

**Proposed Petroleum Regulations 2010
External Consultation Summary**

No	Regulation	Comment	Response	Accept / Reject
Petroleum Pipeline Amendment Regulations 2010				
18	<p>Surveys of pipelines to be made and lodged</p> <p>For the purpose of precisely locating a pipeline, the licensee shall cause to be made a survey to a standard as directed by the Minister, and a copy of such survey shall be lodged by the licensee with the Under Secretary for Mines.</p>	<p>There was a question as to whether this regulation should be retained.</p> <p>It is very important that the 'as built' location data is supplied to DMP so that it can be plotted in Tengraph. Pipeline licences are granted with licence areas which is often not the exact route. In some instances the pipeline route has been 2km wide. As the title issuing authority, DMP needs to know the exact built position to provide the accurate location data to interested stakeholders.</p>	Rationale for retention seems to be demonstrated.	Accept - retain provision
21	<p>Inspector's powers</p> <p>An inspector may examine or inquire into any phase of a construction of a pipeline or the installation of any component part of any pipeline, and may request rectification by the licensee of any part of the construction or installation that is not in accord with the Act or these regulations.</p>	<p>There was a question as to whether this regulation should be retained.</p> <ol style="list-style-type: none"> 1. Retain to allow for engagement of special inspectors. 2. The provisions in this regulation are to provide the powers for non OSH inspectors - primarily environmental inspectors as management of environment regulations are not in force. Would also be required if it was necessary to appoint inspectors for any other purposes. 	Rationale for retention seems to be demonstrated.	Accept - retain provision

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23	<p>Pipeline failures and fires, duties of licensee</p> <p>(1) Immediately a licensee becomes aware of the escape or ignition from a pipeline of petroleum being conveyed in the pipeline, the licensee —</p> <p>(a) shall forthwith take steps to notify, by telegram, an inspector of the escape or ignition; and</p> <p>(b) shall take such action as is necessary to safeguard human life and minimise the loss of the petroleum from the pipeline and the pollution of surrounding lands and water.</p> <p>(2) Where the pipeline is repaired after the escape of the petroleum or ignition of petroleum there from, the licensee shall forthwith submit a written report to the Under Secretary for Mines giving full information as to —</p> <p>(a) the time and place of the escape or ignition of the petroleum;</p> <p>(b) the approximate quantity of petroleum that escaped;</p> <p>(c) the damage resulting from the escape or ignition of the petroleum;</p> <p>(d) the conditions that caused or contributed to the escape or ignition of the petroleum if they are known; and</p> <p>(e) the methods adopted to carry out the repairs to the pipeline.</p>	<p>There was a question as to whether this regulation should be retained given the proposed provisions in the management of safety regulations, would appear to duplicate.</p> <p>Alternatively this requirement could be incorporated in the management of safety regulations.</p>	<p>If the subject matter of the Petroleum Pipelines Regulations 1970 deals with other matters (such as resource management or loss, pollution), then it would not be appropriate to have those provisions in a set of regulations that is limited to protecting the occupational safety and health of persons engaged in pipeline operations or the safety and health of “protected persons”.</p>	<p>Accept - retain provision.</p>

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26	<p>Plan of operational procedure to be submitted with application under Act s. 36</p> <p>A licensee shall attach to his application for consent to operate a pipeline under section 36 of the Act, a plan of the operational procedure that the applicant proposes to follow in operating the pipeline.</p>	<p>There was a question as to whether this regulation should be retained.</p> <ol style="list-style-type: none"> 1. It is related to special works given that some locations are licensed under the PPA. We sometimes required the specific scope of work and the work procedures to be provided for review and comment. The same for new additions or modifications to plants/pipeline operations such as compressor stations etc. 2. It would be prudent to retain this regulation so that matters not covered by the OSC can be covered - resource management issues such as piping for gas storage. 	<p>Rationale for retention seems to be demonstrated.</p> <p>In relation to the Petroleum Pipelines Regulations 1970 the question is whether "operational procedure" deals with matters other than the protection of the occupational safety and health of persons engaged in pipeline operations or the safety and health of "protected persons. If so, it should remain unless it is no longer required for administrative purposes.</p>	Accept - retain provision
2nd Sch	<p>Second Schedule (Regulation 20) Petroleum Pipelines Act 1969 Section 38</p>	<p>There was a question as to whether this regulation should be retained.</p> <p>Agree redundant provided we are confident that industry complies with AS2885.</p>	Acknowledged and agreed.	Accept - delete Second Schedule
Petroleum Pipelines (Occupational Safety and Health) Regulations 2010				
Petroleum and Geothermal Energy Resources (Occupational Safety and Health) Regulations 2010				
4	<p>Occupational safety and health laws that do not apply to pipeline operations etc.</p> <p>The enactments mentioned in the Table are prescribed for the purposes of section 5AA of the Act.</p>	<p>This does not seem to exempt OSH 1984 which is inconsistent with S4 of the OSH Act.</p> <p>Section 32 of the PPA 69 already exempts the application of DGSA to pipeline operations or construction. The table on page 3 seems to exempt only application of provisions of DGS Act that relate to OSH, which is inconsistent with S32.</p>	<p>The OSH Act will not apply to a pipeline or petroleum operation once the remaining Part 5, s.50 of the PLARA has been proclaimed.</p>	Accept - regulation to be amended

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	<p style="text-align: center;">Table Enactment</p> <table border="1" style="width: 100%;"> <tr> <td data-bbox="280 387 741 499">Dangerous Goods Safety Act 2004 to the extent that it relates to occupational safety and health</td> </tr> <tr> <td data-bbox="280 499 741 595">Electricity Act 1945 to the extent that it relates to occupational safety and health</td> </tr> </table>	Dangerous Goods Safety Act 2004 to the extent that it relates to occupational safety and health	Electricity Act 1945 to the extent that it relates to occupational safety and health		<p>The DGSA should not be referred to as an enactment for this purpose as it doesn't apply to OSH, the OSH Act applies to dangerous goods activities.</p> <p>It is likely the Electricity Act is the same.</p>	
Dangerous Goods Safety Act 2004 to the extent that it relates to occupational safety and health						
Electricity Act 1945 to the extent that it relates to occupational safety and health						
7	<p>Appointment of returning officer (2) The licensee must give the Minister written notification of the nomination.</p>	<p>This currently states "The licensee must give the Minister written notification of the nomination." As this nomination is currently submitted to WorkSafe it is suggested that this could be clarified to include "...the Minister or his nominated representative...."</p>	<p>The OSH Act will not apply to a pipeline or petroleum operation once the remaining Part 5, s.50 of the PLARA has been proclaimed.</p>	<p>No amendment necessary - see response</p>		
27	<p>Training of safety and health representatives A safety and health representative for a designated work group must try to undertake a course of training accredited by the Minister for the purposes of Schedule 1 clause 28 within the first 12 months of being selected.</p>	<p>Suggest this obligation is on the person who employs the SHR, rather than the SHR themselves e.g.</p> <p>"The responsible person must allow the safety and health representative for a designated to undertake a course of training accredited by the Minister..."</p> <p>This section currently states that a safety and health representative must try to undertake a course of training within the first 12 months of being selected. It is felt that this training should be mandatory and that the clause should be rephrased to include a definite requirement to undertake training well within the initial period of appointment.</p> <p>Without this formal training SHRs may not fully understand their responsibilities under the Act.</p>	<p>There is a risk that such a regulation could be invalid on the grounds that it would be inconsistent with, rather than complementary to, the Act. Sch. 1 cl. 28(1) provides that a SHR must undertake a course of training relating to OSH.</p> <p>However, there is no time limit to do so. Sch. 1 cl. 32(1) provides that a SHR may, for the purpose of promoting or ensuring the safety and health at a workplace... (a)(e) issue PINs in accordance with cl. 36.</p>	<p>No amendment necessary - see response</p>		

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Sch 1 Form 5	<p>Improvement Notice <i>Page 3 of Form 5</i></p> <p>NOTES: 3. Under clause 62(1) and (3) of Schedule 1 to the Act, a person who tampers with an improvement notice, or removes an improvement notice before it has ceased to have effect, may be liable to a penalty of \$11 000.</p>	<p>It is suggested that the notes to this notice include a note as to when an improvement notice ceases to have effect e.g.</p> <p>"An improvement notice ceases to have effect when the responsible person takes the action specified in the notice, or if no action is specified, takes the action that is necessary to prevent the contravention, or likely contravention, with which the notice is concerned."</p>	<p>This amendment would align with the Act Sch1, S.60 (4) (b).</p>	<p>Accept - amend provision in line with comment</p>
Petroleum Pipelines (Management of Safety of Pipeline Operations) Regulations 2010				
	<p>General</p>	<p>1. Risk Register Maintaining risk register(s) for MAEs is an implicit requirement of MoSoPO r.11(3) and the ongoing evaluation of those register(s) will be the clearest demonstration of MoSoPO r.11(4)(e). For OSH (and other hazards below MAEs) the requirement for risk registers is less clear; although maintaining risk register(s) could be used as a licensee for demonstrating compliance with r.11(4)(f).</p> <p>Given risk registers are at the base of a Safety Case it is suggested that the regulations contain:</p> <ul style="list-style-type: none"> • a definition for risk registers, such as the written record of the risk assessment(s) undertaken under r.11(3) and r.11(4)(f). • a requirement for the current risk registers be submitted with a Safety Case. • a requirement for risk registers be reviewed each year to determine if change has occurred that requires the Safety Case to be revised. 	<p>1. R9 requires all records to be kept in the manner set out in the safety case. This requirement applies also to risk registers, therefore it is not considered necessary to introduce this into regulation.</p> <p>The regulator merely requires registers to be kept in the guidelines (including the format etc) and it can be mandatory for the acceptance of a SC and its' ongoing operation.</p> <p>Note there is no equivalent regulation for risk registers in the revised Commonwealth Offshore Petroleum Safety Regulations 2009 (OPSR). An undertaking has been given to DRET to generally align with those regulations.</p>	<p>1 Not considered necessary to formalise in regulation - see response</p>

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		<p>2. Ensuring Adequacy There does not appear to be an equivalent of r.2.12 of the <i>Offshore Petroleum (Safety) Regulations 2009</i> in the regulations. Reg. 2.12 requires the safety case to describe the means by which the operator will ensure the adequacy of the design, construction, installation, maintenance or modification of the facility for the relevant state or stages in the life of the facility.</p> <p>3. Align the regulations with OPSR 2009.</p> <p>4. It isn't feasible to apply common regulations to construction and operational activities</p> <p>5. Timeframes under Div. 4 are not supported, 90 days is too long.</p>	<p>2. There is no equivalent regulation to OPSR 2.12, adequacy requirements are covered by a number of regulations, such as R18 machinery and equipment, R19 Structural integrity. In addition R11 (4)(a) requires a licensee to provide an explanation as to how its' obligations under the general duty of care sections of the Act are going to be met . This in itself captures adequacy throughout lifespan.</p> <p>3. These regulations were originally derived from the Petroleum (Submerged Lands) (Management of Safety on Offshore Facilities) Regulations 2007 that generally align with the requirements of OPSR 2009. A review of the PP (MOSPO) R will be carried out to ensure that this general alignment is maintained.</p> <p>4. While it is agreed that significant differences exist between construction and operation activities the regulations and the safety case approach are deemed to be flexible enough to allow those differences to be adequately dealt with.</p> <p>5. The timeframes that are identified in Division 4 are to ensure that the process progresses in a timely manner while allowing adequate response times when more</p>	<p>2 Not considered necessary to formalise in regulation - see response</p> <p>3 A review will be carried out against the OPSR 2009.</p> <p>4 Noted, but no action deemed necessary.</p> <p>5 Noted, but no action deemed necessary.</p>

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		<p>6. These regulations are too general and require guidelines, and in some instances appear outside the regulatory making framework of the PLARA.</p>	<p>information is required. It will always be the intention to reduce approval time to as short as possible. This is consistent with Government policy.</p> <p>6. Comprehensive guidelines are currently being written and will be based on / aligned with the approach taken by NOPSA. These will be placed on the website and go through a consultation process before finalisation. All of the regulations have been developed by Parliamentary Counsel and are within the intent of the Act.</p>	<p>6 Noted, but no action deemed necessary</p>
<p>4</p>	<p>Terms Used - pipeline operation (b) includes an operation in connection with the modification, reconstruction or decommissioning of a pipeline that is carried out on land that is specified in any licence as licence area;</p>	<p>1. Add in the word “the” in subreg (b) of the definition of a “pipeline operation” after the words “licence as”.</p> <p>2. Although Reg 8 implies what a 'protected person' is, it would be useful to include a definition for 'protected person' in Reg 4 e.g. Protected person means a person who is at or near a place where a pipeline operation is being carried on at the invitation of, or with the express or implied consent of, a licensee for, or a person in control of a part of, the operation.</p> <p>3. There does not appear to be a requirement for an operator register - poor definition of who an operator is.</p>	<p>1. Agree - typo.</p> <p>2. The definition is in the Act under provisions that have not yet come into operation. Once these provisions are proclaimed the issue will be resolved.</p> <p>3. There is no specific requirement for a register of operators however Schedule 1 S4 requires a licensee to ensure a licensee's representative is always present during a pipeline operation. In addition the regulations under R14 require this to be specified in the safety case as part of the chain of responsibility.</p>	<p>1. Accept</p> <p>2. Not necessary - see response</p> <p>3. The issue of a definition of operator is under discussion with PC - see response</p>

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	<p>Safety Management System, in relation to a pipeline operation, means a documented system for securing-</p> <p>(a) the occupational safety and health of persons engaged in the operation; and</p> <p>(b) the safety and health of other protected persons</p>	<p>4. The definition of SMS implies that pipeline operator will have to have systems to ensure general safety and health of other protected persons who may be farmers living near pipeline corridor, passengers of the vehicles crossing the pipeline etc.</p>	<p>4. The intent of the regulation is to make the operator liable for the safety and health of the other protected persons in relation to the pipeline operation only. The definition in the Act makes this quite clear</p>	<p>4. Noted, but no action deemed necessary</p>
<p>5</p>	<p>Safety case required for pipeline operation</p> <p>(1) A person must not engage in a pipeline operation unless there is a safety case in force for the operation.</p> <p>Penalty: a fine of \$8 800</p>	<p>As the obligation is on the pipeline operator to have a safety case in force for the pipeline operation, should there not be an equivalent penalty provision focused on the pipeline licensee specifically to ensure that persons to not engage in a pipeline operations if there is not a safety case in force.</p> <p>If the definition of "pipeline operations" encompasses the pipeline licensee's activities as "engaging in a pipeline operation", then the above suggestion may not be necessary. However, Regulation 15 makes reference to "...licensee for the operation will ensure that each person engaged in the operation...", which implies that the pipeline licensee does not, itself, 'engage' in a pipeline operation.</p>	<p>In this instance the word "person" is to be interpreted as an inclusionary term not an exclusionary term and as such a "person engaged in a pipeline operation" can include any person, be it a licensee or an operator etc.</p> <p>This comment is true in that in the duties provisions under Division 2, Subdivision 1, the duties of a licensee are treated as separate to those of "duties of persons", however this is not the case under r.5.</p>	<p>Seeking further advice from PC</p>
<p>6</p>	<p>New or increased risks</p> <p>(1) A person must not engage in a pipeline operation if —</p> <p>(a) a significant new risk to safety or health, or a significant increase in an existing risk to safety or health, arises or is likely to arise from the operation; and</p> <p>(b) the new risk or increased risk is not provided for in the safety case in force for the operation.</p> <p>Penalty: a fine of \$8 800</p>	<p>1. Suggest sub regulation (a) is limited to "significant risk to safety or health from hazards which could lead to major accident events", as the formal safety assessment (i.e. risk assessment) only requires assessment of risk associated with MAEs - see reg. 11(3).</p> <p>With sub regulation (b), as the obligation is on the pipeline operator to have a safety case in force for the pipeline operation, should there not be an equivalent penalty provision focused on the</p>	<p>Agree that this provision needs to somehow link back to an MAE and the requirements need to be reworded to avoid an operation being shutdown prematurely.</p>	<p>Accept, the wording of the regulation will be reviewed</p>

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		<p>pipeline licensee to ensure that persons do not engage in a pipeline operations in the circumstances outlined in Reg 6.</p> <p>2. Concerns are raised with this provision with regards to stopping people from operating if their safety cases do not address these new risks. Suggested a tie in with the ALARP concept so that they must reduce the risk. Issue of pipeline corridors in residential areas was raised.</p>		
8	<p>Other protected persons to comply with safety case A person who is at or near a place where a pipeline operation is being carried on at the invitation of, or with the express or implied consent of, a licensee for, or a person in control of a part of, the operation must comply with each provision of the safety case in force for the operation that applies to the person.</p> <p>Penalty: a fine of \$1 100.</p>	<p>Issues regarding practicalities of informing persons that live near or within a pipeline corridor, As example a residential area, are they supposed to be informed about a SC?</p> <p>From the details in the paragraph it is not clear whether a "person" or "operation" must comply with the provisions of the safety case</p> <p>It is feared that this may impose a huge responsibility on the operator to educate other persons (including members of general public) about the safety case.</p>	<p>The person this applies to is a protected person as defined in the Act. Believe the issue may be the interpretation of "implied consent" in that if a licensee doesn't formally object to encroachment then it could be considered tacit consent.</p> <p>It is the other protected person that must comply with the safety case, this does not extend to the general public, the legislation only applies to the licence area.</p>	Noted, but no action deemed necessary
10	<p>Minister may determine that safety case is not required for particular pipeline operations (1) The Minister may, by notice in writing, determine that a safety case is not required to be in force for — (a) a pipeline operation that is specified in the notice; or (b) a class of pipeline operation that is specified in the notice. (2) An application for a determination under sub regulation (1) can be made only by a licensee for a pipeline operation.</p>	<p>Exemption for SC is inconsistent with Commonwealth Regs. Under Division 5 Exemptions the Safety Authority may exempt an operator from one or more of the provisions relating to SC, but isn't a free for all. It is a key aspect of the SC that no matter how low risk the operation that all risks are still managed as per ALARP. Amend this provision to align with Commonwealth.</p>	<p>Agree, replace this regulation with a similar arrangement as the OPSR 2009.</p>	Accept

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11	<p>Pipeline operation description, formal safety assessment and safety management system (4) The safety management system for a pipeline operation must — (a) contain a detailed explanation of how a licensee for the operation proposes to — (i) comply with its duties under Schedule 1 Division 2 Subdivision 1 in relation to the operation; and (ii) ensure that other persons comply with their duties under Schedule 1 Division 2 Subdivision 1 in relation to the operation,</p> <p>(4) (k) specify each performance standard that applies, namely each standard, established by a licensee for a pipeline operation, of the performance required of a system, item of equipment, person or procedure which is used as a basis for managing the risk of a major accident event connected with the operation.</p> <p>(4)(i) provide for the audit of activities during the construction and commissioning of a pipeline; and</p>	<ol style="list-style-type: none"> 1. Concerns have been raised that (4)(a)(i) and (ii) could be interpreted as enforcing a “zero risk” concept into managing safety, rather than ALARP. Also raised separate concerns regarding S7 of the Act, particularly with regards to suppliers of equipment etc. 2. To cover each performance standard may not be practical, given numerous standards that apply in this context. It is possible to specify agreed performance standards, to the satisfaction of the regulator. 3. (4)(i). If there is going to be a specific mention for audits for construction and commissioning, should there not be a broader requirement for audits if the department expects audits to play a significant part of the measurement of performance standards and continuous improvement of the safety case. It is suggested that the requirement for audits [r.11(4)(i)] be modified to be more comprehensive of pipeline operations that could be taking place and not be limited to construction and commissioning; ie “the SMS is to contain a description of the planned audits that measure performance standards requirements [r.11(4)(k)] and continuous improvement [r.12]”. 	<ol style="list-style-type: none"> 1. Will consider this issue in light of a possible amendment to sub regulation (ii) to delete the words “ensure that” and replace with the words “demonstrate how”...other persons comply with their duties. The general duty of care provisions in the Act are subject to “reasonably practicable” which introduces the ALARP concept 2. The key here is “MAE”, the requirement is only in relation to performance standards used to manage those risks, this in itself is quite limiting in scope. However limitation of the number of standards is reasonable. 3. This subclause can be deleted completely as auditing is implicit in a number of other regulatory requirements, for instance it would be difficult to provide the evidence required in R12 without a robust auditing system and that covers all aspects of a pipeline operation. 	<ol style="list-style-type: none"> 1. Accept 2. Accept - amend to “each key standard” or “each key standard as agreed” 3. Accept - delete
13	<p>Standards to be applied The safety case for the pipeline must specify all Australian and international standards that have been applied, or will be applied, in relation to the operation and plant used in connection with the operation.</p>	<p>To cover each standard may not be practical, given numerous standards that may apply to various equipment and their components. It is possible to specify agreed standards, to the satisfaction of the regulator</p>	<p>Agree - focus only on major or key standards.</p>	<p>Accept</p>

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16	<p>Permit to work system for safe performance of work (1) The safety case for a pipeline operation must provide for a licensee for the operation to establish and maintain, in accordance with sub regulation (2), a documented system of coordinating and controlling the safe performance of all work of persons engaged in the operation including — (a) welding and other hot work; and (b) cold work affecting the operation of safety systems or other critical systems (including physical isolation); and (c) electrical work (including electrical isolation); and (d) entry into, and working in, a confined space; and (e) working at heights; and (f) excavation work.</p>	<ol style="list-style-type: none"> 1. Delete R16 (1) and retain R16 (2) to align with PAGER (MOS) R18. PTW systems are well established. No need to detail every possible work activity. 2. The “documented system” is referred to as a Permit to Work system in the heading and sub regulation (2). It is suggested to change the wording to “The safety case for a pipeline operation must provide for a documented permit to work system for coordinating and controlling the safe performance....”, or words to similar effect. 	<ol style="list-style-type: none"> 1. Agree, the approach in the PAGER MOS R18 is more flexible. PTW systems have been around for years, in R16 there is a list of activities which an operator will focus on, if there's another activity that the regulator wants to include and the operator doesn't it will require regulatory amendment. In the PAGER (MOS) the list has been omitted in favour of placing in the administrative guidelines, this gives more flexibility and would have to be complied with to initially gain acceptance of a case for safety or avoid an IN later. 	Accept - amend as suggested
17	<p>Involvement of members of the workforce (1) A licensee for a pipeline operation must demonstrate to the Minister, to the reasonable satisfaction of the Minister, that (a) in the development or revision of the safety case for the operation, there has been effective consultation with, and participation of, members of the workforce; and (b) the safety case provides adequately for effective consultation with, and the effective participation of, the members of the workforce, so that they are able to arrive at informed opinions about the risks and hazards to which they may be</p>	<ol style="list-style-type: none"> 1. In preparing and revising the SC, consultation with key stakeholders and dissemination of information to the rest of the workforce should suffice. Include addition so that it reads as “key” members of the workforce rather than every single member. 2. This provision is impractical and not commercially viable. 	Agree, will make amendment.	Accept - amend as suggested

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18	<p>exposed when engaged in the operation.</p> <p>Machinery and equipment (1) The safety case for a pipeline operation must specify the equipment required for the operation (including process equipment, machinery and electrical and instrumentation systems) that relates to, or may affect, the safety or health of persons engaged in the operation or other protected persons. (2) Without limiting sub regulation (1), the safety case for a pipeline operation must contain evidence showing that the required equipment is fit for its function or use — (a) in normal operating conditions; and (b) in an emergency (to the extent that it is intended to function, or be used, in an emergency).</p>	<p>1. To specify the equipment covered in this clause would require on larger projects the inclusion of thousands of material lists, spec & data sheets. Intent better covered under PP R.19?</p> <p>Alignment with PAGER may be better suited (PAGER R.20) where machinery is already included as it is here on PP MOS R19.</p> <p>2. It is impractical to describe in the SC each and every piece of machinery and equipment, this would include all equipment, down to the microwave, too wide a scope.</p>	<p>Agree, scope is too broad, needs to be limited by introducing the word “key” before equipment in subclause (1)</p>	<p>Accept - amend as suggested</p>
19	<p>Structural integrity etc. The safety case for a pipeline operation must describe the means by which a licensee for the operation will ensure that the pipeline, and the machinery, electrical systems and instrumentation controls to be used in the operation, are kept in good condition, free from damage or defect, and fit for purpose.</p>	<p>It is impossible to ensure that all equipment is free from damage or defect all the time, needs to take into account the tolerable damage and defects associated with a pipeline.</p>	<p>Agree with comment, delete words “free from damage or defect” from provision.</p>	<p>Accept</p>

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20	<p>Drugs and intoxicants (2) The safety case for a pipeline operation must describe the means by which a licensee for the operation will ensure that there is in place, or will be put in place, a method of — (a) securing, supplying, and monitoring the use, during the operation, of controlled substances that have a therapeutic use; and (b) preventing the use, during the operation, of — (i) controlled substances (other than those that have a therapeutic use); and (ii) intoxicants.</p>	<p>This regulation appears to have been adapted from the offshore environment where a facility operates on a 24-hour basis and members of the workforce are continually at the facility, and therefore part of the operation. However, in the case of onshore pipelines, this may not be the case.</p> <p>Given that construction, commissioning and operation, of an onshore pipeline may not be carried out on a 24-hour basis, is this regulation intended to prevent intoxication or 'under the influence' issues while a person is engaging in pipeline operations? If so, it is suggested that this regulation specify this.</p>	<p>This provision was specifically worded to take into account wet messes in an onshore environment. Provision clearly states that it is during an operation.</p>	<p>No amendment considered necessary - see response</p>
21	<p>Reports during construction of a pipeline The safety case for a pipeline operation that is an operation in connection with the construction of a pipeline must provide for a licensee for the operation to ensure that during the construction period the Minister is given weekly progress reports, in a form approved by the Minister, on matters relating to — (a) the occupational safety and health of persons engaged in the operation; and (b) the safety and health of other protected persons.</p>	<ol style="list-style-type: none"> 1. Delete. Seems pointless when reporting is already covered in Part 3, R.43, R.45 & R.46 of anything which may require closer scrutiny, with anything outside of the reporting requirements in the above regs mentioned in relation to OSH too trivial to soak up the time of resources. (paper cuts, broken finger nails). 2. Consider this requirement to be excessive. 3. The requirement of weekly progress reports is very onerous. Could this be amended to read "...Minister is given progress reports on a weekly or other appropriate period as agreed with the Minister or his representative; such appropriate period to be based on risk management of the operations." 	<p>I believe the key here is "progress reports" on construction only. Part 3 is specific to accidents and dangerous occurrences and wouldn't cover progress reports (unless there was a reportable incident).</p> <p>This was transferred from the existing 1970 regulations and has been a requirement for a considerable period of time. Weekly progress reporting is important and far less onerous than what is presently required for the mining industry.</p>	<p>No amendment considered necessary</p>

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	<p>(3) A written audit report for a safety case for a pipeline operation must be kept for a period of 5 years after the date of receipt by a licensee for the operation.</p> <p>(4) A copy of each report given to the Minister under Schedule 1 clause 70 must be kept for 5 years after the date the report was given to the Minister.</p>	<p>example) an investigation. It would be preferred for Safety Cases [r.27(2)] to be kept by the licensee for a longer period and/or a period that begins once the subsequent revised Safety Case is in force.</p>		
<p>31</p>	<p>Notice of decision on safety case</p> <p>(1) Within 90 days after receiving a safety case submitted under regulation 28, or resubmitted under regulation 30(3), the Minister must in writing notify the licensee who submitted it —</p> <p>(a) that the Minister has decided to —</p> <p>(i) accept the safety case; or</p> <p>(ii) reject the safety case; or</p> <p>(iii) accept the safety case in relation to one or more, but not all, pipeline operations and reject the rest of the safety case; or</p> <p>(iv) accept the safety case subject to conditions; or</p> <p>(b) that the Minister is unable to make a decision about the safety case within the period of 90 days, and set out a proposed timetable for his or her consideration of the safety case.</p> <p>(2) A failure by the Minister to comply with sub regulation (1) in relation to a safety case does not affect the validity of a decision by the Minister to accept or reject the safety case.</p>	<p>31(2) makes 31(1) irrelevant and should be deleted.</p>	<p>The intent of the sub regulation (2) is to retain the validity of the Minister's decision regardless of whether timeframes have been met. It is however important that sub regulation (1) is in place to ensure that there is always a regulatory requirement to adhere to timeframes to minimise delay in the approvals process.</p>	<p>No amendment considered necessary</p>

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No	Regulation	Comment	Response	Accept / Reject
33	<p>Revision because of a change of circumstances or operations (d) A significant new risk to safety or health, or a significant increase in an existing risk to safety or health, arises or is likely to arise from the operation and the new risk or increased risk is not provided for in the safety case in force for the operation;</p>	<p>The primary focus of the safety case has traditionally been on major accident events - i.e. hazards which can lead to multiple fatalities. The expansion of safety case revision triggers to address risk to 'health' is problematic as the FSA's assessment of risk is limited to MAEs.</p> <p>Consequently, although the management arrangements for risks to health are usually addressed in the SMS, matters related to 'health risks' are usually addressed under 'duty or care' provisions rather than specifically in the safety case.</p>	<p>This provision aligns with the requirements of regulation 2.30 in the Commonwealth OPSR 2009.</p>	<p>No amendment considered necessary</p>
35	<p>Revision every 5 years (1) A licensee for a pipeline operation for which a safety case is in force must submit a revised safety case to the Minister — (a) 5 years after the day on which the safety case was first accepted under regulation 30; and (b) then at 5 yearly intervals, starting on the day on which the revised safety case submitted under paragraph (a) was accepted under regulation 37. (2) Subregulation (1) applies despite the revision of a safety case under regulation 33 or 34.</p>	<p>Delete subregulation (2) to make sure that it ties in with r.50 in terms of review time period and matches up. Delete words "free from damage or defect" in subregulation (3)</p> <p>Continued pipeline risk assessment and improvement in the safety management systems requires revision to the safety case on every instance of a change to the pipeline and SMS, hence the SC is a living doc, current at all times. Intent of this reg. is unclear that requires revision every 5 years without mentioning what additional information is expected in this revision.</p>	<p>Agree delete words "free from damage or defect".</p> <p>Agree, it would be onerous to require a mandatory revision if a SC had recently been revised for other reasons and submitted for approval.</p>	<p>Accept - amend in line with comment</p>
42	<p>Validation of proposed or existing pipeline operations (2) A validation for the purposes of this Division — (a) is given by a suitably qualified and competent independent person; and...</p>	<p>1. To remove concerns with what is or isn't considered "independent" when the licensee nominates a validator from within its own (or its contractors) organisation. It would be preferred that a validator be a "third party".</p>	<p>All comments - agree will amend provision to remove term "independent" and replace with "third party" to address any ambiguities.</p>	<p>1. Accept - amend in line with comment</p>

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No	Regulation	Comment	Response	Accept / Reject
		<p>2. Can subregulation (2)(a) be clarified as to whether this is to be a Third Party competent independent person, or in the case of national companies, can this be competent and independent persons within the company?</p> <p>3. Confused with intent of provision</p> <p>4. There is no explicit requirement for an agreed scope of validation for new or revised SC, this is inconsistent with the Commonwealth. Consider adding to r.28 to align with r.2.24(4) of the OPSR.</p>	<p>Also review the whole regulation taking the Commonwealth approach into consideration.</p>	<p>2. Will re-work validation provision</p>
<p>43</p>	<p>Dangerous occurrence For the purposes of the definition of dangerous occurrence in Schedule 1 clause 3, the following occurrences that arise from a pipeline operation are declared to be dangerous occurrences — (a) an occurrence that did not cause, but could reasonably have been expected to cause — (i) the death of, or serious personal injury to, a person engaged in the operation or other protected person; or (ii) a member of the workforce to be incapacitated from performing work for the period mentioned in regulation 44;</p>	<p>Concern with what is a serious injury as there is no definition.</p>	<p>It is difficult to provide a concise definition of “serious injury” as it varies with activity and circumstance. Guidance will be included in the safety case guidelines under development.</p> <p>This provision depends on common sense and honesty between the license / operator and regulator as to what should and shouldn’t be reported as a serious injury.</p> <p>There is no definition in the equivalent Commonwealth legislation which refers to “serious personal injury”.</p>	<p>No amendment considered necessary</p>

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No	Regulation	Comment	Response	Accept / Reject
44	<p>Period of incapacity for work caused by accident arising from pipeline operation For the purposes of Schedule 1 clause 70(1)(b) the period prescribed in relation to an accident arising from a pipeline operation is one or more days.</p>	<p>There is a difference between the numbers of days off work in relation to incapacity in this provision than there is for the offshore regime. The offshore regime refers to 3 or more days. Both regimes should refer to the same consistent time period in this regard.</p>	<p>Australian Standard 1885 refers to one or more days. This is the standard that is applied by RSD for all reporting and statistical analysis in all of the resource industries.</p>	<p>No amendment considered necessary</p>
46	<p>Reports of accidents and dangerous occurrences (3)(d) the total number of hours not worked as a result of injuries to persons engaged in the operation and other protected persons that would have been worked if the injuries had not occurred.</p> <p>(b)(i) within 3 days after the occurrence of the accident or dangerous occurrence; or (ii) in the event that the accident or dangerous occurrence is not detected by a licensee at the time of its first occurrence, within 3 days after a licensee detects the accident or dangerous occurrence; and (c) must contain material details concerning the accident or dangerous occurrence of the types determined by the Minister.</p>	<p>Should be “days worked” not “hours worked” as lost time injuries data is reported by days not hours. This will now align with wording used in r.44.</p> <p>Please note that any details concerning the accident or dangerous occurrence required by the Minister’s determination should be details that can reasonably be provided within 3 days.</p> <p>In previous experience, a determination which requires such items as root cause, full report and actions to prevent a recurrence are not items that a reasonably provided within 3 days, and this will lead to the administrative burden of having to agree to an extended reporting time frame on each and every occasion (in accordance with reg. 46(1)(b)).</p>	<p>Agreed, aligns with AS1885.</p> <p>Other comments noted.</p>	<p>Accept - amend in line with comment</p>
47	<p>Interference with accident sites (1) A person must not interfere with a site if, before the completion of the inspection of the site by an inspector, there was, arising from a pipeline operation —</p>	<p>Reg. 47 does not specifically allow for making site safe and actions taken to make site safe may be considered interference with site. For dangerous occurrences like foot sprain, the site will need to be kept undisturbed for 3 days.</p>	<p>Agreed, the wording of this regulation is ambiguous and needs to be reviewed and aligned with the Commonwealth OPSR 2009.</p>	<p>Accept, the wording of the regulation will be reviewed</p>

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No	Regulation	Comment	Response	Accept / Reject
	<p>(a) an accident causing the death of, or serious personal injury to, a person engaged in the operation or other protected person; or</p> <p>(b) an accident causing a member of the workforce to be incapacitated from performing work for the period mentioned in regulation 44; or</p> <p>(c) a dangerous occurrence.</p>		<p>Also it seems onerous to include a dangerous occurrence as this is essentially a "near miss" situation, if a dangerous occurrence actually happens and causes harm it becomes an accident in any event.</p>	
51	<p>Pre-amendment safety case submitted before commencement day</p> <p>(b) the Minister must give the operator a reasonable opportunity to change and resubmit the pre-amendment safety case to meet any new requirements arising from the enactment of the Petroleum Legislation Amendment and Repeal Act 2005 Part 3 and these regulations,</p>	<p>Regulation 51(1)(b) is the only part of the regulations which introduces the concept of a pipeline "operator". Should this be a reference to a pipeline "licensee", as it is the pipeline licensee who must submit a safety case?</p>	<p>Agree will amend the term operator to replace with term licensee</p>	<p>Accept</p>

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No	Regulation	Comment	Response	Accept / Reject
Petroleum and Geothermal Energy Resources (Management of Safety) Regulations 2010				
	General	<p>1. There does not appear to be an equivalent of r.2.12 of the <i>Offshore Petroleum (Safety) Regulations 2009</i> in the regulations. Reg. 2.12 requires the safety case to describe the means by which the operator will ensure the adequacy of the design, construction, installation, maintenance or modification of the facility for the relevant state or stages in the life of the facility. APPEA</p> <p>2. Align the regulations with OPSR 2009</p> <p>3. It isn't feasible to apply common regulations to construction and operational activities</p>	<p>1 There is no equivalent regulation to OPSR 2.12, adequacy requirements are covered by a number of regulations, such as R18 machinery and equipment, R19 Structural integrity. In addition R11 (4)(a) requires a licensee to provide an explanation as to how its' obligations under the general duty of care sections of the Act are going to be met . This in itself captures adequacy throughout lifespan</p> <p>2 These regulations were originally derived from the Petroleum (Submerged Lands) (Management of Safety on Offshore Facilities) Regulations 2007 that generally align with the requirements of OPSR 2009. A review of the PP (MOSPO) R will be carried out to ensure that this general alignment is maintained.</p> <p>3 While it is agreed that significant differences exist between construction and operation activities, the regulations and the SMS approach is deemed to be flexible enough to allow those differences to be adequately dealt with.</p>	<p>1 Not considered necessary to formalise in regulation - see response</p> <p>2 Noted, a further review will be carried out to ensure there is no conflict of substance</p> <p>3 Noted, but no action deemed necessary.</p>

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No	Regulation	Comment	Response	Accept / Reject
		<p>4. Timeframes under Div. 4 are not supported, 90 days is too long.</p> <p>5. These regs are too general and require guidelines, don't align with PLARA etc?</p> <p>6. The 'safety management system' as described here for the purposes of a documented submission is not what is commonly known as a safety management system (SMS) within industry. It is unclear why these regulations have deviated from the normally accepted terms of 'safety case' or 'safety report'. Use of 'safety management system' instead of 'safety case' could create confusion within industry.</p>	<p>4 The timeframes that are identified in Division 4 are to ensure that the process progresses in a timely manner while allowing adequate response times when more information is required. It will always be the intention to reduce approval time to as short as possible. This is consistent with Government policy.</p> <p>5 Comprehensive guidelines are currently being written and will be based on / aligned with the approach taken by NOPSA. These will be placed on the website and go through a consultation process before finalisation. All of the regulations have been developed by Parliamentary Counsel and are within the intent of the Act.</p> <p>6 The deviation is marginal, just some terminology, a reduction in prescription and requirements not appropriate. The case for safety in relation to the transportation of high pressure gas is the application of the classic petroleum safety case and that is now formalised in regulation suitable for that activity and circumstance.</p> <p>Industry has a good understanding of the difference between a SC and SMS approach when developing a case for safety. There are a number of well established standards for</p>	<p>4 Noted, but no action deemed necessary.</p> <p>5 Noted, but no action deemed necessary</p> <p>6 No change deemed necessary.</p>

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No	Regulation	Comment	Response	Accept / Reject
		<p>7. It would be preferable that these regulations also include a formalised safety case regime rather than the safety management system that is proposed.</p>	<p>management of safety covering specific activities (such as food, transport, OHS etc) but they all contain similar fundamental requirements.</p> <p>7 There has never been a requirement under the PAGERA for a classic petroleum safety case, only safety manuals and emergency response manuals.</p> <p>With the PAGER management of safety regulations the requirements have to be flexible enough now to allow for existing production facilities in addition to geothermal energy operations and exploration drilling. It would be inappropriate to apply a classic petroleum safety case to a geothermal operation or exploration drilling, a simpler safety management system approach will better serve the purpose and can be easily tailored to suit differing activities and circumstances.</p> <p>Note that no industry stakeholder commented on the SMS terminology used in the PAGER (MOS) regulations.</p>	<p>7 No change deemed necessary.</p>
<p>4</p>	<p>Terms Used</p>	<p>There does not appear to be a requirement for an operator register - poor definition of who an operator is.</p>	<p>This requirement will be part of the SMS under R16, it is not necessary for the regulator to maintain a register of responsible parties. There is a comprehensive definition of operator in the Act.</p>	<p>No change deemed necessary.</p>

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No	Regulation	Comment	Response	Accept / Reject
6	<p>New or increased risks (1) A person must not engage in a pipeline operation if — (a) a significant new risk to safety or health, or a significant increase in an existing risk to safety or health, arises or is likely to arise from the operation; and (b) the new risk or increased risk is not provided for in the safety case in force for the operation. Penalty: a fine of \$8 800</p>	<p>1 Suggest subregulation (a) is limited to "significant risk to safety or health from hazards which could lead to major accident events", as the formal safety assessment (i.e. risk assessment) only requires assessment of risk associated with MAEs - see reg. 11(3).</p> <p>2 Concerns have been raised with this provision with regards to stopping people from operating if their safety cases do not address these new risks. Suggested a tie in with the ALARP concept so that they must reduce the risk.</p>	<p>Agree that this provision needs to somehow link back to a MAE and the requirements need to be reworded to avoid an operation being shutdown prematurely.</p>	<p>Accept, the wording of the regulation will be reviewed</p>
10	<p>Minister may determine that safety management system is not required for particular operations (1) The Minister may, by notice in writing, determine that a safety management system is not required to be in force for — (a) an operation that is specified in the notice; or (b) a class of operation that is specified in the notice.</p>	<p>Exemption for SC is inconsistent with Cwth Regs. Under Division 5 Exemptions the Safety Authority may exempt an operator from one or more of the provisions relating to sc, but isn't a free for all. It is a key aspect of the sc that no matter how low risk the operation that all risks are still managed as per ALARP. Amend this provision to align with Cwth.</p>	<p>Agree, it is hard to imagine a petroleum operation (or a pipeline operation) that wouldn't require some form of SMS (or SC) given the duty of care requirements that will be introduced into the Acts, so exemption from SC wouldn't be an option unless there was some safety management alternative in any event.</p> <p>Consider replacing this regulation with a similar exemption arrangement as the Commonwealth OPSR 2009.</p>	<p>Accept</p>
11	<p>Principal Provisions of a safety management system The safety management system for an operation must contain — (a) a description of the operation; and (b) an acknowledgment of the duties that various persons have under Schedule 1 Division 2 Subdivision 1 in relation to the operation</p>	<p>1 Concerns that 11(a)(i)(ii) could be interpreted as enforcing a "zero risk" concept into managing safety, rather than ALARP with regards to suppliers of equipment etc.</p>	<p>1. This requirement for the operator to provide a detailed explanation of how they propose to comply with their obligations under the Act, Schedule 1, Division 2, Subdivision 1 in relation to the operation and ensure that other persons comply with their obligations under in relation to the operation is subject to</p>	<p>Accept</p>

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No	Regulation	Comment	Response	Accept / Reject
	<p>(obligations); and (c) a detailed explanation of how the operator proposes to — (i) meet its obligations; and (ii) ensure that other persons meet their obligations,</p>		<p>the criteria “reasonably practicable” therefore introducing the ALARP concept.</p> <p>2. However will consider this issue in light of a possible amendment to subregulation (ii) to delete the words “ensure that” and replace with the words “demonstrate how”...other persons comply with their duties.</p>	
12	<p>Risk assessment for major accident events The safety management system for an operation must contain a risk assessment for the operation that — (a) identifies all hazards that have the potential to cause a major accident event; and (b) sets out a detailed and systematic assessment of the risk associated with each of those hazards, including the likelihood and consequences of each potential major accident event; and (c) identifies the measures that are necessary to reduce each of those risks to a level that is as low as is reasonably practicable.</p>	<p>There is the potential for misinterpretation of Clause 12 on Risk Assessment. The way it is currently written seems to imply that the Operator need only identify hazards associated with Major Accident Events and not all hazards.</p>	<p>R12 is intentionally specific to MAEs, not all OSH hazards. The identification and management of OSH hazards is part of the SMS.</p> <p>There is a requirement for an operator to provide for the reduction to a level that is as low as is reasonably practicable of risks to the safety and health of persons engaged in the operation or other protected persons including, but not limited to, risks arising from equipment and hardware.</p> <p>This covers the slips and trips component and obviously to get there a risk assessment would have to be carried out.</p> <p>This also reflects the content of the new Federal safety regulations for NOPSA and the PP (MOSPO) regs.</p>	<p>No amendment deemed necessary</p>

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No	Regulation	Comment	Response	Accept / Reject
13	<p>Ongoing management of safety (f) the audit of activities during the construction and commissioning of a structure to be used in the operation; and (g) any other matter that is necessary to ensure that the safety management system meets the requirements and purposes of these regulations.</p>	<p>Audit of activities should not be limited to just construction and commissioning, needs to encompass all of the activities associated.</p>	<p>Will amend (f) instead to state: (f) the audit of activities during the operation; and</p>	<p>Accept</p>
19	<p>Involvement of members of the workforce (1) The operator of an operation must demonstrate to the Minister, to the reasonable satisfaction of the Minister, that — (a) in the development or revision of the safety management system for the operation, there has been effective consultation with, and participation of, members of the workforce; and (b) the safety management system provides adequately for effective consultation with, and the effective participation of, the members of the workforce, so that they are able to arrive at informed opinions about the risks and hazards to which they may be exposed when engaged in the operation. (2) In subregulation (1) — members of the workforce includes members of the workforce who are — (a) identifiable before the safety management system is developed; and (b) engaged in, or likely to be engaged in,</p>	<ol style="list-style-type: none"> 1. In preparing and revising the SMS, consultation with key stakeholders and dissemination of information to the rest of the workforce should suffice. Include addition so that it reads as “key” members of the workforce rather than every single member. 2. This provision is impractical and not commercially viable. 	<p>Agree, will make amendment.</p>	<p>Accept</p>

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No	Regulation	Comment	Response	Accept / Reject
20	<p>the operation.</p> <p>Structural integrity, etc The safety management system for an operation must describe the means by which the operator of the operation will ensure that the structures, machinery, electrical systems and instrumentation controls to be used in the operation are kept in good condition, free from damage or defect, and fit for purpose.</p>	<p>1. Consider addition to the bottom of this clause as follows (if this is also added to pipelines regs : re-earlier comments on pipeline regs R.18 & 19); i) in normal operating conditions; and ii) in an emergency (to the extent that it is intended to function, or be used, in an emergency).</p> <p>If pipeline regs are also amended with this addition it would provide consistency for the petroleum industry.</p> <p>2. It is impossible to ensure that all equipment is free from damage or defect all the time, needs to take into account the tolerable damage and defects associated with a pipeline.</p>	<p>1. It is considered that the words “fit for purpose” cover all aspects of an operation whether it be under normal conditions or in an emergency situation.</p> <p>2. Agreed, delete words “free from damage or defect” from provision.</p>	<p>1. No amendment deemed necessary</p> <p>2. Accept</p>
35	<p>Revision every 5 years (1) The operator of an operation for which a safety management system is in force must submit a revised safety management system to the Minister — (a) 5 years after the day on which the safety management system was first accepted under regulation 30; and (b) then at 5 yearly intervals, starting on the day on which the revised safety management system submitted under paragraph (a) was accepted under regulation 37. (2) Subregulation (1) applies despite the revision of a safety management system under regulation 33 or 34. (3) A revised safety management system submitted under subregulation (1) must</p>	<p>Delete subregulation (2) to make sure that it ties in with r.50 in terms of review time period and matches up. Delete words “free from damage or defect” (r.26(2)(b)).</p> <p>Continued risk assessment and improvement in the safety management system requires revision on every instance of a change, hence the SMS is a living document current at all times. Intent of this reg. is unclear that requires revision every 5 years without mentioning what additional information is expected in this revision.</p>	<p>Agree</p>	<p>Accept - amend in line with comment</p>

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No	Regulation	Comment	Response	Accept / Reject
	describe the means by which the operator will continue to ensure that the structures, machinery, electrical systems and instrumentation controls used in the operation are kept in good condition, free from damage or defect, and fit for purpose.			
42	<p>Validation of proposed or existing operations</p> <p>(1) The Minister may, by notice in writing, require the operator of a proposed operation or an operation that is currently being carried out to provide a validation for the operation.</p> <p>(2) A validation for the purposes of this Division —</p> <p>(a) is given by a suitably qualified and competent independent person; and</p> <p>(b) is about matters proposed by the operator and accepted by the Minister; and</p> <p>(c) comprises a statement in writing to the effect that the subject of the validation complies with the description given in the safety management system and is fit for the purpose proposed by the operator.</p>	<ol style="list-style-type: none"> 1 To remove concerns with what is or isn't considered "independent" when the licensee nominates a validator from within its own (or its contractors) organisation. It would be preferred that a validator be a "third party". 2 Can subregulation (2)(a) be clarified as to whether this is to be a Third Party competent independent person, or in the case of national companies, can this be competent and independent persons within the company? 3 Confused with intent of provision. 4 There is no explicit requirement for an agreed scope of validation for new or revised SC, this is inconsistent with the Cwth. Consider adding to r.28 to align with r.2.24(4) of the OPSR. 	All comments agreed, will amend provision to remove term "independent" and replace with "third party" to address any ambiguities and reassess the wording of the regulation to better align with OPSR 2009..	Accept.
44	<p>Period of incapacity for work caused by accident arising from pipeline operation</p> <p>For the purposes of Schedule 1 clause 70(1)(b) the period prescribed in relation to an accident arising from a pipeline operation is one or more days.</p>	There is a difference between the numbers of days off work in relation to incapacity in this provision than there is for the offshore regime. The offshore regime refers to 3 or more days. Both regimes should refer to the same consistent time period in this regard.	Our Health Management Reports align with the Australian Standards 1885 in terms of work related injuries, which are defined as one or more days.	No amendment deemed necessary

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No	Regulation	Comment	Response	Accept / Reject
46	<p>Reports of accidents and dangerous occurrences (3)(d) the total number of hours not worked as a result of injuries to persons engaged in the operation and other protected persons that would have been worked if the injuries had not occurred.</p>	<p>Should be “days worked” not “hours worked” as lost time injuries data is reported by days not hours. This will now align with wording used in r.44.</p>	<p>Agreed.</p>	<p>Accept</p>