STATUTORY RULES OF NORTHERN IRELAND

1997 No. 193

HEALTH AND SAFETY

Pipelines Safety Regulations (Northern Ireland) 1997

Made - - - -	*28th March 1997*
Coming into operation	*12th May 1997*

The Department of Economic Development, being the Department concerned(**1**), in exercise of the powers conferred on it by Articles 17(1) to (6)(**2**), 40(2) and 55(2) of, and paragraphs 14(1) and 15 of Schedule 3 to, the Health and Safety at Work (Northern Ireland) Order 1978(**3**), and of every other power enabling it in that behalf, after consultation in accordance with Article 46(1) of that Order with the Health and Safety Agency for Northern Ireland and such other bodies as appeared to the Department to be appropriate, hereby makes the following Regulations:

Part I

Introduction

Citation and commencement

1. These Regulations may be cited as the Pipelines Safety Regulations (Northern Ireland) 1997 and shall come into operation on 12th May 1997.

Interpretation

2. In these Regulations—

"dangerous fluid" has the meaning given by regulation 18(2);

"the Department" means the Department of Economic Development;

"emergency shut-down valve" means a valve which is capable of adequately blocking the flow of fluid within the pipeline at the point at which it is incorporated;

"fluid" includes a mixture of fluids;

"major accident" means death or serious injury involving a dangerous fluid;

(**1**) *See* Article 2(2) of S.I. 1978/1039 (N.I. 9)
(**2**) Article 17 must be read with S.I. 1992/1728 (N.I. 17), Articles 3(2) and 4(2); S.I. 1992/1728 (N.I. 17) was amended by S.I. 1996/275 (N.I. 2), Article 71(1) and Schedule 6
(**3**) S.I. 1978/1039 (N.I. 9); the general purposes of Part II referred to in Article 17(1) were extended by S.I. 1992/1728 (N.I. 17), Articles 3(1) and 4(1)

"major accident hazard pipeline" has the meaning given by regulation 18(1);

"operator", in relation to a pipeline, means—

(a) the person who is to have or (once fluid is conveyed) has control over the conveyance of fluid in the pipeline;

(b) until that person is known (should there be a case where at a material time he is not yet known) the person who is to commission or (where commissioning has started) commissions the design and construction of the pipeline;

(c) when a pipeline is no longer, or is not for the time being, used, the person last having control over the conveyance of fluid in it;

"pipeline" shall be construed in accordance with regulation 3;

"territorial waters" has the same meaning as in regulation 2(1) of the Offshore Installations and Pipeline Works (Management and Administration) Regulations (Northern Ireland) 1995(**4**).

Meaning of "pipeline"

3.—(1) Subject to the provisions of this regulation, in these Regulations "pipeline" means a pipe or system of pipes (together with any apparatus and works, of a kind described in paragraph (2), associated with it) for the conveyance of any fluid, not being—

(a) a drain or sewer;

(b) a pipe or system of pipes constituting or comprised in apparatus for heating or cooling or for domestic purposes;

(c) a pipe (not being apparatus described in paragraph (2)(*e*)) which is used in the control or monitoring of any plant.

(2) The apparatus and works referred to in paragraph (1) are—

(a) any apparatus for inducing or facilitating the flow of any fluid through, or through a part of, the pipe or system;

(b) any apparatus for treating or cooling any fluid which is to flow through, or through a part of, the pipe or system;

(c) valves, valve chambers and similar works which are annexed to, or incorporated in the course of, the pipe or system;

(d) apparatus for supplying energy for the operation of any such apparatus or works as are mentioned in sub-paragraphs (*a*) to (*c*);

(e) apparatus for the transmission of information for the operation of the pipe or system;

(f) apparatus for the cathodic protection of the pipe or system; and

(g) a structure used or to be used solely for the support of a part of the pipe or system.

(3) For the purpose of paragraph (2)(*c*) a valve, valve chamber or similar work shall be deemed to be annexed to, or incorporated in the course of, a pipe or system where it connects the pipe or system to plant, an offshore installation or a well.

(4) A pipeline for supplying gas to premises shall be deemed not to include anything downstream of an emergency control.

(5) In this regulation—

"emergency control" means a valve for shutting off the supply of gas in an emergency, being a valve intended for use by a consumer of gas;

(**4**) S.R. 1995 No. 340 to which there are amendments not relevant to these Regulations

"gas" has the same meaning as it has in Part III of the Gas (Northern Ireland) Order 1996(**5**).

Application

4.—(1) Subject to paragraph (2), within territorial waters these Regulations shall apply to and in relation to pipelines and activities to which the Offshore Installations and Pipeline Works (Management and Administration) Regulations (Northern Ireland) 1995 apply by virtue of regulation 4(1)(*f*) of those Regulations.

(2) These Regulations shall not apply to any pipeline or part of a pipeline of a kind which is described in Schedule 1.

(3) In the case of a pipeline to which the Pressure Systems and Transportable Gas Containers Regulations (Northern Ireland) 1991(**6**) apply, nothing in these Regulations shall require the taking of any measures to the extent that they are for the prevention of danger within the meaning of those Regulations.

Part II

General

Design of a pipeline

5. The operator shall ensure that a fluid is not conveyed in the pipeline unless the pipeline has been so designed that, so far as is reasonably practicable, it can withstand—

(a) forces arising from the pipeline's operation;

(b) the fluids that may be conveyed in the pipeline; and

(c) the external forces and the chemical processes to which the pipeline may be subjected.

Safety systems

6. The operator shall ensure that a fluid is not conveyed in a pipeline unless the pipeline has been provided with such safety systems as are necessary for securing that, so far as is reasonably practicable, persons are protected from risk to their health or safety.

Access for examination and maintenance

7. The operator shall ensure that a fluid is not conveyed in a pipeline unless the pipeline has been so designed that, so far as is reasonably practicable, it may be examined and work of maintenance may be carried out safely.

Materials

8. The operator shall ensure that a fluid is not conveyed in a pipeline unless the pipeline is composed of materials which are suitable.

(**5**) S.I. 1996/275 (N.I. 2)
(**6**) S.R. 1991 No. 471 to which there are amendments not relevant to these Regulations

Construction and installation

9. The operator shall ensure that a fluid is not conveyed in a pipeline (save for the purpose of testing it) unless the pipeline has been so constructed and installed that, so far as is reasonably practicable, it is sound and fit for the purpose for which it has been designed.

Work on a pipeline

10. The operator shall ensure that modification, maintenance or other work on a pipeline is carried out in such a way that the pipeline's soundness and fitness for the purpose for which it has been designed will not be prejudiced.

Operation of a pipeline

11. The operator shall ensure that—

(a) a fluid is not conveyed in a pipeline unless the safe operating limits of the pipeline have been established; and

(b) a pipeline is not operated beyond its safe operating limits,

save for the purpose of testing it.

Arrangements for incidents and emergencies

12. The operator shall ensure that a fluid is not conveyed in a pipeline unless adequate arrangements have been made for dealing with—

(a) an accidental loss of fluid from the pipeline;

(b) discovery of a defect in or damage to the pipeline; or

(c) any other emergency affecting the pipeline.

Maintenance

13. The operator shall ensure that a pipeline is maintained in an efficient state, in efficient working order and in good repair.

Decommissioning

14.—(1) The operator shall ensure that a pipeline which has ceased to be used for the conveyance of any fluid is left in a safe condition.

(2) The operator of a pipeline shall ensure that work done in discharge of the duty contained in paragraph (1) is performed safely.

Damage to pipeline

15. A person shall not cause such damage to a pipeline as may give rise to a danger to persons.

Prevention of damage to pipelines

16. For the purpose of ensuring that no damage is caused to a pipeline, the operator shall take such steps to inform persons of its existence and whereabouts as are reasonable.

Co-operation

17. Where there are different operators for different parts of a pipeline, each operator shall co-operate with the other so far as is necessary to enable the operators to comply with the requirements of these Regulations.

Part III

Major accident hazard pipelines

Dangerous fluids

18.—(1) The provisions contained in regulations 19 to 27 shall apply in relation to a pipeline in which a dangerous fluid is being, or is to be conveyed (in these Regulations referred to as a "major accident hazard pipeline").

(2) For the purpose of these Regulations a fluid is a dangerous fluid if it falls within a description in Schedule 2.

Emergency shut-down valves

19.—(1) The operator of a major accident hazard pipeline which—

(a) is connected to an offshore installation; and

(b) has an internal diameter of 40 millimetres or more,

shall ensure that the requirements contained in Schedule 3 are complied with in relation to the pipeline.

(2) The duty holder in relation to an offshore installation to which a pipeline described in paragraph (1) is connected shall afford, or cause to be afforded, to the operator of the pipeline such facilities as he may reasonably require for the purpose of securing that the requirements contained in Schedule 3 are complied with in relation to the pipeline.

(3) In this regulation "duty holder", in relation to an offshore installation, means the person who is the duty holder as defined by regulation 2(1) of the Offshore Installations and Pipeline Works (Management and Administration) Regulations (Northern Ireland) 1995 in relation to that installation.

Notification before construction

20. The operator shall ensure that the construction of a major accident hazard pipeline is not commenced unless he has notified to the Department the particulars specified in Schedule 4 at least 6 months, or such shorter time as the Department may approve, before such commencement.

Notification before use

21. The operator shall ensure that a fluid is not conveyed for the first time in a major accident hazard pipeline, or conveyed following a period in which the pipeline has been out of commission (other than for routine maintenance), until the expiration of 14 days, or of such shorter period as the Department may in that case approve, from the receipt by it of a notification of the date on which it is intended to convey or, as the case may be, resume the conveyance of fluid in the pipeline.