

ADDITIONAL GUIDANCE FROM THE DEPARTMENT FOR ENVIRONMENT, FOOD AND RURAL AFFAIRS, AND FROM THE WELSH ASSEMBLY GOVERNMENT

THE BUNCEFIELD EXPLOSION + PG1/13(04)

Introduction

1. This additional guidance note provides interim guidance following the progress report into the Buncefield explosion, and should be read by all of the estimated 40 local authorities which regulate the storage of petrol in stationary storage tanks at a terminal under the Local Air Pollution Prevention and Control regime, or its predecessor regime Part I of the Environmental Protection Act 1990 ('Part B').
2. The purpose of the note is:
 - a) to ensure that all local authority Part B regulators are aware of the investigation progress report and the distinction between COMAH and non-COMAH regulated terminals
 - b) to advise local authorities to satisfy themselves that the authorisations and permits they have issued for terminals
 - having regard to PG1/13(04), and
 - so as to implement the mandatory requirements of the Petrol Vapour Recovery Directive -
<http://www.defra.gov.uk/environment/airquality/pvr-stage2/index.htm>are being properly implemented and that the authorisations and permits are fit for purpose

Background

3. At around 06.00 on Sunday 11 December 2005, a number of explosions occurred at Buncefield Oil Storage Depot, Hemel Hempstead, Hertfordshire. At least one of the initial explosions was of massive proportions and there was a large fire, which engulfed over 20 large fuel storage tanks over a high proportion of the site.
4. The HSE and the EA as the Joint Competent Authority under COMAH are investigating the incident under the direction of a Major Incident Investigation Board (MIIB) chaired by Lord Newton. The MIIB published an initial report: "Progress Report for the Buncefield Fire" dated 20 February 2006,
<http://www.buncefieldinvestigation.gov.uk/report.pdf> .The HSE

has issued an alert which can be found at <http://www.hse.gov.uk/comah/buncefield/alert.htm> .

5. Section 1.2 of the report contains evidence for what may have caused the fire. CCTV identified a mist in Bund A (some 23 minutes before the explosion) but not as far as the tanker loading gantry. Immediately before the explosion there are eyewitness accounts of a low-level release of mist, fog or fume (and associated petrol odour) adjacent to the Bund A loading gantry on the Hertfordshire Oil Storage Ltd (HOSL) Site.
6. The investigation has confirmed that the explosion was likely to have been caused by a leak of petrol and or aviation fuel. **The report is very clear however, that the cause of the explosion is not yet known.**

LAPPC functions

7. Responsibility for the regulation of all Part B installations rests with the relevant local authority. This note should not be taken to be a comment on what is BAT for any individual site.
8. Part B regulation controls releases to air and does not regulate accident prevention. Whilst the precise causes of the incident at Buncefield have not yet been fully identified, relevant local authorities are strongly advised, if they have not already done so, to do the following in relation to the Part B aspects of any terminal they regulate:
 - a) inspect the plant and check the existence and adequacy of all relevant control measures having regard to PG1/13(04), including the following:
 - vapour recovery unit and compliance test method
 - loading unloading into stationary tanks
 - loading and unloading of mobile tankers
 - tank colour to minimise vapour losses.
 - b) check the adequacy of management controls
 - c) discuss with the operator and any other site regulators whether Leak Detection and Repair (LDAR) should be extended beyond the VRU if this is not already the case
 - d) in the case of Part B terminals which are over the 2,500 tonne capacity which triggers Control of Major Accidents Hazards (COMAH), do the above actions in liaison with HSE/Environment Agency locally
 - e) be aware that any Part B terminals below this threshold will not fall under COMAH; the above actions should nonetheless be undertaken by the local authority.
9. It is not envisaged that any of the actions will result in major works, unless there are current failures to comply with the extant authorisation

or permit or the authorisation/permit has been written or varied without full regard to PG1/13(04). Defra and WAG will consider the need to review PG1/13(04) in the light of the outcome of the Buncefield investigation, and in consultation with relevant stakeholders.

Queries

10. Any queries over this note should be raised in the first place with Defra's LAPPC team – contact details at www.defra.gov.uk/environment/ppc , who will seek advice from the Environment Agency's Local Authority Unit and liaise with the joint HSE/EA investigation as necessary.

Information

11. A copy of this note has been sent to the main relevant trade associations.

Defra/AEQ

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