

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)]

<b>Odorant type</b>	<b>Application</b>	<b>Minimum TBM (mg/m<sup>3</sup>)</b>	<b>Minimum total (mg/m<sup>3</sup>)</b>	<b>Maximum total (mg/m<sup>3</sup>)</b>
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.