

## ***AGREED PROCEDURES FOR SAFETY SUPERVISION OF THE GAS PIPELINE FROM THE NORWEGIAN CONTINENTAL SHELF TO BELGIUM***

### **Introductory remarks**

In order to secure a common and effective approach in complying with the Agreement between The Government of the Kingdom of Norway and The Government of The Kingdom of Belgium relating to the transmission of gas from The Norwegian Continental Shelf and from other areas by Pipeline to The Kingdom of Belgium, hereinafter called the Agreement, Norwegian and Belgian Authorities have prepared these agreed procedures with special reference to Article 2 (2) (3), Article 4 (1) (2), Article 5 (1) (2) and letter of 14 April 1988 from the Minister of Petroleum and Energy of the Kingdom of Norway to the Secretary of State for Energy of the Kingdom of Belgium, copy of which is attached to these procedures. The procedures apply to the pipeline, as defined in Article 12 of the Agreement, during the design, construction, laying and operation on the Belgian Continental Shelf, Territorial Sea and Land Territory of the Kingdom of Belgium:

1.

For practical purpose and application of these procedures the following components are included:

#### *Zeepipe*

Zeepipe means the gas pipeline, starting at the pig launcher on the Sleipner platform (SLR) on the Norwegian Continental Shelf and ending at the pig receiver on the territory of the "Statoil Zeepipe-Terminal" at Zeebrugge in Belgium. The pig launcher at Sleipner and the pig receiver in Zeebrugge are parts of the pipeline.

#### *Zeepipe Terminal*

Zeepipe-Terminal means the metering and controlling station for the natural gas transported by the Zeepipe, at Zeebrugge. The Zeepipe-Terminal contains all the downstream-installations and equipment, starting from the pig receiver and ending at the outer fence, i.e. the physical separation between the Zeepipe-Terminal and the Distrigas metering station.

2.

The Belgian Authorities, involved in the safety matters related to Zeepipe, are represented by the following Departements:

- 1 Ministerie van Economische Zaken

Administratie voor Energie

Dienst Gas en Leidingen

Ministerie van Economische Zaken

Administratie van het Mijnwezen

Dienst voor toezicht op de ondergrondse leidingen

Ministerie van de Vlaamse Gemeenschap

Departement Leefmilieu en Infrastructuur

Administratie Waterinfrastructuur en Zeewezen

Dienst der Kusthavens

3

The Norwegian Authorities involved in safety and working environment matters related to Zeepipe are represented by:

The Norwegian Petroleum Directorate (NPD)

4.

Pursuant to Article 4 (1) of the Agreement uniformed safety standards shall be defined by the NPD and the Belgian Authorities concerned including the "organisme de contrôle agréé" if necessary. By "organisme de contrôle agréé" is understood: the Belgian supervisory body recognised by the Belgian Minister of Economic Affairs, in charge of the supervision of the tests, inspections and trials relating to the safety precautions to be taken when establishing, altering or repairing the Zeepipe and/or the Zeepipe Terminal."

5.

The authorities of either country may initiate inspection of the pipeline on the Belgian Continental Shelf, Territorial Sea and Land Territory of the Kingdom of Belgium at any time, but shall to the extent possible inform the authorities of the other country in advance. This with the view to exercise joint inspection when practicable, cf Article 5 (2). The NPD and Belgian authorities shall notify each other as regards the use of consultants for inspection purposes.

6.

The competence of the Belgian Authorities and their right to apply Belgian law is limited to that part of the Zeepipe that is located on the Belgian Continental Shelf, Territorial Sea and Land Territory of the Kingdom of Belgium, cf Article 2 (2) (3) and attached document to these procedures.

7.

The "Dienst Gas en Leidingen" of the "Administratie voor Energie" from the Belgium Ministry of Economic Affairs, shall coordinate all safety related correspondence between the Belgian Authorities and the NPD.

NPD shall be responsible for coordination of pipeline safety related correspondence with Statoil.

The "Dienst Gas en Leidingen" of the "Administratie voor Energie" from the Belgium Ministry of Economic Affairs, shall be responsible for the terminal safety related correspondence with Statoil.

Correspondence with Statoil about the inquiry preceding the granting of any Belgian licence shall be handled by the competent Belgian Authorities.

8.

Pursuant to Article 5 (1) of the Agreement, NPD may demand necessary corrections and/or interventions to the pipeline situated on the Belgian Continental Shelf, Territorial Sea and Land Territory of the Kingdom of Belgium. Belgian Authorities have the right to apply Belgian law, cf Article 2 (2) (3) of the Agreement, and attached document to these procedures, but limited by possible international law constraints.

9.

As a general rule, safety related directives given to Statoil by NPD or by the "Dienst Gas en Leidingen", shall be given after a mutual consultation between said authorities. This procedure shall be followed for safety related matters to the Zeepipe-Terminal and the part of the Zeepipe located on the Belgian territory as defined in paragraph 6 above.

For the correspondence itself, one shall proceed as follows:

- ┆ correspondence related to the Zeepipe is addressed to Statoil by NPD, and vice versa. The above-mentioned "Dienst Gas en Leidingen" shall be copied and shall, if necessary, translate it to the other Belgian Authorities.
- ┆ correspondence related to the Zeepipe Terminal is addressed to Statoil Belgium by the "Dienst Gas en Leidingen", and vice versa. Correspondence shall be copied to NPD.

10.

With reference to Article 5 (2) of the Agreement any occurrence to the part of the Zeepipe located on the Belgian Territory as defined in paragraph 6 above, which, in the interest of safety, requires that operations should cease immediately, the inspectors shall have the authority to secure the immediate cessation of operations. However, if time permits, the matter shall be referred to the NPD or Belgian Authorities before cessation take place.

11.

NPD shall within the scope of these procedures inform the Belgian Authorities about safety related matters of importance to Zeepipe.

The Belgian Authorities shall inform NPD about matters of significance to the safe operation of Zeepipe on the Belgium Continental Shelf, Territorial Sea and the Land Territory of the Kingdom of Belgium.

Accidents, damages or occurrences being of importance or general interest with regard to safety or prevention of accidents, shall where practicable, be investigated jointly by the NPD and Belgian authorities.

In order to secure a necessary updating and exchange of safety related information, meetings as needed, will be arranged between NPD and the Belgian Authorities. The operator, Statoil, will be required to submit an annual status report with respect to the conditions of Zeepipe. The operator, Statoil, will be invited, if needed, to present the annual status report, the annual inspection program and other planned safety related activities.

12.

In accordance with Article 4 (2) of the Agreement NPD shall give the final safety clearance of Zeepipe subject to agreement with the government of the Kingdom of Belgium. Any application from the operator, Statoil, related to safety and working environmental matters shall be dealt with by NPD in consultation with Belgian Authorities.

Further, with reference to Article 5 (2) of the Agreement, to keep the Belgian Authorities informed of the supervision activities performed by NPD, the yearly supervision plan for Zeepipe shall be forwarded to the Belgian Authorities. The plan describes the supervisory activities that are to be performed and the methods (audits/inspections) that will be used. The Belgian Authorities may, with reference to paragraph 5 above, participate in the supervisory activities.

This document is issued in 2 originals in English, one for either party.

This document replaces Agreed procedures for safety supervision of the gas pipeline from the Norwegian Continental Shelf to Belgium, signed by NPD Desember 1989 and the Ministerie van Economische Zaken January 1990.

Brussel, 19.11.1993	Stavanger, 16.11.1993
(sign)	F Hagemann (sign)
Ministerie van	Norwegian Petroleum
Economische Zaken	Directorate

The Royal Ministry of Petroleum and Energy

The Minister

Mr. Firmin Aerts

Secretary of State for Energy of the Kingdom of Belgium

rue de l'Industrie 10

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Belgium

14 April 1988

Your Excellency,

I have the honour to refer to the treaty signed today between the Government of the Kingdom of Norway and the Government of the Kingdom of Belgium relating to the transmission of gas from the Norwegian continental shelf and from other areas by pipeline to the Kingdom of Belgium.

In order to avoid any misunderstanding concerning the interpretation of the said treaty, both parties agree that Article 2, par. 2 ("it being understood, however, that this shall not exclude the concurrent jurisdiction of the Belgian courts and the application of Belgian Law on the Continental Shelf, Territorial Sea and Land Territory of the Kingdom of Belgium") shall have the following meaning:

It has been agreed between the Government of the Kingdom of Norway and the Government of the Kingdom of Belgium that concerning the Pipeline and incidents pertaining thereto on the Continental Shelf, Territorial Sea and Land Territory of the Kingdom of Belgium, the relevant Belgian Law, including a.o. Belgian Law concerning the necessary licence, shall be applicable and that there shall be concurrent jurisdiction of the Belgian Courts.

This clarification shall be part of the Treaty.

If this is in accord with your understanding, I would appreciate receiving a confirmation from you.

I take this opportunity to renew to your Excellency the assurance of my highest consideration.

Arne Øien

Minister