

EN301*

Gas Standards Act 1972

Gas Standards (Gas Supply and System Safety) Amendment Regulations (No. 2) 2009

Made by the Lieutenant-Governor and deputy of the Governor in Executive Council.

1. Citation

These regulations are the *Gas Standards (Gas Supply and System Safety) Amendment Regulations (No. 2) 2009*.

2. Commencement

These regulations come into operation as follows —

- (a) regulations 1 and 2 — on the day on which these regulations are published in the *Gazette* (***gazettal day***);
- (b) regulation 4(5) — on 1 January 2012;
- (c) regulations 11, 12, 13, 14(1) and (3) and 18 — on the day 12 months after gazettal day;
- (d) the rest of the regulations — on the day after gazettal day.

3. Regulations amended

These regulations amend the *Gas Standards (Gas Supply and System Safety) Regulations 2000*.

4. Regulation 5 amended

- (1) Delete regulation 5(1).
- (2) In regulation 5(2) delete “system or used for domestic purposes in an industrial facility —” and insert:

system —

- (3) Delete regulation 5(2)(a), (b) and (c) and insert:
 - (a) complies with AS 4564-2005: *Specification for general-purpose natural gas* Table 3.1; and
- (4) In regulation 5(2)(d) before “has a higher heating value” insert:

despite paragraph (a),

- (5) Delete regulation 5(2)(d) and “and” after it.

5. Regulation 6 amended

In regulation 6:

- (a) in paragraph (b) delete “in air.” and insert:

in air; and

- (b) after paragraph (b) insert:

- (c) complies with the requirements for natural gas set out in Schedule 1.

6. Regulation 7 amended

- (1) Delete regulation 7(1) and (2) and insert:
 - (1A) An undertaker must ensure that LPG supplied to a consumer in liquid form for use as a fuel in a gas appliance —
 - (a) if it consists predominantly of —
 - (i) propane; or
 - (ii) propane and propene,

complies with the requirements for commercial propane in AS 4670-2006 — *Commercial propane and commercial butane for heating purposes* Table 1; and

- (b) is odorised in accordance with regulation 9 and is subject to periodic sampling to determine the effectiveness of the odorising.
- (1) An undertaker must ensure that LPG supplied to a consumer in liquid form for use as a fuel in a gas appliance —
- (a) if it consists predominantly of —
 - (i) butane; or
 - (ii) butane and butene,complies with the requirements for commercial butane in AS 4670-2006 — *Commercial propane and commercial butane for heating purposes* Table 1; and
 - (b) is odorised in accordance with regulation 9 and is subject to periodic sampling to determine the effectiveness of the odorising.
- (2) Despite subregulation (1A)(b) or (1)(b), the Director may, in a particular case or class of case, permit an undertaker to supply LPG that is not odorised if the gas —
- (a) is to be used as a propellant in aerosol type containers; or
 - (b) is to be delivered for further processing or use, and the odorant would serve no useful purpose as a warning agent.

- (2) In regulation 7(3) delete “subregulation (1)(i)” and insert:

subregulation (1A)(b) or (1)(b)

- (3) In regulation 7(4) delete “subregulation (1)(i)” and insert:

subregulation (1A)(b) or (1)(b)

7. Regulation 8 deleted

Delete regulation 8.

8. Regulation 9 amended

In regulation 9:

- (a) in paragraph (b) delete “in air.” and insert:

in air; and

- (b) after paragraph (b) insert:

- (c) complies with the requirements contained in the Table for LP gas in Schedule 1.

9. Regulations 10 and 11 deleted

Delete regulations 10 and 11.

10. Regulation 19 deleted

Delete regulation 19.

11. Regulation 20 amended

In regulation 20 delete “to whom Division 2 does not apply”.

12. Regulations 23 and 24 inserted

At the end of Part 4 Division 1 insert:

23. Information and training

- (1) In this regulation —

contractor, in relation to a network operator, means a contractor or subcontractor to the operator;

employee —

- (a) in relation to a contractor, means a person employed or engaged by the contractor;
- (b) in relation to a network operator, means a person employed or engaged by the operator.

- (2) A network operator must ensure, so far as is reasonable and practicable, that any employee or contractor engaged in carrying out a prescribed activity —

- (a) is provided with documents setting out appropriate work standards, procedures and practices; and
- (b) is given instruction and training, and tested for competency, in how to safely apply and use those standards, procedures and practices.

- (3) A contractor to a network operator must ensure, so far as is reasonable and practicable, that any employee engaged in carrying out a prescribed activity —
- (a) is provided with —
 - (i) copies of any documents provided to the contractor by the network operator under subregulation (2)(a); or
 - (ii) other documents approved by the network operator that set out appropriate work standards, procedures and practices;
 - and
 - (b) is given instruction and training, and tested for competency, in a manner approved by the network operator, in how to safely apply and use the standards, procedures and practices set out in those documents.
- (4) Work standards, procedures and practices are not appropriate for the purposes of subregulation (2) unless they are consistent with these regulations.

24. Action when danger reported

- (1) In subregulation (2) —
former distribution system means anything owned by the network operator that would be a distribution system if it were still utilised for a purpose for which it previously was, but no longer is, utilised.
- (2) If a network operator becomes aware that —
- (a) anything at a place where a prescribed activity is being carried out; or
 - (b) the condition of any part of a distribution system or former distribution system at any place,
- is a threat to the safety of any person or property, the network operator must investigate the matter as soon as is practicable.
- (3) If the investigation reveals that there is a threat to the safety of any person or property, the network operator must take such remedial action as is required to remove the threat as soon as is practicable.

13. Part 4 Division 2 deleted

Delete Part 4 Division 2.

14. Regulation 27 amended

- (1) In regulation 27(1) delete “may” and insert:

must

- (2) Delete regulation 27(2) and insert:

- (2) A safety case submitted under subregulation (1) is to comply with —

- (a) AS 4645: 2008 Gas Distribution Networks Part 1: Network Management; and
- (b) AS 2885.1: 2007 Pipelines — Gas and liquid petroleum — Design and construction and AS 2885.3: 2001 Pipelines — Gas and liquid petroleum — Operation and maintenance, if the standard applies to the distribution system concerned.

- (3) After regulation 27(2) insert:

- (3) If, on the day on which the *Gas Standards (Gas Supply and System Safety) Amendment Regulations (No. 2) 2009* regulation 14(1) comes into operation, a network operator has a safety case for a distribution system of the operator that has effect, subregulation (1) does not apply to the operator until the safety case ceases to have effect.

15. Regulation 28 amended

In regulation 28(1)(a) delete “code or”.

16. Regulation 35 amended

In regulation 35(1) after “6 months” insert:

or such other period not greater than 18 months specified by the Director in the notification of acceptance under regulation 34(1),

17. Schedule 1 replaced

Delete Schedule 1 and insert:

Schedule 1 — Odorant levels for various gases and types of odorant

[r. 6(c), 9(c)]

| Odorant type | Application | Minimum TBM (mg/m³) | Minimum total (mg/m³) | Maximum total (mg/m³) |
|---------------------------------------|--------------------------------------|---------------------------------------|---|---|
| Mainly tertiary butyl mercaptan (TBM) | Natural gas: industrial | 3 | 4 | 15 |
| Mainly tertiary butyl mercaptan (TBM) | Natural gas: general | 6 | 8 | 30 |
| Mainly tetra hydor phiophene (THP) | Natural gas: industrial | 2 | 8 | 20 |
| Mainly tetra hydor phiophene (THP) | Natural gas: general | 3 | 12 | 30 |
| Ethyl mercaptan | Liquefied petroleum gas: reticulated | Not applicable | 20 | 100 |

18. Schedule 2 deleted

Delete Schedule 2.

By Command of the Lieutenant-Governor and deputy of the Governor,

PETER CONRAN, Clerk of the Executive Council.