

# Exemption: pressure systems forming an enclosure for high voltage equipment

Britain's workplace regulator has granted a legal exemption that will enable the use of more environmentally friendly gases in the electricity distribution network.

The Health and Safety Executive (HSE) [exemption](#) comes into effect today, Wednesday 1 December 2021 and is applicable to any pressure system containing an insulating and interrupting gas and forming an integral part of high voltage (HV) electrical apparatus.

The decision was made by HSE's Product Safety and Market Surveillance Unit, which acts as a policy lead for Pressure System Safety Regulation 2000 (PSSR), after they were approached last year by the Energy Network Association, the body that represents energy suppliers in the UK.

The PSSR aims to guarantee safe design and use of pressure systems, including high voltage pressurised units, that form part of the electrical network across the UK, and that are critical to maintaining supply. Current regulations include an exception, which effectively exempts application of PSSR to high voltage apparatus which have been manufactured to remain sealed, and which contain Sulphur hexafluoride (SF6) – an extremely potent and persistent greenhouse gas, with warming potential 23,900 times that of CO2 and with atmospheric residence of up to 3,200 years.

The use of SF6 is facing increasing restrictions and potential international bans, prompting leading manufacturers to develop new designs of high voltage electrical apparatus using alternative gasses with significantly lower global warming potential.

The Energy Networks Association on behalf of the electricity network operators requested that the exception be extended to include other gases which meet the same technical and safety criteria offered by SF6.

Luke Messenger, a HSE inspector from the Product Safety and Market Surveillance Unit said:

“The new [exemption](#) removes a barrier to technical progress thereby facilitating the removal of SF6. It will help level the playing field amongst the network operators and will bring equipment user legislation (Pressure Systems Safety Regulations 2000) in line with product supply legislation (Pressure Equipment Safety Regulations 2016).

“Allowing use of alternative gasses without requiring these pressure systems to undergo thorough examination will also help avoid customer power outages and reduce the chance of equipment failures, in turn reducing costs that might be passed on to consumers. This decision will also contribute towards the UK’s Net Zero carbon reduction targets.”

Alternative gasses have broadly similar properties, the equipment is designed to the same standards and is still covered by the requirements of Health and Safety Work Act and the Electricity at Work Regulations for maintenance and inspection, therefore the health and safety standards are not going to be affected.

The class exemption is of most relevance to the electricity distribution and transmission network operators represented by the Energy Network Association and the equipment manufacturers represented by BEAMA, but will equally apply to any other dutyholders operating high voltage electrical equipment containing a pressure system at the generation and consumer ends of the electricity network.

The exemption takes effect from Wednesday 1 December 2021 and will remain in force for five years, when it will be reviewed.

1. The Health and Safety Executive (HSE) is Britain’s national regulator for workplace health and safety. It aims to reduce work-related death, injury and ill health. It does so through research, information and advice, promoting training; new or revised regulations and codes of practice, and working with local authority partners by inspection, investigation and enforcement. [www.hse.gov.uk](http://www.hse.gov.uk)
2. More about the exemption referred to in this notice can be found at: <https://www.hse.gov.uk/pressure-systems/pssr-exemption.htm>
3. HSE news releases are available at <http://press.hse.gov.uk>

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## Merseyside firm guilty of repeated breaches of health and safety law

A company based in Knowsley which manufactures perimeter protection products has been fined after repeated breaches of health and safety law over a period of eighteen months, including contravention of an Improvement Notice.

Liverpool Magistrates' Court heard that between 29 August 2018 and 24 January 2020, despite several interventions by HSE, Securafence Ltd failed to effectively manage health and safety on site. During this time, ten Enforcement Notices were served on the company to address ongoing risk and non-compliance at the site

An investigation by the Health and Safety Executive (HSE), found that the company had no formal system to ensure that health and safety controls were in place. Management lacked health and safety competence and knowledge and, as a result, employees were exposed to risks to their health and safety.

This included exposure to hazardous substances from welding fumes and paint spray from a wet spray booth – which remained in use despite the company informing HSE that it had been taken out of service. Another health and safety risk cited was the risk of injury through access to dangerous parts of machinery as a result of missing/inadequate guarding.

Securafence Ltd of Hammond Road, Knowsley Industrial Park, Liverpool pleaded guilty to breaching Section 2 (1) of the Health and Safety at Work etc. Act 1974 and was fined £90,000 and ordered to pay costs of £6,017.

After the hearing HSE inspector Emily Osbourne commented: "Those in control of work have a responsibility to identify risk and devise safe methods of working and to provide the necessary information, instruction and training to their workers in the safe system of working. Companies should be aware that HSE will not hesitate to take further appropriate enforcement action against those that continue to fall below the required standards or who fail to ensure sustained compliance."

### **Notes to Editors:**

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2. More about the legislation referred to in this case can be found at:

[Planning for health and safety \(hse.gov.uk\)](http://www.hse.gov.uk)

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## School and contractor fined for unsafe removal of asbestos

A school and its maintenance contractor have been fined after workers disturbed asbestos at the school while installing a new heating system.

Peterlee Magistrates' Court heard that, in February 2019, T.W. Steam & Heating Services Limited had been contracted by Park View Academy, to install a new heating system in the school building at Park View School, Chester Le Street.

In the course of the work, ceiling tiles containing asbestos were disturbed, potentially exposing several people to asbestos fibres.

An investigation by the Health and Safety Executive (HSE) found that the contractor and the school both failed to refer to existing asbestos registers and management plans to identify the presence of asbestos within the school building.

Park View Academy of Church Chare, Chester Le Street pleaded guilty to breaching sections 2(1) and 3(1) of the Health and Safety at Work etc. Act 1974 and was fined £3000 with £4785.37 costs.

T.W. Steam & Heating Services Limited of Rennys Lane Industrial Estate, Durham pleaded guilty to breaching sections 2(1) and 3(1) of the Health and Safety at Work etc. Act 1974 and was fined £2,000 with £4,710.37 costs.

Speaking after the hearing, HSE inspector Ashfaq Ali commented, "The dangers associated with asbestos are well known and advice and guidance is freely available from HSE and other organisations. Those in charge of premises have a duty to inform contractors of the presence of asbestos containing materials, ensuring that works are carried out safely.

"Those undertaking work which is likely to disturb asbestos, or asbestos containing materials, should ensure that building occupants and operatives are not exposed to asbestos. Those undertaking the work should also provide suitable information, instruction and training to their employees.

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4. Further information about safely working with asbestos can be found at: <https://www.hse.gov.uk/asbestos/>

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## Farm fined after employee crushed during demolition project

Farming partnership, J & D Foster Farms LLP, has been fined following an incident on its farm where a 21-year-old employee was killed whilst dismantling a redundant piece of farming equipment.

Folkestone Magistrates' Court heard how, on 30 April 2019, an employee was crushed by a grain drying tunnel at Fishpond Farm in Tonbridge. The employee, George Murrell, sustained fatal injuries.

An investigation by the Health and Safety Executive (HSE) found that J & D Foster Farms LLP did not ensure, so far as was reasonably practicable, the health, safety and welfare at work of the two employees and that the system of work in place was intrinsically unsafe. The work involved dismantling the grain drying tunnel whilst working underneath it. The structure had heavy aggregate across the upper walkway.

The partners failed to ensure the structural integrity of the grain drying tunnel was not compromised during the dismantle, putting themselves and their employees at significant risk. This risk materialised when the structure concertinaed and fell, crushing George Murrell under the heavy aggregate and framework of the structure.

J & D Foster Farms LLP of Fishponds Farm, Upper Hayesden Lane, Tonbridge, Kent pleaded guilty to a breach of section 2(1) of the Health and Safety at Work Act 1974. They were fined £60,000 and ordered to pay costs of £6,731.

Speaking after the hearing, HSE inspector Joanne Williams said: "This incident has resulted in a young man losing his life in what was a wholly avoidable incident, caused by the failure of the company to identify their own competencies in what was basically demolition work. All too often those working in the agriculture industry take on tasks which they are not competent to do. As in this case, this work can and does result in serious and even fatal injuries.

"Every year many people are killed or seriously injured within agriculture. Those working in the agricultural sector need to ensure they consider their competency when undertaking unusual activities on farms such as dismantling and demolition. Agriculture accounts for one per cent of Britain's workforce, but 20 per cent of worker deaths, which is an extremely grim statistic.

"Abnormal work on the farm needs to be assessed as to whether the job is within the capability of the farm workers. For demolition work, as in this case, it will likely be safer and more efficient to contract out to professionals who understand the risks associated with demolition and dismantling and can properly plan and carry out the job using the correct



equipment.”

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3. HSE news releases are available at <http://press.hse.gov.uk>
4. For more information on safe practices involving demolition work visit: [Construction – Demolition – HSE](#)

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## Quarrying company fined after blasting operation puts workers at risk

Breedon Trading Ltd has been fined for safety breaches after a fly rock projection event occurred during the use of explosives.

Llandudno Magistrates’ Court heard that, on 15 January 2020, a blast at Cwt-y-Bugail Quarry in Llan Ffestiniog, Gwynedd, North Wales, resulted in rocks being ejected outside of the danger zone.

An investigation by the Health and Safety Executive (HSE) found that flyrock from the blasting operation, had landed approximately 270m away, punctured the roof of an occupied work shed, and put a hole in the outside pane of the occupied manager’s office skylight window.

It was reasonably practicable for the company to ensure that the blasting did not give rise to danger by increasing the danger zone, clearing the increased danger zone, increasing the quality and quantity of stemming for the explosives in the blastholes, and by ensuring an adequate blasting specification was produced and authorised.

HSE found that there were poor stemming practices, the written specification was prepared after the firing of the blast, and an inadequate danger zone was in place. As a result there was a projection of flyrock outside of the danger zone that caused a quarry operative to run for cover and put other employees at risk when the roof of the shed they were working in was punctured.

Breedon Trading Ltd of Pinnacle House, Breedon Quarry, Breedon on the Hill, Derby pleaded guilty to breaching Section 2 (1) of the Health & Safety at Work etc Act 1974 by virtue of the Quarries Regulations 1999, regulation 25.



The company has been fined £300,000 and ordered to pay £2,534.80 in costs.

After the hearing, HSE's Adrian Jurg, HM Specialist Inspector of Quarries, commented: "Blasting operations at quarries are inherently high risk, and these risks must be rigorously controlled by good explosives engineering practice and in accordance with legal requirements.

"It is unacceptable that employees, and potentially members of the public, be put at serious risk of being hit by rocks that could easily lead to death or serious injury."

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3. HSE news releases are available at <http://press.hse.gov.uk><sup>[3]</sup>
4. Please see the link below to the page on HSE's website that is the best guide to doing it the right way:

<https://www.hse.gov.uk/pubns/books/l118.htm>