

ICL – WRITTEN RESPONSE TO CALOR QUESTIONS

1. I confirm the 2004 guidance I referred to states it is not considered good practice to excavate a live pipe – ‘often when the ground or pipe itself has been disturbed a corroded pipe will fail (sometimes catastrophically) causing a significant release of gas.’ HSE Guidance booklet HSG 47 ‘Avoiding danger from underground services’ is referenced – ‘where excavating along a pipe cannot be avoided, safe digging practices should be used’.
2. I do not read into paragraph 11 of Mr Ives’ letter that he was recommending excavation of a live pipe, as the letter states ‘part of the underground pipework carrying LPG vapour at the building should be excavated’. Mr Tyldesley and Mr Ives would be better placed than I to clarify the intent of the recommendation, but my view is that this phrase more likely assumes that excavation would be of an isolated (and possibly purged) pipe.

There is no specific prohibition on excavating a live pipe. It is more to do with the hierarchy of risk. It is less risky to excavate round an isolated and purged pipe. HSG 47 in paragraph 32 refers to the option of arranging for the supply to be disconnected during the work.

3. I am not personally aware that pre the ICL major incident (May 2004) that HSE had evidence of similar pipework problems on non – COMAH sites nor of any increase in frequency of releases or incidents with underground LPG pipework. This is a matter for HSE to respond to corporately, in my view.
4. RIDDOR Regulation 6 requires reporting of gas incidents attributable to either CO poisoning or fires/explosions from the ignition of gas. In addition, RIDDOR requires notification of certain Dangerous Occurrences including escape of flammable gas – above 10kg of flammable gas inside or 500kg in the open air. I agree that the purpose is to notify HSE so that relevant incidents can be investigated for any alleged breaches of law and to identify any lessons needing to be promulgated with industry. However, in practice,

RIDDOR reportable incidents are a legally defined subset of all incidents, in that smaller releases which do not ignite would not be legally notifiable to HSE. This is why my statement stated that HSE would not know about all leaks in pipework infrastructure.

5. I believe the HSE corporate response is better positioned to give a view on the pros and cons of any potential new regulatory framework. I expressed a personal opinion that extension of the Gas Safety Installation and Use Regulations to industrial LPG installations was worth considering rather than extending COMAH to smaller inventories. I gave this personal opinion as I was aware that outwith the share of the market by major LPG companies there are smaller companies who do not operate COMAH sites. So I accept that it cannot be assumed that all LPG suppliers have the detailed knowledge which COMAH operators have, although my statement also suggests that the ideas behind the COMAH Major Accident Prevention Policy could be beneficially applied.

6. I confirm that I did attend a meeting on 8 January 2007 with Calor Gas Managing Director, Operations Director and Health and Safety Manager to discuss an underground pipe incident at a domestic property and the potential national implications for the domestic segment. I also received a copy of an email from Calor dated 3 March 2007, updating HSE on progress. I can confirm that from this involvement I was generally aware of the research work, the risk based model developed to prioritise underground metallic pipework replacement and the sharing of Calor's information with the LPGA. The detail of how the dialogue has progressed with LPGA and HSE is not known to me, as the lead on the national perspective transferred from me to HSE's national LPG topic leads, in line with our normal practice.

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