

United Kingdom Onshore Pipeline Operators' Association

Emergency Planning Work Group- Notes of Meeting with HSE to Discuss Amendments to PSR 96 held at HSE Offices, Sheffield on 13th August 2008

Attendance:

HSE:-

S Wing Chairman
J Soave
P Harper
J Stancliffe
G Walker

UKOPA:-

D Cullen Shell Expro (Chairman)
T Taylor Exxon
L Haw Sabic
K McIntosh National Grid
B Dalus Northern Gas Networks
M Thomson Ineos
J Haswell UKOPA

1 Introduction

Steve Wing opened the meeting by welcoming all attendees. He explained that Julia Soave had responsibility for progressing work on the amendments to PSR, and would progress this as far as possible before she leaves the HSE at the end of November. Steve Wing and his group will provide support to Julia in this. Steve himself is leaving his current role to take up a new role in the Offshore Division on 1st October. S Chatfield will take acting up role until Moira Wilson takes up the position on 1st January 2009.

The amendments to PSR were summarised by HSE as

- 1 Gasoline will be added to the list of dangerous fluids in Schedule 2 of PSR.
- 2a Regulation 25 will be amended to require LAs to test pipeline emergency plans every 3 years
- 2b Regulation 26 will be amended to enable LAs to charge the operator for testing of pipeline emergency plans
- 3 A 3 year expiry limit on MAPD notifications required under Regulation 20
- 4 Carbon dioxide will be added to the list of dangerous fluids in Schedule 2.

S Wing invited J Soave to lead the discussion relating to testing of pipeline emergency plans and charging for testing.

2 Testing and Charging for Testing of Pipeline Emergency Plans

J Soave stated that she had reviewed various documents produced by HSE and UKOPA during the previous consultation in order to establish the position achieved and move this forward. Julia tabled a draft Regulatory Impact Assessment (RIA) (Attachment 1 to these Notes), and requested that UKOPA carry out a preliminary review of this to identify any gaps. She then invited comments from UKOPA representatives on the issues of testing pipeline emergency plans.

2.1 Testing of Pipeline Emergency Plans

UKOPA representatives raised the following issues for discussion and resolution:-

- National Grid deals with 75 local authorities, which would indicate 25 – 30 tests per year. Other operators with pipelines that cross LA boundaries will also attract an onerous testing load.
- The content and quality of LAs emergency response plans, and the requirements for testing, are variable.
- LA awareness of MAHP pipelines and pipeline related issues is variable and in some cases limited.
- There is little or no co-operation between LAs with regard to emergency plan requirements and the testing of these.
- The practicalities of the arrangements required under PSR, such as carrying out tests over a larger areas (such as the Regional Resilience Forums created for response to the Civil Contingencies Act) should be included in the guidance.
- In many cases, LA emergency planning and testing interests are prioritised on other hazards such as COMAH sites.
- There is a reluctance to carry out live play tests as the benefits are limited.
- Table top exercises which concentrate on identifying hazards, controlling risks, identifying where the incident is and how to get there are of greater value. Control post exercising is also of value in testing the various communication links that would be established in the event of an emergency.

HSE representatives made the following comments:-

- The guidance (draft 4) prepared by P Sargent in 2004 addressed most of the points included in the previous ACoP and Guidance document developed jointly by HSE, UKOPA and LAEP representatives.
- The regulations and guidance must ensure the purpose, scope and scale of the test relate to pipeline specific issues only, so that the regulatory burden is minimised on all stakeholders.
- There must be sufficient scope in the testing requirements to enable LAs develop tests which maximise the area, use of resources and the number of stakeholders involved.
- Initiatives to raise the awareness of LAs of pipeline specific issues would be of use.

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Following discussion it was agreed that there is a need to ensure consistency in the content of pipeline emergency plans across LA's. This might best be achieved by issuing guidance on what the plan should contain. The guidance could be in the form of a table of contents issued to LA,s. It should also be clearly stated that the testing of the plan should cover pipeline specific issues only.

2.2 Charging Structure

UKOPA representatives expressed concerns that it will be difficult for operators to challenge the approach and therefore the costs of testing, as the duty is on the LAs. Some guidance on what can be chargeable would be useful.

S Wing stated that HSE would consider how the regulations and guidance can be drafted to be ensure testing requirements and therefore what can be charged for is limited to pipeline specific issues, as this will ensure the purpose of the regulations is met while reducing the regulatory burden on all stakeholders.

2.3 Actions

In summary, S Wing stated that HSE would pre-consult with UKOPA on the testing requirements before circulating the Consultation Document. J Soave stated that she would be arranging a meeting with LAs to discuss the proposed amendments for testing and charging, and would invite a representative from UKOPA to attend.

The following specific actions were agreed:-

- i) J Soave to circulate draft guidance developed by P Sargent for UKOPA comment.
- ii) UKOPA to return comments by 5th September.
- iii) UKOPA to comment on RIA to identify major gaps (J Soave warned that following the discussion, this document would require redrafting so high level comments only would be required at this stage).
- iv) K McIntosh and D Cullen to provide examples of LA pipeline emergency plans to J Soave.

3 Classification of Gasoline as a Dangerous Substance

S Wing invited P Harper to update UKOPA on gasoline issues.

It was noted that issues relating to the reclassification of gasoline as a dangerous substance was being addressed by the UKOPA Risk Assessment Work Group, and that this group had supported recommendations made by Rod McConnell regarding the derivation of failure rates for UK gasoline pipelines, and the risk assessment methodology to be applied.

P Harper explained, that as previously discussed with UKOPA, HSL had reviewed the CONCAWE data in order to derive a failure rate for gasoline pipelines for input to the RIA for the

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inclusion of gasoline pipelines into PSR. The failure rates, which will be issued to UKOPA for information by J Soave, are based on historical CONCAWE data and include TPA and ground movement. P Harper stated that the failure rates HSE will use for LUP will use the predictive TPA model in PIPIN rather than operational experience and that UKOPA may prefer HSE to use the UKOPA "natural" failure rates rather than the CONCAWE "natural" failure rate, which reflect European rather than UK operational experience.

P Harper stated that HSE had considered the risk assessment methodology and the definition of land use planning (LUP) zones to be applied. He noted that in this respect, HSE intend to apply the assumption that a product loss would result in a pool of 50m radius which would then ignite. HSE recognise this is not in line with the UKOPA methodology, which assumes that a pool will ignite (depending upon the ignition probability) before reaching 50m radius. The HSE approach gives a 50m inner zone and an 80m outer zone, the 80m outer zone distance is being used to assess the population to be affected for the RIA.

In response to queries from UKOPA representatives, P Harper confirmed that the LUP zones will apply to all gasoline pipelines, they will not be retrospective, but they will apply to new developments, extensions of existing developments and pipeline diversions which are referred to HSE for advice under the PADHI rules.

J Haswell agreed to forward the HSL note on gasoline pipeline failure rates and the update presented by P Harper to the UKOPA RAWG.

4 Conclusion

S Wing thanked all for attending and contributing to a constructive discussion. D Cullen thanked HSE for their hospitality, and confirmed the UKOPA EPWG will work to support the way forward agreed with HSE in the discussions. P Harper stated that HSE would be pleased to have further discussions with UKOPA regarding pipeline failure rates and LUP issues.