

Principal statutes and statutory instruments

Chemicals (Hazard Information and Packaging for Supply) Regulations 2002 SI 2002/1689	<p>The Regulations, which are often abbreviated to CHIP, implement a number of European Directives which aim to protect of humans and the environment from the harmful effects of chemicals. This is achieved by the provision of information by suppliers to users, mainly in the form of warning labels and (for those at work) safety data sheets. CHIP is supported by a number of approved documents. These include the Approved Supply List (ASL) - a list of dangerous chemicals together with EC classifications for Categories of Danger and Risk Phrases (of the form Rn), and the Approved Classification and Labelling Guide (ACLG) - which tells suppliers how to classify chemicals not listed in the ASL. There is also an Approved Code of Practice on the Compilation of Safety Data Sheets.</p>
Control of Major Accident Hazards Regulations 1999 SI 1999/	<p>The Regulations apply to installations where specified hazardous substances are present above minimum threshold levels (specified in the Regulations). Where this is the case, the Regulations require that at least three months prior to such operations commencing, a site Safety Report must be submitted to HSE and EA. which specifies the substances used, process methods, site information, management systems, potential major accidents etc. The potential for environmental effects is an equal consideration to other more direct effects on health and safety of nearby residents. DETR have published a guidance document setting out the criteria to be used in deciding whether or not a major accident could result in significant effect upon the environment. In addition to preparing a Safety Report, operators must also put in place a Major Accident Prevention Policy (MAPP) setting out the controls that will be put in place to minimise the risk of a major incidents, and linking to an on-site emergency plan.</p> <p>COMAH sites are split into two basic groups, the first are the so-called lower tier sites which are those having lower inventories of hazardous substances. They are subject to the requirements for safety cases and on-site emergency plans. Sites having larger inventories are subject to tighter controls as so-called top-tier sites. These must also prepare a safety case and an on-site emergency plan but also require an off-site emergency plan.</p>
Notification of Sites Handling Hazardous Substances Regulations 1982 SI 1982/1357	<p>Under the Regulations, activities involving a notifiable quantity (or more) of a hazardous substance must not be carried on unless the HSE have been notified three months in advance. Where a site is already notified under the Control of Major Accident Hazards Regulations 1999, no separate notification is required. The HSE are currently reviewing the Regulations in the light of COMAH.</p>
Dangerous Substances (Notification and Marking of Sites) Regulations 1990	<p>These Regulations are designed to allow the fire and emergency services to have access to information and warnings where prescribed dangerous substances are present. Where there is a total quantity of more than 25 tonnes of any dangerous substance present on site, the operator must place appropriate warning signs at the entrances and must notify HSE and the local fire authority. A dangerous substance would be any substance classified under CHIP as having dangerous properties. There are certain exemptions from notification for sites where activities are already notified under separate regulations, including a Waste Management Licence.</p>
Planning (Hazardous Substances) Act 1990	<p>This Act requires that any installation which uses or stores more than prescribed minimum quantities of hazardous substances obtains a consent from the local Hazardous Substances Authority (normally the Local Planning Authority). The Act is supported by specific regulations, the Planning (Hazardous Substances) Regulations 1992 amended by the Planning (Control of Major Accident Hazard) Regulations 1999. The controlled substances are set out in Schedule 1 to the Regulations.</p>
Control of Pollution (Oil Storage) (England) Regulations 2001 SI 2001/2954	<p>The Regulations set standards for oil storage at commercial, industrial, institutional and larger domestic premises with the aim of prevent spillage or leakage of oil into watercourses. The regulations only apply to England, but similar regulations may be considered in Scotland, Wales and Northern Ireland. These Regulations do not apply to the storage of oil -</p> <ul style="list-style-type: none"> (a) if the oil is waste oil within the meaning of regulation 1(3) of the Waste Management Licensing Regulations 1994; (b) in any container which is situated in a building or wholly underground; or in any container with a storage capacity of 200 litres or less; (c) on any premises used: (i) wholly or mainly as a private dwelling if the storage capacity of the container in which it is stored is 3500 litres or less; (ii) for refining oil; or (iii) for the onward distribution of oil to other places; or (d) on any farm if the oil is for use in connection with agriculture within the meaning of the Agriculture Act 1947 <p>One of the main requirements of the regulations is that oil containers must be kept within a secondary containment system, such as a bund. The bund should be capable of containing a minimum of 110% of the oil tanks capacity and be impermeable to oil and water. Drums can be stored within a drip tray, if the drip tray is capable of retaining 25% of the drum capacity.</p>
Notification of New Substances Regulations 1993 SI 1993/3050	<p>The Regulations require a notification to HSE before a manufacturer or importer places on the market a substance in greater than 1 tonne quantities. The notification must contain a technical dossier giving full details of toxicological, ecotoxicological and physio-chemical testing carried out on the product/substance. This information is used to determine the appropriate hazard and dangerous property categorisation of the substance, including any labelling requirements.</p>

What substances are prescribed under the COMAH, NIHHS and PHS Regulations?

The following is a condensed summary of those substances or dangerous properties of substances prescribed under the Control of Major Accident Hazards Regulations 1999 (COMAH), the Notification of Installations Handling Hazardous Substances Regulations 1982 (NIHHS) and the Planning (Hazardous Substances) Regulations 1992 (PHS). Threshold quantities in the table are in tonnes. Where more than one substance is likely to be present, there are specific rules concerning aggregation which are set out in the relevant Schedules to the Regulations. Under COMAH, the first figure is the threshold for Second Tier sites and the figure in brackets is that for Top-Tier sites.

Substance	COMAH	NIHHS	PHS	Substance	COMAH	NIHHS	PHS
Ammonium nitrate	350 (2500) ¹	500	500	Very Toxic	5 (50)		
Ammonium nitrate	1250 (5000) ²		1000	Toxic	50 (200)		
Arsenic pentoxide, arsenic (V) acid and/or salts	1 (2)			Oxidising	50 (200)		
Arsenic trioxide, arsenious (III) acid and/or salts	0.1 (0.1)		1	Explosive (R2)	50 (200)		
Bromine	20 (100)	40	40	Explosive (R1)	10 (50)		
Chlorine	10 (25)	10	10	Flammable	5000 (50000)	Refer to Schedules for limits for flammable gases and liquids	
Nickel compounds in inhalable form	1 (1)		1 as tetracarbonyl	Highly flammable (R17)	50 (200)		
Ethyleneimine	10 (20)		50	Highly flammable (R11)	5000 (50000)		
Fluorine	10 (20)			Extremely flammable	10 (50)		
Formaldehyde (concentration =>90%)	5 (50)		50	Dangerous for the environment R50: "Very toxic to aquatic organisms"	200 (500)		
Methyl bromide			200				
Hydrogen	5 (50)	2	2	Dangerous for the environment R51 or R53 (aquatic pollutants)	500 (2000)		
Nitrogen oxides			50				
Oxygen difluoride, or Selenium hexafluoride, or Tellurium hexafluoride			1				
Hydrogen chloride (liquefied gas)	25 (250)		250	R14: "Reacts violently with water" (including R14/15) not elsewhere specified	100 (500)		
Pentaborane			1				
Lead alkyls	5 (50)		50 as Tetraethyl or Tetramethyl	R29: "in contact with water, liberates toxic gas"	50 (200)		
Liquefied extremely flammable gases (including LPG) and natural gas (whether liquefied or not)	50 (200)	25 if over 1.4 bar or 50 if under 1.4 bar pressure		Specified organic peroxides (refer to Schedule in NIHHS and PHS Regs for full list)		5	5
Acetylene	5 (50)		50	Acrylonitrile		20	20
Ethylene oxide	5 (50)	5	5	Hydrogen cyanide		20	20
Propylene oxide	5 (50)	5	5	Carbon disulphide		20	20
Methanol	500 (5000)			Sulphur dioxide		20	20
4, 4-Methylenebis (2-chloraniline) and/or salts, in powder form	0.01 (0.01)			Ammonia (anhydrous or in solution >50% by weight)		100	100
Methylisocyanate	0.15 (0.15)		0.15	Hydrogen selenide or Antimony hydride			1
Peracetic acid (>60%)			5	Hydrogen fluoride		10	10
Oxygen	200 (2000)	500	500	Sodium chlorate		25	25
Toluene diisocyanate	10 (100)			Cellulose nitrate		50	50
Carbonyl dichloride (phosgene)	0.3 (0.75)	2	0.75	Acetone Cyanohydrin (2-Cyanopropan-2-ol)			200
Arsenic trihydride (arsine)	0.2 (1.0)		1	Acrolein (2-Propenal), or Allyl alcohol (2-Propen-1-ol), or Allylamine			200
Phosphorus trihydride (phosphine)	0.2 (1.0)		1	Ethylene dibromide (1,2-Dibromoethane), or Ethylene nitrate			50
Propyleneimine			50				
Sulphur dichloride	1 (1)	1					
3,3,6,6,9,9-Hexamethyl-1,2,4,5-tetroxacyclononane (>75%)			5				
Sulphur trioxide	15 (75)	15	15	Hydrogen sulphide			50
Polychlorodibenzofurans, and polychlorodibenzodioxins, calculated in TCDD equivalent	0.001 (0.001)		0.001 as TCDD	Carcinogens (mainly those identified in COSHH)	0.001 (0.001)		

1 Ammonium nitrate (350/2500)

N Where nitrogen content as a result of the ammonium nitrate is more than 28 per cent by weight (compounds other than those referred to in Note 2) and to aqueous ammonium nitrate solutions in which the concentration of ammonium nitrate is more than 90 per cent by weight

2 Ammonium nitrate (1250/5000)

This applies to simple ammonium-nitrate based fertilisers which conform with the requirements of the Fertilisers Regulations 1991, and to composite fertilisers in which the nitrogen content as a result of the ammonium nitrate is more than 28 per cent in weight (a composite fertiliser contains ammonium nitrate with phosphate or potash, or phosphate and potash).