

JVH / CH

5th January 2001

Mr. N. Briscoe,
Health & Safety Executive,
Safety Policy Directorate,
Daniel House,
Trinity Road,
Bootle,
Merseyside.
L20 7HE

Dear Neville,

RE PIPELINES EMERGENCY PLANNING FORUM

Thank you for your letter dated 11th July 2000, with which you enclosed the following two papers:

1. Some Key Questions for Operators and Local Authorities.
2. PEPF – Strategic Aspects.

You requested views from UKOPA, I apologise for the delay in responding.

The papers have been considered by the UKOPA Emergency Planning Work Group (EP WG). This Work Group has drafted responses to both papers on behalf of UKOPA, given in Attachments 1 and 2 respectively.

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As you are aware, UKOPA and Transco have written to all Local Authorities in England, Scotland and Wales requesting their views on the use of desk top testing, and requesting their support for a national schedule of tests based on a Transco LDZ boundary or an alternative boundary. The EP WG have reviewed the responses received. The note summarising the results of this review, together with copies of all correspondence, are also included for your consideration. The EP WG would be pleased to discuss these matters further with you, and you are invited to the next meeting of the EP WG, scheduled for 13th March at the Shell Tebay base, if this would be of use.

Based on the review of LA responses, the UKOPA EP WG requests that a meeting of the PEPF be called to progress the issues raised.

I look forward to hearing from you.

With best wishes for 2001.

Yours sincerely,

DR. J. V. HASWELL
CHAIRMAN, UKOPA EP WG

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**UKOPA Response to HSE Questionnaire –
Some Key Questions for Operators and Local Authorities**

Questions to Operators

- Q1. To what extent have LA costs for preparing pipeline emergency plans, in the case of a single operator, varied along its route? Are operators able to give examples of charges made by the different LA's?

Submit Transco costs supplemented by the costs provided by other UKOPA Members.

- Q2. In what ways have LA's sought to justify cost variation? To what extent have operators been satisfied with the justification presented, including the consistency?

In UKOPA's view, LA's have not justified any variations in cost. Transco is progressing challenges in a number of cases.

- Q3. To what extent are operators already involved in any of the decision making relating to emergency planning? How has this varied from LA to LA? How "successful" have operators been in influencing change?

In terms of emergency plans, operators have had very little input or influence in modifying or challenging proposals prepared by LA's.

- Q4. Are charging arrangements clear and consistent? To what extent do LA's document this?

No – documentation is variable.

- Q5. What are "typical" LA numbers operators have to deal with along the length of a pipeline?

Number of LA's/length of pipeline:-

Transco LDZ Maximum = 28

Transco LDZ Minimum = 3

Trans-Pennine ethylene pipeline = 8 LA's over 240 kms

Wilton - Grangemouth ethylene pipeline = 6 LA's over 250 kms

Mosmoron – Grangemouth = 3 LA's over 40 kms

Teesside – Saltend = 4 La's over 150 kms

Stanlow – Grangemouth = 10 LA's over 412 kms

- Q6. Have operators gained any feel from LA's of what they each propose under testing? Do operators have any feel for the extent to which live testing might be sought?

Refer to responses received from LA's. Majority made no specific proposals.

- Q7. Have LA's provided operators with projections on likely costs for tests? Examples would be helpful here.

No - dependent on approach which requires clarification.

- Q8. What has been the cost charged to pipeline operators for preparing the pipeline emergency plans? Does UKOPA have details of total figures?

UKOPA does not have sufficient information to provide a total cost estimate at this time.

- Q9. To what extent have operators been charged for changes and revisions to pipeline emergency plans?

The process of revision of emergency plans is just commencing. Little information is available at this time.

- Q10. What lessons have operators learned from their dealings with local authorities when plans were being prepared – was it a co-operative experience – did operators feel that they had any influence or a meaningful part to play in the discussions – or was it fait accompli? In the light of experience, how has this changed?

Main lesson learnt is the significant variation to both approach and cost leading to difficulties between LA's and pipeline operators. UKOPA feels this is due to the lack of common model.

- Q11. To what extent have emergency procedures been tested since the regulations came into force? In what ways have LA's and ES's been involved?

Regularly – majority of cases are without the involvement of LA's. The exception is Scotland where, generally, testing is co-ordinated with the emergency plan testing.

Additional Observations and Comments

Additional observations and comments relating to the questions posed in the questionnaire to LA's were also drafted:

- Q1. Which LA's etc. have pipeline emergency plans? What proportion are generic pipeline emergency plans?

All LA's have not yet published emergency plans, however the majority are pipeline specific.

- Q2. What has been the total charge presented to the industry for the preparation of pipeline emergency plans? Has the LGA been able to draw total costs together?

With the exception of Scotland, there is little evidence of co-operation between LA's. There is no evidence of strategies for generic testing other than proposals by UKOPA.

- Q4. What has been the extent of "adjacent" LA's working together – are arrangements formal (eg Memorandum of Understanding, protocols etc) or ad-hoc? Are there any notable examples?

Pipeline operators are not aware of the activation of any emergency plan for MAHPs since the enactment of PSR 96.

**UKOPA Response to HSE Paper
PEPF – Strategic Aspects**

- Q10. Initial draft PSR proposed test requirements for emergency procedures and emergency plans – test requirement for emergency plans withdrawn by HSC in 95/96 – Commission recognized that more work needed to be undertaken to develop an appropriate test regime – they were anxious not to delay PSR implementation (PSR timetable linked with that for new gas legislation) – they saw the actual requirement to test provision under COMAH and PSR as effectively being the same –with more time being available under COMAH, rather than the argument being visited twice, that the requirement would be developed under COMAH and “translated” to PSR.

The testing regime proposed for pipelines does not reflect the difference between pipelines as distributed assets and fixed installations as noted in SEVESO II. The UK regime is driving equivalents between fixed installations (COMAH) and pipelines (PSR).

- Q11. PSR had to come into force in April 1996 to coincide with opening up the gas market to competition – delays would have produced a lacuna in health and safety legislation.

PSR in fact include absolute duties (e.g. Regulations 8, 11, 13). UKOPA has already requested modification of the wording to remove absolute duties. A response from HSE on these issues is outstanding.

Taking the above into account, the UKOPA EP WG supports the comments made in this paper.