

AMMONIUM NITRATE GUIDANCE NOTE No. 3

AGRICULTURAL USE

1. PURPOSE

On 25 June 2004 the Council of Australian Governments (COAG) agreed to a national licensing system to limit access to security sensitive ammonium nitrate (SSAN). Each state and territory will introduce legislation and/or regulations to give effect to the COAG agreement.

These guidance notes outline the minimum requirements to obtain a licence for agricultural use of SSAN. They are intended to assist primary producers to securely store and transport SSAN in compliance with the new legislative requirements. While they give an outline of national standards, precedence should be given to the specific requirements of each state or territory legislation.

2. SCOPE

These guidance notes apply to primary producers and do not cover the use of ammonium nitrate as a raw material for explosives manufacture.

The following SSAN related activities conducted by a primary producer must only be conducted under the authority of a licence:

- purchase;
- transport;
- storage; and/or
- use.

An SSAN licence for primary producers may be a multi-purpose licence authorising some or all of these activities.

Usually, primary producers will only be authorised to store and use SSAN on their own properties, and will not be authorised to supply or on-sell SSAN to others. However, primary producers *may* be authorised to purchase, store and spread ammonium nitrate fertilizers for other primary producers who do not wish to obtain a licence. Primary producers would, in this instance, become a fertilizer spreading service, and advice on appropriate authorisations should be sought from the regulatory authority.

SSAN covers a range of ammonium nitrate fertilizers, including calcium ammonium nitrate, and fertilizer blends containing more than 45% ammonium nitrate. Please refer to the definition in section three below.

Usually, primary producers will only be authorised under the multipurpose licence to transport up to and including five tonnes* of SSAN in a non-stop journey.

- If the transport of SSAN involves stops in which the vehicle is left unattended then such activities will need to be explicitly authorised under a separate licence to transport SSAN.
- Transport of SSAN must also meet *safety* requirements and a separate driver's licence under state or territory explosives or dangerous goods legislation may be required, depending on the product transported, its quantity and form.

* Regulatory authorities *may* authorise a primary producer to transport more than 5 tonnes under the multipurpose agricultural use licence. This will be on a case-by-case basis, and a primary producer would need to submit details of the proposed transport arrangements (quantity usually transported, type of vehicle, route etc).

These guidance notes serve as information only. They describe the minimum requirements for the majority of primary producers using SSAN. In certain circumstances the regulatory authority may require additional security measures. This is most likely to be where an explosion in situ could result in substantial casualties, such as where large quantities of SSAN are stored near population centres or public facilities.

The requirements in other applicable legislation or codes of practice remain in place and require the full attention of primary producers storing and transporting SSAN.

3. DEFINITIONS

The authority holder, or licence holder means –
the person who has applied for and been granted a licence or permit from the regulatory authority. This person will have undergone police and PMV checking.

An authorised person means-
a person (in addition to the authority holder) who is named in the security plan and authorised by the regulatory authority under that plan to have unsupervised access to SSAN. This person will have undergone police and PMV checking.

Non-stop journey means -
journeys transporting SSAN from one secure store to another during which the SSAN is kept under constant surveillance by an authorized person.

Constant surveillance means –
the presence of an alert and authorised person or monitored electronic or video surveillance.

Explained loss means -
any documented loss caused by such things as product density changes, spillage, calibration variances, effects of humidity etc.

Unexplained loss means -
any documented loss that cannot be explained. If there are reasonable grounds to believe that SSAN has been stolen or lost, this is a matter to be reported to the local police and the regulatory authority.

PMV (politically motivated violence) check means -
a security assessment in respect of a person, issued by ASIO.

Regulatory Authority means -
in each state or territory the regulatory authority is the authority that issues the licence or permit.

Secure means secure from—
a. detectable theft;
b. unexplained loss;
c. sabotage; or
d. unauthorised access.

Security risk means risk of—
a. theft of SSAN ; or
b. unexplained loss of SSAN; or
c. possible sabotage of SSAN; or
d. unauthorized access to SSAN .

Security plan means –

a plan that has been put in place by the primary producer to effectively minimize all relevant security risks; refer Section 5 below.

Security sensitive ammonium nitrate (SSAN) means—

ammonium nitrate, ammonium nitrate emulsions and ammonium nitrate mixtures containing greater than 45% ammonium nitrate, excluding solutions and excluding Class 1 explosives.

(**Note:** This includes substances such as calcium ammonium nitrate that are not classified as dangerous goods and dangerous goods with UN numbers 1942, 2067, 2068, 2069, 2070, 2071, 2072, 3375 and 3139 where applicable. Explosives of Class 1 are excluded).

Secure store means –

a physically secure place where SSAN is kept under lock and key or constant surveillance, and where there are procedures for:

- controlling access;
- secure control of keys; and
- documenting the receiving and dispatching of measured quantities of SSAN.

Supervised access means –

where access to SSAN by a worker occurs under the supervision of an authority holder or authorised person, as detailed in the Security Plan.

- On a farm, *supervised access* could include workers spreading SSAN, providing:
 - an authorised person was present and supervised the removal of SSAN from the secure store; and
 - that there was negligible prospect of the theft of the SSAN by the workers spreading it in the field; and
 - that unused SSAN was accounted for and returned under supervision of an authorised person to secure storage after use.
- A person spreading SSAN under supervision of an authorised person, as above, would not need a police or PMV check.

Unsupervised access means –

access to SSAN when no other person with authorised access is present or has control over the SSAN. This includes:

- access to the secure store;
- access to the keys to the secure store;
- access to SSAN while being transported;
- supervision over the use of SSAN.

All those with unsupervised access to SSAN will need a police and PMV check.

UN number means -

the identifying number assigned to dangerous goods by the United Nations Committee of Experts on the Transport of Dangerous Goods, and outlined in the Australian Dangerous Goods Code.

The UN number should be on the packaging of bagged fertilizer products that are classified as dangerous goods, and fertilizer suppliers should be able to provide UN numbers where applicable. (Note: Some SSAN products, such as calcium ammonium nitrate, will not have a UN number).

Under lock and key would normally include one of the following -

- a compound with a security fence (AS1725); or
- a secure shed with lockable entrances, and if windows, that are locked or barred; or
- a secure and lockable freight container, cabinet or cage; or
- a locked building; or
- a securable fertiliser field bin, with a tamper evident seal.

Quality security locks must be employed; electronic type locks may be acceptable.

4. REQUIREMENTS

A primary producer who buys, transports, stores or uses SSAN must have a licence from the regulatory authority. An application for a licence must be accompanied by a security plan that will be implemented, understood and complied with by all people at the property.

The security plan will provide information to the regulatory authority about how the primary producer will meet security requirements. In general, the security plan must meet the following requirements:

- i. SSAN must be stored in a locked facility/container or be under constant surveillance;
- ii. there must be procedures for controlling access to this storage place;
- iii. SSAN is transported under the constant surveillance of an authorised person for the entire journey;
- iv. there must be procedures for checking and authorising persons with unsupervised access to SSAN, including:
 - a. designating a responsible person (usually the licence holder) to maintain the security plan;
 - b. ensuring that people with unsupervised access to SSAN have had police and PMV checks; and
 - c. instruction of workers on the security plan procedures;
- v. record keeping to record purchase and use of SSAN, with procedures to reconcile incoming and outgoing quantities; and
- vi. procedures for reporting to authorities any unexplained loss, theft, attempted theft or any other security incident involving SSAN.

5. THE SECURITY PLAN

In order for primary producers to obtain a licence to use SSAN a security plan must be submitted to the regulatory authority. (Note: The regulatory authority will regard the security plan as a confidential document not to be further disseminated to any other agency.)

The security plan must include the following:

Minimum requirement 1: Site Sketch Map

The sketch map should show the layout of the property and the surrounding locality including access routes. For larger properties, there should be a sketch of the overall site and a sketch of where the SSAN is stored.

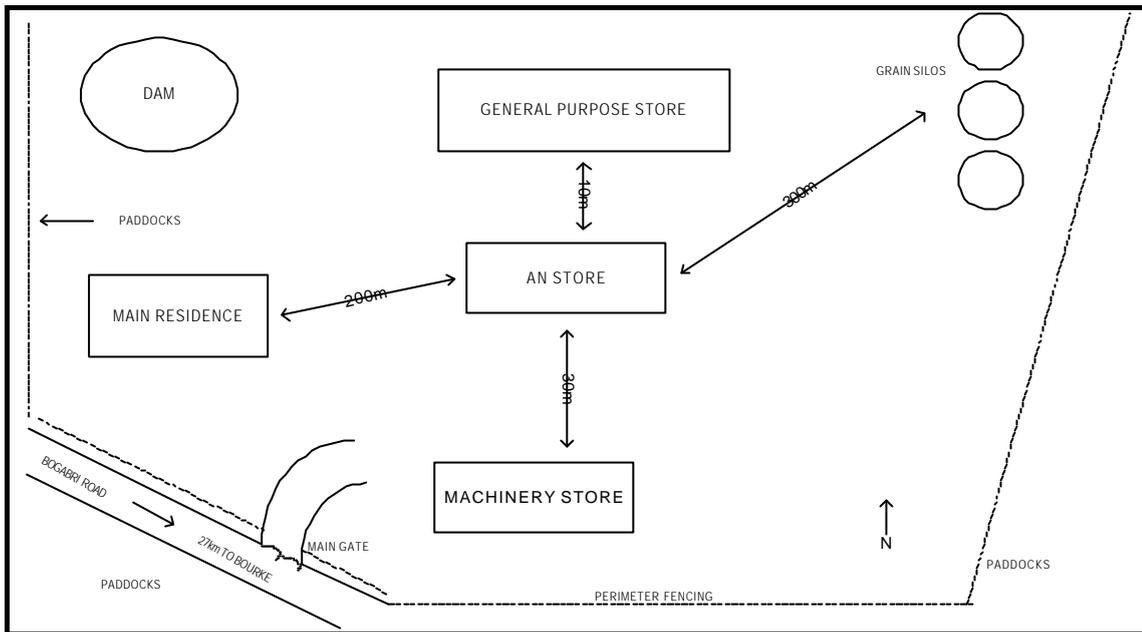
The sketch need not be drawn to scale, but distances between the SSAN store and other facilities should be indicated.

The sketch map should show:

- a. property name;
- b. address; and
- c. a sketch showing
 - an indication of true north;
 - public roads (with names and distance and direction to nearest town);
 - site main entrance;
 - other vehicle entry points;
 - internal road layout;
 - nature of adjoining properties and sites;
 - each SSAN store, including type of structure;
 - distances between SSAN stores and residences and public places;
 - distances to fuel storage and dangerous goods stores; and

- water access sources and emergency equipment such as hydrants, hoses and extinguishers.

Below is an example of a site sketch map. (Note: this sketch does not show internal roads as required).



Minimum requirement 2: List of authorised persons to have unsupervised access to SSAN

The security plan must contain a list of all those on your farm, whether family or other workers, who will have unsupervised access to SSAN. These persons will be required to undertake a police and PMV check.

Should the licence holder later wish to add others to the list of authorised persons, these additional persons will be required to undertake a police and PMV check and, when cleared, added to the security plan in the form of a dated amendment to the list of authorised persons.

Minimum requirement 3: Details of your secure storage arrangements for SSAN

SSAN must be in a secure store or under constant surveillance. You will need to supply details of your secure storage facility, including type and dimensions of structure, number and type of doors and windows, type of lock etc. Openings must be barred or locked to prevent access. You should also include details of signage that will be deployed (signage may be mandatory in some jurisdictions).

Minimum requirement 4: Details of secure transport arrangements (if transporting SSAN outside your property)

For transport of five tonnes or less of SSAN the security plan will need to confirm:

- a. the name of the authorised person in the vehicle transporting the SSAN;
- b. that SSAN will be obtained only from a licensed supplier; and
- c. the SSAN will be transported under lock and key or constant surveillance, directly to approved storage.

Notes:

1. For transport outside these limits, that activity will require specific authorisation under a separate licence (refer Ammonium Nitrate Guidance Note No. 1: Transport).

2. The vehicle driver may also require an applicable driver's licence under explosives or dangerous goods legislation.

Minimum requirement 5: Procedures and Record Keeping

You will be required to:

- a. describe your procedures for controlling access to SSAN;
- b. ensure workers on your farm are instructed in implementing your security plan and abide with procedures relating to secure storage, transportation and use of SSAN products;
- c. notify both the local police and the regulatory authority immediately if you become aware of the theft, attempted theft, or unexplained loss of SSAN you have on your property or are transporting; and
- d. keep records of purchase and use of SSAN for a period of five years.

The following record keeping model may be used.

Date Procured	Record of Procurement (including licence no. of seller)	Quantity	UN no. *	Application quantity & Date(s) applied	Reconciliation/ Comments

* some products, such as calcium ammonium nitrate, will not have a UN number. In these instances other product identification details should be recorded, such as brand names etc.

The information contained in this document is provided to offer guidance. It is not to be taken as a statement of law and must not be construed to waive or modify any legal obligations.

Additional voluntary measures

Primary producers may wish to consider implementing other voluntary security measures in addition to the *minimum* requirements outlined above. Additional security measures may deter, detect or delay a potential offender, and the following should be considered.

Signage

- 'No Trespassing' signs posted at the gates and/or perimeter fencing
- 'Authorized Access Only' warning signs posted on or near storage facilities containing SSAN and other chemicals

Physical security

- Lockable gates at the entrance(s) to the farm
- Good quality chains and padlocks to lock doors and gates
- Locating the SSAN storage facility in line of sight of the farm residence
- Storing other chemicals in separate locked storage areas
- Locking spreaders and other equipment when not in use
- Securing trucks left standing in paddocks overnight

Lighting

- Sensor lights installed in particular locations
- Light timers installed in isolated locations

Alarm Systems

- Security alarm installed where SSAN and other dangerous goods are stored
 - Is the intruder alarm system manufactured and installed to Standards Australia Commercial and Domestic Alarm Systems?
 - Is the system designed to provide maximum coverage of the shed/storage facilities?

Farm Dogs or Guard dog(s)

- To alert you to the presence of strangers around the farm