investigations, studies.

Whilst this list is not exhaustive, it highlights some of the key areas you should be focussing on. You should also refer to guidance available at

<http://www.hse.gov.uk/humanfactors/topics/orgchange.htm>

Please provide me with a copy of the above assessment by **10th August 2016**. [COMAH 2015 Regulation 5(2)]

Information to employees

As required by Section 28 of the Health and Safety at Work etc Act 1974, I am required to provide relevant information to the employees. Please pass a copy of this letter to the employees' representatives.

Yours sincerely,

[Redacted signature]

[Redacted name]

HM Inspector of Health & Safety
COMAH Intervention Manager

For and on behalf of the COMAH Competent Authority

CC by email: [Redacted], Onshore Asset Manager; [Redacted], FNGL Plant Installation Manager;
[Redacted], Acting Plant Manager; [Redacted], St Fergus Plant Installation Manager;
[Redacted], NSP HSE Adviser; [Redacted], HSE Manager; [Redacted], HSE Manager; [Redacted]
[Redacted], SEPA; [Redacted], SEPA; [Redacted], Energy Division



Environment Agency



Cyfoeth Naturiol Cymru
Natural Resources Wales



Office for Nuclear Regulation