

2008 Planned amendments of Pipelines Safety Regulations Briefing for CAPEPLG Meeting on 16 April 2008

Where we are now

1. In October 2007 HSE briefed CAPEPLG on the ongoing review of PSR. The purpose of this review was to revisit the work that was suspended in 2004 to determine:
 - a) whether the proposed amendments put forward at that time remain valid and
 - b) whether any additional amendments should be considered to ensure that the regulations remain fit for purpose.

2. This work has now been completed. As a result HSE is now proposing the following amendments to PSR subject to appropriate public consultation:
 - a) Including Gasoline as a dangerous fluid.**

 - b) Requiring local authority plans for major hazard pipelines to be tested every three years (and enabling LAs to charge pipeline operators for testing)**

 - c) Requiring duty holders to notify HSE of the affected LPA's in addition to emergency planning authorities when proposing a new pipeline.**

 - d) Introducing a three year expiry date for notifications**

 - e) Including Carbon Dioxide (when transported as part of the carbon capture and storage process) as a dangerous fluid.**
Whilst it remains unlikely that the necessary research will have been completed to establish appropriate qualifying criteria for CO2 HSE will be seeking views on the outline proposal in anticipation of future CCS projects including the Government's demonstration project.

Current timetable

3. There has been some slippage in the proposed timetable presented at the last meeting. We are currently aiming to publish the public consultation document in September 2008 with a view to the amended regulations being ready for implementation in April 2009.

Rationale for intervention

4. The pipeline industry creates risks that affect the wider community and which may not always be taken into account in making operational decisions. For example, should the operator take decisions which result in a major incident, the consequences of that incident will directly impact on the community in the vicinity of the pipeline. Some operators may see little incentive in reducing risks where they perceive the benefit of improved risk reduction measures fall mainly to the wider community. In such circumstances, only through Government

intervention can we reassure the public that the industry fully takes account of the impact of its activities on the wider community.

5. HSE is proposing these amendments to PSR within the context of the changing face of the UK energy industry as it responds to the two long-term energy challenges faced by the UK; tackling climate change by reducing carbon dioxide (CO₂) emissions; and ensuring secure, clean and affordable energy.

Issues to be addressed in relation to testing emergency plans

6. The project team is currently considering the following issues and will be inviting external stakeholder to contribute to this process.

a) Ensuring amended regulations are sufficiently flexible.

As there is limited experience in testing emergency plans it is proposed that the amended regulations are not over prescriptive in how plans are tested. This will allow the sector to develop best practice as experience in this area grows.

b) Making best use of previous work undertaken by the Pipelines Working Group.

c) Providing a robust impact assessment to be published alongside the public consultation document.

In line with Government's new procedures it is necessary to quantify the benefits (or costs avoided) of testing emergency plans alongside the costs of carrying out such tests.

In order to do this we need to quantify and agree with the sector:

- the probability of an untested emergency plan completely failing
- the efficiency of an untested emergency plan
- the increased efficiency of a tested emergency plan

HSE hopes that the recent testing carried out by Cleveland will inform this process.

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