SUBMISSION
ON
Targeted consultation on HSNOCOP 24

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SUBMISSION BY THE FUEL DISTRIBUTORS INDUSTRY SAFETY COMMITTEE ON THE TARGETED CONSULTATION ON HSNOCOP 24

1.0 Fuel Distributors Industry Safety Committee

1.1 The Fuel Distributors Industry Safety Committee was formed to provide a forum where fuel distributors and stakeholders can collaboratively work towards establishing best practice industry standards to ensure the safe, compliant and environmentally responsible delivery and storage of fuel.

1.2 The Committee operates under the auspices of Road Transport Forum NZ and its affiliated members transport, handle and store in excess of 90% of the volume of fuel distributed for end use in New Zealand.

1.3 The Committee welcomes the opportunity to submit on HSNOCOP 24. The code of practice conveys a range of requirements that committee members must comply with and in some instances it can be refined to improve efficiencies without negatively impacting safety.

1.4 We have limited feedback to provide and are generally comfortable with the draft's contents. We have opted not to use the template form provided. The format in this submission eased the collation and succinct provision of Committee member feedback.

2.0 Comment

2.1 Section 1.5. Definitions: Double Skinned tank

The definition limits future technology developments by referencing steel only as construction material. Synthetic and other construction and material/manufacturing technologies is advancing rapidly as are other construction and material technologies and it is sensible not to restrict that by referencing steel only.

2.2 Draft *clause 2.2.8*. As written the suggestion is that venting be allowed on the secondary containment. The secondary containment should be a sealed unit to avoid possibility of condensation, moisture and fuel entering the unit. Secondary containment is designed to retain product in case of tank failure- not to be used as a bund. Allowing there to be product or moisture in the secondary containment promotes corrosion of the primary tanks that cannot be readily observed. Failure would understandably be undesirable.

2.3 Draft *clause 1.4.2*: Our interpretation is that above ground tanks with integral secondary containment installed prior to the date that the amended code takes effect may be certified in accordance with the code. "Grandfathering" of those tanks is welcomed and will serve to significantly reduce transitional costs

2.4 Draft *Clause 3.1.1* references *Table 1*, which sets restrictions on tank locations. Column one, Row four *"Locations other than those above"* stipulates that 30,000 litres is the maximum allowable volume of class 3.1D in a double skin stationary tank. This is already the limit under current regulation. The conundrum we note is that double skin stationary tanks exceeding the 30,000 litre limit are and have been in situ at various truck stops and fueling sites for a number of years. When based on the location interpretation these are deemed non conditional. We suggest reconsidering this part to accommodate increased storage capacity. If the 3.1D maximum limit were elevated to 110,000 litres, onsite storage would be improved and would facilitate more efficient distribution. It has been demonstrated that there are minimal safety implications with these installations.

2.5 Draft *clause 1.3*: *'Double Skin Tank – Impact Protected'*. This feedback relates to storage of class 3.1A in double skin stationary tanks. Specifically, the authority's position on the testing procedure being conditional upon having to meet SWRI/UL testing procedures. Our perception is that 2/4 hour fire rated tanks for retaining class 3.1A are prohibitively priced due to the exclusivity of the testing procedure to

specific fabricators (particularly the SWRI testing regime, which appears to be only available under a licensing agreement for specific areas and fabricated as a trademarked product which effectively eliminates competition). Not widening this regime to allow suitably qualified engineers to apply a due qualification process as in any other industry or area of engineering design approval perpetuates this untenable situation. We believe all approved tank manufacturers should have equal access to a neutral approval process that allows them to compete equitably in the marketplace. Engineering simulation, which is acceptable in other disciplines could be utilized to assess and certify 2 or 4-hour fire rating and impact protection.

2.6 It is prudent to discuss the following independently of comments relating to the "definitions". If the definition of *"Industrial place"* is not amended then Worksafe inspectors must be better trained or informed. Worksafe inspectors have in the past issued written instruction to farmers to comply with industrial place requirements although "Farms" are separately defined. This cannot continue and although compliance notifications are randomly and sporadically issued the confusion over what constitutes an "industrial place" could be better controlled.

2.7 Draft *Section 3.2*. According to this section diesel tanks with volumes above 30,000litres and zoning are required to meet Impact Protected Standard to UL2085 (same as 2 hour Mutli Hazard tank). We recognise and support having adequately strong outside walls and minimum Gauge (5mm) requirements for Bollards or Barriers. Implementing requirements to meet UL2085 is extreme and unnecessary. Currently most installations do not meet this requirement for diesel storage and further discussion is needed on this with industry. Consideration should be given to alternatives such as concrete barriers similar to highway barriers which are excellent protection option for some sites.

Invitation

The committee welcomes the opportunity to discuss our submission, and the COP in general, and extend an invitation to the code drafter's to meet the committee when we next assemble in Wellington.