



COMAH notification requirements for businesses supporting the coronavirus (COVID-19) response

The Control of Major Accident Regulations 2015 (COMAH) require that businesses take all measures necessary to prevent and mitigate major accidents involving dangerous substances. COMAH applies to sites that hold specified dangerous substances above certain thresholds.

Businesses normally out of scope entering COMAH through coronavirus

Businesses normally not subject to COMAH may change activities at short notice to support the coronavirus response. If this involves increasing their dangerous substance inventories or storing new substances that take them above the threshold at which COMAH applies, they will become subject to the regulations.

When this is the case, under COMAH regulation 6, the business must submit a notification, including specified information, to the COMAH Competent Authority (CA) - the regulator that enforces COMAH. This has to be done 'a reasonable time' - usually taken as 3 to 6 months - before making the change that means COMAH applies. This allows the CA to take important and necessary regulatory action and judge whether any new risks justify an intervention to ensure they are being managed properly.

If a change that means COMAH applies is made to support the coronavirus response, a notification should still be made but a shorter timescale can be agreed with the CA. Businesses should make early contact by [email](#) to start this discussion and notify as early as possible.

Notification is straightforward. It involves completing an [online notification form \(.xlsx\)](#)^[1] confirming important information, for example the types and quantities of substances held.

Other COMAH requirements will also apply, the principal one being to ensure all measures necessary are taken to prevent, control and mitigate major accidents. This means major accident hazards must be identified and the risks assessed and controlled. All businesses coming into COMAH must comply with this. More information on [COMAH](#)^[2] is available.

Renotification requirements for existing COMAH sites

If an existing COMAH establishment makes any of the changes [specified in COMAH regulation 6\(6\)_\(PDF\)](#)^[3], they must make a new notification to the CA 'a reasonable time' - usually 3 to 6 months - in advance. Again, if the changes are in support of the coronavirus response, a shorter timescale can be agreed. Where this is the case, operators should contact their COMAH Intervention Manager urgently.

COMAH notifications for nuclear licensed sites

The Office for Nuclear Regulation is developing bespoke arrangements for COMAH notification that will apply to nuclear licensed sites during the coronavirus outbreak.

Enforcement considerations

The CA's enforcement frameworks provide sufficient flexibility to ensure that decisions on legal requirements in COMAH are pragmatic and appropriate given the circumstances. The controls in place to reduce risk and mitigate incidents are the primary consideration, and the CA will exercise this flexibility, taking into account the difference between administrative breaches (such as the requirement to submit a notification) and breaches with a potential major hazard risk.

Safety reports for COMAH upper tier establishments

[Separate advice](#)^[4] has been issued covering situations where sites that may or may not already be subject to COMAH make changes associated with coronavirus that require review and/or submission of a COMAH safety report.

Hazardous substances consent

Businesses need formal consent to hold certain hazardous substances above specified quantities at their sites. In most cases these quantities are aligned to the thresholds for entering COMAH. The requirement to hold hazardous substances consent (HSC) is completely separate to COMAH. So, where applicable, dutyholders must [apply for HSC](#)^[5] in addition to submitting a COMAH notification. Please contact your hazardous substances authority (usually the local authority, although in some cases the national park authority may act in this capacity) for further information about new HSC applications or applications to vary existing HSC.

Link URLs in this page

1. online notification form (.xlsx) - Microsoft Excel spreadsheet
<https://www.hse.gov.uk/comah/notification/comah-notification-form-v2.3.xlsx>
2. COMAH
<https://www.hse.gov.uk/comah/background/comah15.htm>
3. specified in COMAH regulation 6(6) (PDF) - Portable Document Format
<https://www.hse.gov.uk/pubns/priced/l1111.pdf>
4. Separate advice
<https://www.hse.gov.uk/comah/comah-safety-reports-during-coronavirus.htm>
5. apply for HSC
<https://www.gov.uk/guidance/hazardous-substances#Applying-for-hazardous-substances-consent>

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