



Mr. Eamonn Murtagh

Gas Safety Manager,

Commission for Energy Regulation,

The Exchange
Belgard Square North
Tallaght,

Dublin 24

11th September 2008

Irish LP Gas Association

(Secretary's Office)

c/o Calor Teoranta

Long Mile Road
Dublin 12
Tel: +353 1 4505000

Fax: +353 1 4565147

Email: ed.mcdonnell@calorgas.ie

Website: www.ilpga.ie

Subject: Consultation Paper

Safety Regulation of the Liquefied Petroleum Gas industry in Ireland

Submission by the Irish Liquefied Petroleum Gas Association

Dear Mr. Murtagh,

Please find enclosed comments on the above from the Irish Liquefied Petroleum Gas Association. We would appreciate the opportunity to discuss these in detail with you at the earliest possible opportunity.

Yours sincerely

Ed Mc Donnell
Secretary



COMMISSION FOR ENERGY REGULATION

**SAFETY REGULATION OF THE LIQUEFIED PETROLEUM GAS
INDUSTRY IN IRELAND**

PUBLIC CONSULTATION DOCUMENT

SUBMISSION BY IRISH LIQUEFIED PETROLEUM GAS ASSOCIATION

11TH SEPTEMBER 2008



Before specifically commenting on the document, the Irish Liquefied Petroleum Gas Association (I.L.P.G.A.) would like to express its appreciation of the process which was undertaken in its preparation. The discussions which took place with the various interested players in the area have, we believe, led to an appreciation of each of these for the other. We particularly note that this process led to the Memorandum of Understanding between the Commission for Energy Regulation (C.E.R.) and the Health and Safety Authority (H.S.A.), which, we expect, will help eliminate the gaps and overlaps of responsibility which are identified in the Consultation Paper. It clearly provides a platform for the achievement of a robust interface and clear demarcation of areas of responsibility. The process also gave our industry the opportunity to critically review our own operational methods and our future interaction with both C.E.R. and H.S.A.

The I.L.P.G.A. views the Consultation Paper's description of the industry as being very accurate, comprehensive and succinct.

The detailed consideration and listing of existing legislation and standards goes a very long way towards showing just exactly how well the industry is controlled via a raft of Irish legislation and standards, as well as European Directives. However, we fully agree with the position taken vis-à-vis gaps and overlaps. In recognising this, we also accept that there is a difficulty with regard to the requirement for further primary legislation, for such things as, for example, the provision of a definition for "LPG undertaking" or regulatory licencing.

It is in nobody's interest that there should be duplicate responsibilities, which would arise because of these overlaps. We also understand from your analysis there would be a difficulty with regard to:

- (i) Distribution Networks and
- (ii) Incident Reporting/Safety Campaigns.

However, we consider these identified gaps as being less critical than the issue of installer registration, because they are taken care of via other mechanisms, at present. For example, the LPG industry becomes directly involved with Safety Campaigns, such as the Carbon Monoxide issue, in conjunction with Bord Gais.

With regard to incident reporting, while the requirements are different, there is a reporting structure, under the aegis of the H.S.A., in the case of significant incidents.

There is also a mechanism, via GTSC, whereby incidents concerning public safety are referred to G.T.S.C. Committees TC2 and TC8 for consideration and possible action.



We also note that the CER has previously indicated an intention to establish a number of governance groups at both operational and strategic levels. The ILPGA would be prepared to participate in these, which would provide another mechanism for addressing any issues arising.

This leads us to the one major concern that we do have, which is the possibility of a delay regarding the introduction of the Installer Registration Scheme into the LPG industry.

We are fully in agreement that this is the area most critical in terms of public safety and should be addressed in an urgent fashion, independent of any further legislative changes. We note that the C.E.R. is suggesting a possible approach to achieve this in section 3.3.2.

The I.L.P.G.A. would support this or a similar mechanism to ensure that the LPG installers are regulated as soon as is practicable after the introduction of the scheme for Natural Gas Installers. In fact, the I.L.P.G.A. has been actively promoting this concept since at least 1999.

On a final note, the ILPGA wishes to express its total commitment to supporting the C.E.R. in any initiative to improve safety in the market place.