

1989 No. 1029

OFFSHORE INSTALLATIONS

**The Offshore Installations (Emergency Pipe-line Valve)
Regulations 1989**

<i>Made</i> - - - -	<i>20th June 1989</i>
<i>Laid before Parliament</i>	<i>20th June 1989</i>
<i>Coming into force</i>	<i>12th July 1989</i>

ARRANGEMENT OF REGULATIONS

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Whereas the Secretary of State has consulted pursuant to section 7(1) of the Mineral Workings (Offshore Installations) Act 1971^(a) (hereinafter referred to as "the 1971 Act") and section 32(1) of the Petroleum and Submarine Pipe-lines Act 1975^(b) (hereinafter referred to as "the 1975 Act") with organisations in the United Kingdom appearing to him to be representative of those persons who will be affected by the following Regulations:

Now, therefore, the Secretary of State in exercise of his powers under sections 6, 7 and 11 of, and paragraphs 1(1), 3 and 7 of the Schedule to, the 1971 Act and section 26 of the 1975 Act, and of all other powers enabling him in that behalf, hereby makes the following Regulations:-

^(a) 1971 c.61; section 6 was amended by section 37 of, and Schedule 3 to, the Oil and Gas (Enterprise) Act 1982 (c.23).

^(b) 1975 c.74; section 26 was amended by section 25(5) of the Oil and Gas (Enterprise) Act 1982 (c.23); section 33(1) was extended by section 25(1) of that Act.

Citation and commencement

1. These Regulations may be cited as the Offshore Installations (Emergency Pipe-line Valve) Regulations 1989 and shall come into force on 12th July 1989.

Interpretation

2. In these Regulations—

“associated installation” means, in relation to a riser or valve, the offshore installation served by it;

“controlled waters” means controlled waters within the meaning of section 1(4) of the 1971 Act;

“emergency shut-down system” means the system comprising mechanical, electrical, electronic, pneumatic, hydraulic or other arrangements by which the plant and equipment on an offshore installation are automatically shut down in the event of an emergency;

“emergency shut-down valve” means a valve fitted for the purposes of regulation 5 below;

“fixed installation” means an offshore installation which is not a floating installation;

“floating installation” means an offshore installation which is supported by its buoyancy in the water;

“installation manager” means the manager of an associated installation;

“manager” includes, where no manager of an associated installation is appointed pursuant to section 4 of the 1971 Act, any person made responsible by the owner for safety, health and welfare on the installation;

“offshore installation” means any offshore installation for the purposes of the 1971 Act which is maintained in controlled waters for the carrying on of any activity to which the 1971 Act applies other than an offshore installation which is—

(a) entirely below sea-level at all states of the tide;

(b) used exclusively for flaring; or

(c) not normally manned and used exclusively for the loading of substances into vessels or for their reception and storage prior to such loading;

“owner”, in relation to a pipe-line in respect of which no person has been designated as its owner in pursuance of section 33(3) of the 1975 Act, means the person in whom the pipe-line is vested;

“pipe-line” means a pipe or system of pipes which is connected by means of a riser to an offshore installation and which is used for the purpose of conveying any substance which is flammable or toxic not being a pipe-line with a nominal internal diameter of less than 40 millimetres;

“quick-disconnect fittings” means fittings on a riser serving a floating installation which are designed to allow the flexible part of the riser to be disconnected quickly from the installation;

“riser” means that section of a pipe-line which connects an offshore installation to a section of the pipe-line which lies in, or in close proximity to, the sea-bed and extends outwards from the installation.

Application

3. These Regulations shall apply—

(a) in respect of pipe-lines constructed in pursuance of a works authorisation granted for the purposes of section 20 of the 1975 Act after the coming into force of these Regulations, from the construction of the pipe-line; and

(b) in respect of other pipe-lines, on and after 31st December 1990.

Prohibition on use of pipe-lines

4. No pipe-line shall be used unless it complies with the provisions of regulations 5, 6 and 8 below.

Incorporation of emergency shut-down valves

5.—(1) There shall be incorporated in every riser, and thereafter maintained in good working condition, a valve which shall be capable of blocking the flow of substances within the pipe-line at the point at which it is incorporated.

(2) The valve shall be held open by an electrical, hydraulic or other signal to the mechanism for actuating the valve on the failure of which signal the valve shall automatically close.

(3) The valve shall also be capable of being closed—

(a) by a person positioned by it; and

(b) automatically by the operation of the associated installation's emergency shut-down system.

(4) If the pipe-line of which the riser forms part is designed to allow for the passage of equipment for testing, inspecting or maintaining the pipe-line, the valve shall also be designed to allow for such passage.

(5) The valve and its actuating mechanism shall so far as reasonably practicable be protected from damage arising from fire, explosion or impact.

Location of emergency shut-down valves

6.—(1) Every emergency shut-down valve shall be located in a position in which it can be safely and fully inspected, maintained and tested.

(2) In the case of a riser which serves a fixed installation, the emergency shut-down valve shall, so far as this is consistent with paragraph (1) above, be located—

(a) if part of the riser is located within a water-filled encasement, above the highest possible level of the water in the encasement;

(b) if part of the riser is located within an air-filled encasement, in that part; and

(c) in any other case, above the level on the riser of the highest wave crest which may reasonably be anticipated.

(3) In the case of a riser which serves a floating installation, the emergency shut-down valve shall, so far as this is consistent with paragraph (1) above, be located—

(a) if part of the riser is held under tension from the associated installation, as near as practicable to the flexible pipe which links that part with the part of the riser which is on the installation; and

(b) in any other case, above both the level on the riser of the highest wave crest which may reasonably be anticipated and any quick-disconnect fittings.

(4) Subject to paragraphs (1) to (3) above, every emergency shut-down valve shall be located so that the distance along the riser between the valve and the base of the riser is as short as reasonably practicable.

Operation and use of emergency shut-down valves

7.—(1) After an emergency shut-down valve has operated so as to block the flow of substances within the pipe-line—

(a) the installation manager shall ensure that the manager of every other offshore installation to which the pipe-line is connected and the person for the time being entitled to operate the pipe-line are notified; and

(b) the valve shall not be re-opened so as to permit the flow of such substances unless the reason for the operation of the valve has been established to the satisfaction of the installation manager and he has authorised the re-opening of the valve.

(2) Before giving his authority for the purpose of paragraph (1)(b) above, the installation manager shall ensure that the manager of every other offshore installation to which the pipe-line in question is connected and the person for the time being entitled to operate the pipe-line have been consulted.

(3) An emergency shut-down valve shall be used only to block the flow of substances through the pipe-line into which it is fitted and shall not be used to adjust that flow.

Inspection and testing

- 8.—(1) There shall be carried out in respect of every emergency shut-down valve—
- (a) at intervals not exceeding 3 months, an inspection of the valve and of the mechanism for actuating it for the purpose of identifying any external leak, external damage or external corrosion;
 - (b) at intervals not exceeding 6 months, a testing which shall include the partial closing of the valve, and its re-opening, by a person positioned by it; and
 - (c) not less than 2 months or more than 4 months after every testing for the purposes of sub-paragraph (b) above, a testing which shall include the full closing and re-opening of the valve by the activation of the associated installation's emergency shut-down system.

(2) The period within which the first inspection and testing for the purposes of sub-paragraphs (a) and (b) of paragraph (1) above is to be carried out in respect of an emergency shut-down valve shall commence with the date on which these Regulations first apply to the pipe-line in question.

(3) A record of each inspection or testing carried out for the purposes of paragraph (1) above shall be made and this shall state in relation to the inspection or testing—

- (a) the identity of the emergency shut-down valve and the pipe-line;
- (b) the names of the owner of the pipe-line, the owner of the associated installation and the manager of that installation;
- (c) the date on which it was carried out;
- (d) the name, qualifications and employer (if any) of every person engaged in carrying it out;
- (e) particulars of the procedures and any equipment used to carry it out; and
- (f) any damage or defect revealed and the action taken or proposed to be taken to remedy it.

(4) Every record made in accordance with paragraph (3) above shall be preserved together with any document produced in the course of the inspection or testing in question and a copy of the record and documents shall be kept—

- (a) for a period of 2 years from the inspection or testing, on the associated installation; and
- (b) for a period of 5 years from the inspection or testing, at a principal place of business in the United Kingdom of the owner of the pipe-line in question.

(5) For the purposes of paragraph (4) above "document" has the same meaning as in Part I of the Civil Evidence Act 1968(a).

Duties of persons

9.—(1) It shall be the duty of the owner of an associated installation and the installation manager to afford, or cause to be afforded, to the owner of the pipe-line in question and the person for the time being entitled to operate it such facilities and assistance as they may reasonably require for the purpose of securing that regulations 4 to 6, 7(3) and 8 above are complied with.

(2) It shall be the duty of—

- (a) the owner of the pipe-line to ensure that regulation 4 above is complied with;
- (b) the owner of the pipe-line, the owner of the associated installation and the concession owner to ensure that regulations 5, 6 and 7(3) above are complied with;
- (c) the installation manager to ensure that regulation 7(1) and (2) above is complied with; and
- (d) the owner of the pipe-line, the owner of the associated installation, the concession owner and the installation manager to ensure that regulation 8 above is complied with.

(3) It shall be the duty of every person while on or near an associated installation—

- (a) not to contravene the provisions of regulation 7(1)(b) above; and

(a) 1968 c.64.

- (b) to co-operate with any other person on whom a duty is imposed by these Regulations so far as is necessary to enable that duty to be performed.

Amendment of the Submarine Pipe-lines Safety Regulations 1982

10. Regulation 6 of the Submarine Pipe-lines Safety Regulations 1982(a) shall be amended by the addition at the end of paragraph (2)(a) of the words—

“or, if different, any emergency shut-down valve incorporated in the pipe-line for the purposes of regulation 5 of the Offshore Installations (Emergency Pipe-line Valve) Regulations 1989.”.

Civil liability

11. The provisions of section 11 of the 1971 Act (which makes provision for civil liability for breach of statutory duty) shall apply to the duties imposed on any person by these Regulations.

Offences

12.—(1) In the event of a contravention of regulation 9 above, the person contravening the regulation shall be guilty of an offence.

(2) In any proceedings for an offence under this regulation it shall be a defence for the person charged to prove:—

- (a) that he exercised all due diligence to prevent the commission of the offence; and
- (b) that the relevant contravention was committed without his consent, connivance or wilful default.

Cecil Parkinson
Secretary of State
for Energy

20th June 1989

(a) S.I. 1982/1513, to which there are amendments not relevant to these Regulations.

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations provide for the protection of offshore installations which are connected to a pipe-line conveying flammable or toxic substances from dangers arising from the pipe-line.

The Regulations come into force on 12th July 1989. They will apply to pipe-lines constructed under an authorisation granted after that date from the time of construction and to all other pipe-lines from 31st December 1990 (regulation 3).

The Regulations require an emergency shut-down valve to be incorporated in the risers which connect pipe-lines to offshore installations at a position on the risers prescribed by the Regulations (regulations 5 and 6). Provisions are made which regulate the re-opening of the valves and impose requirements concerning their periodic inspection and testing (regulations 7 and 8). A prohibition is imposed on the use of pipe-lines which do not comply with the Regulations (regulation 4).

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