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Bulletin

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We have a new name... Energy *Safety* WA

On 1 July 2002, the Technical & Safety Division of the Office of Energy will become part of the Department of Consumer and Employment Protection (DOCEP). DOCEP is a new government department formed in 2001 as part of Government's "Machinery of Government Review", principally intended to reduce the overall number of government departments.

The Technical & Safety Division will become a Directorate of DOCEP, known as "Energy *Safety* WA".

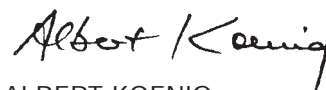
So what does all this mean for industry?

- The electricity and gas safety regulation functions will not change, nor will the regulation of electrical appliance energy efficiency or the regulation of electricity and gas supply standards.
- The current range of licensing services for industry operatives will continue to be carried out.
- The location of Energy *Safety* (including the Licensing Office) will remain at 20 Southport Street, West Leederville.
- Phone and facsimile numbers will not change.
- Regional Inspectors will still be located in Karratha, Geraldton, Kalgoorlie and Bunbury (details are provided on the last page of this Bulletin).

Licences that were issued by the Office of Energy will remain valid until normal expiry date, as shown on the licence.

There are practical synergies from this transfer. The functions of Energy *Safety* (and its head, the Director of Energy Safety) are those of a technical/safety regulator for the energy industry, with a focus on protecting energy consumers, electricity and gas workers and the public. Accordingly, the functions of Energy *Safety* fit well with those of DOCEP, which already includes the regulatory divisions known as WorkSafe, Consumer Protection (previously termed 'Fair Trading') and Labour Relations.

The other part of the Office of Energy, headed by the Coordinator of Energy and located in the Perth CBD, will continue as the "Office of Energy" for the time being.



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Policy Statement: Industrial Gas Appliances – Requirements in Relation to Modifications

This policy statement was issued by the Director of Energy Safety on 19 April 2002. The statement sets out Western Australia's Type B gas appliance inspection policy in relation to gas equipment modifications, to give guidance on how to achieve compliance with prescribed requirements under the *Gas Standards Act 1972*.

General

The role of a Type B gas appliance inspector* is to certify to the owner/operator of the installation and the gas supplier that any installed Type B gas appliances comply with all the statutory requirements of the *Gas Standards Act 1972* and its regulations. The inspector also needs to be satisfied that all the required safety controls function correctly and that the appliance has been properly commissioned, so as to be able to be left connected to the gas supply.

The *Gas Standards (Gasfitting and Consumer Gas Installations) Regulations 1999* require that:

- (a) A gas fitter must not leave a Type B appliance permanently connected in a consumer's gas installation unless an inspector has issued a Certificate of Compliance for the appliance [Regulation. 22(1)].
- (b) An inspector may issue a Certificate of Compliance for a Type B appliance if the inspector has inspected the appliance and ascertained, as far as practicable, that it complies with the requirements referred to in Regulation 32.

These requirements include the requirements of the Standards called up in Schedule 7 of the Regulations specifically for Type B appliances, ie. the *Code for industrial and commercial gas-fired appliances AS 3814-2000*.

- (c) Regulation 32 provides for variation and/or exemption of any requirement prescribed as per (b) above. An inspector may recommend a variation or exemption to the Director of Energy Safety if he or she is satisfied that a non-compliance with the Standard does not compromise the necessary safety controls or functions of the appliance, because an alternative control or function exists that can (in the reasonable opinion of the inspector) be expected to provide equivalent or better safety control or function.

Modifications

Paragraphs (a), (b) and (c) above also apply where a Type B appliance is to be modified in a way that requires that another Certificate of Compliance be issued by an inspector per Regulation 36(1a). An inspector issuing that certificate is certifying the whole appliance.

The owner of the appliance must supply to the inspector a submission according to AS 3814 as if it were a new appliance.

The Regulations do not require (in the case of an appliance that was previously issued with a Certificate of Compliance or equivalent) that the owner must upgrade the appliance to the current standards. However, the submission must address any non-compliance arising from the age of the appliance and satisfy the inspector as follows:

- (1) Where the owner/operator provides a statement that the part or function of the appliance where non-compliance exists is not affected by the proposed modification and this is supported by the inspector's own assessment, then the inspector may provide certification on that basis.
- (2) Where, in the inspector's opinion, the part of the appliance where a non-compliance exists **is** affected by the proposed modification **and** the inspector has been satisfied through the submission from the owner/operator that the non-compliance with the standard does not compromise the necessary safety controls or functions because an alternative control or function exists that can (in the reasonable opinion of the inspector) be expected to provide equivalent or better safety controls or functions, **then** the inspector may recommend a variation or exemption (as relevant) for the approval of the Director of Energy Safety on that stated basis.
- (3) Where in the inspector's opinion the part or function of the appliance where a non-compliance exists **is** affected by the proposed modification and the inspector is satisfied that it does not offer any immediate concerns in respect of the adequacy of the appliance's safety controls **but** the non-compliance does not meet the test that it is covered by equivalent or better safety controls or functions, **then** the inspector may recommend a variation or exemption for approval of the Director of

Energy Safety, with conditions. In this case the inspector would be recommending conditional variation/exemption subject to future corrective work that, in the inspector's opinion, would fulfil the intentions of the standards.

The conditions may include but are not exclusive to:

- (i) A commitment by the owner/operator that the non-compliance (in respect of the current regulatory requirements) will be rectified and certified within a specified period (not exceeding five years).
- (ii) Regular audits and inspection of a specified frequency and detail.
- (iii) In some cases it may be appropriate to accept that operations procedures will provide sufficient protection.

Note: The owner/operator would be responsible for complying with these conditions and the appliance certification would become invalid if the time was exceeded or other condition not fulfilled without making new arrangements with this office. An audit by this office would also identify where conditions have not been met and if identified would be regarded as a breach of the Regulations.

Please note that in such cases, the Certificate of Compliance will clearly state these conditions.

For further information on this policy statement, please contact the Principal Engineer Gas Installations and Appliances by telephoning 08 9422 5287.

* The term is used to describe an Inspector (Gas) who has been designated by the Director of Energy Safety to approve Type B gas appliances.

Review of the "General Safety Requirements for Electrical Work" Regulations

EnergySafety is currently undertaking an important review of these rather outdated regulations, which are under Part IX of the *Electricity Regulations 1947*. They apply to electrical work on consumers' installations or equipment, but not work on electricity supply systems (as there are separate regulations covering the latter).

The review has been triggered not only by the need to update the provisions for safe electrical work practices in Part IX of the regulations, but also the disturbing trend that, in respect of all electrical accidents, the percentage of "live work" accidents is increasing. These are accidents where someone has been working:

- close to exposed live LV (ie. 415/240v) parts, or
- on live LV parts, and has suffered electrical shock, burns or even electrocution.

As a result of this trend, earlier this year the Minister for Energy Eric Ripper requested EnergySafety to review the work practices of the electrical contracting industry with a view to making recommendations for improvements (this was reported in the April 2002 Electrical Focus).

A safety problem – live LV work

Since then, EnergySafety has identified the major safety problem as the industry's preparedness to frequently carry out electrical work on or near live LV parts of installations – even in high prospective fault current areas such as within major main switchboards.

As education measures have clearly not had sufficient effect, EnergySafety has developed the strategy of using regulatory measures to control this practice, to the extent that it is no longer able to be used without first satisfying certain safety and "need to do it" criteria. To make this feasible, Part IX of the above regulations were examined and it was quickly realised that the whole of Part IX needed an overhaul anyway (that had been deferred previously, only due to more pressing matters at the time). It was therefore decided to combine the two objectives and include the safety regulation of work on or near live LV equipment with the overhaul of Part IX of the regulations.

Consultation on the issues

Quite a good deal of industry consultation work has now been carried out by EnergySafety's Deputy Director Energy Safety Kevan McGill and Principal Engineer Electrical Installations Kevin Rosher. They developed an indicative draft of the new regulations that are proposed to make up the future Part IX and discussed these with electrical industry associations, particularly the ECA WA and the CEPU.

The ECA recognised the difficulty of the live work issue, in that clients put contractors under pressure not to de-energise parts of installations (or even the whole installation) due to the disruption that may result. The ECA expressed concern however that the initial regulation proposals might put real pressure on electrical contractors [not to do such work] and none on clients. Dealing with this problem is not easy, but EnergySafety has developed a revised proposal under cover of a discussion

paper. These are currently being forwarded to industry associations for further comment.

Future steps and conclusion

It is expected that by the end of July 2002, EnergySafety will have been able to finalise indicative proposals for revision of the Part IX regulations, including those dealing with live work. After that, the proposals will be forwarded to the industry associations whose members represent the typical clients of electrical contractors, such as the Master Builders Association, the Housing Industry Association, the Chamber of Commerce & Industry WA and the Property Council of Australia, for their information (and understanding of the problems to be addressed), as well as comments.

This should allow the final shape and content of the regulations to be determined in a consultative way. The Director of Energy Safety will then make a recommendation on the final proposals to the Minister for Energy.

Electricity Reform Task Force

There has been considerable structural change in Australia over the last 10 years and it has impacted on our lives through changes to market structures, economic policy decisions, our ability to compete on international markets and the employment opportunities which flow from this, to name but a few. Some changes are not as obvious as others but, in some way or another, we have all been affected and this will continue.

The work of the Electricity Reform Task Force (ERTF) is an example of this structural change and the

work has been progressing steadily. It has the potential to have significant consequences for the structure of the WA electricity market and the way in which electricity and associated services are produced, priced and delivered to consumers and the development of an increasingly competitive electricity and energy market.

The ERTF was established by the WA Government in late 2001 to examine the design of the electricity market in WA, review relevant experience in Australia and overseas, and make recommendations accordingly. Amongst other things this will encompass the efficient utilisation of generating plant and options to reduce electricity prices whilst:

- maintaining system reliability and efficiency; and
- encouraging end use efficiency of consumers and a range of competitive sources of generation and associated fuel competition as well as the power procurement processes used by Western Power.

After extensive consultation with interested parties, the ERTF recently issued a report to stimulate further input. This report suggests that it is desirable to split Western Power into three new and independent organisations namely State Networks on its own with State Generation and State Retail not disaggregated but functionally ring-fenced so that they operate as separate businesses. The ERTF anticipates that sustainable lower electricity prices will follow over time from the increasing competition and regulatory measures in the fuel, generation and retail operations with increased efficiency in both electricity generation and supply.

This will impact on all people involved with the electricity supply industry. Pressures to provide greater efficiency in electricity supply and generation will not only drive an increasingly competitive market for associated services but also provide opportunities for efficient and technically competent suppliers of goods and services to the electricity industry. Competitive pressures may encourage the taking of short-cuts with regard to safety and the challenge will, therefore, be to ensure that the benefits of electricity market restructuring flow on to the community and industry without compromising the quality and reliability of the electricity supply as well as the safety of all employees, consumers and the general public.

The ERTF is scheduled to complete its review in August 2002.

Further information is available on the website
<http://www.ertf.energy.wa.gov.au>.

The EnergySafety WA and Electrical Contractors Association WA Electrical Safety Awards

The New Electrical Safety Awards

For some years now, EnergySafety (when it was the Technical & Safety Division of the Office of Energy) has sponsored the awarding of Electrical Safety Awards as part of the Electrical Contractors Association of WA "Annual Excellence Awards".

This has been a very positive way for EnergySafety to encourage the electrical contracting industry to

achieve a high level of safety and regulatory compliance. There have been some worthy winners. However, we (and the ECA) are keen to see wider participation in the awards and, for that reason, we have agreed to improve the safety award scheme, principally by:

- making it more open to non-ECA member entrants; and
- having only EnergySafety administering the scheme;

whilst retaining the awards as a part of the ECA's Annual Excellence Awards.

The following outlines the key elements of the new Electrical Safety Awards scheme:

- (1) EnergySafety will continue to sponsor the awards.
- (2) The safety awards will be officially known as "The EnergySafety WA and Electrical Contractors Association WA Electrical Safety Awards". Nominees must be WA licensed electrical contractors. The winners may state their "win" in advertising.
- (3) There will be two categories as before, one for small and another for medium/large electrical contracting firms, with each winner receiving an ECA/EnergySafety award certificate and a voucher for a valuable prize (something for the business or the staff collectively) from a sponsor.
- (4) EnergySafety will invite nominations through advertisements and through letters to all inspectors and supply authorities. The nominations can therefore be from electrical contractors themselves or from another person. The awards will be for electrical safety in the broadest sense – for achieving a high level of safety for electrical

contractors' customers who use the electrical work carried out and for achieving a high level of OHS for the workforce.

- (5) EnergySafety WA will send out an information kit to all contractors nominated, to advise what is involved in formally participating in the safety awards (ie. the information needed etc). The companies nominated are invited to confirm their participation by initial letter of reply.
- (6) The entire judging process will be overseen by the Director of Energy Safety and he will establish a judging panel each year for that purpose. The panel is expected to be constituted of senior representatives of EnergySafety (one of whom will chair the panel), the Electrical Licensing Board, WorkSafe, the Association of Consulting Engineers Australia and the ECA WA.

The EnergySafety WA and Electrical Contractors Association WA Electrical Safety Awards 2002

Nominations are now being called for the EnergySafety WA and Electrical Contractors Association WA Electrical Safety Awards 2002. Why not nominate someone now.

Simply complete the nomination form inside this edition of the Energy Bulletin to either nominate your firm or a firm that you think deserves recognition. Then return the form to EnergySafety by either mail or fax.

*For further information on the awards, please contact Harry Hills:
Phone: 08 9422 5208
Email: hhills@docep.wa.gov.au*

Builder Blamed for Death

The following article appeared in The West Australian newspaper on 2 April 2002.

Building contractor Go-Crete and the company's director Warren Crawford have been found responsible for the death of rigger Toni Meehan.

Mr Meehan was electrocuted on January 12, 2000 when the slings and chains used to suspend a building panel he was manoeuvring into place came into contact with power lines.

Go-Crete was fined \$40,000 in Perth Magistrate's Court last week for failing to provide and maintain a safe work place and by that failure causing the death of an employee. Crawford was fined \$25,000 for being a director of a company when it is guilty of an offence under the WorkSafe Act.

During the trial the court was told the power lines were 30cm – not the required 3m – from where a portico wall was being built.

Magistrate Len Roberts found there was an obvious risk in working the crane to lift a panel in an area with overhead conductors. The job required stringent precautions which were not taken to the fullest. Go-Crete and Crawford must split costs of \$3,200.

How to Contact EnergySafety WA

The following contact details are provided for EnergySafety.

West Leederville Office

20 Southport Street
West Leederville WA 6007
(Office hours Monday to Friday 8.30am to 5.00pm)

Telephone:

General	08 9422 5200
Licensing Enquiries	08 9422 5282
Electrical Inspections	08 9422 5261
Gas Inspections	08 9422 5297

Facsimile:

General fax	08 9422 5244
Licensing Enquiries fax	08 9422 5222
Electrical Inspections fax	08 9422 5262
Gas Inspections fax	08 9422 5244

Email:

General	energysafety@docep.wa.gov.au
Licensing	energylicensing@docep.wa.gov.au
Internet:	www.energysafety.wa.gov.au



EnergySafety's office in West Leederville

Karratha Office (Part of DOCEP Office)

Unit 9, Karratha Village Shopping Centre
Sharpe Avenue
Karratha WA 6714

Telephone: 08 9144 2800
Facsimile: 08 9144 1299

Geraldton Office (EnergySafety only Office)

Suite 2, 8 Chapman Road
Geraldton WA 6530

Telephone: 08 9964 5133
Facsimile: 08 9964 5149

Kalgoorlie Office (Part of DOCEP Office)

Viskovich House
377 Hannan Street
Kalgoorlie WA 6430

Telephone: 08 9021 0811
Facsimile: 08 9021 0812

Bunbury Office (Shared with WorkSafe)

8th Floor Bunbury Tower
61 Victoria Avenue
Bunbury WA 6230

Telephone: 08 9791 7211
Facsimile: 08 9791 8047

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