

Our ref - mib: mb233/work/UKOPA/N Briscoe 040901

4th September 2001

Mr Neville Briscoe
Health & Safety Executive
Magdalen House
Stanley Precinct
Bootle
Merseyside
L20 3QZ

Dear Neville,

Amendments to PSR 1996

Some time ago you drew UKOPA's attention to the paper you submitted to ACDS (February 2001) which offered options on how the proposed amendments should be progressed. The paper recommended 'Option 1' which was to continue with the domestic programme to progress the proposed amendments.

The UKOPA Emergency Planning Work Group (EPWG) has considered the recommendations for progressing this option in detail and I have been actioned on behalf of the EPWG to request from you clarifications and further information as follows:-

- i) Para 18 of the Draft Proposal to amend PSR 1996 states that HSE is confident that despite reservations made by UKOPA that the guidance and definitions are not adequate, there is sufficient agreement and understanding between all stakeholders to bring about a satisfactory solution.

The EPWG seeks clarification on how development of the solution will be organised.

- ii) Para 18 also states that work on the ACOP, suggested by UKOPA, could progress with the development of the Regulations.

The EPWG requests details of how this is being actioned, who is responsible and what the timescale is for delivery. The EPWG wishes to inform HSE of UKOPA's commitment to progress this initiative.

- iii) Para 20 states that the development of the amended regulations and guidance will progress on a revised timescale.

The EPWG requests details of the revised timescale, and the opportunity to review wording of the amendments.

- iv) Para 20 states that a Regulatory Impact Assessment (RIA) would be prepared to place a cost on the proposals following the development of the amendments and the ACOP.

The EPWG requests details of how the RIA will be carried out, by whom, and what information is needed. In addition, the EPWG wishes to inform HSE that as previously requested, UKOPA has produced cost estimates for the testing of pipeline emergency plans. These will be forwarded to HSE in the near future.

- v) In addition to the amendments relating to emergency plan testing and definitions of operator, can you please advise what other amendments are being progressed. On this particular connection the EPWG is conscious of other amendments which have been proposed by UKOPA, in particular relating to absolute duties, and to which the Association has not received a formal response including any justifications for not progressing such amendments.

With regard to points (i) to (iv), and on behalf of the EPWG, I look forward to receiving your response and wish to stress that the objective of UKOPA is to facilitate a commonality and consistency in response to the regulations throughout the UK. To achieve this the EPWG considers that 'best practice', in particular as established through the Cheshire pilot test (July 1999), is achieved as quickly as possible.

Yours sincerely,

Dr Jane Haswell
Chair – UKOPA Emergency Planning Work Group