



STATUTORY INSTRUMENTS.

S.I. No. 4 of 2014



PETROLEUM SAFETY (PETROLEUM INCIDENT) REGULATIONS
2014

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The Commission for Energy Regulation in exercise of the powers conferred on it by Section 13V of the Electricity Regulation Act 1999 (as inserted by Section 3(c) of the Petroleum (Exploration and Extraction) Safety Act 2010) (No. 4 of 2010), hereby makes the following Regulations:

Citation

1. These Regulations may be cited as the Petroleum Safety (Petroleum Incident) Regulations 2014.

Commencement

2. These Regulations shall come into operation on 13 January 2014.

Interpretation

3. (1) In these Regulations, unless the context otherwise requires—

“Act of 1999” means the Electricity Regulation Act 1999 (No. 23 of 1999), as amended;

“hazardous substance” means a substance or a mixture fulfilling the criteria relating to physical hazards, health hazards or environmental hazards, laid down in Parts 2 to 5 of Annex I of Regulation 127/2008 as amended from time to time, including prior to the date of these Regulations¹.

“prescribed occurrence” means, in connection with the carrying on of a designated petroleum activity:

- i. an uncontrolled fire or explosion;
- ii. an uncontrolled release of petroleum gas that could have resulted in a fatality or a serious injury;
- iii. an uncontrolled release of petroleum liquid that could have resulted in a fatality or a serious injury;
- iv. an uncontrolled release of a non-petroleum hazardous substance that could have resulted in a fatality or a serious injury;
- v. loss of mooring, stability or buoyancy of a vessel;
- vi. a collision by a vessel, vehicle, crane, helicopter or aircraft with any petroleum infrastructure;

¹Official Journal L 353, 31/12/2008 p. 1

*Notice of the making of this Statutory Instrument was published in
“Iris Oifigiúil” of 17th January, 2014.*

- vii. an instance of a stand-by vessel not being in a position to provide rescue to persons on offshore petroleum infrastructure;
- viii. a person falling into the sea;
- ix. mustering on onshore or offshore petroleum infrastructure, other than for planned drills;
- x. evacuation of onshore or offshore petroleum infrastructure, other than for planned drills;
- xi. activation of a blow-out prevention or diversion system, or activation of any other emergency shutdown device, in each case to provide well control;
- xii. a positive flow indication from a well as a result of an unplanned fluid influx;
- xiii. the detection of hydrogen sulfide in the course of operations at a well or in samples of well-fluids from a well where the presence of hydrogen sulfide in the reservoir being drawn on by the well was not anticipated;
- xiv. failure to maintain a planned minimum separation distance between two or more wells;
- xv. the collapse, overturning, or failure of any load-bearing part of any lift, hoist, crane, or derrick;
- xvi. failure of any equipment associated with a well being worked on whose purpose is to prevent or limit the effect of the unintentional release of fluids from the associated well or reservoir, or whose failure would cause or contribute to such a release;
- xvii. any incident that leads to third party property damage outside the boundary fence of the relevant onshore petroleum infrastructure or within 500 metres of the relevant offshore petroleum infrastructure; or
- xviii. the dropping of an object that could have resulted in an outcome specified in (a) to (e) of the definition of petroleum incident contained in section 13A(1) of the Act of 1999 or could have resulted in an occurrence specified in (i) to (xvii) of the definition of prescribed occurrence under these Regulations.

“serious injury” means:

- (a) an injury to a person where the person cannot perform all of their normal work activities for more than 7 consecutive days (not including the day of the petroleum incident, but including subsequent non-working days); or

- (b) any injury to a person that requires admittance to a hospital for more than 24 hours.

‘Third party property’ means property other than property in the ownership of the petroleum undertaking(s) concerned, or of contractors or subcontractors to that petroleum undertaking that are carrying out work in connection with a designated petroleum activity.

(2) In these Regulations—

- (a) a word or expression that is used in these Regulations and is also used in the Act of 1999 has, unless the contrary intention appears, the same meaning in these Regulations as it has in the Act of 1999.
- (b) where a word or expression is given a meaning in the Act of 1999 or in these Regulations then, except where the context otherwise requires, any cognate word or expression used in these Regulations shall be construed accordingly.
- (c) a reference to an article or schedule is to an Article of, or Schedule to, these Regulations, unless it is indicated that reference to some other provision is intended, and
- (d) a reference to a paragraph is a reference to a paragraph of the provision in which the reference occurs, unless it is indicated that reference to some other provision is intended.

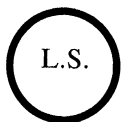
Prescription of Classes of Event or Occurrence

4. Any event or occurrence which is a prescribed occurrence is prescribed as an event or occurrence for the purposes of paragraph (f) of the definition of petroleum incident contained in section 13A(1) of the Act of 1999.

Form of Notification of Petroleum Incidents

5. A petroleum undertaking(s) shall notify the Commission of a petroleum incident in writing.

6. In addition to complying with Regulation 5, in the case of a petroleum incident resulting in the loss of a human life, or as a result of which persons are missing, the petroleum undertaking(s) shall supply the Commission by the quickest practicable means with the name of the deceased or missing person(s), brief particulars and the location of the petroleum incident.



Sealed with the common seal of the Commission for Energy
Regulation,

13 January 2014.

DERMOT NOLAN,
Chairperson of the Commission.

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