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E NO:- Sandwell Metropolitan Borough Council
Planning & Development Services
PO Box 42
Development House
Lombard Street
West Bromwich
B70 0AH



Health & Safety Executive
Hazardous Installations Directorate

Mr Ron De Cort – Head of Unit

HS 1032
0554

Our Ref: CI2C/2004/HSC/11068

Your Ref: AJR/DC/HS21

Date: 4th June 2004

FAO: Tony Rice

Dear Sirs,

Planning (Hazardous Substances) Regulations 1992.

Application for Hazardous Substances Consent.

Rhodia Consumer Specialities Ltd., PO Box 80, Trinity Street, Oldbury, West Midlands, B69 4LN.

I refer to your letter dated 19th February 2004 and our interim reply dated 24th February 2004 concerning the above matter.

I have now received the advice of our Methodology and Standards Development Unit and this is confirmed in the following annex.

1. The Methodology and Standards Development Unit (MSDU) of the Health and Safety Executive has assessed the risks to the surrounding areas from the likely activities resulting from the granting of the proposed Hazardous Substances Consent.
2. Only the risks from hazardous substances for which Consent is being sought have been assessed. Risks that may arise from the presence of other substances have not been taken into account in this assessment.
3. On this basis, MSDU have concluded that the risks to the surrounding population arising from the proposed operations are so small that there are no significant reasons, on safety grounds, for refusing Hazardous Substances Consent. (but see Paragraph 4 below).
4. It is noted that the applicant has stated that the hazardous substances that are the subject of the application may be stored anywhere on Rhodia's Oldbury site. HSE's advice is made on the basis that storage of the named hazardous substances is restricted to a single designated location known as the Poly

Phosphoric Acid Building. HSE would therefore expect to see the following limit stipulated as a condition of consent:

"Storage of all hazardous substances named in this consent shall be restricted to the Poly Phosphoric Acid Building".

5. The conclusion of MSDU risk assessment is that, provided the recommended condition is in place, storage of the named hazardous substances does not increase the establishment's present off site risk levels. It is therefore not necessary to re-define the Rhodia's Oldbury site's existing Consultation Distance or the land use planning zones.

6. Following Department of the Environment Transport and The Regions advice that particulars in the application on Form 1 do not automatically become conditions of consent, it would be beneficial to include a condition such as:

" The Hazardous substance shall not be kept or used other than in accordance with the application particulars provided in Form 1, nor outside the area given in the condition specified in Paragraph 4 above".

If you require further explanation of the advice HSE has given regarding this particular planning consultation would you please let me know.

If you have any specific queries of a procedural nature in relation to this consultation or wish to discuss any other matter relating to land-use-planning advice given by the Health and Safety Executive please do not hesitate to contact this office.

Yours faithfully



Chris Eaton

HM Principal Inspector of Health and Safety.

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