

## PETROLEUM ENFORCEMENT LIAISON GROUP

### REVISED ACTION NOTES OF THE 28<sup>th</sup> PELG MEETING HELD ON THURSDAY 28 APRIL 2005

Allan Davies (Chair)	HSE - LAU
Peter Roberts	HSE - CFPD
John Hazeldean	HSE - HID
Ted Beckley	COSLA
Alison Edwards	LACORS
Rob Tunnicliff	Midlands
Brian Baker	South East
Roger Marris	North East
Harry Eggar	North West
Andy Berry	London
Steve Gray	Wales
Phil Monger	PRA
Rupert Ainsworth	UKPIA

#### **Welcome, introduction and apologies**

- 1 Alan Davies welcomed members to the 28<sup>th</sup> PELG meeting.
- 2 Apologies were received from: Michael Webber (South West), Rory Hennessey (AUKOI), Chris Hunt (UKPIA was represented instead by Rupert Ainsworth) and Joanna Bradley, who now represents the Environment Agency in place of Jon Naylor. Steve Quicks has resigned from the Group, as his work no longer involves any petrol element. Members agreed there was no need to replace Steve, as Rob Tunnicliff continued to represent the Midlands region.

#### **Notes of the 27<sup>th</sup> PELG meeting**

- 3 There were no comments on the accuracy of the meeting notes.

#### **Action notes of previous PELG meeting**

- 4 The following action notes were carried forward from the previous meeting:
  - a. HSE strategic programme 'Local Authorities and HSE Working Together' – see main agenda item 4.
  - b. Vapour hoses – problems with valves – the Energy Institute have not been in touch. John Hazeldean and Roger Marris will continue to maintain a watching brief. It was noted that the contact at the Energy Institute is now Robert Harris.

**Action: John Hazeldean & Roger Marris**

c. Incident reporting: Brian Baker reported that SELCOG have developed a form summarising incidents (attached as Annex 1). The system has been introduced and a large percentage of PLAs have taken part. Harry Eggar reported that the North West Group have developed a similar system. Members discussed some of the issues surrounding incident reporting. It was agreed that the Freedom of Information Act will apply to the collating of incidents – this would be the case whether the reports were collated by just an individual PLA or a regional group or nationally. In effect, the authority would need to justify why the information should not be released if a request was made for it. That said, members agreed that the information gathered would be useful as it would give a clearer indication of which were the important safety issues at filling stations. The SELCOG and North West initiatives would continue. Members were asked to comment on the SELCOG form (Annex 1) by the end of May. Peter Roberts will contact HSE Solicitors to see if they have any comments on Freedom of Information issues.

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**Action: Members & Peter Roberts**

d. Petrol extractor pumps – Andy Berry has made further enquires and, in general the pumps work satisfactorily. However, members pointed out that one unresolved issue was how the devices can be satisfactorily earthed if the car body adjacent to the filler point is plastic. Andy Berry agreed to make further enquiries.

**Action: Andy Berry**

e. LPGA Autogas codes of practice – nothing to report at the moment.

**Action: HSE (ongoing)**

f. Delivery forms – this issue has now been resolved. Peter Roberts mentioned that the HSE-published delivery forms have now been withdrawn.

**Item discharged**

g. PETEL 65/19a on disused tanks has now appeared on the HSE website. A copy has been sent to Jon Naylor.

**Item discharged**

h. PETEL 65/58 - Peter Roberts has requested that HS(G)41 should be withdrawn – no response as yet.

**Action: Peter Roberts**

i. Aims, objectives and membership of PELG - a final version of the paper has been distributed to members.

**Item discharged**

j. Guidance, LAPs, PETELs etc – see main agenda item 4.

k. PETEL 65/59 - A revised edition of the PETEL has been issued as 65/59a and has appeared on the HSE website.

**Item discharged**

l. Winter grade fuel – splash backs. Members agreed that a change in DTI legislation would be necessary if the September date was unsatisfactory. It was agreed that such a change is unlikely. However, LACORS will investigate to see if any other avenues can be followed.

**Action: Alison Edwards**

m. Autogas ‘start and finish’ working party – see agenda item 8.

n. Refillable gas cylinders - Penny Taylor has now received written advice from HSE’s Solicitors that the filling of cylinders by members of the public is not an ‘at work’ activity. Penny has made contact DTI, DfT and LACORS. Previous discussions concluded that if it were not a work activity the cylinder design should comply with the Pressure Equipment Regulations (PER), inappropriate labeling and mis-selling issues would be for trading standards to deal with. However, members were concerned as to whether DSEAR covered the activity – e.g., should it covered in the risk assessment? Peter Roberts will contact HSE’s Solicitors on this point.

**Action: Peter Roberts**

p. ‘Any other business’ – helicopters – see agenda item 7.

### **Licence conditions, DSEAR, PETELs, LAPS agreements etc.**

5 Members agreed to also cover agenda item 6 (licence fees, renewals etc.) as part of this discussion. Members generally agreed that, in principle, there was no need to renew licences annually – a longer licence period was feasible without any detriment to safety. This would save on administrative costs for both PLAs and site operators. There was some support for a perpetual fee, but by no means total agreement, especially if it led to a reduction in revenue for PLAs. PLA members were requested to take soundings in their regional areas to gauge opinions. If a solid proposal is developed, then the various local authority bodies (LGA etc.) must be formally consulted. This subject will be re-visited during the next meeting.

**Action: Members**

6 Members also debated whether the standard licence conditions should be reviewed, now that DSEAR has been in force for a significant period and the project to modernise petrol legislation has been abandoned. After some discussion, it was agreed to establish a small working party consisting of Phil Monger, Roger Marris and John Hazeldean to review the situation and report back to the next meeting of PELG. Again, if any firm proposals are developed, there will be a need to formally consult the various local authority bodies. Under ‘any other business’ there was a brief discussion about the usefulness of HS(G)146; it was agreed the working group should also consider this issue.

**Action: Phil Monger, Roger Marris and John Hazeldean**

7 Allan Davies pointed out the Local Authority Unit was aware of some issues with LAPS. There were no immediate proposals for action, but a watching brief was being maintained.

**Progress on the HSE/LA strategy**

8 Allan Davies confirmed that work is continuing on developing the Extranet and the review of HSWA Section 18, but there is nothing concrete to report at this stage.

**Action: HSE/LAU (on-going)**

**Revising the airfields PETEL**

9 Given that the meeting was beginning to run behind schedule, Peter Roberts proposed that he would deal with this issue by correspondence.

**Action: Peter Roberts**

**Autogas recent developments – including inspection procedure**

10 A meeting of the Autogas start and finish working group took place on 16 February. The main output of the meeting was a decision to prepare an inspection aide memoire for PLA staff. Roger Marris has taken this forward, with considerable help from Richard Wigfull of John Wigfull & Co Ltd. The latest draft was made available to before the meeting. Members were asked to comment on the draft by 27 May.

**Action: Members**

11 Once the draft has been finalised, Roger will pass it to Peter Roberts so that it can be prepared and distributed as a PETEL.

**Action: Roger Marris & Peter Roberts**

12 Roger Marris thought the efforts made by Richard Wigfull to help the working group were highly commendable. Members agreed that it would be appropriate for a letter of thanks to be sent to Richard from the Chair of PELG.

**Action: Peter Roberts & Allan Davies**

13 Another action agreed by the working group was to encourage site operators to report cold-burn incidents to LPGA. Both UKPIA and PRA support this initiative. Peter Roberts will contact Jeff Watson at LPGA to see how matters are progressing.

**Action: Peter Roberts**

**Screen wash dispensers**

14 Information about a proposed dispenser for screen-wash had been distributed to members before the meeting (Hendry & Co had approached Roger Marris to see if

PELG had any views). Prior to the meeting, Joanna Bradley of the Environment Agency had expressed some concerns, which had been passed on to the company. In addition, members thought the proposed siting next to the petrol dispensers might cause problems with congestion. It might be better to site the device adjacent to the air-line and water facility. Roger Marris will pass on these messages to the company.

**Action: Roger Marris**

### **Any other business**

15 Four issues were raised:

- The need to notify a change from assisted to unassisted tanker deliveries;
- The enforcement boundaries of DSEAR in regard to maritime activities;
- Is there a continuing need for HS(G)146?
- An issue about tanker delivery record keeping.

16 Notification of a change from assisted to unassisted tanker deliveries - members agreed that since the issue of the ACOP 'Unloading petrol from road tankers', and the associated introduction of DSEAR, there was no longer any requirement to notify the PLA if a site operator wished to change from assisted to unassisted deliveries, or vice-versa. In fact, it was fairly common practice for some large sites to have assisted deliveries when open or unassisted when closed. The site operators do, of course, need to comply with the requirements of the ACOP concerning the extra facilities necessary for unassisted deliveries.

**Item discharged**

17 Enforcement boundaries of DSEAR in respect of maritime activities – Brian Baker agreed to clear this matter by correspondence with Peter Roberts.

**Action: Brian Baker**

18 Is there a continuing need for HS(G)146 – Andy Berry raised this point – didn't it just duplicate the risk assessment required under DSEAR? Other members argued that it was actually one way of performing the DSEAR risk assessment. It was agreed that the working group formed to look at licensing conditions would also consider how HS(G)146 fitted into the scheme of things.

**Action: Phil Monger, John Hazeldean & Roger Marris**

19 A question was raised about the record keeping requirements for tanker deliveries. As the site operator is based in West Yorkshire, it was agreed Roger Marris would investigate the matter.

**Action: Roger Marris**

### **Dates of future meetings**

23 Further meetings have already been arranged for 7 July and 6 October 2005.

## SELCOG PETROLEUM INCIDENT RETURN

Name of Authority

Quarter

Year

Type of Incident	Date of Incident	Informed Yes/No	Discovered Yes/No	Site Location, Owner and Description
Leaks (Tanks or Line)				
Spillages (Tanker or Vehicle)				
Fire – Forecourt				
Fire - Building				
LPG – Cold Burns				
LPG – Leaks				
Wet Stock – Variance or Investigations				
Dispensing – Unapproved Containers				
No.of Legal Notices Served				
Total				