



## **Petrol Storage Information Note**

The storage of petrol is governed by specific legislation. These regulations are entitled; **Dangerous Substances (Retail and Private Petroleum Stores) Regulations, S.I. 311 of 1979**, as amended, and are made under the Dangerous Substances Act, No. 10 of 1972. The Act requires that all petrol storage facilities must be licensed.

The regulations set minimum requirements for the design, construction, installation, maintenance and management of petrol storage facilities, such as, storage tank specifications, petrol dispense control measures, certification of electrical systems, emergency control measures, storage tank pressure testing and training. These requirements apply equally to private petrol stores and storage for the purpose of retail sale (petrol filling stations).

Private petrol stores include petrol held at business premises, e.g. golf clubs, public amenity centres, local authority parks department, car dealerships etc, storing petrol for their own use (not for re-sale) and storage of fuel held by private individuals.

### **How to Obtain a Licence**

To be eligible for the grant of a licence a petrol store must meet the requirements of the Dangerous Substances (Retail and Private Petroleum Stores) Regulations, S.I. 311 of 1979 as amended.

Licence applications may be made to the relevant **local or harbour authority**, which under normal circumstances for local authorities, is to your local [Fire Authority](#) for the attention of the Chief Fire Officer.

All applications must be in writing and accompanied by the appropriate fee.

For a first licence, applicants must submit site plans, drawings and particulars of tanks, dispensing pumps, associated equipment and relevant buildings. The licensing authority can advise on specific application requirements and associated fees. Information on fees may also be obtained by referring to the Dangerous Substances (Licensing Fees) Regulations, S.I. 301 of 1979, as may be amended.

[If the petrol store is owned by a local or harbour authority, the licensing body is the Health and Safety Authority]

## Licence Conditions

The period of validity for a licence to store petrol may not exceed 3 years and the licensing authority may attach conditions to the licence. Licensing authorities have discretion to relax certain regulations or impose more stringent requirements dependent on the individual circumstances.

### Storage facilities that do not require a licence

Certain quantities of petrol may be kept without a licence, however storing petrol over certain thresholds or in containers over a certain size; you are required to notify your local licensing authority (Fire Authority or Harbour Authority):

Total Quantity	Purpose of Petrol Use	Licence required	Notify licensing authority
3 x 5 litres	Any use other than "engine petroleum"	No	No
Over 3 x 5 litres	Any use other than "engine petroleum"	Yes	Yes
Up to 100 litres	"Engine petroleum":  Petrol used in engines of any vehicle, ship, vessel, boat or aircraft, lawn mowers, generators, stationary engines etc. <b>Not for re-sale.</b> Must comply with storage regulations; see Part III of S.I. 311 of 1979.	No	No
100 to 273 Litres	Engine petroleum	No	Yes
Over 273 litres	Engine petroleum	Yes	Yes
Stored in containers over 23 litres capacity	Engine petroleum	No	Yes

Note: The maximum quantity of "engine petroleum" that can be carried in/on a vehicle (other than the fuel tank of the vehicle) while in a public place, is limited to 2 x 10 litre metal containers.

### **"Kerbside" or pre 1979 Petrol Stations**

The regulations take account of petrol stores built before 1979 which are unable meet the regulations in full due to the cost of re-design or engineering modification and physical constraints on the site. These allowances are at the discretion of the licensing authority and relate primarily to; underground tanks, the road tanker-unloading stand and separation distances for manholes, tank vents, offset fill pipes and dispensers from the site boundary. These (retail) petrol stores often have dispensers located on or close to a public footpath and are known as 'kerbside' sites.

Licence applications are made as normal to the local licensing authority.

### **Refusal of a Licence and Licence Appeals**

Appeals against a decision by a licensing authority to refuse the grant of a licence or to conditions attached to it must be made within 14 days to the Health and Safety Authority. Appeal submissions must be in writing setting out the claim in detail and be accompanied by a certificate from the licensing authority stating the reasons for the decision.

Appeals should be sent to: **RPPS Licence Appeals, Work Place Contact Unit, Health and Safety Authority, Metropolitan Building, James Joyce Street, Dublin 1.**

### **Late Appeals**

Where the applicant/licensee can demonstrate either agreement with the licensing authority on a suitable plan of action to address most of the reasons for a licence refusal or that substantial negotiations made in good faith have failed, then the Health & Safety Authority may accept a late appeal.

### **Driver Controlled Deliveries**

The regulations require that petrol storage operators supervise all petrol deliveries. However, where the local licensing authority gives prior consent a petrol store may be modified to allow deliveries under the control of the road tanker driver only.

Further details regarding the modifications required for this purpose can be found in the ***Certificate of Exemption No. R.P.P.S.I Driver Controlled Deliveries*** available on the HSA web site.

### **Leak Detection**

Underground petrol storage tanks (typically single skin steel tanks) become more susceptible to developing leaks after they have been in service for over 20 years. The regulations require, **as a minimum**, these tanks must be checked weekly to ensure that any leak may be detected at the earliest opportunity. It is advisable however that all tanks, whatever age, should be subject to wet stock monitoring on a regular basis and associated records kept for inspection.

For further details on recommended wet stock monitoring, see the Health & Safety Authority publication ***Wetstock Inventory Control for Petrol Stations*** available on the HSA web site.

As part of the required safety management of underground storage tanks and associated pipe-work, the Health & Safety Authority recommends leakproofness testing should be carried out as follows;

- two-yearly intervals for tanks over 20 years old
- annually for tanks in service for more than 30 years.

This work should only be carried out by a competent contractor.

Note: Modern systems such as double skin storage tanks with interstitial leak detection and fuel containment may not require the same checks as required for single skin tanks. These systems generally provide a higher level of safety in preventing fuel loss. In these cases you should follow manufacturers' recommendations on use, training and system maintenance.

### **Refurbishment or Modifications**

Before carrying out any work at a petrol station that may affect the safe storage of petrol the written permission of the local licensing authority must be obtained. This requirement only normally applies to construction work that might damage the underground tanks and pipelines or to work that introduces an ignition source into a hazardous zone within the site. The need to obtain written permission will not

generally apply to routine maintenance work or for the replacement of petrol dispensers.

### **Abandoned Storage Tanks**

Disused underground petrol storage tanks pose a very high risk from fire and explosion unless the tanks are properly decommissioned. Removing the liquid petrol is not sufficient as petrol vapours remain in the tanks for many years and explosions have occurred in tanks that had not been used for over 30 years.

The local licensing authority must be given 21 days notice in writing by the licensee or owner of the site, of the intention to decommission a petrol storage tank. The licensing authority may specify the method for decommissioning which must then be followed. On completion of the decommissioning process certificates of decommissioning should be promptly forwarded to the local licensing authority.

### **Further Information:**

**Licensing or notification queries may be submitted your Local Authority Fire Department or Harbour Authority as appropriate.**

Publications available on the HSA web site, [www.hsa.ie](http://www.hsa.ie) under the Retail and Private Petroleum Stores (RPPS) sector:

*Wetstock Inventory Control for Petrol Stations*

*Certificate of Exemption No. R.P.P.S.I Driver Controlled Deliveries*

### **Relevant regulations:**

Dangerous Substances Act, no.10 of 1972

Dangerous Substances (Retail and Private Petroleum Stores) Regulations, S.I.311 of 1979, as amended.

Dangerous Substances (Licensing Fees) Regulations, SI 301 of 1979, as amended.

Regulations are available via the HSA web site [www.hsa.ie](http://www.hsa.ie) or directly from [www.irishstatutebook.ie](http://www.irishstatutebook.ie)

Queries regarding appeals or legislation enforcement may be directed by e-mail to [wcu@hsa.ie](mailto:wcu@hsa.ie) or in writing to; Petrol Station Queries, Work Place Contact Unit, Health and Safety Authority, Metropolitan Building, James Joyce Street, Dublin 1

HSA WCU Locall: 1890 289 389 (Monday to Friday, 9am to 5pm)