



This safe work instrument is administered by WorkSafe New Zealand. For more information please see:

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## **Health and Safety at Work (Hazardous Substances—Disused Below Ground Tanks on Farms) Safe Work Instrument 2017**

This safe work instrument is approved under section 227 of the Health and Safety at Work Act 2015 by the Minister for Workplace Relations and Safety, after being satisfied that appropriate consultation has been carried out under section 227(3) of that Act.

### **Contents**

	Page
1 Title	1
2 Commencement	1
3 Overview	2
4 Interpretation	2
5 Application	2
6 Actions to be taken when leaving disused below ground tanks in place on farms	2

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### **Safe Work Instrument**

#### **1 Title**

This is the Health and Safety at Work (Hazardous Substances—Disused Below Ground Tanks on Farms) Safe Work Instrument 2017.

#### **2 Commencement**

This safe work instrument comes into force on 1 December 2017.

### 3 Overview

This safe work instrument specifies, for the purposes of regulations 11 and 17.39(1)(c) of the Regulations, the requirements that apply if a PCBU wishes to leave a disused below ground stationary tank in place on a farm.

### 4 Interpretation

- (1) In this safe work instrument, unless the context otherwise requires,—

**Act** means the Health and Safety at Work Act 2015

**dip point** means a nozzle on the top of a tank that enables a dip stick to be inserted for the purpose of determining the volume of liquid inside the tank

**farm** means an area of land not less than 4 hectares in size that is primarily used for the purposes of agriculture

**fill line** means a pipe that transfers liquid to a tank to which the pipe is connected

**fill point** means the point on a fill line to which a hose from a tank wagon connects in order to fill a tank

**Regulations** means the Health and Safety at Work (Hazardous Substances) Regulations 2017

**tank** means a below ground stationary tank to which this safe work instrument applies

**vent line** means a pipe that extends from a tank to the tank's vent and which enables the ullage space of the tank to be open to the atmosphere

**withdrawal line** means a pipe through which liquid is withdrawn out of a tank (commonly known as a suction line).

- (2) Any term or expression that is defined in the Act or the Regulations and used, but not defined, in this safe work instrument has the same meaning as in the Act or the Regulations.

### 5 Application

This safe work instrument applies to a below ground stationary tank with a capacity of no more than 3 000 L that—

- (a) has been, but no longer is, used to store petrol, aviation gasoline, racing gasoline, kerosene or diesel; and
- (b) is located on a farm.

### 6 Actions to be taken when leaving disused below ground tanks in place on farms

In order to comply with this safe work instrument, a relevant PCBU who wishes to leave in place a below ground stationary tank to which this safe work instrument applies must ensure that—

- (a) all liquid is pumped out of every compartment of the tank; and
- (b) sufficient absorbent material is put into every compartment of the tank to absorb any remaining liquid; and
- (c) all pipelines extending from the tank are drained; and

- (d) any waste material (including any sludge or liquid) that may contain lead is removed from the tank; and
- (e) when the steps described in paragraphs (a) to (d) have been completed,—
  - (i) the above-ground portion of all pipework (including any vent line, fill line and withdrawal line) is removed; and
  - (ii) the dip-point of the tank is removed, if the dip-point protrudes above the ground; and
  - (iii) any remaining below ground portion of pipework is sealed in a permanent manner, for example, by using a screw cap; and
  - (iv) the tank and all remaining below ground pipework is completely filled with concrete slurry or similar inert material that sets into a solid state; and
  - (v) any waste material removed from the tank is disposed of safely; and
- (f) any pipework that has been removed is not used to store or convey potable water, if the below ground stationary tank was used to store petrol.

Made at Wellington on 13 November 2017.

Hon Iain Lees-Galloway  
Minister for Workplace Relations and Safety

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