



Commission for Energy Regulation

An Coimisiún um Rialáil Fuinnimh

**Consultation Comment and CER Response Paper
Accompanying the publication of the Decision Paper: Regulation of Gas
Installers with Respect to Safety – Definition for the Scope of Gas Works
with regard to Liquefied Petroleum Gas (LPG) (CER/11/074)**

DOCUMENT TYPE:	Response Paper
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QUERIES TO:	Tara Scully tscully@cer.ie

The CER received 7 submissions to the Consultation paper (CER/11/022). Submissions were received from the following organisations or individuals:

- Bord Gáis Networks (BGN);
- Calor Teoranta (CT);
- The Health and Safety Authority (HSA);
- The Irish Liquefied Petroleum Gas Association (ILPGA);
- The Inland Waterways Association of Ireland (IWAI) and
- Johnston Caravans Limited (JCL);
- The National Standards Authority of Ireland (NSAI).

The CER welcomes the considered responses from the above parties and has attempted to respond to each comment received.

The comments from the above responses have been inputted into the tables below in accordance with the section to which that comment relates. In doing so, the CER has reproduced the comments from Respondents. The CER has also provided its response to each such comment.

Please note that section references in the “Section” column of the table below refers to the section reference in the Gas Works Consultation Paper (CER/11/022).

For further information on this decision paper, please contact **Tara Scully** (tscully@cer.ie) **at the CER.**

Comments			
Section	From:	Comments/ Proposal Received	CER Response
General	BGN	<p>I refer to the CER's recent consultation paper outlining the proposed approach to scope of Gas Works related to Liquefied Petroleum Gas and its direction "that post the enactment of these regulations; it will be an offence for a person to carry out gas works relating to domestic LPG unless he/she is registered with the GSSB".</p> <p>BGN is broadly in favour of the proposal, but is concerned that in the course of carrying out its emergency response function under Condition 13 of the Natural Gas Distribution licence it can occur that its officers may need to take action to manage a leakage from a LPG installation. Therefore it is suggested that the permission to carry out gas work on domestic LPG installations is extended to a gas emergency officer appointed under Section 9, as defined in the 2006 act.</p> <p>BGN would welcome the opportunity to discuss this further with the Commission.</p>	<p>The CER agrees with the respondent with respect to the requirement to extend the powers of a Gas Emergency Officer, appointed under section 9I of the Electricity Regulation Act, 1999 to include <i>LP Gas Works</i>. In addition the CER recognises the requirement for LPG undertakings to appoint Gas Emergency Officers under the Act. To this end the CER has put forwarded proposals requesting a legislative amendment to Section 9I of the Electricity Regulation Act, 1999 (as amended by the 2006 Act) that will extend the powers of the Emergency Officer to include gas work on LPG installations. The CER anticipates the relevant legislative amendment will be published mid 2011.</p>
3.2.1	CT	<p>Calor propose changes to ; Section 3.2.1. must also include Domestic appliances which pre-date G.A.D.</p>	<p>The CER agrees with the respondent with respect to specifically including within the scope of <i>LP Gas Works</i> Domestic appliances which pre-date the introduction of the G.A.D. as the risks associated with such appliances are similar to or perhaps, greater than the risks associated with more recently manufactured appliances. The CER has incorporated this proposal into its decision paper.</p>
3.2.3	CT	<p>Calor propose changes to; 3.2.3 Treat Industrial the same as Commercial excluding Industrial Equipment/process applications.</p>	<p>As indicated in Section 5.2, it is intended that the regulatory model will be extended to include Commercial Gas Works (LPG and Natural Gas), when certain conditions exist. Commercial Gas Works will include any</p>

Comments			
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5.2	CT	Calor agrees with the CERs proposal to include commercial Gas Works within the scope of the regulations and would welcome a quick entry within the medium term, however not until such time as the conditions set out in a. b. and c. of section 5.2 exist.	work on a LPG or natural gas fitting used or designed to be used by a Commercial gas customer, including where it is used by Industrial customers. The CER notes and welcomes the respondent's comment.
5.2	CT	Calor agrees with the CERs proposal not to extend the regulatory model and the definition of Gas Works to Industrial Gas Works, within the scope of the regulations at this time.	The CER notes and welcomes the respondent's comment.
General	HAS	The approach proposed by CER with regard to regulation of LPG installers seems reasonable to the HSA .The eventual extension of the scheme to the commercial sector will be a great asset to employers when making judgements about the competency of outside contractors	The CER notes and welcomes the respondents comment.
3.2.1	ILPGA	The ILPGA proposes changes to: Section 3.2.1 To also include appliances which predate the introduction of the GAD	The CER agrees with the respondent with respect to specifically including within the scope of <i>LP Gas Works</i> appliances which pre-date the introduction of the G.A.D. as the risks associated with such appliances are similar to or perhaps, greater than the risks associated with more recently manufactured appliances. The CER has incorporated this proposal in its decision paper.

Comments			
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5.1	ILPGA	<p>Section 3.2.1.1</p> <p>To read (e.g. gas cooking appliances connected to an LPG cylinder by mean of fixed metallic pipework)</p>	<p>The CER notes the respondent's comments however this proposal would exclude cooking appliances connected directly to a cylinder from the scope of <i>LP Gas Works</i>. This exclusion would be contrary to the intention of the Gas Works regulations. For clarity, the following will be excluded from the scope of the regulations (see section 3.2.1 of decision paper CER/11/074 for a complete list):</p> <ul style="list-style-type: none"> – Connection or replacement of a flexible connector connecting a refillable cylinder to installation pipework. – Work on a single LPG installation without fixed pipework, achieved by a flexible connector from an adjacent LPG storage cylinder (e.g. cabinet heater, barbecue, patio heater).
5.1	ILPGA	<p>Section 5.1</p> <p>Add : the welding of pipework prior to admission of gas, to the exemption list</p> <p>The ILPGA agrees with the CER's proposal to include Commercial Gas Works within the scope of the regulations, but not until such time as the conditions set out in a. b. and c. of section 5.2 exist</p> <p>The ILPGA agrees with the CER's analysis and proposal not to include Industrial Gas Works within the scope of the regulations</p>	<p>The CER notes and agrees with the respondent's recommendation. The welding of pipework prior to the admission of gas is specialist in nature and is carried out by individuals specifically trained to do so. This proposal has been incorporated in the decision paper.</p> <p>The CER notes and welcomes the respondents comment.</p> <p>The CER notes and welcomes the respondents comment.</p>

Comments			
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3.2.1.2	IWAI	<p>The Inland Waterways Association of Ireland (IWAI), which represents over 4000 users on the inland waterways (see www.iwai.ie), will make a more extensive response, within the timeframe. But below, we list our strong concerns about the potential inclusion of boats on the Inland waterways.</p> <p>I refer to " such as cooking, space heating, and hot water, in privately owned, rented, and/or hired liveaboard boats (c. 60) and vessels (c.10,000) navigating the inland Irish waterways. " Section 3.2.1.2 (The definition of Domestic Customer)</p> <p>The IWAI would strongly reject the assertion that the scope of LPG regulations should be extended to such boats.</p> <p>(a) All boats since 1995, have their gas installations, controlled by the EU Recreational Craft Directives (RCD), This defines the special installation requirements as pertains to boats, especially in relation to engines rooms, sleeping accommodations, room sealed devices, technical fittings etc. This is very a different and specialised area to domestic systems. The RCD overrides local laws in this regards. Any significant modifications to a boats gas installation would require the installer to certify the works in accordance with the RCD; This requires involvement of specialised European notified and certifying bodies and is a requirement by insurers and the provisions of the RCD.</p> <p>(b) The expertise and knowledge required to maintain and install such systems to the standard required by the RCD, requires specialised knowledge and access to</p>	<p>The CER thanks the respondent for their response and notes the points raised.</p> <p>The CER is aware that the EU Recreational Craft Directive (RCD) places legal obligations on builders, importers and owners of recreational craft and personal watercraft at the point of placing a craft on the EEA market or putting a craft into service within the EEA. While the RCD outlines high-level requirements with regard to gas systems on recreational craft it is the supporting ISO standards that outline the detailed technical requirements.</p> <p>I.S. EN ISO 10239: Small Craft – Liquefied Petroleum Gas (LPG) Systems is the International Standard for permanently installed liquefied petroleum gas (LPG) systems and LPG burning appliances on small craft of hull length up to 24m. This standard does not cover systems used on LPG-fuelled propulsion engines or LPG-driven generators. There is a direct link between the RCD and I.S. EN ISO 10239. This relationship is outlined in detail in an informative annex (Annex ZA) to I.S. EN ISO 10239. The annex provides a list of clauses in the Standard which correspond with paragraphs in the RCD. It is our understanding that at present there is no ongoing enforcement of I.S. EN ISO 10239 in Ireland.</p> <p>The inclusion of <i>LP Gas Works</i> on recreational craft within the regulations would place a legal obligation on installers to carry out gas work in line with the technical</p>

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	IWAI	<p>equipment and practices not normally used in land based domestic installations. (low voltage shutoffs, 12v sniffer systems, low voltage ignition systems, etc) It would not be within the training or experience of "Domestic" gas installers, to be aware and follow the RCD requirements, not to mention the specialised nature that is installations on boats. (including accessing machinery areas etc).</p> <p>In particular there are very particular and specialised requirements in the RCD directive relating to restrictions on space heating, gas refrigeration, etc that are specific to boats, Land based vehicles are more akin to domestic systems. Boats are not. Installers would have to be trained to understand the implications of the RCD and its particular technical requirements. Such training is specialised and not undertaken lightly.</p> <p>(c) Mention is made of 10,000 boats, the current Waterways Ireland register of boats suggests 6000 boats, are active on the inland system, many of which would not have any gas installations at all, or would use portable gas systems (more akin to camping). Few boats use gas for space heating, most use diesel based hot air. The report overstates the size and extent of such gas installations. Any extension of domestic</p>	<p>requirements of I.S. EN ISO 10239 and hence the RCD. This would also place requirements on installers to undertake appropriate training, ongoing competency assessment and be subject to Audit and Inspection by the Gas Safety Supervisory Body on a regular basis. It is the CER's opinion that the inclusion of such LPG fittings on recreational craft within the gas works regulations would be complementary to the requirements of the RCD.</p> <p>The CER also notes that a boat safety scheme equivalent to that in the UK, The Boat Safety Scheme, which enforces technical standard requirements (incl. I.S. EN ISO 10239) through a licensing and permit regime, does not exist in Ireland, at present.</p> <p>However, the CER recognises that many individuals working within this industry will have specific competencies. It is also our understanding that there is currently no legal requirement to undertake formal training with regard to I.S. EN ISO 10239 or the RCD in order to carry out work on LPG fittings on a recreational craft. Training specific to I.S EN ISO 10239 is currently available in the UK however it is not yet available in ROI.</p> <p>The legal definition of an LPG fitting excludes portable LPG appliances as you describe from the scope of the regulations: Any non-portable appliance, apparatus or other thing including associated pipework and flueing which is used or designed to be used by –</p> <ul style="list-style-type: none"> a) a domestic customer, or b) such class or classes of industrial customer or commercial customers as the CER may specify from

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	IWAI	<p>regulations would fail to take into account the specialised systems in use. Installations which would be acceptable for domestic, caravan and leisure vehicles would not be allowed under the RCD for boats.</p> <p>(d) The Irish inland waterways are connected to the sea at several places and there is a significant flow of vessels from the sea to the inland waterways and vice versa (via limerick and Dublin, and to and from Northern Ireland.)). No mention in the consultation document is made of sea going or coastal craft. It seems very strange that they should be excluded, while the exact same craft on the Shannon are included. How can the situation be controlled where coastal boats travel in and out of the inland waterways. Users would simply have the work done on the coast, would a coastal installation not covered by the scope then become illegal inland. This would lead to an unworkable and undocumentable situation.</p> <p>It is noticeable that you have left out coastal leisure boats; surely the logic applying there also applies to inland boats, since they are the same craft and governed by the same build rules.</p>	<p>time to time, in connection with the consumption or use of LPG.</p> <p>The CER also notes that impending legislation will place legal obligations on LPG undertakings with regard to the reporting of LPG incidents. The CER will work closely with other regulatory/statutory body's including the Marine Survey Office, Marine Investigation Casualty Board, Waterways Ireland and various LPG undertakings in the coming months to establish this reporting framework.</p> <p>In view of the above considerations the CER confirms that it will not extend the regulations of Gas Works on LPG fittings to this area at this time. However, the CER confirms that following an appropriate review period which will involve working closely with the relevant agencies with responsibility in this area that it may extend the scope of the regulatory system to include this area at a later date. The CER will consult further on this matter in the near future.</p>
General	JCL	<p>Hi, thanks for sending me info on the LPG Gas Works consultation paper, having read through it I am very pleased to see such a comprehensive and educated approach to regulating this industry.</p> <p>Some points which may be of interest to you in relating specifically to mobile homes on holiday home parks. The specific address (caravan park name AND PITCH</p>	<p>The CER notes and appreciates the respondents comment.</p> <p>The CER acknowledges that the nature of mobile dwellings such as transportable holiday home present unique difficulties with regard to traceability however the CER is committed to working closely with the industry and</p>

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	JCL	<p>NUMBER) for which a holiday home is gas tested is vitally important as a unit will often be commissioned or serviced and gas tested for a customer on a pitch but this same holiday home could then often be traded in against a new model at a later date and the original unit sold on to a new customer on a new pitch. Obviously once moved and resited the previous gas cert would be invalid but some customers may be under the illusion that it had a valid cert as it was dated less than a year ago.</p> <p>For your interest I attach a copy of the gas Certs we use, with some explanatory notes below, as I feel that the RGI cert 3 for documenting nat is not as relevant or comprehensive as one for our unique holiday home sector of the industry.</p> <ul style="list-style-type: none"> ▪ address of gas installation (holiday park, not customers home address), ▪ unit, make and model details of holiday home so this document relates specifically to their current caravan holiday home and can be supplied if insurance company, holiday park etc require a copy, ▪ customer present, by nature of residence being used at peak holiday times and weekends customer not always present when routine service is carried out, also for installation of new appliances or installation and commissioning of holiday home customer not always present therefore operation of appliances cannot be demonstrated to customer, although manufacturer's instructions will be left ▪ Gas soundness test carried out, while this is mandatory for service/safety checks and commissioning not all repair work requires a soundness test, i.e. if just repairing frost damaged water section to a water heater 	<p>public on this matter to ensure the safety of <i>LP Gas Works</i> within these dwellings.</p> <p>The CER thanks the respondent for the sample certificate and helpful comments regarding the suitability of existing RGII certificates and will take these on board when adapting RGII certificates. The CER is working closely with RGII to ensure appropriate Declaration of Conformance Certificates are developed to meet the needs of all segments of the LPG industry.</p> <p>A Registered Gas Installer (RGI) has a duty of care, where a hazard is identified, to issue a Notification of Hazard to the customer. There is currently a system in place with regard to Gas Works on natural gas. This will be reviewed and adapted, where appropriate, to meet the needs of the LPG industry.</p>

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	JCL	<p>or boiler outside of normal service schedule.</p> <ul style="list-style-type: none"> ▪ supply details, type of supply- butane 11.34kg, propane 34kg, 47kg, regulator 2kg/hr, 4kg/hr, gas change over kit 5kg/hr. ▪ appliance details, it is important for both customer and gas engineer that make model and serial no. of appliance is recorded. This would aid the ordering of spare parts as well as documenting exactly what appliances are installed at point of service/safety cert etc. (as we are all aware there are still a few "cowboys" out there who will get a second hand or new appliance and fit it themselves, often not complying with relevant standards, to avoid gas engineer service charges.) ▪ customer name and signature, should an installation or appliance be deemed unsafe there is provision for notice of this, thus allowing this same sheet be used as a hazard notice and have a customer/ representative or witness sign and testify to warning notice and tape etc. <p>Thank you very much for taking the time to read through this, hopefully it will be of benefit to the development of useful certificates to our industry. Please don't hesitate to contact me if I may be of any help with further input regarding this quite unique sector of our greater gas industry.</p>	
3.2	NSAI	<p>To capture all gas appliances suggested amendment to wording highlighted in italics:</p> <p>"Domestic LPG customers' are defined as those end users who use LPG on a permanent, temporary or seasonal basis, for residential purposes such as space heating, cooking and hot water, utilising standardised and gas burning appliances approved under the requirements of the G.A.D17., <i>as well as gas</i></p>	<p>The CER agrees with the respondent with respect to specifically including within the scope of Gas Works appliances which pre-date the introduction of the G.A.D. as the risks associated with such appliances are similar to or perhaps, greater than the risks associated with more recently manufactured appliances. The CER has incorporated this proposal in its decision paper.</p>

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General	NSAI	<p><i>appliances manufactured before the introduction of the GAD. Domestic LPG customers use LPG for residential purposes in fixed and mobile residential premises, as follows:"</i></p> <p>Personnel should be exempt from registration while carrying out network operations including emergency response on behalf of a network operator/LPG undertaking.</p>	<p>The CER agrees with the respondent with respect to the requirement to extend the powers of a Gas Emergency Officer, appointed under section 9I of the Electricity Regulation Act, 1999 to include <i>LP Gas Works</i>. In addition the CER recognises the requirement for LPG undertakings to appoint Gas Emergency Officers under the Act. To this end the CER has put forwarded proposals requesting a legislative amendment to Section 9I of the Electricity Regulation Act, 1999 (as amended by the 2006 Act) that will extend the powers of the Emergency Officer to include gas work on LPG installations. The CER anticipates the relevant legislative amendment will be published mid 2011.</p> <p>The CER notes the comment; the provision of industry training is outside the remit of the CER.</p> <p>The CER agrees with the proposal and these Irish Standards have been added to the related documents list.</p> <p>The CER notes the respondents comment.</p>
General	NSAI	<p>It is the responsibility of the network operator/LPG undertaking to ensure that its personnel have the relevant competency and training to carry out the assigned operations.</p>	
	NSAI	<p>Add I.S. 813 and I.S. 820 to the related documents list.</p> <p>I.S. 813, Domestic gas installations I.S. 820, Non-domestic gas installations</p>	
3.2.1.2	NSAI	<p>While we support the concept of including boats, caravans, mobile homes and LAVs we see issues around traceability of certification of the Gas Works.</p>	

Comments			
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3.2.1.2	NSAI	<p>As there is no registration, to our knowledge, of mobile accommodate the traceability of the installations is impractical to record.</p> <p>TC2 would be happy to participate in any meetings CER sees fit to organise with the industry sectors affected to clarify the logistics of including mobile accommodation inside the scope of this document.</p> <p>I.S. EN 1949 is not freely available and must be purchased. The definition for LAV should be provided in CER publication which is freely available.</p> <p>I.S. EN 1949 does not include a definition for LAV.</p> <p>I.S. EN 1949 provides the following definition for the term leisure accommodation vehicle:</p> <p>3.1 - leisure accommodation vehicle unit of living accommodation for temporary or seasonal occupation that may meet requirements for construction and use of road vehicles</p> <p>Provide the definition in the footnote or main text. Alternatively reference the correct term included in I.S. EN 1949.</p> <p>Use the commonly used reference to carbon monoxide throughout the document</p>	<p>Please refer to response to IWAI and JCL for further details.</p> <p>The CER agrees with this comment and has included the appropriate definitions in the consultation paper.</p>

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4.2.1 Last paragraph	NSAI	Carbon Monoxide (CO) Please utilise the correct wording when referring to Irish Standards. Deleted text has been struck through and new text is highlighted by italics.	The CER notes and agrees with the respondent's comments regarding the referencing of Irish Standards and has incorporated them accordingly into the decision paper.
4.4.2 3 rd bullet	NSAI	There is a Domestic Gas Installation, Standard (I.S. 81322) which Irish Standard Specification, I.S. 81322, covers the installation requirements of Natural Gas and LPG of LPG fittings in a domestic setting. Similarly, there are applicable Irish Standards which cover the installation of LPG fittings in caravans, mobile homes, LAV"s etc. (I.S. EN 1949) and boats etc. (I.S. EN ISO 10239). Again these Irish Standards also lend themselves to the development of a relatively simple competence assessment process in order to satisfy that an individual is competent to undertake the gas work in accordance with the provisions of the standard.	
4.4.2 Footnote 22	NSAI	Reference to I.S. 813 should be worded as follows: Irish Standard I.S. 813 – Domestic gas installations published under the authority of the National Standards Authority of Ireland which may be revised and amended from time to time	
4.4.3 3 rd bullet	NSAI	Please utilise the correct wording when referring to Irish Standards. Deleted text has been struck through and new text is highlighted by italics. There is a Non-Domestic Gas Installation Standard (I.S. 82023) which The Irish Standard I.S. 820 covers the	

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4.4.3 Footnote 23	NSAI	<p>installation requirements of Natural Gas and LPG fittings in a non-domestic setting, more specifically commercial premises.</p> <p>Reference to I.S. 820 should be worded as follows: There is a Non-Domestic Gas Installation Standard (I.S. 82023) which The Irish Standard I.S. 820 covers the installation requirements of Natural Gas and LPG fittings in a non-domestic setting, more specifically commercial premises.</p>	
5.2 Footnote 52 Reference to I.S. 820 should be worded as follows:	NSAI	<p>Reference to I.S. 820 should be worded as follows:</p> <p>Irish Standard I.S. 820 – Non-domestic gas installations published under the authority of the National Standards Authority of Ireland which may be revised and amended from time to time</p>	