

# 21 Safety

## Introduction

- 21.1 The Oikos Facility is an 'upper tier establishment', regulated by the Control of Major Accident Hazards Regulations 2015 (as amended)<sup>633</sup> (the COMAH Regulations). This chapter of the PEIR provides a preliminary assessment of the OMSSD project in respect of matters relating to safety and has been prepared by Oikos Storage Ltd.
- 21.2 As an 'Upper Tier' establishment, the Oikos Facility is subject to stringent safety controls. These controls are overseen by the Health and Safety Executive (HSE) and the Environment Agency (EA) acting in their joint capacity as the 'Competent Authority'. These controls are explained in further detail within this chapter.
- 21.3 It should be noted, however, that as a result of security procedures, Oikos is not in a position to provide full details of the technical safety information that it is required by law to provide to the Competent Authority in order to demonstrate its compliance with the COMAH Regulations. The information provided in this chapter is, however, designed to enable the consultation bodies, in accordance with the requirements of regulation 12(2) of the Infrastructure Planning (EIA) Regulations 2017, to - "*develop an informed view of the likely significant effects of the development*".<sup>634</sup>
- 21.4 It should also be noted that general health and safety considerations are considered within relevant topic assessment chapters of this OMSSD PEIR, for example navigation risks in chapter 10 and road safety matters in chapter 11. These general health and safety considerations are not repeated within this Chapter.
- 21.5 Similarly, this chapter does not deal in detail with health and safety issues associated with the construction of the OMSSD project in general terms, in that it is recognised that the construction of the OMSSD project will be undertaken in accordance with all necessary and applicable health and safety legislation relevant to construction sites and, as a consequence, no significant health and safety impacts are considered likely.

## Definition of the Study Area

- 21.6 The study area for the purposes of this preliminary assessment is the Oikos Facility and those surroundings which could potentially be impacted by a safety incident at the Oikos Facility.

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<sup>633</sup> Control of Major Accident Hazard Regulations 2015 (COMAH), as amended by the Health and Safety (Amendment) (EU Exit) Regulations 2018

<sup>634</sup> Infrastructure Planning (Environmental Impact Assessment) Regulations 2017

- 21.7 In terms of current operations at the Oikos Facility, the HSE has identified – in compliance with the COMAH Regulations - a Public Information Zone (PIZ) around the facility. This zone corresponds with the boundary of the Facility’s Outer Consultation Zone – (shown on Figure 21.1). This zone has been defined by the HSE to identify the area where the HSE should be consulted in terms of certain types of land use changes. This PIZ area has, therefore, been taken to be the study area for the purposes of this preliminary assessment.

## Assessment Methodology

- 21.8 This preliminary assessment has been undertaken having regard to general Health and Safety guidance from the HSE<sup>635</sup>, criteria in the HSE’s Guidance for Environmental Assessment of COMAH Safety Reports<sup>636</sup>, the HSE publication ‘Reducing Risk, Protecting People’<sup>637</sup>, HSE Guidance on the COMAH Regulations 2015<sup>638</sup> and expert judgement. In so doing, it also draws on existing knowledge about the site and its operations which include existing (and legally required) safety and emergency plans and procedures.
- 21.9 Current guidance, as noted above, makes it clear that underlying factors which could lead to a major accident, such as mechanical, electrical, control or process failure, or human error, can all impact on both human safety and separately or in combination, the environment. As a consequence, in the context of the prevention of major accidents, Oikos is required to ensure that health and safety implications and impacts on the environment are treated equally.
- 21.10 In light of the above, the methodology utilised in this preliminary assessment, (which it is emphasised, is separate to any assessment necessary to meet the requirements of the COMAH Regulations), has followed the source-pathway-receptor model. The findings have then been used to identify any potential risks and the overall significance level of those risks in terms of effects.
- 21.11 In the context of safety issues generally, ‘mitigation measures’ will be applied in respect of the OMSSD project where appropriate and necessary. These will consist of measures which are either built into the design of the OMSSD project or will be implemented by Oikos via management practices and procedures during the day to day operation of the Oikos Facility. As these measures are, in effect, ‘in built’, they are explained within this chapter in advance of the consideration of any likely impacts and effects.

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<sup>635</sup> HSE (2013) Health & Safety Guidance (HSG 65) – Managing for Health and Safety, 2013

<sup>636</sup> HSE (2015) COMAH Safety Report Assessment Manual Section 13 Guidance for Environmental Assessment of COMAH Safety Reports, 2015

<sup>637</sup> HSE (2001) ‘Reducing Risks, Protecting People, HSE’s decision making process’ 2001

<sup>638</sup> HSE (2015) A guide to the Control of Major Accident Hazards Regulations (COMAH) Third Edition October 2015

21.12 Guidance provided by the European Commission (EC)<sup>639</sup> points out that the rationale for including the topic of major accidents and disasters in an environmental assessment exercise is to ensure that adequate focus is given to the identification and consequent prevention of events which may lead to significant risk, the objective being to ensure that adequate and satisfactory resilience is built into a given development so as to avoid such effects.

**Determining the Significance of Effects**

21.13 In this chapter, the relative significance of an overall effect takes account of the sensitivity or importance of the receptor (identified as being either high, medium, low or negligible) and the magnitude of the predicted impact (identified as being either major, moderate, minor or negligible) on that receptor. Determining the magnitude of the impact takes account of factors such as:

- the likelihood of the related risk, and, therefore, the related impact itself, occurring;
- whether the impact is temporary or permanent;
- whether the impact is direct or indirect, secondary or cumulative;
- the timescale of the impact (short, medium or long term); and
- the geographical extent of the impact (site specific, local, regional or national).

21.14 The overall significance of the effect is determined according to the matrix presented in Table 21.1.

*Table 21.1: Significance of effect matrix*

Sensitivity of the Receptor	Magnitude of Impact			
	Major	Moderate	Minor	Negligible
High	Major	Moderate	Minor	Insignificant
Medium	Moderate	Minor	Insignificant	Insignificant
Low	Minor	Insignificant	Insignificant	Insignificant
Negligible	Insignificant	Insignificant	Insignificant	Insignificant

21.15 Effects which are of ‘Moderate’ and ‘Major’ significance are considered to be significant in EIA terms.

**Consultation**

21.16 Consultation with the HSE in respect of the Hazardous Substances matters that will be taken into account as part of the DCO application has taken place over the last 12 months. A

<sup>639</sup> European Commission (2017) Environmental Impact Assessment of Projects, Guidance on the Preparation of the Environmental Impact Assessment Report.

summary of these discussions is outlined in Table 21.2. Oikos has also undertaken consultation with the HSE and the EA in their collective role as the Competent Authority under the COMAH Regulations in respect of the OMSSD project.

- 21.17 In addition, Oikos has regular discussions with all relevant emergency services – all of whom have been briefed in respect of the OMSSD project.
- 21.18 A summary of the consultation undertaken to date in relation to safety matters is provided in Table 21.2.

Table 21.2 Summary of Safety matters consultation to date

Consultee	Date	Summary of Response	How comments have been addressed in this Chapter
HSE (Land Use Planning)	22 <sup>nd</sup> May 2020	The HSE response to the initial proposal raised issues relating to the type of product to be stored in the new Compound closest to Haven Quays.	The proposal has been updated to take on board the comments made. The type of product able to be stored within this compound will be carefully controlled.
HSE / EA (COMAH Competent Authority)	November 2020	Meetings and discussions with COMAH Competent Authority to describe layout and design of the OMSSD project and for provisional advice to be provided.	The proposal has been updated to take on board the comments made and advice given.
Planning Inspectorate	May 2020	ID 4.15.1 Risks associated with flooding and security/terrorist threats are scoped into the assessment for the operational phase only however, the Inspectorate considers that the existing operation is also vulnerable to such disasters. The ES should assess vulnerability to disasters in all phases of the Proposed Development.	Comments noted and taken account of in the preliminary assessments reported in this Chapter and other PEIR Chapters.
Planning Inspectorate	May 2020	The National Risk Register of Civil Emergencies (Cabinet Office, 2017) identifies a large range of potential hazards that may affect the UK. Of these examples, the Scoping Report includes security and terrorist threats and flooding (in the operational phase only). No information has been provided to justify scoping out other potential hazards. The ES should therefore assess the effects associated with a broader range of natural hazards, diseases, major accidents, societal risks and malicious attacks, where significant effects are likely to occur.	Comments noted and taken account of in the preliminary assessments reported in this Chapter and other PEIR Chapters.
Planning Inspectorate	May 2020	ID 4.15.3 The Scoping Report references a couple sources of HSE regulatory guidance in Section 20.9, namely 'Reducing risks, protecting people – HSE's decision-making process (2001)' and 'A guide to the Control of Major Accident Hazards Regulations (COMAH)	Further details on Guidance provided within this PEIR Chapter.

Consultee	Date	Summary of Response	How comments have been addressed in this Chapter
		2015 (Guidance note L111)'. The Report also refers to "general guidance from HSE". The ES should specify precisely which guidance is being followed and further reference should be made to guidance in drafting the methodology.	
Planning Inspectorate	May 2020	ID 4.15.4 The assessment of effects from major accidents and disasters should also have regard to: <ul style="list-style-type: none"> <li>• The Civil Contingencies Act 2004;</li> <li>• The Major Accident Off-Site Emergency Plan (Management of Waste from Extractive Industries) (England and Wales) Regulations 2009.</li> </ul>	Due regard has been had to this legislation. It is not believed, however, that the extractive industries regulations are of relevance to the OMSSD project.
Planning Inspectorate	May 2020	ID 4.15.5 The Scoping Report refers to "potential safety impacts". The ES should describe the nature of impacts in more detail. The ES should specify which accidents have the potential to result in off-site emissions (e.g. flooding or fires, spills, leaks or releases off-site). This information should support the conclusions regarding magnitude of effects and assessment of significance.	Comments noted and taken account of in the preliminary assessments reported in this Chapter and other PEIR Chapters.
Planning Inspectorate	May 2020	ID 4.15.6 The detailed design of the Proposed Development is broadly unknown at the Scoping stage. This should be reviewed and decided in consultation with the relevant consultation bodies.	Design of the project has, and will continue to be, determined in consultation with appropriate bodies.
Environment Agency	May 2020	This proposal will require a review and revision to the Safety Report before the proposed changes are made at the establishment. The operator should discuss this requirement with their COMAH Intervention Manager.	Such discussions are underway.
Environment Agency	May 2020	The operator will also need to review and revise their environmental risk assessment required by COMAH. The CDOIF Guideline: Environmental Risk Tolerability for COMAH Establishments (or equivalent methodology) should be used to carry out this environmental risk assessment.  These environmental risk assessment consider the potential impact following a major accident at the establishment, rather than the impact of constructing the facility	These matters relating to the COMAH regulations which are in the process of being addressed.

Consultee	Date	Summary of Response	How comments have been addressed in this Chapter
Environment Agency	May 2020	The operator is reminded that good practice is for storage tanks to be contained in their own individual bund, see paragraph 159 of guidance document HSG 176: Storage of flammable liquids in tanks ( <a href="https://www.hse.gov.uk/pubns/books/hsg176.htm">https://www.hse.gov.uk/pubns/books/hsg176.htm</a> ) which states 'Individual bunding is preferred to common bunding, particularly for large tanks...'	Comments noted and the advice has been further discussed with the EA.
Environment Agency	May 2020	The operator must review their detailed design against the measures set out in the Containment Policy ( <a href="https://www.sepa.org.uk/media/426906/c_omahca_containment_policy.pdf">https://www.sepa.org.uk/media/426906/c_omahca_containment_policy.pdf</a> ) and relevant supporting 'good practice' guidance such as the 'Containment systems for the prevention pollution: Secondary, tertiary and other measures for industrial and commercial premises, CIRIA Report C736, 2014' ( <a href="http://www.ciria.org/Resources/Free_publications/c736.aspx">http://www.ciria.org/Resources/Free_publications/c736.aspx</a> ) and HSG176	Due regard to this policy and guidance has been had in the design of the OMSSD project.
Environment Agency	May 2020	The proposed development is within the HSE's consultation distance zones for both Oikos and the neighbouring Calor Gas COMAH establishment. The planning authority is advised to consult the HSE on the proposal directly.	Direct consultation has taken, and will continue to take, place.
Environment Agency	May 2020	The operator should also review the requirements of their Hazardous Substance Consent.	This matter is being actioned accordingly, including discussing such matters with the HSE.
Essex County Council	May 2020	Reference to Essex County Council's External Emergency Plan (paragraph 20.24) which covers any incident that has the potential to have an impact beyond the boundary of the Oikos facility is welcomed.	Noted
Health & Safety Executive	May 2020	HSE's Land Use Planning advice would be dependent on the location of areas where people may be present. When we are consulted by the Applicant with further information under Section 42 of the Planning Act 2008, we can provide full advice.	Noted – initial discussions have taken place with the HSE on these matters.
Health & Safety Executive	May 2020	The presence of hazardous substances on, over or under land at or above set threshold quantities (Controlled Quantities) will probably require Hazardous Substances Consent (HSC) under the Planning (Hazardous Substances) Act 1990 as amended.	Noted – initial discussions have taken place with the HSE on these matters.

Consultee	Date	Summary of Response	How comments have been addressed in this Chapter
		HSC would be required to store or use any of the Named Hazardous Substances or Categories of Substances at or above the controlled quantities set out in Schedule 1 of the Hazardous Substances Regulations.  Further information on HSC should be sought from the relevant Hazardous Substances Authority.	
Health & Safety Executive	May 2020	Regulation 5(4) of the Infrastructure Planning (Environmental Impact Assessment) Regulations 2017 requires the assessment of significant effects to include, where relevant, the expected significant effects arising from the proposed development's vulnerability to major accidents.	These matters are considered within this chapter of the PEIR and will be considered within the subsequent ES Chapter.

## Implications of Legislation, Policy and Guidance

### Seveso III Directive

- 21.19 European regulations in respect of the control of major accident hazards involving dangerous substances are embodied in the Seveso Directives, named after the community most affected by a major chemical manufacturing accident in Seveso, northern Italy in 1976.
- 21.20 European Directive 2012/18/EU<sup>640</sup>, commonly known as 'the Seveso III Directive', contains, amongst other things, a list of hazardous substances for which controls and procedures must be in place to ensure their safe storage and to avoid the occurrence of major accidents. It, therefore, aims to prevent the occurrence, and if unavoidable, limit the consequences of such accidents for people and the environment. It applies to establishments where specified dangerous substances, or generic categories of dangerous substances, are present at or above qualifying quantities listed in the Directive.
- 21.21 In addition to health and safety obligations, the Directive also requires Member States to ensure that the objectives of preventing major accidents and limiting the consequences of such accidents are taken into account in their land use planning policies in respect of new and modified establishments. This includes a requirement to place controls over new development in the vicinity of hazardous installations.
- 21.22 The EU Directive is retained EU law and continues to apply in the form in which it had effect immediately before 31 December 2020. It is implemented in the UK through the Control of

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<sup>640</sup> European Directive 2012/18/EU 'the Seveso III Directive'



Major Accident Hazards (COMAH) Regulations 2015 (as amended) and planning legislation as explained in the following paragraphs.

### **Control of Major Accident Hazards Regulations 2015 (COMAH) (as amended)**

- 21.23 The COMAH Regulations came into force on 1 June 2015. In line with the Seveso III Directive, the purpose of the COMAH Regulations (COMAH) is to prevent major accidents involving dangerous substances and to limit the consequences to people and the environment of any accidents that do occur.
- 21.24 Regulation 5(1) of COMAH makes it clear that, *“Every operator must take all measures necessary to prevent major accidents and to limit their consequences for human health and the environment”* and must be able to demonstrate to the Competent Authority that it has taken all necessary measures (Regulation 5(2)).
- 21.25 The regulations aim to ensure that risks are reduced to a level ‘as low as reasonably practicable’ (ALARP) and agreed with the Competent Authority. The starting point for a project such as OMSSD, as has always been the case with the Oikos facility, is the ideal position, namely the core objective and constant imperative being always to avoid a hazard altogether based on the principle of ‘inherent safety’. This principle applies to human and environmental hazards.
- 21.26 The Oikos Facility is classified as an ‘Upper Tier’ establishment under Regulation 2 of COMAH. An Upper Tier establishment means an establishment *“where a dangerous substance is present in a quantity equal to or in excess of the quantity”* listed elsewhere within the Regulations.
- 21.27 Regulation 6 of COMAH requires operators to notify the Competent Authority in respect of, amongst other things, any changes to establishments to which the regulations apply and which fall within the Competent Authority’s purview. Regulation 8 of COMAH requires every operator of an Upper Tier establishment to prepare a safety report for the purposes of –
- demonstrating that a major accident prevention policy and a safety management system for implementing it have been put into effect;
  - demonstrating that the major accident hazards and possible major accident scenarios in relation to the establishment have been identified and that the necessary measures have been taken to prevent such accidents and to limit their consequences for human health and the environment;
  - demonstrating that adequate safety and reliability have been taken into account in the design, construction, operation and maintenance of any installation, storage facility, equipment and infrastructure connected with the establishment’s operation which are linked to major accident hazards inside the establishment;
  - demonstrating that an internal emergency plan has been prepared, which includes sufficient information to enable an external emergency plan to be prepared;



- providing sufficient information to the competent authority to enable decisions to be made regarding the siting of new activities or developments around establishments.
- 21.28 Regulation 9 of COMAH sets out the requirements relating to the preparation of safety reports whilst Regulation 10 of COMAH sets out the requirements relating to the review of safety reports.
- 21.29 Regulation 22 of COMAH makes it clear that the Competent Authority must, “*within a reasonable period of time*”, following the receipt of a safety report, provide the conclusions of its examination of the safety report to the operator of the establishment. If the Competent Authority is not satisfied with the safety report/measures taken by the operator and considers them to be “*seriously deficient*”, it has the power, which it is legally required to exercise, to prohibit the facility commencing operation, or continuing operations – regulation 23 of COMAH.

### **Planning (Hazardous Substances) Act 1990**

- 21.30 The Planning (Hazardous Substances) Act 1990<sup>641</sup> (as amended) provides the regulatory framework for granting “hazardous substances consent” where such substances are held on premises, in quantities above the limit prescribed by law.
- 21.31 Consent is sought from the Hazardous Substances Authority (HSA). In considering an application for HSC, the HSA will act in consultation with the HSE. Further, the Act requires the HSA, before it can approve an application, to take into consideration the risks to people in the proximity of the facility and the environment generally.

### **The Planning (Hazardous Substances) Regulations 2015 (as amended)**

- 21.32 The Planning (Hazardous Substances) Regulations<sup>642</sup> came into force on 1 June 2015. These Regulations amend planning procedures in relation to sites where hazardous substances are held, and land near those sites and are required, in part, to implement land use planning aspects of the Seveso III Directive on the control of major-accident hazards involving dangerous substances.
- 21.33 The Regulations set out:
- The substances which are hazardous substances for the purposes of the 1990 Act, the controlled quantities of those substances, and exemptions from the need for hazardous substances consent;
  - Procedures to be followed for applications for hazardous substances consent;
  - Procedures for the enforcement of hazardous substances control;

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<sup>641</sup> Planning (Hazardous Substances) Act 1990

<sup>642</sup> The Planning (Hazardous Substances Regulations 2015 as amended by Planning (Hazardous Substances and Miscellaneous Amendments) (EU Exit) Regulations 2018

- The information to be held in a consents register, the fees required in connection with an application for hazardous substances consent, and how hazardous substances control applies to hazardous substances authorities; and
- An obligation to take certain matters in the Seveso III Directive into account in land use planning policies and other relevant policies together with public consultation and participation obligations in relation to certain plans, programmes and projects where the presence of hazardous substances is relevant.

### **Health and Safety at Work Act 1974**

21.34 This Act<sup>643</sup> is the overarching act for safety of workers and the public by employers. It contains an obligation to prevent intolerable risk and reduce residual risk 'So Far As Is Reasonably Practicable' (Part 1 of the Act). The concept of risk management in the UK and its application to major hazards, is to:

- Remove intolerable risk; and
- Reduce other effects 'So Far as Is Reasonably Practicable'.

21.35 The term 'So Far as Is Reasonably Practicable' is in practice interchangeable with 'As Low as Reasonably Practicable' (ALARP) for the purposes of this assessment.

### **Management of Health and Safety at Work Regulations 1999**

21.36 These Regulations<sup>644</sup> include a specific requirement that risks to people are suitably and sufficiently assessed. Though not explicit in the regulations, implicitly this includes any risks associated with major accidents and disasters.

### **The Civil Contingencies Act 2004**

21.37 The Civil Contingencies Act 2004<sup>645</sup> helps to deliver a single framework for civil protection in the UK. The Act is separated into two substantive parts. Part 1 focuses on local arrangements for civil protection, establishing a statutory framework of roles and responsibilities for local responders. Part 2 focuses on emergency powers, establishing a framework for the use of special legislative measures that might be necessary to deal with the effects of the most serious emergencies.

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<sup>643</sup> Health and Safety at Work Act 1974 (as amended)

<sup>644</sup> Management of Health and Safety at Work Regulations 1999

<sup>645</sup> Civil Contingencies Act 2004

## National Policy Statement for Ports (NPSfP)

- 21.38 Section 4.15 of the NPSfP<sup>646</sup> indicates that all establishments wishing to hold stocks of certain hazardous substances above a threshold quantity need hazardous substances consent. For such developments the HSE should be consulted at the pre-application stage.
- 21.39 Where hazardous substances consent is applied for, the decision maker will consider whether to make an order directing that hazardous substances consent shall be deemed to be granted, and the HSE should be consulted.

## National Planning Policy Framework

- 21.40 In respect of decisions made under the Town and Country Planning regime, local planning authorities should consult the appropriate bodies when considering applications for the siting of, or changes to, major hazard sites, installations or pipeline, or for development around them, (NPPF<sup>647</sup>, paragraph 45).
- 21.41 Major hazard sites are defined in the Glossary as "*Sites and infrastructure, including licensed explosive sites and nuclear installations, around which Health and Safety Executive (and Office for Nuclear Regulation) consultation distances to mitigate the consequences to public safety of major accidents may apply*".

## National Planning Practice Guidance (NPPG)

- 21.42 Though not of primary relevance to an NSIP development, additional guidance to support the NPPF is provided through the Government's NPPG<sup>648</sup>. NPPG makes it clear that Local Planning Authorities should support existing businesses and, where possible, identify and plan for new or emerging sectors including those that require hazardous substances consent (NPPG, Paragraph 066 Reference ID: 39-066-20140306).
- 21.43 As good practice, local planning authorities are to work proactively with businesses to consider how any conflicts between businesses requiring hazardous substances consents, and the need for development, can be overcome. NPPG, Hazardous Substances, Paragraph 67, Reference ID 39-067-20160219).

## Port Marine Safety Code

- 21.44 Although the Port Marine Safety Code (2016)<sup>649</sup> and guidance applies to statutory Harbour Authorities, it provides general guidance for those working at ports and the environment and

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<sup>646</sup> Department for Transport (2012) National Policy Statement for Ports

<sup>647</sup> Ministry of Housing, Communities & Local Government (2019) National Planning Policy Framework

<sup>648</sup> Ministry of Housing, Communities & Local Government (2019) Planning Practice Guidance. Available at: <https://www.gov.uk/government/collections/planning-practice-guidance>

<sup>649</sup> Department for Transport (2016) Port Marine Safety Code

includes the principles of risk assessment and marine safety management systems. Further information on the Port Marine Safety Code is provided in Chapter 10 of this PEIR.

### **Adopted Castle Point Local Plan (1998)**

#### ***Policy ED9 – Hazardous Installations***

- 21.45 The adopted Local Plan<sup>650</sup> identifies the Oikos Facility as one of two large installations handling hazardous substances on Canvey Island. Policy ED9 states that planning permission will be refused for the expansion or intensification of uses at the installations unless it is in the national interest. The adopted local plan proposals map identifies the site of the Oikos Facility simply by the words ‘Oil Storage’.
- 21.46 Following review of the compliance of the policy with NPPF, the Council has indicated that Policy ED9 is inconsistent with the presumption in favour of sustainable development set out in NPPF as it is negatively worded. It has indicated that regard will therefore be had to paragraphs 21, 109, 120 121 and 172 of the NPPF in determining planning applications.
- 21.47 Consultation zones drawn up by the HSE relevant at the time are included in Appendix 19 of the existing local plan.

### **Draft New Local Plan**

- 21.48 Castle Point Borough Council submitted their New Local Plan to Government in October 2020. At the time of writing the examination into the local plan is due to begin shortly.
- 21.49 Draft policy EC4 relates to the Canvey Port Facilities and outlines a series of criteria that proposals should comply with in order to be permitted. The policy also includes reference to National Significant Infrastructure Projects and states that the council will consider its response in accordance with the requirements of the policy.
- 21.50 CPBC has produced a draft Constraints Plan that includes revised consultation zones from the HSE.

## **Preliminary Description of the Existing Environment**

- 21.51 Existing operations at the Oikos Facility are controlled and regulated by the HSE and the EA (the Competent Authority) under the COMAH Regulations. As already indicated the Oikos Facility is classed as an Upper Tier establishment as defined by Regulation 2 of the COMAH Regulations.
- 21.52 The COMAH Regulations, as outlined above, require Oikos to prepare and maintain a Site Safety Report to show that they are able to prevent and limit the consequences of major accidents and hazards in respect of both safety and environmental impacts. The Competent

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<sup>650</sup> Castle Point (1998) Adopted Local Plan

Authority inspect the operational facility around 3 times per year with the Site Safety Report reviewed every five years or sooner if there is a significant change to site operations.

- 21.53 Separately, an Internal Emergency Plan, prepared by Oikos and reviewed by the Competent Authority, is in place covering an incident that remains within the boundary of the facility.
- 21.54 Added to this, an External Emergency Plan, prepared by Essex County Council, covers any incident that has the potential to have an impact beyond the boundary of the facility. Both plans are periodically tested in accordance with the COMAH Regulations, witnessed by the Competent Authority.
- 21.55 The Oikos Facility benefits from an existing Hazardous Substances Consent (HSC). This was granted by the Council on 3 July 2018 (application reference 18/0077/HAZ). This consent varied and updated conditions attached to the HSCs granted by the Council on 25 April 2012 (application reference CPT/38/11/HAZ) and amended on 5 November 2013 (application reference CPT/424/13/HAZ) to meet changing fuel specifications and the updating and renewing of infrastructure at the Oikos Facility. All applications were determined following advice from the HSE.
- 21.56 The adjacent LPG import facility operated by Calor Gas Ltd. also benefits from an existing HSC granted by the Council on 18 December 1997 (application reference CPT/1/92/HAZ/VAR/A). This HSC varied a previous HSC granted on 24 November 1992 (application reference HAZ/CPT/1/92).

### **Environmental Change without the OMSSD Project**

- 21.57 In the absence of the OMSSD project, the Oikos Facility would continue to operate in full compliance with the relevant requirements of the COMAH Regulations.
- 21.58 The current HSC would remain in place, and the applicable consultation zones defined by the HSE would continue to be taken account of as necessary by Castle Point Borough Council in respect of relevant planning decisions.

## **Inherent In-Built Mitigation**

- 21.59 This section of the chapter provides a summary of the in-built mitigation in respect of safety matters that will form an inherent part of the OMSSD project.
- 21.60 As has already been explained, the Oikos Facility already has a Safety Report (as required by regulation 8 of COMAH) which provides information for the purposes specified within that regulation, purposes which have earlier been referred to (see paragraph 21.27). The report, in summary, sets out the arrangements in place at the Oikos Facility for the control of major accidents and how it is proposed to limit the consequences to people and the environment. This Safety Report, including any necessary amendments made to it, has been subject to appropriate examination by the Competent Authority.

- 21.61 Oikos work closely with the HSE and the EA on an ongoing basis to ensure that the requirements of COMAH are met. In particular, the Regulations require operators to, *“take all measures necessary to prevent major accidents and to limit their consequences for human health and the environment”* (Regulation 5). This is interpreted as the equivalent of reducing risks to ‘as low as reasonably practicable’ (ALARP).
- 21.62 In addition, as already noted, the Competent Authority regularly visit the Facility, during which time they undertake a comprehensive inspection of the controls and safety measures in place. It should be noted that if the Competent Authority are not satisfied that the Facility is operating in accordance with the imposed stringent regulatory requirements, the Authority has wide powers to control site operations and indeed, could require operations to cease until any required steps/measures have been put in place taken to ensure regulatory compliance.
- 21.63 If the DCO application for the OMSSD project is approved and implemented, Oikos will be under a legal obligation to review the existing Site Safety Report and associated Emergency Plans that cover the Oikos Facility to take into account the proposals and their operation and thereby ensure that potential risks and hazards are managed in line with the existing operations. At the same time, the External Emergency Plan put in place, as noted above, by Essex County Council, which looks to the protection of the wider area beyond the boundary of the Oikos Facility, will also be reviewed and updated.
- 21.64 Oikos are liaising, and will continue to liaise, with the COMAH Competent Authority as the OMSSD project moves forward. In this context, Oikos will need to demonstrate that the design of the OMSSD project meets all engineering and safety standards and guidance where applicable. Discussions and consultation with the Competent Authority has already taken place on the proposal being taken forward and Oikos are confident the necessary requirements can and will be demonstrated, although ultimately, this exercise has to be completed and assessed by the Competent Authority prior to construction of the project being able to commence.
- 21.65 Oikos will carry out a full consequence analysis under Regulation 10 of COMAH and produce an addendum to the existing site Safety Report which documents all the potential safety and environmental Major Accident Hazards (MAHs), the design standards applied, the potential risk of such a hazard becoming an incident, the potential consequence of such an incident, the mitigation measures in place to prevent such an incident and finally a demonstration that such a risk has been reduced to an acceptable level. This Safety Report Addendum will be provided to the Competent Authority in time to allow them to undertake a full assessment prior to the start of commissioning of the OMSSD project. As already highlighted the Competent Authority, if they have concerns as a result of its examination of the Safety Report Addendum, have the legal authority to delay the commissioning of the project until they are completely satisfied.
- 21.66 Within the Oikos Facility, the risk of a major accident hazard is controlled primarily by the overriding principle of “Inherent Safety” which relates to equipment and control systems being in place and maintained that are properly designed to prevent a major accident. This is supported by additional measures e.g., containment systems, detection systems and

firefighting systems in case of an accident, good site management and appropriate processes and procedures. Together these measures enable Oikos to ensure that any risk at the Oikos Facility is controlled and maintained at a level that is deemed by the EA and HSE (as the 'Competent Authority') to be 'as low as reasonably practicable' (ALARP).

- 21.67 Exactly the same approach will be taken in respect of the OMSSD project and, fundamentally, the project will not be able to be commissioned unless the Competent Authority consider that the risk at the Oikos Facility with the OMSSD project in place remains 'as low as reasonably practicable'.

## Preliminary Consideration of Likely Impacts and Effects

- 21.68 The following section provides details of the likely impacts and effects for each potential risk / impact area that has been identified.

### Site Preparation

- 21.69 The activities undertaken during the site preparation stage will remain separate and distinct from the remainder of the operational facility.

***Risk of product remaining in any of the tanks and pipes still to be demolished and / or removed leading to a potential safety impact in terms of the Oikos Facility and its surroundings.***

- 21.70 A number of the remaining tanks that are to still to be demolished contain small amounts of hazardous product. The pipework leading to and from the tanks is, however, empty. Prior to demolition commencing, the position will be verified, and any necessary capture and disposal measures put in place.
- 21.71 Conventional methods for tank demolition will be used to affect a controlled collapse of each tank before cutting the tank into sections for transport off site. This process will be undertaken by contractors experienced in such activities.
- 21.72 Although the potential receptor for any impact associated with this risk – namely the site and its surroundings – is considered to be of high sensitivity, it is considered that the magnitude of the potential impact, once the above factors have been taken into account, is negligible. On this basis, the assessment concludes the residual effect associated with this risk is insignificant. The risk to existing operational infrastructure and its surroundings will still exist, albeit reduced to as low as reasonably practicable.



## Construction

### ***Risk associated with construction activity occurring at an operational site leading to a potential safety impact in terms of the Oikos Facility and its surroundings.***

- 21.73 During the construction of the OMSSD project, other elements of the Oikos Facility will continue to operate in terms of the receipt, storage and onward distribution of products. There is, therefore, a safety risk associated with construction work being undertaken in close proximity to operational infrastructure. Any potential impact arising out of this risk could have an effect on the site and its surroundings.
- 21.74 The Oikos Facility, however, operates in compliance with relevant aspects of the COMAH regulations and guidance relevant to fuel storage sites. Proactive risk assessment is a critical part of the operation of the facility, such procedures as “Permit to Work” systems and “Management of Change” are used to control work within a “live” operational facility. These systems, reviewed by the Competent Authority, will be in place and in use throughout the construction of the OMSSD proposals and will underpin the measures taken to ensure that construction work has no significant impact on the facility or the wider area.
- 21.75 By way of example, existing and ‘live’ infrastructure such as electric cables and pipelines that are located in the construction areas will be clearly marked and safety procedures for working in close proximity to any “live” equipment will be strictly enforced. In addition, construction vehicle movements through the operational parts of the Oikos Facility will be carefully managed and controlled. The on-site speed limit will be adhered to (10mph) with vehicles escorted through the site as necessary.
- 21.76 Furthermore, as has already been highlighted, the specialist nature of the work involved will mean that the construction of the proposals will be undertaken by a workforce appropriately skilled and experienced in the type of work envisaged. Construction activities will need to comply with the requirements of the Construction (Design and Management) Regulations 2015 (CDM 2015). Oikos will also, where appropriate, be able to draw upon its experience of previously undertaking development projects at the site to limit risks during the construction process.
- 21.77 Although the potential receptor for any impact associated with this risk – again the site and its surroundings – is considered to be of high sensitivity, it is considered that the magnitude of the potential impact, once the above factors have been taken into account, is minor. The residual effect of this potential risk is, therefore, considered to be minor adverse. The risk to existing operational infrastructure and its surroundings will still exist, albeit reduced to as low as reasonably practicable.

### ***Risk to construction workers during the construction process leading to a potential safety impact in terms of the Oikos Facility and its surroundings.***

- 21.78 As explained at the outset, this chapter does not deal in detail with health and safety issues associated with the construction of the OMSSD proposals that could be said to be common with construction activity or building sites generally. The construction of the OMSSD proposals will be undertaken in accordance with all necessary health and safety legislation

relevant to construction sites as appropriate. By adhering to such legislation as necessary, no significant health and safety impacts are considered likely.

- 21.79 Oikos will engage specialist contractors and appropriately trained staff for the construction of the OMSSD proposals. All contractors will undergo a site induction to ensure they understand the site safety and environmental rules, personal protective equipment standards (PPE) and emergency procedures. Emergency drills will be carried out at intervals throughout the construction process to ensure standards and procedures are maintained.
- 21.80 Whilst individual construction companies will likely have their own safety and environmental procedures and standards, these will be reviewed by Oikos to ensure they are suitable for the work intended and are compatible with Oikos' own safety and environmental procedures – which will take precedent. Contractors will also be required to comply with any relevant detailed measures included within the Construction and Environmental Management Plan (CEMP) to ensure safety measures are in place, work is inspected to ensure consistency with the high standards required on the Oikos Facility, and to ensure risks are minimised. Regular audits will be carried out throughout the construction period to ensure the safety standards are being adhered to.
- 21.81 Access to the construction site for the proposals will be via the main entrance to the Oikos Facility which provides access from Haven Road. The main entrance gate benefits from a fully manned 24 hour security cabin, which will control and log the movements of all personnel and vehicles into and out of the site.
- 21.82 Once on site, traffic associated with the movement of construction materials and waste materials will use defined designated routes. The majority of movements will likely be along the central access road. As already explained, construction vehicle movements through the operational parts of the Oikos Facility will be carefully managed and controlled.
- 21.83 Although the potential receptors for any impact associated with this risk – construction workers – are considered to be of high sensitivity, it is considered that the magnitude of the potential impact, once the above factors have been taken into account, is minor. The residual effect of this potential risk is, therefore, considered to be of minor significance. The risk to construction workers and existing operational infrastructure and its surroundings will still exist, albeit reduced to as low as reasonably practicable.

***Risk of construction work being undertaken in close proximity to a gas pipeline leading to a potential safety impact in terms of the Oikos Facility and its surroundings.***

- 21.84 In addition to the general construction safety measures outlined above, special measures will be put in place for construction activities located close to an existing “live” gas pipeline which enters the Oikos Facility above ground from the Calor Facility to the east and then runs underground along the southern boundary of the Facility.
- 21.85 The construction of the new compound 8 requires the relocation of the over ground section of the gas pipeline further to the south. Discussions with Cadent Gas are ongoing in respect of this matter.

- 21.86 All construction in the area affected will be undertaken in accordance with the specific requirements of Cadent Gas' own safety procedures in respect of working close to its gas pipelines. Oikos are necessarily well aware of these requirements, because of the need to undertake day-to-day maintenance and renewal activity within the Oikos Facility.
- 21.87 Although the potential receptor for any impact associated with this risk – again the site and its surroundings – is considered to be of high sensitivity, it is considered that the magnitude of the potential impact, once the above factors have been taken into account, is negligible. The residual effect of this potential risk is, therefore, considered to be insignificant. The risk to existing operational infrastructure and its surroundings will still exist, albeit reduced to as low as reasonably practicable.

***Risk of construction work being undertaken in close proximity to unexploded ordnance leading to a potential safety impact in terms of the Oikos Facility and its surroundings.***

- 21.88 As with many large scale construction projects, there exists the potential for encountering unexploded ordnance (UXO) during the construction of the marine elements of the OMSSD proposals.
- 21.89 Through previous development at the facility, Oikos undertook an unexploded ordnance survey and analysis of the majority of the area within which the marine elements of the OMSSD proposals are proposed. This survey, amongst other things, identified a list of ten potential UXO in and around the site of the proposed marine element of the OMSSD proposal. In addition, the work undertaken identified a series of 'Potential UXO Exclusion Zones' for different types of activity.
- 21.90 It would be Oikos' intention for that work to be revisited prior to any capital dredge activity taking place. If a potential UXO or any exclusion zone is ultimately found to interfere with a specific work area, then a diver inspection would be undertaken of the anomaly to confirm whether the potential UXO is indeed a UXO. If it is, then appropriate measures would be taken to remove the risk through a UXO disposal plan. Other management measures – such as ensuring relevant information on potential UXO is readily available and understood – will also be put in place as necessary.
- 21.91 Although the potential receptor for any impact associated with this risk – again the site and its surroundings – is considered to be of high sensitivity, it is considered that the magnitude of the potential impact, once the above factors have been taken into account, is negligible. The residual effect of this potential risk is, therefore, considered to be insignificant. The risk will still exist, albeit reduced to as low as reasonably practicable.

***Risk of construction work taking place in close proximity to a public right of way leading to a potential safety impact in terms of the Oikos Facility and its surroundings.***

- 21.92 An existing public footpath (Reference CANV\_8), which forms part of a circular route that runs around Canvey Island, is located immediately to the south of the Oikos facility. The OMSSD proposals will involve works taking place within the area of this footpath – namely the construction of the pipelines that will run along Jetty 1 and 2 and into the Oikos Facility.

- 21.93 When works take place over the public footpath, Oikos will seek, as necessary, the appropriate approvals and authorities to close the relevant section of public footpath temporarily whilst the works take place, or put in place necessary protection to allow the footpath to remain in use. Construction activity directly within the area of the footpath and in close proximity to the footpath will be undertaken in accordance with relevant health and safety legislation and guidance.
- 21.94 Although the potential receptors for any impact associated with this risk – the users of the footpath – are considered to be of high sensitivity, it is considered that the magnitude of the potential impact, once the above factors have been taken into account, is negligible. The residual effect of this potential risk is, therefore, considered to be insignificant. The risk will still exist, albeit reduced to as low as reasonably practicable.

***Risk of construction activity being affected by malicious attacks, flooding and natural disasters, disease and societal risks***

- 21.95 Matters relating to flood risk – considered to be the only possible form of natural disaster – during the construction period are considered within Chapter 16 of this PEIR.
- 21.96 Within paragraphs 21.112 to 21.115 that follow an assessment is provided of the risk associated with a security or malicious attack during the operational stage of the project. That assessment provides an explanation of the high security measures in place at the Oikos Facility to mitigate such a risk. These measures will also be in place during the construction phase to ensure that the risk of such attacks to construction activity will be no more than of minor significance, albeit reduced to the ALARP (as low as reasonably possible) test.
- 21.97 It is not considered that there will be any significant effects on construction activity as a result of disease. The Covid-19 pandemic has demonstrated how society - including those involved in the construction sector – deal with the implications of an outbreak of disease.

**Operational Phase**

- 21.98 The main impacts and risks identified in respect of the operational phase of the OMSSD proposals and measures proposed to prevent, reduce and offset any adverse effects are discussed in the following section.

***Risk associated with a failure of on-site infrastructure leading to a potential safety impact in terms of the Oikos Facility and its surroundings.***

- 21.99 A fuel import and storage facility has operated safely from the Oikos site for over 80 years. As has already been explained, the Oikos Facility benefits from an existing HSC that allows for the storage of hazardous substances and operates in accordance with the necessary requirements of the COMAH Regulations.
- 21.100 As has already been explained, the primary means by which the risk of a major accident hazard is controlled at the Oikos Facility is through 'Inherent Safety' measures which relate to having appropriately designed and maintained infrastructure to prevent a major incident.

These inherent safety measures are supported by additional measures such as appropriate containment systems, detection systems and firefighting systems in case of an accident. This same approach to controlling risk will cover the OMSSD proposals once they are constructed.

- 21.101 The construction of the new storage tanks will incorporate where necessary the most advanced safety and environmental features currently available, such as robust overflow prevention systems, fire safe shut-off valves and upgraded firefighting systems.
- 21.102 The containment measures for each compound consist of a single reinforced concrete bund designed to meet current regulations to contain any liquid in the event of spillage or leakage. An impervious bentonite / clay base will be constructed across the whole of the compounds within the perimeter of the new bund walls and the new tanks will sit on top of this layer.
- 21.103 Compound wide drainage systems with sump chambers to hold any water before discharge into the wider drainage system will ensure that risks of contaminants entering the surrounding ground are reduced to a minimum.
- 21.104 The proposed works will be of benefit, in environmental and safety terms, to the operation of the Oikos Facility and will provide the local population with the knowledge that the site is in full compliance of all the required regulatory standards.
- 21.105 As already explained, however, the amendment to the Oikos Facility Safety Report required as a result of the OMSSD project, which will need to be examined by the Competent Authority, will need to demonstrate that adequate safety and reliability has been taken account of in the design, construction, operation and maintenance of the equipment and infrastructure to be provided. Following its examination of the safety report the Competent Authority has the ability to delay the commissioning of the project if considered necessary. The need to satisfy the requirements of the COMAH Regulations in this regard has been, and continues to be, a key aspect of the ongoing evolution of the design of the OMSSD project.
- 21.106 Whilst there is, therefore, a risk of a safety impact occurring at the site as a result of a failure of on-site infrastructure once the OMSSD proposals are operational, it is considered that the residual effect associated with this risk is one of only minor significance. This is because although the sensitivity of the receptor – the site and its surroundings – is high, it is considered that the magnitude of the potential impact, once the above factors have been taken into account, is minor. The design of the OMSSD proposals will include all measures necessary to prevent major accidents and to limit their consequences for human health and the environment. On this basis, the risk associated with the failure of on-site infrastructure will be reduced to as low as reasonably practicable.

***Risk associated with a failure of an on-site process or procedure leading to a potential safety impact in terms of the Oikos Facility and its surroundings.***

- 21.107 As an Upper Tier COMAH establishment, the Oikos Facility is required to have a suite of policies and procedures in place to control and manage the operation of the site.

- 21.108 The two main procedures in place at the Facility are:
- (i) the Control of Work procedure, which ensures that day-to-day mechanical, maintenance and engineering work at the facility is carefully controlled and undertaken, and
  - (ii) the Management of Change procedure, which ensures that any change affecting the facility – whether that be physical change or organisational change – is fully reviewed to ensure that the change does not introduce a new hazard or remove an existing safeguard or control measure.
- 21.109 The Oikos Facility is subject to regular visits and inspections by the Competent Authority. As part of these inspections the Competent Authority check to ensure that:
- (i) relevant policies and procedures are in place and that they are adequate for the purposes required;
  - (ii) people carrying out the procedures are competent, which includes ensuring that they are appropriately trained, and
  - (iii) the procedures are then actually carried out and adhered to.
- 21.110 In addition, Oikos themselves carry out their own regular checks and audits to ensure adherence with the necessary processes and procedures. The Oikos audits can themselves be checked by the Competent Authority during their inspections. The OMSSD proposals will be subject to the same site management processes and procedures as the rest of the Oikos Facility.
- 21.111 Whilst, therefore, there is a risk of a safety impact occurring at the site as a result of a failure of an on-site process or procedure once the OMSSD proposals are operational, it is considered that the residual effect associated with this risk is one of only minor significance. This is because although the sensitivity of the receptor – the site and its surroundings – is high, it is considered that the magnitude of the potential impact, once the above factors have been taken into account, is minor. On this basis, the risk associated with the failure of an on-site process or procedure will be reduced to as low as reasonably practicable.
- Risk associated with a terrorist threat or malicious attack leading to a potential safety impact in terms of the Oikos Facility and its surroundings.***
- 21.112 The OMSSD project will be located within the wider high security Oikos Facility or on infrastructure accessed solely from the Oikos Facility site. Access to the Oikos Facility is rigorously controlled via a security controlled entrance located off Haven Road. This entrance is manned 24 hours a day 7 days a week. The facility is subject to 24 hour CCTV surveillance, security patrols and access control and alarm systems. The relevant security measures in place are commensurate with the Oikos Facility being a critical piece of infrastructure for the supply of fuel products into the UK.
- 21.113 The Oikos Facility has to comply with the requirements of relevant security related legislation, including the International Ship and Port Facility Security Code and the Aviation



and Maritime Security Act 1990. The facility, once amended by the OMSSD proposals, will still be required to comply with such relevant security legislation.

- 21.114 The Oikos Internal Emergency Response Plan – which forms part of its Safety Report - is regularly tested and consultation takes place with the local emergency services and regulators in line with current COMAH and other procedures for such establishments, as necessary. The OMSSD proposals will, when operational, fall within the scope of the plan as necessary. It is, therefore, considered that the risks associated with a security or terrorist threat are not significantly increased as a result of the OMSSD proposals.
- 21.115 With the continued implementation of these high security measures, the magnitude of the impact associated with this risk is considered to be minor. Therefore, even though the receptor – the site and its surroundings – is considered to be of high sensitivity, the residual effect overall is considered to be of minor significance, albeit reduced to as low as reasonably practicable.

***Risk associated with flooding of the site leading to a potential safety impact in terms of the Oikos Facility and its surroundings.***

- 21.116 The area of the OMSSD proposals along with the whole of the Oikos Facility (and a large proportion of Canvey Island) are located within an area identified by the EA as flood zone 3. The Oikos site and the site of the proposed OMSSD proposals is protected from flooding by the existing flood defences located to the south and the EA has confirmed that the site is defended up to the 1 in 1000 year standard by the existing River Thames defences.
- 21.117 A preliminary assessment of flood risk of the OMSSD proposals – considered to be the only possible natural disaster - is provided in Chapter 16 of this PEIR. This concludes that the vulnerability of the site to flood risk would not be increased as a result of the proposals. The proposals will also not increase flood risk elsewhere.
- 21.118 In 2015, the EA issued site specific guidance to COMAH sites in respect of flooding risk in 'A guide for sites regulated under EPR and COMAH'<sup>651</sup> (June 2015), which provides advice on flood warnings, flood resilience and preparation of a flood plan. Oikos has in place a site specific flood plan which forms part of the Internal Emergency Response Plan for the Oikos Facility.
- 21.119 As part of its flood plan, Oikos are signed up to receive advance adverse weather and possible tidal surge warnings (Flood Warning Direct) from the PLA and EA, which allows Oikos time to implement the flood plan if necessary. This could ultimately involve shutting down the site, isolating equipment and evacuating personnel. Procedures are also in place to ensure that post flooding, the correct checks are made to remove all floodwater and begin operations after the integrity of plant and equipment has been verified.
- 21.120 The new infrastructure that forms part of the OMSSD proposals is designed so that in the event of a flood it will remain operational in terms of there being no loss of containment from

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<sup>651</sup> Environment Agency (2015), 'A guide for sites regulated under EPR and COMAH', June 2015



the storage tanks. Other associated infrastructure, such as the pipework is also being designed to remain in place and fixed in the event of flooding. Although some electrical equipment could temporarily be disrupted, the systems (as with the site's current systems) are being designed so that such an occurrence would not affect the site's primary operational function, namely the safe storage of product.

- 21.121 It is concluded that, in accordance with current Oikos Facility wide practice and procedures, flood risk associated with the OMSSD proposals will be appropriately managed to ensure safety. The residual effect of this potential risk is therefore considered to be of minor significance, albeit reduced to as low as reasonably practicable.

### **Human health and Climate Change**

- 21.122 Matters relating to human health and climate change have been taken account of as necessary within the preceding preliminary assessment.

## **Mitigation Measures**

- 21.123 As explained previously the 'Inherent Safety' measures that are designed into the OMSSD project, plus the safety procedures and on-site process that the facility must comply with provide the mitigation for the risks that have been identified.

## **Limitations**

- 21.124 No limitations or difficulties were experienced in undertaking this assessment.

## **Preliminary Conclusion of Residual Effects**

- 21.125 The Oikos Facility is an established site, which in recent years has seen major improvements and upgrades to its infrastructure. The OMSSD project represents a continuation of this program and Oikos' commitment to ensuring that the site operates in accordance with all relevant safety, environmental and security controls concerning the storage of hazardous substances.
- 21.126 As described above, the proposals will include the installation of advanced safety and environmental features, which will all assist in ensuring that risks are reduced as required.
- 21.127 In addition, it will be necessary for the requirements of the COMAH Regulations to be fully satisfied in respect of the OMSSD project. This separate process – which ultimately can delay or even prevent the commissioning of the project if the Competent Authority consider it to be necessary – is a significant means by which any risks associated with the OMSSD project are assessed, controlled and regulated, and as a consequence, reduced to ALARP (as low as reasonably practicable) standard. No significant residual effects are predicted.

- 21.128 The Preliminary Environmental Information reported in chapters 7 to 20 of this document explain the measures proposed to deal with any likely significant environmental effects during construction and operation of the OMSSD proposals. The PEIR also highlights the benefits of the proposals to the national economy in terms of security of energy supplies and to the local community in terms of advanced safety and environmental features inherent in the design of the OMSSD proposals.
- 21.129 The benefits that arise from the operation of a technologically advanced site will provide the regulators, statutory authorities and members of the public with extra reassurance that the correct controls are being exercised over the use and storage of hazardous substances on this site. Oikos will ensure – and indeed is so required by law - that all measures necessary will be employed to provide the highest standards of safety, environmental and security to the local population and the environment.