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Policy Group
Specific Interventions
Division
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Reference 125/07

For the attention of Mark Cox

Dear Mark

GAS DISTRIBUTION PRICE CONTROL – INITIAL PROPOSALS

The Health and Safety Executive (HSE) has responded to previous consultations on the scope and content of the next gas distribution price control, scheduled to commence in April 2008. A number of issues were highlighted in HSE's last response of 26th January to the third consultation document (Reference 203/06). HSE's views were expressed on topics including the mains replacement programme, riser replacement, pipeline records and network capacity outputs. HSE's policy is clear in these respects and gas transporters' duties are outlined within their agreed Safety Case requirements. Following a review of the latest consultation HSE has no further comments to make in respect of these issues and is content with the proposals as they stand. However, HSE will continue to maintain its close dialogue with Ofgem as the price control process develops.

HSE also commented in its last response on the use of carbon monoxide (CO) detectors and welcomed network operators' initiatives to improve public awareness of gas safety and CO risks. This is especially important given the current lack of awareness amongst consumers of the dangers of CO poisoning and transporters are encouraged to support the wider gas industry's renewed co-ordinated action on raising awareness. Ofgem has now included within this latest consultation a proposal for emergency service personnel (ESP) to carry and use CO measuring equipment during gas emergency investigations. This is to enable determination of the presence and level of CO in the atmosphere to assist in deciding the most appropriate action required.

At present ESPs have a duty to meet the requirements of both health and safety legislation and Ofgem licence conditions when attending emergency situations resulting from the escape of gas, which includes suspected or actual escape of CO. The Gas Safety (Management) Regulations 1996 places duties on gas transporters and ESPs in the event of an emergency to make the situation safe. They are required to establish the cause of the escape and take action to make the situation safe by preventing gas from escaping, which includes an actual or suspected emission of CO. Additionally, under the terms of licences issued by Ofgem, the ESPs have 30 minutes to comply with this duty after arriving at the premises and are permitted to incur specified material costs in rectifying the situation if possible.

Following HSE's 2006 Gas Safety Review, the Health and Safety Commission recommended the appointment of a new gas registration body to further improve domestic gas safety. The provider may be required to carry out relevant functions on behalf of HSE; this could include reviewing the efficacy of the use of gas detection equipment by gas operatives in a range of scenarios, including emergency situations. Ofgem has also already recommended the use of detection equipment in certain domestic gas situations (free gas safety check), where appropriate.

For some appliances ESPs use methods such as spillage tests and visual checks to detect combustion products including CO. If ESPs are to routinely carry and use CO measuring equipment to assist in meeting their duties however, then there are a number of issues to be considered and addressed, which Ofgem has alluded to in its consultation, The scope of measuring equipment to be considered for use will first need to be defined. Any introduction of such equipment must then be based on evidence that the risks from CO poisoning and the number of incidents will be reduced, and that any such reduction can be achieved at a reasonable cost whether in terms of time, money or resource.

The use of equipment to identify an appliance as safe will incur costs in several areas and could give rise to unnecessary additional burdens. This includes the initial purchase of the equipment, subsequent maintenance requirements, the training of operatives and increased attendance time on site arising from the time taken to carry out an appliance test. Previous industry research undertaken by Advantica concluded that detection equipment cannot provide categorical information on the safe or unsafe operation of appliances and that difficulties arise in the use of such equipment from the variable environments and the wide variety of appliance types, age and conditions encountered. Within the current time and cost constraints it appears impractical for ESPs to test all gas appliances using CO detection

equipment on every emergency response. This is also unnecessary if the current checks and tests have already identified whether a CO problem exists.

It is more practicable to place the onus on skilled and competent operatives to judge whether there is any benefit in using detection equipment to identify if CO is present in the atmosphere. This will assist in both determining if a problem exists and whether any personal precautions need to be taken by either the ESP or the occupant. The use of a detector as a diagnostic tool to confirm whether CO is being emitted from an appliance can be carried out reasonably quickly and easily and will provide evidence even within a ventilated property, if the appliance is still operational. If the occupant has previously been advised to turn off the appliance then it may take time to establish any CO emission arising from a fault condition, however. In either case using equipment in this manner will require the results to be interpreted to ensure gas appliances are not unnecessarily switched off. Specific knowledge of appliances will also be needed to enable a correct assessment to be made of whether the emitted level is unsafe. Operators will need to be adequately trained for these tasks, albeit for atmospheric testing purposes only. Measuring equipment could assist in detecting CO arising from or escaping to neighbouring locations and provide an alternative means where the usual checks are not possible or inconclusive, but these are not easy determinations to make.

At all times the benefit of their use would be subject to a judgment by the competent operative on the basis of the particular circumstances. In this way whilst the costs of purchasing and maintaining the equipment, as well as initial and ongoing operative training, would still be incurred, the time and cost of detector use would be considerably reduced and limited to circumstances when a genuine benefit to the ESP and the consumer would result. This will also help ensure that CO testing does not detract from the ESP's ability to continue to respond to the current number of emergency calls.

The use of CO detection equipment by ESPs in the course of their investigations should therefore not be precluded, but must be based on evidence that this is in the interests of safety overall and the costs are not grossly disproportionate to the risks being mitigated. Their application will need to be subject to a risk based approach so that they are used only where appropriate and by competent, trained personnel.

Yours sincerely

Mike Leppard

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