

INTRODUCTION

The *Work Health and Safety (WHS) Regulations 2012(SA)* provides for the notification of the abandonment of an underground, partially underground or fully mounded tank which has been used for the storage of flammable liquid or flammable gas to SafeWork SA.

A person conducting a business or undertaking (PCBU) at a workplace is required to ensure, so far as reasonably practicable, the health and safety of workers and others. Notifications provide risk based information to SafeWork SA to enable targeted compliance and enforcement actions to areas of greatest risk to health and safety.

SCOPE

Notification to SafeWork SA is required for the abandonment of an underground, partially underground or fully mounded tank that was used to store flammable gases and flammable liquids. [Regulation 367 (1)].

WHO MUST NOTIFY

A person conducting a business or undertaking at a workplace where that person controls or manages the tank must notify SafeWork SA. [Regulation 367].

“Person conducting a business or undertaking” (PCBU) is defined in Part 1 (3)(2)(5) of the *Work Health and Safety Act 2012*. A PCBU may be an individual, a body corporate, a government agency, a partnership or an unincorporated association.

WHEN TO NOTIFY

Notification to SafeWork SA is required as soon as practicable after the tank is abandoned. [Regulation 367 (3)].

The tank is taken to be abandoned if:

- The tank has not been used to store flammable gases (GHS Category 1) or flammable liquids (GHS Category 1-4) for 2 years; or
- The person does not intend to use the tank to store flammable gases or flammable liquids again [Regulation 367 (2)(4)].

Tank means a container, other than an intermediate bulk container (IBC) designed to use, handle or store hazardous chemicals in bulk, and include fittings, closures and other equipment attached to the container. [Regulation 367 (4)].

GHS means the Globally Harmonised System of Classification and Labelling of Chemicals, Third revised edition, published by the United Nations.

Flammable gas has the same meaning as it has in the GHS. A flammable gas of GHS Category 1 is equivalent to the Australian Code for the Transport of Dangerous Goods by Road & Rail (ADG) code Classification of Division 2.1. An example of this is LPG.

Flammable liquid means a flammable liquid within the meaning of the GHS that has a flash point less than 93°C. Categories 1, 2 & 3 are equivalent to the ADG Code Classification of Class 3, Packing Group I, II and III. Examples include petrol, ethanol and pentane. Category 4 is equivalent to combustible liquid up to a flash point of 93 degrees Celsius. An example of this could be diesel fuel.

When a PCBU intends that an underground storage and handling system will no longer be used, the system, as far as reasonably practicable, must be removed [Regulation 366]. If it is not reasonably practicable to remove the system, the person must ensure that there is no risk to health and safety [Regulation 366 (3)].

HOW TO NOTIFY

Notifications are required to be made to SafeWork SA or the relevant Regulator in the state or territory or the commonwealth in which the business or undertaking in which the tank to be abandoned is located.

To give notification to SafeWork SA go to www.safework.sa.gov.au and complete the form 'Notification for the Abandonment of Tanks'. A new form is required for each tank.

After signing and ensuring any required further documentation is included either:

Post to:

Licensing Unit, SafeWork SA, GPO Box 465, Adelaide, South Australia, 5001

Deliver to:

Reception, Level 4, SafeWork SA, 33 Richmond Road, Keswick, South Australia, 5035

For further assistance **call the Help Centre on 1300 365 255**

FEES

There is **no fee** for the notification of an abandoned tank.

OTHER RELEVANT OBLIGATIONS

- If you are currently a holder of a Dangerous Substances Licence for the storage of LPG or Class 3 Flammable liquids, you may need to submit an Application to vary a Dangerous Substances Licence to SafeWork SA.

- You may need to amend any relevant documentation including emergency plans and the emergency services manifest and site plan for the workplace.

FURTHER INFORMATION

Further information on the removal and disposal of underground tanks is available in Australian standards.

AS4976:2008 The removal and disposal of underground petroleum storage tanks.

AS/NZS1596:2008 The storage and Handling of LP Gas

AS 1940:2004 The storage and handling of flammable and combustible liquids

Any tank that is transported when containing vapour must be transported in accordance with the Australian Code for the Transport of Dangerous Goods by Road & Rail.

For further information and assistance please contact SafeWork SA:

VISIT www.safework.sa.gov.au

CALL **The Help Centre on 1300 365 255**

EMAIL help@safework.sa.gov.au