


## Appendix A - Shell E&P Ireland Ltd comments on Consultation Papers

### 1. CER/15/278 – Compliance Assurance System - Consultation Paper

| Section |                                 | Comments   |
|---------|---------------------------------|--|
| 1       | 3.1                             | <p>With respect to Safety Performance Lagging Indicator C3 (previously leading indicator L4) “Number of activations of an SECE” it would be useful to clarify the intent as previously provided in CER 14/146 2014. However, it is important that the Safety Performance Indicator (SPI) intent should be confined to ”genuine activations” only .i.e. a Hardware barrier activation to prevent a top event or prevent escalation.</p> <p>Provision of examples in the document would be beneficial (see below).</p> <p><u>Examples</u><br/>                     For the Safety Critical Element “Fire and Gas Detection”;<br/>                     Active Element: The Gas or Fire Detectors<br/>                     Activation is: Activation in the event of a gas leak or detected fire</p> <p>For the Safety Critical Element “System Depressurisation”<br/>                     Active element: The blow down system<br/>                     Activation is: Activation of the depressurisation in the event of confirmed fire and gas/MAH threat</p> |
| 2.      | Safety Performance Indicator H3 | <p>It is noted that the criteria is specified for 3 days. It is proposed that this reflects the criteria outlined below 2. CER/15/277 – Guidance for Notification of Incidents- Consultation Paper<br/>                     “Any serious injuries to five or more persons in the same accident to be reported under the requirements of Directive 92/91/EEC”</p>   |

| Section |                                 | Comments   |
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| 3.      | Safety Performance Indicator L6 | This metric should relate to open HAZOP action items, given the number of live operational risk assessments at the end of a quarter is a very open indicator. Risk assessments are an ongoing part of daily work activities, therefore explicit tie back to open HAZOP provides clarity and is the more effective approach to take.  |
| 5.      | Safety Performance Indicator    | <p>C2 should not be reportable under the EU Guidance Document on Commission Implementing Regulation No 1112/2014 – it is proposed that the CER reporting requirements reflect the EU guidance document as stated below i.e.</p> <ol style="list-style-type: none"> <li>1) A failure of a SECE causing a major accident or during a major accident</li> <li>2) A SECE reported by the independent verifier as failing to meet the required Performance Standard for that SECE</li> </ol> <p><b>And</b><br/>the operator/owner had to take immediate action to reduce risks to an acceptable level</p> |

## 2. CER/15/277 – Guidance for Notification of Incidents- Consultation Paper

| Section |         | Comments   |
|---------|---------|--|
| 1.      | 2.2     | With respect to reporting fatalities or missing persons, there is a requirement “to notify the CER, ‘by the quickest possible means’”. However, please note that under emergency response procedures, the missing person’s family must take priority for first notification. Suggest ‘by the quickest possible means’ is replaced with ‘as early as possible’ following a fatality or missing persons report.  |
| 2.      | 3.2 (C) | Change ‘C Failure of a safety and environmentally critical element’ to ‘C Failure of a safety and environmentally critical element (where environmentally critical element requirement only applies offshore)’. Re the guidance in this part, the attached guidance from the EU should be added to this section for consistency of approach across the EU, by referring to the same reportable & non reportable examples provided.<br><br>2015_11_11_Final_I<br>R_Guidance_Docume |
| 2.      | 3.2 (D) | Change ‘D’, add in the word ‘detected’, i.e. replace – ‘Any condition that...’ with ‘Any <b>detected</b> condition...’ to align with the Implementing Regulation.  |
| 3.      | 3.2 (E) | ‘E Potential and actual vessel collisions with an offshore installation’ – the guidance document states that ‘A report is required where a vessel enters the safety zone of offshore petroleum infrastructure without authorisation.’ This is more than what is required in the EU guidance document and we believe it   |

| Section           | Comments   |
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| <p>4. 3.2 (H)</p> | <p>adds no safety reporting value to the process.</p> <p>‘H Any serious injury’, We strongly believe that this should be aligned with the EU guidance which states: ‘Any serious injuries to five or more persons in the same accident to be reported under the requirements of Directive 92/91/EEC’?</p> <p>Suggest the CER criteria is aligned with EU guidance and also recommend aligning the definition with the HSA, to determine if this can be streamlined with the SHWW act and COMAH Regulations definition of a serious injury.</p> <p><u>It is noted for example that:</u></p> <p>1) <u>SHWW Act regard a “Reportable Accident” as:</u><br/>           An accident is reportable if the person is absent from work for more than 3 consecutive days,</p> <p>2) <u>Under the COMAH Regulations 2015 Injury to persons includes:</u><br/>           2 (b) six persons injured within the establishment and hospitalised for at least 24 hours;<br/>           2 (c) one person outside the establishment hospitalised for at least 24 hours;</p> <p>In addition, we see no merit in adding in the extra criteria “any injury to a person that requires admittance to a hospital for more than 24 hours”.</p> <p>Suggest removal of this additional criteria given this exceeds the definition as per Guidance Document on Commission Implementing Regulation No 1112/2014 “Any serious injuries to five or more persons in the same accident to be reported under the requirements of Directive 92/91/EEC “.</p> |

| Section |           | Comments  |
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| 5       | 3.2 (K-S) | Recognising that K-S are lagging safety indicators as per Compliance Assurance System CER/15/278. SEPIL's view is that reportable incidents should mirror that as defined in the EU Guidance No. 1112/2014 and should be separate from the Safety Performance Indicators. |

### 3. CER – Petroleum Incident Notification Form

| Section |   | Comments  |
|---------|---|---|
| 1.      | Section 1 Initial Notification – Event Data | There should only be an option to tick a single box, not both simultaneously.   |
| 2.      | Section 1 - Field Name/Code                 | We assume this relates to the well nomenclature only.   |
| 3.      | Section 1 – Event Categorisation Part H     | Refer to comment in section 3.2 (H) of CER/15/277 – 'H Any serious injury', We strongly believe that this should be aligned with the EU guidance which states: 'Any serious injuries to |

| Section |            | Comments  |
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|         |            | <p>five or more persons in the same accident to be reported under the requirements of Directive 92/91/EEC’?</p> <p>Suggest the CER criteria is aligned with EU guidance and also recommend aligning the definition with the HSA, to determine if this can be streamlined with the SHWW act and COMAH Regulations definition of a serious injury.</p> <p><u>It is noted for example that:</u></p> <p><u>1)SHWW Act regard a “Reportable Accident” as:</u><br/>An accident is reportable if the person is absent from work for more than 3 consecutive days,</p> <p><u>2)Under the COMAH Regulations 2015 Injury to persons includes:</u><br/>2 (b) six persons injured within the establishment and hospitalised for at least 24 hours;<br/>2 (c) one person outside the establishment hospitalised for at least 24 hours;</p> |
| 4.      | Section 2  | <p>Align Section A1 as a heading for Table i. Hydrocarbon released</p> <p>Section A1 needs to be a heading for the table underneath the section/box titled “was there a release of hydrocarbon substances?”</p>   |
| 5.      | Section J1 | <p>Consider, for clarity, including the definition for Tier 1,2,3 within the PIN form.</p>  |