APA Group
APA Group Limited
ACN 091 344 704
180 Greens Road,
Dandenong South
Victoria 3175

15th July 2024

ESV Safety Case Guidelines, Draft for Consultation May 2024

APA Transmission Response

Thank you for the opportunity to respond to the consultation paper, this response is on behalf of APA Transmission particularly in relation to the safety case & ESMS requirements for the Victorian Transmission System & SESA pipelines (gas) and the Basslink Interconnector (electricity)

Initially, we presume that with the introduction of this guideline (when finalised) the old Safety Case Preparation and Submission for Facilities and Pipelines (July 2019) and Electricity Safety Case (ESMS) Preparation and Submission Guideline for MEC's are no longer relevant? Suggest that there is a note included in the new guideline regarding the old guideines.

Please refer to our comments in relation to each section of the proposed guidelines;

Section 1 Summary

Sec 1 & 1.1 - We are agreeable to these sections.

Sec 1.2 Concept of minimising hazards and risks;

The description on implementing further controls is not well explained. There are a finite number of controls that can be put in place for gas & electricity, a large number of these are implemented during construction and reassessed during operation.

Operational risk assessments are simply a revision that the functional controls are working and if any further operational controls are required, or should be considered, to materially improve the level of risk protection. ESV should consider mapping these, via bow ties, within the guideline

Controls should be consistent amongst licensees, and generally are via adopting industry standards. Control effectiveness is an important part of demonstrating risk minimisation and consideration to demonstrating this within the guideline should be given.

Sec 1.3, 1.4 & 1.5 We are agreeable to these sections.

Section 2 The safety framework

As a general comment, the Acts and Regulations between gas & electricity are quite different and it is difficult to describe a consistent approach within the one guideline.

The experience is that the safety framework within a gas safety case is far more comprehensive, whereas with electricity the adoption of the Blue Book is quite important.

We are interested in how the safety frameworks will be assessed and what the differences will be, if any?

Sec 2.1 The Safety framework

We would suggest a consistent approach between AFAP and AFAIRP. For a company that has both gas & electricity assets, the one definition to demonstrate that the risks are a slow as we can get them is paramount. We don't want to 2 separate definitions for risk acceptance.

Sec 2.1.1 Major Electricity Companies

ESMS, there is a reference to the prescribed fee, what is the prescribed fee?

Sec 2.2 Legislative amendments – No comment on this section

Section 2.2.1 Review of accepted safety case – every five years

Disagree that the revision should be triggered by the submission date, the fact is that changes are required during the acceptance period and there is a fair bit of back & forth adjusting things, therefore by the time acceptance is achieved there may be a difference from the formal submission and the submission is changed somewhat.

We believe the revision clock should be from the date of the last revision following assessment and prior to formal acceptance.

Section 2.2.2 Revisions of accepted safety case

We disagree with the concept of submitting changes to anything other than a "significant" change in the safety case for assessment and acceptance. Large businesses often make changes to systems and processes which will result in a minor revision of the safety case, often these make no difference to the risk involved in the business.

Management of change processes are in place and if ESV is satisfied that the Management of Change process is sufficiently robust, there should be requirement to "assess and accept" a minor revision. We are happy to submit a minor revision but there should not be any requirement to go through the acceptance process as this may hinder the basic function of a business.

Section 3 Concept of minimising hazards and risks

Sec 3.1 Definition of Practicable and reasonably practicable

Can we have one definition please? It is illogical for a company that has both gas and electricity assets to be working with 2 different definitions.

Sec 3.2.1 Assessment must be made with a clear presumption in favour of safety

Bow ties should be used to display control measures – preventative & mitigative, which would all be consistent with industry standards. These controls should have an effectiveness rating, individually and collectively.

Sec 3.2.2 Minimising hazards and risks AFAP or AFAIRP is doing more than reducing risks to a tolerable level

We agree with the comment, however sometimes the addition of a control may have no benefit in reducing the risk because the existing controls are effective and there is no additional benefit.

Usually the controls are around pipelines are related to integrity, temperature & pressure, external interference and environmental issues with a set of defined controls applied during design and revised during operation. A listing of standard controls could be defined and assessment made around their effectiveness.

Risk minimisation must be supported by robust assurance processes.

Sec 3.2.3 State of Knowledge - We agree with this section, and this is what actually happens.

Sec 3.3 Exceptions to implementation of all practicable controls – We agree with this section

Sec 4 – Submission and assessment process

Section 4.1 – 4.4 – We agree, the process looks good.

Sec 4.5 – Timeframe for Energy Safe decisions

The timeframes seem excessive of up to 18 months prior to acceptance. We propose a straight 6 month verification and acceptance period. If it takes up to 18 months, it cannot reasonably be expected that the pervious safety case is still implemented without any changes until acceptance

Sec 4.6 – Review of accepted safety case—each five years

We agree except for when excessive time taken by ESV for acceptance

Sec 4.7 - Revisions of accepted safety case

These are poor examples of “material” and “immaterial” changes. Large organisations have frequent changes that don’t often affect the safety of operation but sometimes require a minor safety case revision for accuracy. It would be overkill to resubmit on all of these occasions and the reasons are far wider than in table 4.2.

Section 5 Structure and content of safety cases

Sec 5.1 – 5.3 – We are agreeable to these sections.

Sec 5.4 - Common Weaknesses

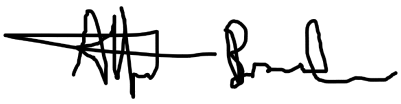
The section contains a lot of discussion around too much information v not enough information, however many safety cases have been developed in accordance with what ESV ask for during verification, which is not always consistent, table 5.2 Is a very bad example. All companies have a maintenance schedule and system for recording activities in relation to the example given, often these are referenced in a procedure, so we would reference the procedure otherwise we would be constantly changing the safety case.

General Comments

There’s a lot of references to potential penalties throughout the document, all companies understand there are potential consequences of non-compliance, however we prefer a co-operative approach with the threat of enforcement only in severe circumstances or obvious non-compliance. A co-operative approach will always achieve better outcomes for all parties.

We suggest the use of a concordance table as to how compliance each regulation can be achieved, the free text format is in some parts not providing clear expectation and doesn’t cover all the regulations.

Sincerely,



Albert Brovedani
Technical Regulations Manager Victoria & Queensland