**Consultative Document -**

**Regulatory proposals for Carbon Capture Utilisation and Storage and Offshore hydrogen production**

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# **Consultation by the Health and Safety Executive**

### Overview

The Health and Safety Executive (HSE) undertakes a wide range of regulatory functions fundamental to enabling a safe and healthy workplace. We are dedicated to protecting people and places, and helping everyone lead safer and healthier lives. Our role goes beyond worker protection to include public assurance. We work to ensure people feel safe where they live, where they work and, in their environment.

Great Britain (GB) has one of the best workplace health and safety performances in the world and achieves some of the lowest rates of occupational injury and fatality in Europe.

HSE’s work supports innovation, productivity and economic growth in GB and businesses that adopt effective, proportionate health and safety practices increase productivity and employee engagement. HSE’s strategy - [Protecting people and places: HSE strategy 2022 to 2032](https://www.hse.gov.uk/aboutus/assets/docs/the-hse-strategy.pdf) – also commits HSE to enabling industry to innovate safely to prevent major incidents, supporting the move towards Net Zero.

This consultative document is issued by the Health and Safety Executive (HSE) in compliance with its duty to consult under section 50(3) of the [Health and Safety at Work etc. Act 1974](https://www.legislation.gov.uk/ukpga/1974/37/section/50) and in line with the [Government’s Consultation Principles](https://www.gov.uk/government/publications/consultation-principles-guidance) for consulting with stakeholders. The consultation explores proposals for legislative changes in relation to Carbon Capture Utilisation and Storage operations offshore and in pipelines, offshore production of hydrogen and arrangements for the transport of HSE inspectors to offshore wind facilities. An Options Assessment including early cost benefit analysis has been produced and may be used to inform your responses.

### How to submit responses

Responses must be received by 13 August 2025.

The easiest way to submit responses is by using the online survey further below; or

Respond by email

Download the [Word document version](https://hsegov.sharepoint.com/sites/EnergyPolicyTeamEPDMHPU/Shared%20Documents/CCS%20and%20Offshore%20Hydrogen%20-%20Statutory%20Instrument/5.%20Consultation%20Document%20and%20Consultation%20Response/XXX) of this consultation and email it to – [ccushydrogenconsultation@hse.gov.uk](mailto:ccushydrogenconsultation@hse.gov.uk); or

Respond on paper

Download the [Word document version](https://hsegov.sharepoint.com/sites/EnergyPolicyTeamEPDMHPU/Shared%20Documents/CCS%20and%20Offshore%20Hydrogen%20-%20Statutory%20Instrument/5.%20Consultation%20Document%20and%20Consultation%20Response/xxx) of this consultation and send it to:

CCUS and Offshore Hydrogen Consultation

Health and Safety Executive

Building 2.2 Redgrave Court

Merton Road

Bootle

Merseyside L20 7HS

### Once the consultation closes

When the consultation has closed, HSE will consider the views expressed to decide how best to take the proposals forward based on an interpretation and analysis of the responses. A summary of HSE’s response to the views expressed by respondents will be published on the consultation webpage.

To take account of the responses received to this consultation HSE may further refine the proposals before any legislation that implements changes are made and laid before Parliament. Further communications will be issued for interested parties in advance of any regulatory changes coming into force.

### Confidentiality and GDPR

HSE tries to make its consultation procedure as thorough and open as possible. A summary of responses will be made available on the consultation webpage after the close of the consultation period where it can be viewed.

Information provided in response to this consultation may be subject to publication or disclosure in accordance with the access to information regimes (these are primarily the Freedom of Information Act 2000 (FOIA), the [General Data Protection Regulations](https://legislation.gov.uk/ukpga/2018/12/contents/enacted) (GDPR) and the [Environmental Information Regulations 2004](http://www.legislation.gov.uk/uksi/2004/3391/contents/made) (EIR)). Statutory Codes of Practice under the FOIA and EIR also deal with confidentiality obligations, among other things.

If you would like us to treat any of the information you provide as confidential, please make this clear in your response. If we receive a request under FOIA or EIR for the information you have provided, we will take full account of your explanation, but we cannot give an assurance that confidentiality can be maintained in all circumstances.

Any automatic confidentiality disclaimer generated by your IT system will be disregarded for these purposes. Requests for confidentiality should be made explicit within the body of the response.

HSE will process all personal data in accordance with the GDPR. This means that personal data will not normally be disclosed to third parties and any such disclosures will only be made in accordance with the Regulations. See HSE’s [Privacy Policy Statement](https://www.hse.gov.uk/privacy.htm).

### Quality assurance and complaints

If you have any complaints about the consultation process (as opposed to comments about the issues, which are the subject of the consultation) please address them to:

Dipti Kerai

Legislative and Better Regulation Unit

Engagement and Policy Division

Health and Safety Executive

4th Floor, 10 South Colonnade

Canary Wharf

London, E14 4PU

or send an email outlining your concern to: [Dipti.kerai@hse.gov.uk](mailto:Dipti.kerai@hse.gov.uk).

HSE aim to reply to all complaints within 10 working days. If you are not satisfied with the outcome, you can raise the matter with the Information Commissioner’s Office;

Information Commissioner’s Office

Wycliffe House

Water Lane

Wilmslow

Cheshire

SK9 5AF

or HSE’s Chief Executive, Sarah Albon, at;

Sarah Albon

Chief Executive

Health and Safety Executive

Redgrave Court

Merton Road

Bootle

Merseyside, L20 7HS.

You can also contact your MP to take up your case with us or with Ministers. Your MP may also ask the independent Parliamentary Commissioner for Administration (the Ombudsman) to review your complaint.

# Introduction

* 1. The UK Government is supporting the development of industrial clusters co-locating high energy industries with Carbon Capture Usage and Storage (CCUS) projects, and both on and offshore hydrogen production. This includes the [announcement](https://www.gov.uk/government/news/government-reignites-industrial-heartlands-10-days-out-from-the-international-investment-summit) of £21.7bn of funding for two CCUS clusters, and the [Hydrogen Allocation Rounds](https://www.gov.uk/government/collections/hydrogen-allocation-rounds) programme which allocates support for non-CCUS enabled hydrogen production.
  2. HSE has been working closely with the Department for Energy Security and Net Zero (DESNZ) to identify what health and safety regulations currently apply, and any potential issues that need to be addressed to support these industries developing safely.
  3. HSE’s regulatory regime is underpinned by the Health and Safety at Work etc. Act 1974, which places a fundamental general duty on employers to ensure, so far as is reasonably practicable, the health, safety and welfare at work of their employees, and of other people who may be affected by the work activity. This is supported by topic and sector specific secondary legislation including regulations applying to major hazard sectors.
  4. Existing regulations concerning offshore activities and the transport of dangerous fluids in pipelines were written, primarily, for the regulation of hydrocarbons (such as crude oil, petroleum, and natural gas) and as such do not fully, clearly, or consistently apply to proposed CCUS operations or offshore hydrogen production.
  5. This limits HSE’s ability to ensure appropriate safety standards and control measures are adopted as these projects develop, and also potentially leads to an uneven regulatory landscape for prospective dutyholders.
  6. It is also proposed to regularise the requirements around the transport and accommodation of HSE inspectors offshore.  Currently dutyholders are required to provide transport, accommodation and subsistence to inspectors under the provisions of The Offshore Installations and Pipeline Works (Management and Administration) Regulations 1995 (MAR).  These provisions do not extend to offshore wind facilities and transport is currently provided by operators on a voluntary basis. With the significant expansion in wind energy operations expected (quadrupling by 2030) and potential increase in HSE activity it is proposed to extend the requirements to provide transport, accommodation and subsistence to ensure HSE is able to appropriately regulate this growing sector.
  7. The overall strategic policy objectives when considering the regulation of CCUS offshore and in pipelines, and offshore hydrogen are to:
  + Support the UK Government in achieving its net zero objectives through deployment and expansion of CCUS and offshore hydrogen production.
  + Ensure the regulatory regime for CCUS and offshore hydrogen production is proportionate to the hazards generated.
  + Ensure the regulatory regime for CCUS and offshore hydrogen production is clear for dutyholders and other stakeholders.
  1. HSE proposes to achieve the objectives outlined above by:
* Making CO2 in all its chemical phases a ‘dangerous fluid’, so attracting the additional duties required for a major hazard pipeline in the Pipeline Safety Regulations 1996 (PSR96) including notifications, emergency valves and emergency planning.
* Defining installations involved in CCUS operations offshore and the offshore production of hydrogen as offshore installations, so attracting the duties of the offshore regulatory regime including notifications, production and submission of a Safety Case to HSE and emergency planning.
* Ensuring that the appropriate sections of the Health and Safety at Work etc. Act 1974 are appropriately applied to the activities as they will be defined.
* Ensuring that HSE is able to appropriately regulate the offshore wind sector, noting its anticipated significant expansion over the next 5 – 10 years.
  1. This consultative document describes the major accident hazard potential (MAHP) of CCUSand offshore hydrogen production, and regulatory inconsistencies in the existing major hazard regulatory framework that have been identified.
  2. Proposals to resolve these inconsistencies are then set out in detail, and you will be asked to respond to a number of questions for each proposal to support policy development and cost benefit assumptions that are detailed in Annex 1 of the Options Assessment that accompanies this consultation.
  3. This consultation is relevant to those operating or intending to operate CCUS activities offshore or associated CO2 pipelines, offshore hydrogen production or those involved with the transport of HSE inspectors offshore. It is also relevant to those working in or connected to these areas, to those involved in activities already covered by major hazard regulations connected to pipelines and offshore activities, and others with an interest in these areas.

### General Questions

|  |  |  |
| --- | --- | --- |
| Question 1: Who are you responding as? | Status | Please select only ONE response |
| Which of the following best describes your role?  (please select only ONE response)  If you select Other please provide details | Consultant |  |
| Contractor |  |
| Employee |  |
| Employer |  |
| Health and Safety professional |  |
| Member of the public |  |
| Non-governmental Organisation (NGO) |  |
| Safety Representative |  |
| Self employed |  |
| Trade Union representative |  |
| Other (please specify) |  |

|  |  |  |
| --- | --- | --- |
| Question 2: Size of Business [routed to ‘Employers’ and ‘Contractors’ only] | **Number of people** | **Please select only ONE response** |
| Excluding yourself, how many people does your business employ (this includes contractors)? (please select only ONE response) | 0 |  |
| 1 to 4 |  |
| 5 to 9 |  |
| 10 to 19 |  |
| 20 to 49 |  |
| 50 to 99 |  |
| 100 to 249 |  |
| 250+ |  |
| Unsure / don’t know |  |

|  |  |  |
| --- | --- | --- |
| Question 3. Location of Business [routed to ‘Employers’ and ‘Contractors’ only] | **Location** | **Please select only ONE response** |
| Where is your business located?  If your business has more than one site in the UK, please answer for the site where you are based.  (please select only ONE response) | East Midlands |  |
| East of England |  |
| Greater London |  |
| North East |  |
| North West |  |
| Northern Ireland |  |
| Scotland |  |
| South East |  |
| South West |  |
| Wales |  |
| West Midlands |  |
| Yorkshire and the Humber |  |
|  | I am not based in a specific location |  |
|  | Not applicable |  |

|  |  |  |
| --- | --- | --- |
| Question 4: Approximate annual turnover [routed to ‘Employers’ and ‘Contractors’ only] | **Approximate annual turnover** | **Please select only ONE response** |
| What is the approximate annual turnover of your business?    (please select only ONE response) | 0 to £49,000 |  |
| £50,000 to £99,000 |  |
| £100,000 to £249,000 |  |
| £250,000 to £499,000 |  |
| £500,000 to £999,000 |  |
| £1 million to £1,999 million |  |
| £2 million to £4,999 million |  |
| £5 million to £9,999 million |  |
| £10 million to £49,999 million |  |
| £50 million plus |  |
| Don’t know / unsure |  |
|  |  |

# The Major Accident Hazard Potential of CCUS and offshore hydrogen production

### Major accident hazard

* + 1. ‘Major accident hazard’ is a term for industries that could cause catastrophic harm to people and the environment, such as offshore oil and gas production, manufacture and storage of hazardous chemicals, transportation of dangerous substances in pipelines and the manufacture and storage of explosives.

### CCUS

* + 1. CCUS involves the capture of CO₂, mainly from high emitting industries such as power generation and cement manufacture. If not used on-site or by chemical or food and beverage industries, the captured CO₂ is compressed, cooled and transported in either gaseous, fluid, or supercritical state by pipeline, ship, rail, or road and injected into depleted oil and gas reservoirs offshore. These industries are expected to scale up significantly over the next decade.
    2. CO2 can cause death or injury by asphyxiation when present in large quantities; and at the pressures and quantities being proposed has the potential to pool in low lying areas. CO2 can cause degradation of pipelines through corrosion resulting in rupture and catastrophic release. Dense phase CO2 is likely to pose greater risks than gaseous phase as it is stored at much higher pressures (130 bar compared to 30 bar).
    3. A [HSE study](https://www.hse.gov.uk/carboncapture/assets/docs/major-hazard-potential-carbon-dioxide.pdf) from 2011 described the major hazard potential of gaseous phase CO2 as in line with other substances regulated by the major hazard regime. The study noted that whereas in existing CO2 handling facilities an inadvertent release of CO2 may have created a small-scale hazard, potentially only affecting those in the local vicinity, a very large release from a CCUS scale of operation has the potential to produce a harmful effect over a significantly greater area and therefore potentially impact a greater number of people than in existing applications.
    4. An [example](https://www.phmsa.dot.gov/sites/phmsa.dot.gov/files/2022-05/Failure%20Investigation%20Report%20-%20Denbury%20Gulf%20Coast%20Pipeline.pdf) of the type of major incident that can occur is the 2020 Denbury Gulf Coast Pipeline Rupture where the failure of a pipeline resulted in a significant CO2 release, with 200 people evacuated from their homes, and 45 people hospitalised.

### Offshore hydrogen production

* + 1. Hydrogen is a highly flammable substance with a low ignition point which has extensive industrial applications including as a coolant in generators and as a crucial element of the chemical process to produce ammonia. Hydrogen is already defined as a dangerous substance under regulation to control onshore major accident hazards and its presence in significant quantities is subject to the Control of Major Hazards Regulations 2015 (COMAH).
    2. Offshore hydrogen production could involve siting electrolysers on offshore installations. These would split desalinated seawater into hydrogen and oxygen atoms; the hydrogen generated by this process is then piped or shipped onshore for use. The presence of hydrogen on an offshore installation introduces the additional hazard of a highly flammable substance to a work environment where there are existing hazards, and where emergency arrangements are constrained by the challenges of location.



# Current major hazard framework and regulatory inconsistencies

### Transport of CO₂ in pipelines (onshore and offshore)

* + 1. The Pipelines Safety Regulations 1996 (PSR96) apply to the transport of fluids (with some exceptions) by pipeline. Part II of PSR96 applies to all pipelines, Part III creates additional requirements for pipelines defined as Major Accident Hazard pipelines (MAHP). MAHPs carry ‘dangerous fluids’ which are substances defined by Schedule 2 of PSR96. The additional requirements require HSE to be notified of the pipeline, a major accident prevention document to be prepared and place duties on the Local Authority in relation to emergency planning and response. MAHPs also attract land use planning controls limiting development in the proximity of the pipeline.
    2. Due to the different phases in which CO2 may be transported there is a lack of clarity over whether CO2 meets the definition of a dangerous fluid under PSR96 and therefore whether the MAHP provisions apply to CO2 pipelines. Amending PSR96 would make the application of the additional requirements of MAHPs explicit and provide clarity and consistency for operators. It would also enable HSE to ensure appropriate safety standards are adopted through the receipt of PSR96 notifications avoiding unnecessary burdens.

### Offshore CCUS activities / offshore hydrogen production

* + 1. Offshore work activities are regulated under several complementary pieces of regulation which are outlined below:
* The Health and Safety at Work etc. 1974 (Application outside Great Britain) Order 2013 (AOGBO) extends HSE’s jurisdiction to specified activities offshore.
* The Offshore Installations and Pipeline Works (Management and Administration) Regulations 1995 (MAR) covering how an installation is defined.
* The Offshore Installations (Offshore Safety Directive) (Safety Case etc) Regulations 2015 (SCR15) create duties concerning notification of activities, production and submission of Safety Cases and notification of accidents.
  + 1. The Offshore Installations and Wells (Design and Construction, etc.) Regulations 1996 (DCR96) create duties concerning the design, maintenance and integrity of installations and wells, and concerning the safe abandonment of wells.
    2. Offshore safety cases are required for all installations operating, or to be operated, in British waters and in UK designated areas of the continental shelf. Different requirements apply to different types of installations, such as those used for producing oil and gas and those used for other purposes, such as drilling, exploration, or providing accommodation.
    3. The duty to submit safety cases and notifications is generally placed on a single dutyholder in respect of each type of installation, namely the operator of a production installation and the owner of a non-production installation.
    4. Offshore regulations were written, primarily for the regulation of hydrocarbons, therefore the definitions that bring activities into scope do not fully, clearly or consistently apply to offshore CCUS activities or offshore hydrogen production.
    5. Some CCUS projects may not use an offshore structure for sequestration, instead using subsea compression or injection. In these instances, offshore regulations defined on the basis of the presence of an installation would not apply.

# Transport of CO₂ in pipelines (onshore and offshore)

### Proposals - The Pipelines Safety Regulations 1996 (PSR96)

* + 1. The additional duties applying to MAHPs described in Part III of PSR96 are:
* Emergency shut-down valves (ESDVs) to be fitted to all risers of major accident hazard pipelines of 40mm or more in diameter at offshore installations (ESDVs are designed to halt the flow of hazardous gas or fluids in the event of a dangerous situation).
* Notifications to be submitted to HSE before construction
* Notifications to be submitted to HSE before use
* Notifications to be submitted to HSE in specified other cases
* Major accident prevention document (MAPD) to be produced, reviewed and revised as specified
* Emergency procedures to be put in place by the operators
* Emergency plans to be put in place by Local Authorities
  + 1. HSE is proposing to apply the Part III requirements of PSR96 to pipelines conveying CO₂ in relation to CCUS operations, by defining CO₂ in gaseous phase, liquid phase, and supercritical phase as a dangerous fluid.

### Policy Questions for proposed changes to transport of CO₂ in pipelines (onshore and offshore)

* + 1. The following questions are relevant to anyone who may plan to operate a CO₂ pipeline, working in connection with planned CO₂ pipelines, or have other interests in CO₂ pipelines.
    2. These questions seek your views on whether you agree with HSE’s proposals to classify CO2 as relevant to CCUS operations as a dangerous fluid, and to apply to duties of Part III of PSR to pipelines transporting CO2.

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
| Question 1: To what extent do you think that CO2 should be classified as a dangerous fluid? | | | | |
| 1 – Strongly Agree | 2 – Agree | 3 – Do not agree or disagree | 4 – Disagree | 5 – Strongly Disagree |
|  |  |  |  |  |
| Please provide a reason for your response [Free text] | | | | |

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
| Question 2: To what extent do you think that all phases of CO2 should be classified in the same way? | | | | |
| 1 – Strongly Agree | 2 – Agree | 3 – Do not agree or disagree | 4 – Disagree | 5 – Strongly Disagree |
|  |  |  |  |  |
| Please provide a reason for your response [Free text] | | | | |

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
| Question 3: To what extent do you think that operators of CO2 pipelines should have to fit ESDVs to all risers of major accident hazard pipelines of 40mm or more in diameter at offshore installations? | | | | |
| 1 – Strongly Agree | 2 – Agree | 3 – Do not agree or disagree | 4 – Disagree | 5 – Strongly Disagree |
|  |  |  |  |  |
| Please provide a reason for your response [Free text] | | | | |

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
| Question 4: To what extent do you think that operators of CO2 pipelines should have to submit a notification to HSE prior to construction? | | | | |
| 1 – Strongly Agree | 2 – Agree | 3 – Do not agree or disagree | 4 – Disagree | 5 – Strongly Disagree |
|  |  |  |  |  |
| Please provide a reason for your response [Free text] | | | | |
| Question 5: To what extent do you think that operators of CO2 pipelines should have to submit a notification to HSE prior to use? | | | | |
| 1 – Strongly Agree | 2 – Agree | 3 – Do not agree or disagree | 4 – Disagree | 5 – Strongly Disagree |
|  |  |  |  |  |
| Please provide a reason for your response [Free text] | | | | |

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
| Question 6: To what extent do you think that operators of CO2 pipelines should have to submit a notification to HSE in specified other circumstances, laid out in Schedule 5 of PSR96? | | | | |
| 1 – Strongly Agree | 2 – Agree | 3 – Do not agree or disagree | 4 – Disagree | 5 – Strongly Disagree |
|  |  |  |  |  |
| Please provide a reason for your response [Free text] | | | | |

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
| Question 7: To what extent do you think that operators of CO2 pipelines should have to produce and maintain a Major Accident Prevention Document? | | | | |
| 1 – Strongly Agree | 2 – Agree | 3 – Do not agree or disagree | 4 – Disagree | 5 – Strongly Disagree |
|  |  |  |  |  |
| Please provide a reason for your response [Free text] | | | | |

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
| Question 8: To what extent do you think that operators of CO2 pipelines should have to put appropriate emergency arrangements in place? | | | | |
| 1 – Strongly Agree | 2 – Agree | 3 – Do not agree or disagree | 4 – Disagree | 5 – Strongly Disagree |
|  |  |  |  |  |
| Please provide a reason for your response [Free text] | | | | |

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
| Question 9: To what extent do you think that the Local Authority/ Authorities where a CO2 pipeline is located should have to produce an emergency plan? | | | | |
| 1 – Strongly Agree | 2 – Agree | 3 – Do not agree or disagree | 4 – Disagree | 5 – Strongly Disagree |
| Please provide a reason for your response [Free text] | | | | |

|  |
| --- |
| Question 10: Do you have any further comments you would like to make regarding the regulation of CO2 pipelines? |
| [Free text] |



### Cost benefit analysis questions for proposed changes to transport of CO₂ in pipelines (onshore and offshore)

* + 1. The following questions are relevant to all companies operating onshore major hazard pipelines complying with the Pipelines Safety Regulations 1996 (PSR96), even if they are not pipelines carrying CO2 for CCUS operations. In this analysis, we intend to capture compliance costs incurred by existing pipelines.
    2. In these questions, we would like to ask you about the full economic costs of compliance with the duties of Part III of PSR96. Your answers should not include costs that would be incurred in compliance with other parts of PSR96 or with other HSE regulations.
    3. In your responses, please consider only the costs of compliance, rather than cost recovery incurred to HSE. Within the full economic cost, both labour and capital costs should be included. Labour costs incurred will be in terms of the cost of time to the organisation’s staff to carry out the work. These estimates should be based on the ‘full economic cost’ of their time; this is the hourly wage of the worker plus any ‘on-wage’ costs incurred by the company per hour, such as employer National Insurance contributions, pension etc.
    4. The format of the questions in this section will ask you whether current estimates of cost are approximately correct. The cost estimates were generated through a prior survey and have been aggregated, averaged and are anonymous.
    5. All cost estimates presented in this consultation are in 2024 prices and based on the cost of operating a typical pipeline. Some questions ask about ongoing costs on an annual basis; if these costs are not typically incurred annually, please attempt to consider an annualised estimate and provide further description.

|  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- |
| Question 11: The upfront cost of installing an ESDV has been estimated to be approximately £310,000. Is this estimate about right? | | | | | |
| 1 - Much too high | 2 - Too high | 3 - About right | 4 -Too low | 5 - Much too low | 6 - Don’t know |
|  |  |  |  |  |  |
| If you answered 1,2,4 or 5:  Please briefly outline the reasons why you disagree with the estimate. What would be a more accurate estimate? [Free text] | | | | | |

|  |  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- | --- |
| Question 12: The ongoing cost of maintaining and testing an ESDV is estimated to be approximately £11,000 annually. Is this estimate about right? | | | | | | | |
| 1 - Much too high | | 2 - Too high | 3 - About right | 4 -Too low | 5 - Much too low | 6 - Don’t know |
|  | |  |  |  |  |  |
| If you answered 1,2,4 or 5:  Please briefly outline the reasons why you disagree with the estimate. What would be a more accurate estimate? [Free text] | | | | | | |

|  |  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- | --- |
| Question 13: The cost of producing and sending a notification before construction has been estimated to be approximately £10,000 per notification. Is this estimate about right? | | | | | | | |
| 1 - Much too high | | 2 - Too high | 3 - About right | 4 -Too low | 5 - Much too low | 6 - Don’t know |
|  | |  |  |  |  |  |
| If you answered 1,2,4 or 5:  Please briefly outline the reasons why you disagree with the estimate. What would be a more accurate estimate? | | | | | | |

|  |  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- | --- |
| Question 14: The cost of producing and sending a notification before use has been estimated to be approximately £7,000 per notification. Is this estimate about right? | | | | | | | |
| 1 - Much too high | | 2 - Too high | 3 - About right | 4 -Too low | 5 - Much too low | 6 - Don’t know |
|  | |  |  |  |  |  |
| If you answered 1,2,4 or 5:  Please briefly outline the reasons why you disagree with the estimate. What would be a more accurate estimate? [Free text] | | | | | | |

|  |  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- | --- |
| Question 15: The cost of producing and sending a notification in other cases has been estimated to be approximately £4,000 per notification. Is this estimate about right? | | | | | | | |
| 1 - Much too high | | 2 - Too high | 3 - About right | 4 -Too low | 5 - Much too low | 6 - Don’t know |
|  | |  |  |  |  |  |
| If you answered 1,2,4 or 5:  Please briefly outline the reasons why you disagree with the estimate. What would be a more accurate estimate? [Free text] | | | | | | |

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| Question 16: The upfront cost of preparing a Major Accident Prevention Document (MAPD) has been estimated to be approximately £28,000. Is this estimate about right? | | | | | | | |
| 1 - Much too high | | 2 - Too high | 3 - About right | 4 -Too low | 5 - Much too low | 6 - Don’t know |
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| If you answered 1,2,4 or 5:  Please briefly outline the reasons why you disagree with the estimate. What would be a more accurate estimate? [Free text] | | | | | | |

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| Question 17: The ongoing cost of maintaining and updating the MAPD is estimated to be approximately £4,300 annually. Is this estimate about right? | | | | | | | |
| 1 - Much too high | | 2 - Too high | 3 - About right | 4 -Too low | 5 - Much too low | 6 - Don’t know |
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| If you answered 1,2,4 or 5:  Please briefly outline the reasons why you disagree with the estimate. What would be a more accurate estimate? [Free text] | | | | | | |

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| Question 18: The upfront cost of preparing emergency procedures has been estimated to be approximately £43,000 per pipeline. Is this estimate about right? | | | | | | | |
| 1 - Much too high | | 2 - Too high | 3 - About right | 4 -Too low | 5 - Much too low | 6 - Don’t know |
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| If you answered 1,2,4 or 5:  Please briefly outline the reasons why you disagree with the estimate. What would be a more accurate estimate? [Free text] | | | | | | |

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| Question 19: The ongoing cost of maintaining and updating the emergency procedures has been estimated to be approximately £17,000 per pipeline annually. Is this estimate about right? | | | | | | | |
| 1 - Much too high | | 2 - Too high | 3 - About right | 4 -Too low | 5 - Much too low | 6 - Don’t know |
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| If you answered 1,2,4 or 5:  Please briefly outline the reasons why you disagree with the estimate. What would be a more accurate estimate? [Free text] | | | | | | |

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| Question 20: The upfront cost to the operator of liaising with the Local Authority (LA) to create their emergency procedures has been estimated to be approximately £7,900 per pipeline. (This is not including costs recovered by the LA from the operator). Is this estimate about right? | | | | | | | |
| 1 - Much too high | | 2 - Too high | 3 - About right | 4 -Too low | 5 - Much too low | 6 - Don’t know |
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| If you answered 1,2,4 or 5:  Please briefly outline the reasons why you disagree with the estimate. What would be a more accurate estimate? [Free text] | | | | | | |

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| Question 21: The ongoing cost to the operator of assisting with the LA maintaining and updating their emergency plans has been estimated to be approximately £6,400 per pipeline annually. (This is not including costs recovered by the LA from the operator), Is this estimate about right? | | | | | | | |
| 1 - Much too high | | 2 - Too high | 3 - About right | 4 -Too low | 5 - Much too low | 6 - Don’t know |
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| If you answered 1,2,4 or 5:  Please briefly outline the reasons why you disagree with the estimate. What would be a more accurate estimate? [Free text] | | | | | | |

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| Question 22: Please provide brief description(s) and estimate(s) of any other costs associated with complying with part 3 of PSR96 |
| [Free text] |

# Offshore Installations (CCUS Operations and hydrogen production)



### Proposals

* + 1. The AOGBO applies specific sections of The Health and Safety at Work etc. Act 1974 (HSWA)beyond the mainland of Great Britain to specified offshore areas and work activities. The AOGBO currently applies HSE jurisdiction to offshore CO2 storage and injection to CO2 in gaseous phase but not to activities involving CO2 in other phases or to hydrogen production offshore.
    2. HSE is proposing to amend the AOGBO to apply HSE jurisdiction to offshore CCUS activities involving CO2 in all chemical phases, and offshore hydrogen production.
    3. The Offshore Installations and Pipeline Works (Management and Administration) Regulations 1995 (MAR95) complements other regulations dealing with the safe management of offshore installations and apply to fixed and mobile offshore installations, which may include wells and supplementary units. These regulations also complement various other health and safety requirements which also apply to offshore operations. The duties placed on operators by MAR95 include:
* Notifications to be submitted to HSE before installations enter or leave relevant waters
* Requirements on appointment of competent persons responsible for specified activities
* Provision of relevant information to employees
* Requirements to provide accommodation and subsistence for persons on an installation including HSE inspections
* Putting in place of a permit to work system
  + 1. MAR95 currently applies to installations involved in offshore CO2 storage and injection when CO2 is in gaseous phase, but not to activities involving CO2 in other phases or to hydrogen production, or to CCUS activities that do not involve an installation.
    2. HSE is proposing to apply the duties of MAR95 to offshore CCUS activities involving CO2 in all chemical phases, and offshore hydrogen production, and to CCUS activities that do not involve an installation.
    3. The Offshore Installations (Offshore Safety Directive) (Safety Case etc) Regulations 2015 (SCR15) apply to offshore installations involved in drilling, exploration, or providing accommodation to support drilling or exploration. The duties on operators include:
    - Production of corporate major accident prevention policies
    - Safety and environmental management systems to be put in place
    - Well examination schemes to be put in place
    - Safety Cases for all types of installation be produced and submitted to HSE prior to operation, and must be reviewed and revised as specified
    - Notifications to be submitted to HSE in specified circumstances, such as design notifications where a non-production installation is converted to a production installation; notification for well operations; notification of combined operations; and notifications of major accidents.
    - Notifications of specified types of accidents to HSE and where there is an immediate risk of a major accident.
    1. SCR15 was written to apply to offshore activities concerned with the exploration and production of hydrocarbons and so does not fully, clearly or consistently apply to CCUS operations or hydrogen production activities offshore. Nor does it apply to offshore activities that do not involve an installation, which may be the case for some CCUS projects.
    2. HSE is proposing to apply the duties of SCR15 to offshore CCUS activities involving CO2 in all chemical phases, and offshore hydrogen production, and to CCUS activities that do not involve an installation.
    3. The Offshore Installations and Wells (Design and Construction, etc.) Regulations 1996 (DCR95) applies to the design, construction, operation and integrity of installations and well, it also creates duties concerning the safe abandonment of wells. The duties address:
* Design and maintenance of installations considering their integrity in the circumstances it will be operating in
* Decommissioning and dismantling of installations
* Helicopter landing areas
* Design, operation and maintenance of wells considering their integrity
* Safe abandonment of wells
  + 1. DCR95 was written to apply to offshore activities concerned with the exploration and production of hydrocarbons and so does not fully, clearly or consistently apply to CCUS operations or hydrogen production activities offshore. Nor does it apply to offshore activities that do not involve an installation, which may be the case for some CCUS projects.
    2. HSE is proposing to apply the duties of DCR95 to offshore CCUS activities involving CO2 in all chemical phases, and offshore hydrogen production, and to CCUS activities that do not involve an installation.

### Policy Questions for proposed change to Offshore Installations (CCUS Operations and hydrogen production)

* + 1. The following questions are relevant to anyone who may plan to carry out CCUS or hydrogen production operations offshore, work in connection with planned CCUS or offshore hydrogen activities, or have other interests in this area*.*
    2. These questions seek your views on whether you agree with HSE’s proposals to extend the AOGBO to apply to these activities and that the requirements of MAR95, SCR15, DRC95 should be applied to these activities.

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| Question 23: – Do you think that the AOGBO should be extended to include CO2 captured through CCUS operation in all chemical phases? | | | | |
| 1 – Strongly Agree | 2 – Agree | 3 – Do not agree or disagree | 4 – Disagree | 5 – Strongly Disagree |
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| Please provide a reason for your response [Free text] | | | | |

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| Question 24: Do you think that the AOGBO should be extended to include all CCUS activities offshore? | | | | |
| 1 – Strongly Agree | 2 – Agree | 3 – Do not agree or disagree | 4 – Disagree | 5 – Strongly Disagree |
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| Please provide a reason for your response [Free text] | | | | |

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| Question 25: – Do you think that the AOGBO should be extended to include all offshore hydrogen production activities? | | | | |
| 1 – Strongly Agree | 2 – Agree | 3 – Do not agree or disagree | 4 – Disagree | 5 – Strongly Disagree |
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| Please provide a reason for your response [Free text] | | | | |

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| Question 26: Do you think that the requirements of MAR95 should apply to offshore CCUS activities involving CO2 in all chemical phases, including activities that do not involve an installation? | | | | |
| 1 – Strongly Agree | 2 – Agree | 3 – Do not agree or disagree | 4 – Disagree | 5 – Strongly Disagree |
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| Please provide a reason for your response [Free text] | | | | |

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| Question 27: - Do you think that the requirements of MAR95 should apply to all offshore hydrogen production activities? | | | | |
| 1 – Strongly Agree | 2 – Agree | 3 – Do not agree or disagree | 4 – Disagree | 5 – Strongly Disagree |
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| Please provide a reason for your response [Free text] | | | | |

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| Question 28: Do you think that the requirements of SCR15 should apply to offshore CCUS activities involving CO2 in all chemical phases, including activities that do not involve an installation? | | | | |
| 1 – Strongly Agree | 2 – Agree | 3 – Do not agree or disagree | 4 – Disagree | 5 – Strongly Disagree |
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| Please provide a reason for your response [Free text] | | | | |

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| Question 29: Do you think that the requirements of SCR15 should apply to all offshore hydrogen production activities? | | | | |
| 1 – Strongly Agree | 2 – Agree | 3 – Do not agree or disagree | 4 – Disagree | 5 – Strongly Disagree |
|  |  |  |  |  |
| Please provide a reason for your response [Free text] | | | | |

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| Question 30: Do you think that requirements of DCR95 should apply to offshore CCUS activities involving CO2 in all chemical phases, including activities that do not involve an installation? | | | | |
| 1 – Strongly Agree | 2 – Agree | 3 – Do not agree or disagree | 4 – Disagree | 5 – Strongly Disagree |
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| Please provide a reason for your response [Free text] | | | | |

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| Question 31: Do you think that requirements of DCR95 should apply to all offshore hydrogen production activities? | | | | |
| 1 – Strongly Agree | 2 – Agree | 3 – Do not agree or disagree | 4 – Disagree | 5 – Strongly Disagree |
|  |  |  |  |  |
| Please provide a reason for your response [Free text] | | | | |

### Cost Benefit analysis questions for proposed change to Offshore Installations (CCUS Operations and hydrogen production)

* + 1. The following questions are relevant to all companies operating offshore installations that are complying with the following regulations, even if they are not operating or intending to operate offshore CCUS or hydrogen production activities.
    2. In the following questions, we would like to ask you about the full economic costs of complying with SCR2015, MAR95, DCR95, that would not be incurred otherwise.
    3. In your responses, please consider only the costs of compliance, rather than cost recovery incurred to HSE. Within the full economic cost, both labour and capital costs should be included. Labour costs incurred will be in terms of the cost of time to the organisation’s staff to carry out the work. These estimates should be based on the ‘full economic cost’ of their time; this is the hourly wage of the worker plus any ‘on-wage’ costs incurred by the company per hour, such as employer National Insurance contributions, pension etc.
    4. In this analysis, we intend to capture compliance costs incurred by existing hydrocarbon installations for each regulation to inform likely costs specific to offshore CCUS and hydrogen production activities. To do this the highest costs associated with compliance with these regulations have been identified and their costs estimated.
    5. The format of the questions in this section will ask you whether current estimates of cost are approximately correct to test whether previous modelling is correct. The cost estimates were generated through prior work with industry research groups and through responses to previous public consultations.
    6. All cost estimates presented in this consultation are in 2024 prices and based on the cost of operating a typical offshore installation. Some questions ask about ongoing costs on an annual basis; if these costs are not typically incurred annually, please attempt to consider an annualised estimate and provide further description.

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| Question 32: The average annual full time equivalent salary of a Helicopter Landing Officer (HLO) is estimated to be approximately £96,000. Is this estimate about right? | | | | | | | |
| 1 - Much too high | | 2 - Too high | 3 - About right | 4 -Too low | 5 - Much too low | 6 - Don’t know |
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| If you answered 1,2,4 or 5:  Please briefly outline the reasons why you disagree with the estimate. What would be a more accurate estimate? [Free text] | | | | | | |

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| Question 33: The number of HLOs required per installation is estimated to be approximately five. Is this estimate about right? | | | | | | | |
| 1 - Much too high | | 2 - Too high | 3 - About right | 4 -Too low | 5 - Much too low | 6 - Don’t know |
|  | |  |  |  |  |  |
| If you answered 1,2,4 or 5:  Please briefly outline the reasons why you disagree with the estimate. What would be a more accurate estimate? [Free text] | | | | | | |

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| Question 34: The cost of training a HLO is estimated to be approximately £6,900 annually. Is this estimate about right? | | | | | | | |
| 1 - Much too high | | 2 - Too high | 3 - About right | 4 -Too low | 5 - Much too low | 6 - Don’t know |
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| If you answered 1,2,4 or 5:  Please briefly outline the reasons why you disagree with the estimate. What would be a more accurate estimate? [Free text] | | | | | | |

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| Question 35: The cost of putting maintenance and operation instructions and procedures into writing at company level is estimated to be approximately £690,000 per company. Is this estimate about right? | | | | | | | |
| 1 - Much too high | | 2 - Too high | 3 - About right | 4 -Too low | 5 - Much too low | 6 - Don’t know |
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| If you answered 1,2,4 or 5:  Please briefly outline the reasons why you disagree with the estimate. What would be a more accurate estimate? [Free text] | | | | | | |

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| Question 36: The cost of undertaking a well examination and the subsequent review by an independent and competent person is estimated to be approximately £22,000. Is this estimate about right? | | | | | | | |
| 1 - Much too high | | 2 - Too high | 3 - About right | 4 -Too low | 5 - Much too low | 6 - Don’t know |
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| If you answered 1,2,4 or 5:  Please briefly outline the reasons why you disagree with the estimate. What would be a more accurate estimate? [Free text] | | | | | | |

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| Question 37: The cost of upgrading one 4-bed cabin to a 2-bed cabin is estimated to be approximately £100,000 as a one-off conversion costs. Is this estimate about right? | | | | | | | |
| 1 - Much too high | | 2 - Too high | 3 - About right | 4 -Too low | 5 - Much too low | 6 - Don’t know |
|  | |  |  |  |  |  |
| If you answered 1,2,4 or 5:  Please briefly outline the reasons why you disagree with the estimate. What would be a more accurate estimate? [Free text] | | | | | | |

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| Question 38: The upfront cost of preparing and submitting a Safety Case, for either a production or non production installation, is estimated to be approximately £710,000. Is this estimate about right? | | | | | | | |
| 1 - Much too high | | 2 - Too high | 3 - About right | 4 -Too low | 5 - Much too low | 6 - Don’t know |
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| If you answered 1,2,4 or 5:  Please briefly outline the reasons why you disagree with the estimate. What would be a more accurate estimate? [Free text] | | | | | | |

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| Question 39: The cost of preparing and submitting a five year Safety Case review, for either a production or non production installation, is estimated to be approximately £240,000. Is this estimate about right? | | | | | | | |
| 1 - Much too high | | 2 - Too high | 3 - About right | 4 -Too low | 5 - Much too low | 6 - Don’t know |
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| If you answered 1,2,4 or 5:  Please briefly outline the reasons why you disagree with the estimate. What would be a more accurate estimate? [Free text] | | | | | | |

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| Question 40: The cost of preparing and submitting a Well notification, not including any information likely to be included in the Safety Case, is estimated to be approximately £91,000. Is this estimate about right? | | | | | | | |
| 1 - Much too high | | 2 - Too high | 3 - About right | 4 -Too low | 5 - Much too low | 6 - Don’t know |
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| If you answered 1,2,4 or 5:  Please briefly outline the reasons why you disagree with the estimate. What would be a more accurate estimate? [Free text] | | | | | | |

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| Question 41: The upfront cost of establishing a verification scheme for an independent person to ensure safety and environmental-critical elements and the specified plant are suitable and remain in good repair and condition is estimated to be approximately £1,600,000. Is this estimate about right? | | | | | | | |
| 1 - Much too high | | 2 - Too high | 3 - About right | 4 -Too low | 5 - Much too low | 6 - Don’t know |
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| If you answered 1,2,4 or 5:  Please briefly outline the reasons why you disagree with the estimate. What would be a more accurate estimate? [Free text] | | | | | | |

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| Question 42: The ongoing cost of maintaining a verification scheme for an independent person to ensure safety and environmental-critical elements and the specified plant are suitable and remain in good repair and condition is estimated to be approximately £340,000 annually per installation. Is this estimate about right? | | | | | | | |
| 1 - Much too high | | 2 - Too high | 3 - About right | 4 -Too low | 5 - Much too low | 6 - Don’t know |
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| If you answered 1,2,4 or 5:  Please briefly outline the reasons why you disagree with the estimate. What would be a more accurate estimate? [Free text] | | | | | | |

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| Question 43: The cost of regularly reviewing a verification scheme for an independent person to ensure safety and environmental-critical elements and the specified plant are suitable and remain in good repair and condition is estimated to be approximately £69,000 every three years per installation. Is this estimate about right? | | | | | | | |
| 1 - Much too high | | 2 - Too high | 3 - About right | 4 -Too low | 5 - Much too low | 6 - Don’t know |
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| If you answered 1,2,4 or 5:  Please briefly outline the reasons why you disagree with the estimate. What would be a more accurate estimate? [Free text] | | | | | | |

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| Question 44: The cost of appointing a dutyholder for an offshore installation by a licensee is estimated to be approximately £41,000 per installations. Is this estimate about right? | | | | | | | |
| 1 - Much too high | | 2 - Too high | 3 - About right | 4 -Too low | 5 - Much too low | 6 - Don’t know |
|  | |  |  |  |  |  |
| If you answered 1,2,4 or 5:  Please briefly outline the reasons why you disagree with the estimate. What would be a more accurate estimate? [Free text] | | | | | | |

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| Question 45: The cost of overseeing an operator of an offshore installation is estimated to be approximately £41,000 annually per installation. Is this estimate about right? | | | | | | | |
| 1 - Much too high | | 2 - Too high | 3 - About right | 4 -Too low | 5 - Much too low | 6 - Don’t know |
|  | |  |  |  |  |  |
| If you answered 1,2,4 or 5:  Please briefly outline the reasons why you disagree with the estimate. What would be a more accurate estimate? [Free text] | | | | | | |

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| --- | --- | --- | --- | --- | --- | --- |
| Question 46: In addition to the per installation cost in question 45, it is estimated that there is an additional cost for a company to oversee its operators of approximately £680,000 annually per company. Is this estimate about right? | | | | | | |
| 1 - Much too high | | 2 - Too high | 3 - About right | 4 -Too low | 5 - Much too low | 6 - Don’t know |
|  | |  |  |  |  |  |
| If you answered 1,2,4 or 5:  Please briefly outline the reasons why you disagree with the estimate. What would be a more accurate estimate? [Free text] | | | | | |

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| Question 47: Please provide brief description(s) and estimate(s) of any other costs, which you consider to be the greatest costs, associated with complying with MAR95, SCR15 or DCR95 not identified here. | |
|  |

# Inspection of Offshore Wind Energy Installations

### Proposals

* + 1. Currently dutyholders are required to provide transport, accommodation and subsistence to inspectors under the provisions of The Offshore Installations and Pipeline Works (Management and Administration) Regulations 1995 (MAR95).  These provisions do not extend to offshore wind energy installations, and transport is currently provided by operators on a voluntary basis.
    2. With the significant expansion in wind energy operations expected (Government mission to quadruple offshore wind energy by 2030) and associated potential increase in HSE activity it is proposed to extend the requirements to provide transport, accommodation and subsistence to wind energy installations to ensure HSE is able to appropriately regulate this growing sector.

### Policy Questions for proposed change regarding inspection of Offshore Wind Energy Installations

* + 1. The following questions are relevant to anyone who may carry out or be planning to carry out offshore wind energy activities, work in connection with offshore wind energy, or have other interests in this area.
    2. These questions seek your views on whether you agree with HSE’s proposals to extend the requirements of MAR95 concerning transport of inspectors to these activities.

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| Question 48: Do you think that the requirement to provide helicopter transport, accommodation and subsistence to inspectors when undertaking regulatory activity on offshore installations should be extended to include offshore wind energy installations? | | | | | |
| 1 – Strongly Agree | 2 – Agree | 3 – Do not agree or disagree | 4 – Disagree | 5 – Strongly Disagree | 6 - Don’t know |
|  |  |  |  |  |  |
| Please provide a reason for your response [Free text] | | | | | |

### Cost Benefit analysis questions proposed change regarding inspection of Offshore Wind Energy Installations

* + 1. The following questions are relevant to all companies operating or planning to operate offshore wind energy installations.
    2. In the following questions, we would like to ask you about the full economic costs of complying with MAR95 that would not be incurred otherwise.
    3. In your responses, please consider only the costs of compliance, rather than cost recovery incurred to HSE. Within the full economic cost, both labour and capital costs should be included. Labour costs incurred will be in terms of the cost of time to the organisation’s staff to carry out the work. These estimates should be based on the ‘full economic cost’ of their time; this is the hourly wage of the worker plus any ‘on-wage’ costs incurred by the company per hour, such as employer National Insurance contributions, pension etc.
    4. The format of the questions in this section will ask you whether current estimates of cost are approximately correct. The cost estimates were generated through prior work with industry research groups and through responses to previous public consultations.
    5. All cost estimates presented in this consultation are in 2024 prices and based on the costs associated with a typical offshore installation.

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| Question 49: The cost of providing helicopter travel, accommodation and subsistence for one HSE inspector is estimated to be approximately £4,800. Is this estimate about right? | | | | | |
| 1 - Much too high | 2 - Too high | 3 - About right | 4 -Too low | 5 - Much too low | 6 - Don’t know |
|  |  |  |  |  |  |
| If you answered 1,2,4 or 5:  Please briefly outline the reasons why you disagree with the estimate. What would be a more accurate estimate? [Free text] | | | | | |

# Concluding Questions

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| Question 50 – Do you have any further comments you would like to make about the regulation of CO2 in pipelines, offshore CCUS operations, offshore hydrogen production or arrangements for the inspection of offshore wind energy installations? |
| [Free text] |

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| --- | --- | --- |
| Question 51 Do you foresee any unintended consequences as a result of the proposed changes in this consultation? | | |
| Yes | No | Don’t know |
| If you answered ‘Yes’ to this question, please provide a brief explanation below: | | |
| [Free text] | | |

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| --- |
| Question 52 – If you are happy to contacted by HSE for any potential follow up on your answers please provide your email address here. |
| [Free text] |