

Under statutory Instrument No. 424 of 1999, the role of 'Minister' as referenced in the DSA 1972 is stated to mean the Health & Safety Authority.

Kerry County Council is the Licensing Authority under the Dangerous Substances Act 1972. Within Kerry County Council the task of administering the licensing function under the Dangerous Substances (Retail & Private Stores) Regulations has been delegated to the Fire Prevention Section of the Kerry County Fire & Rescue Service that is part of the Environmental Directorate of the County Council. (PUT IN LINK TO CONTACT DETAILS HERE)

Application forms are available from the Fire Services Section and details of the required accompanying documentation are listed in the above regulations.

Section 21 extract from DSA 1972

21.—(1) No person shall have petroleum-spirit in his possession or under his control except in a store licensed by the proper local or harbour authority (or, if the store is owned by such authority, licensed by the Minister) for that purpose.

(2) Subsection (1) does not apply to—

- (a) a quantity not exceeding three gallons kept in suitable leak-proof containers, securely stopped and containing not more than one gallon each, or
- (b) a quantity not exceeding sixty gallons kept in accordance with regulations of the Minister, for use in engines to which the regulations relate, or
- (c) petroleum-spirit in the fuel tank of an engine for use therein, or
- (d) a carrier or other person having petroleum-spirit for the purpose of conveyance in conformity with this Act or in the exercise of functions conferred on him by or under this Act.

Petroleum-spirit = Petroleum Class I (Petrol)

The following Regulations are in force under the Dangerous Substances Act 1972

DANGEROUS SUBSTANCES (RETAIL AND PRIVATE PETROLEUM STORES) REGULATIONS, 1979 - 2006.

These typically apply to petrol stations that dispense petrol through retail transactions on a forecourt and commercial sites that dispense petrol for consumption typically by employees for use within the confines of the site.

DANGEROUS SUBSTANCES (BULK PETROLEUM STORES) REGULATIONS, 1979.

These typically apply to large and medium sized bulk storage facilities where large quantities of Petroleum Class I are stored, sometimes in conjunction with Petroleum Class II and/or III, for subsequent delivery to retail petrol stations.

Highlights Petrol Interceptor/Oil Separator

Regulation 15 of the Dangerous Substances (Retail & Private Stores) Regulations 1979-2002, states that

- (1) During the transfer of petroleum Class I from a tank of a tank-vehicle to an underground storage tank at a retail store or private store, the tank vehicle shall be located at a safe place marked in a plan annexed to the licence and, when the transfer takes place during hours of darkness, artificial lighting sufficient and suitable to allow the transfer to

be made without risk of injury shall be provided at that place by the licensee.

(2) Subject to Regulations 41 (1) and 41 (2) of these Regulations and unless otherwise provided in a condition attached to a licence-

(a) the place referred to under paragraph (1) of this Regulation shall be of sufficient area to enable a tank vehicle to be adequately and safely accommodated in the area during the transfer referred to in that paragraph;

(b) the surface area of the ground used to accommodate a tank-vehicle during such a transfer and within a radius of not less than 4 metres of a petroleum dispensing pump shall be suitably covered with an adequate thickness of concrete or other suitable material and shall be-

(i) impervious and non-absorbent so as to prevent seepage or escape of petroleum below ground,

(ii) properly maintained and in good condition, and

(iii) provided with a suitable drainage system designed and graded for draining rain, other water, petroleum and any other liquid off into an adequate oil interceptor (provided by the licensee and maintained in an efficient state).

(3) Without prejudice to the requirements of subparagraph (2) (b) (iii) of this Regulation, all practicable steps shall be taken by the licensee to prevent the escape (by leakage, seepage or otherwise) of petroleum below ground or into any drain, sewer, canal, lake, stream, river, sea or inlet of the sea, or other watercourse, ditch or public place from a container store or compound or other part of a retail store or private store.

(4) In this Regulation "oil interceptor" means an oil interceptor, separator, chamber or other device approved by the licensing authority and suitably designed, constructed, vented in a safe manner and maintained so as to retain for recovery and for safe disposal any petroleum conveyed to it by a drainage system.

Historically an interceptor was an interconnected 3-chamber unit.

Now, since the adoption of standard IS EN-858, works that involve the installation of a new interceptor, the licensing authority will generally accept one chosen according to a functional class determined by IS EN 858-2 and performance criteria as determined by IS EN 858-1 as meeting the requirements of Regulation 15(4).

EN 858-2 determines the type of separator/interceptor to meet a particular risk.

EN858-1 determines the performance criteria that a particular separator/interceptor must meet.

A dedicated interceptor/separator is required to process the run-off from forecourt and/or bulk delivery tanker hard stand area. The chosen separator must have an oil/petroleum retention capacity for the spillage risk in the designated coverage area.

If the interceptor/separator is for use in the forecourt dispensing area only, an oil/petrol retention capacity comparable to the maximum amount of product that is likely to be spilled (usually the maximum that can be dispensed in a single retail transaction) would be sufficient.

If it is designed to cover the dispensing and tanker hard-stand areas, then it must be sized to fully retain the worst case scenario of the catastrophic failure of a petroleum storage compartment (usually in the range 5000 to 7000 litres) on a bulk delivery tanker. The pass-through waste water capacity is based on the peak rainfall falling on the designated surface area.

As one of the intended functions of a petrol separator is to retain a Class I petroleum spillage, it would in such circumstances in fact be a temporary underground petrol storage tank. Therefore, a petrol interceptor must be installed and surrounded with secondary containment (concrete vault/encasement) and be provided with petrol vapour vent management.

Under no circumstances should the waste water from a vehicle wash be directed into a petrol separator. Vehicle wash waste water must be processed separately in keeping with the effluent requirements of the overall site.

As well as meeting the regulatory requirements, a properly sized and maintained interceptor can reduce the risk of subsequent pollution in the event of an incident. In fact a poorly maintained interceptor may be interpreted as providing a risk to the surrounding groundwater and may be the cause of the initiation of legal proceedings under the Water Pollution Act 1997 & 2000 quite separate from any sanctions that may arise from a proven breach of the Dangerous Substances Regulations and deemed to be an offence under the Dangerous Substances Act 1972.

Petroleum Vapour

Air Pollution Act 1987 Petroleum Vapour Emissions Regulations S.I. 375/1997

If you are a Service Station owner/operator you are obliged to ensure that your facility is so designed and operated in accordance of the Third Schedule of these Regulations.

THIRD SCHEDULE

REQUIREMENTS FOR LOADING AND STORAGE AT TERMINALS AND SERVICE STATIONS WHERE THE INTERMEDIATE STORAGE OF VAPOURS IS CARRIED OUT.

Vapours displaced by the delivery of petrol into storage installations at terminals and into storage tanks at service stations and in fixed roof tanks used for the intermediate storage of vapours must be returned through a vapour-tight connection line to the mobile container delivering the petrol. Loading operations may not take place unless these arrangements are in place and properly functioning.