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Health and Safety at Work (Hazardous Substances—Validity Periods of Compliance Certificates for Stationary Container Systems) Safe Work Instrument 2018

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, being satisfied that appropriate consultation has been carried out under section 227(3) of that Act.

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Schedule

Validity Periods of Compliance Certificates for Stationary Container Systems

Part 1—Stationary Container Systems that include Stationary Tanks

Part 2—Stationary Container Systems that include Process Containers

Safe Work Instrument

1 Title

This is the Health and Safety at Work (Hazardous Substances—Validity Periods of Compliance Certificates for Stationary Container Systems) Safe Work Instrument 2018.

2 Commencement

This safe work instrument comes into force on 1 August 2018.

3 Overview

For the purposes of regulation 17.92(1)(ca) of the Regulations, this safe work instrument specifies the validity periods of compliance certificates for the stationary container systems that are described in the Schedule.

4 Interpretation

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

Act means the Health and Safety at Work Act 2015

double skin tank means a stationary tank with integral secondary containment

movable stationary tank means an above ground stationary tank that—

- (a) is mounted on a structure, or to which a lifting device is attached, that enables the tank to be relocated (for example, a sledge tank or a skid tank); and
- (b) is either—
 - (i) a tank that contains or is intended to contain a class 3.1A, 3.1B, 3.1C or 3.1D flammable substance; or
 - (ii) a tank that contains or is intended to contain a class 6 or 8 substance that is not subject to the tracking provisions in Part 19 of the Regulations; and
- (c) is designed to be relocated periodically; and
- (d) is not—
 - (i) a portable use facility (known as a **PUF tank**), other than a PUF tank that contains diesel fuel or JET A1; or
 - (ii) a tank used for the transportation of hazardous substances (for example, a trailer tank or transportable container)

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

(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 those stationary container systems that are specified in the Schedule.

6 Validity periods of compliance certificates

- (1) The validity periods of compliance certificates for stationary container systems that are to be applied are those specified in the Schedule.
- (2) Despite subclause (1), if a compliance certifier considers it more appropriate for an individual stationary container system, the certifier may either—
 - (a) apply the default period of 1 year specified in regulation 17.92(1)(d) of the Regulations; or
 - (b) refuse to issue a compliance certificate for the stationary container system in accordance with regulation 6.23(2) of the Regulations.

7 Relationship with other safe work instruments

If a tank is of a type that is specified in another safe work instrument and there is a validity period specified in that safe work instrument, that validity period applies.

8 Multiple stationary tanks or multiple process containers

If the stationary container system consists of multiple stationary tanks or multiple process containers, the validity period of the compliance certificate is determined by the tank or process container that has the shortest validity period.

9 Savings

Nothing in the Schedule has the effect of changing the expiry date of a compliance certificate issued for a stationary container system before the commencement of this safe work instrument.

CI 6(1)

Schedule

Validity Periods of Compliance Certificates for Stationary Container Systems

Part 1—Stationary Container Systems that include Stationary Tanks

Stationary container configuration	Validity Period - Petrol	Validity Period - Diesel	Validity Period - Substances other than petrol or diesel
Stationary container systems with tank installed below ground (not supplying a burner or stationary engine)			
Tanks with a capacity not greater than 5000 litres	5 years for tanks with secondary containment, with the space between	5 years for tanks with secondary containment, with the space between	5 years for tanks with secondary containment, with the space between

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	the tank and secondary containment monitored at least annually 2 years for all other tanks	the tank and secondary containment monitored at least annually 2 years for all other tanks	the tank and secondary containment monitored at least annually 2 years for all other tanks
Tanks with a capacity greater than 5000 litres and up to 120,000 litres	5 years for tanks with secondary containment, with the space between the tank and secondary containment monitored at least annually 3 years for all other tanks with secondary containment	5 years for tanks with secondary containment, with the space between the tank and secondary containment monitored at least annually 3 years for all other tanks with secondary containment	5 years for tanks with secondary containment, with the space between the tank and secondary containment monitored at least annually 3 years for all other tanks with secondary containment
Stationary container system with single skin above ground stationary tank (not supplying a burner or stationary engine)			
Tanks with 110% secondary containment with a capacity not greater than 250,000 litres	5 years	5 years	5 years
Movable stationary tanks			
Movable stationary tanks	3 years for double skin tanks with the space between the tank and secondary containment monitored at least annually 2 years for all other tanks with attached secondary containment	3 years for double skin tanks with the space between the tank and secondary containment monitored at least annually 2 years for all other tanks with attached secondary containment	5 years for double skin tanks with the space between the tank and secondary containment monitored at least annually 3 years for all other tanks with attached secondary containment
Stationary container system with double skin tank above ground (not supplying a burner or stationary engine)			
Stationary double skin tank	7 years (first compliance certificate for a new tank) and 5 years (subsequent	7 years (first compliance certificate for a new tank) and 5 years (subsequent	7 years (first compliance certificate for new tank) and 5 years (subsequent

	compliance certificates) with the space between the tank and secondary containment monitored at least annually 3 years for all other tanks	compliance certificates) with the space between the tank and secondary containment monitored at least annually 3 years for all other tanks	compliance certificates) with the space between the tank and secondary containment monitored at least annually 3 years for all other tanks
Tanks to UL2085, SwRI 95-03 or SwRI 93-01	10 years for tanks with the space between the tank and secondary containment monitored at least every 2 years 5 years for all other tanks	10 years for tanks with the space between the tank and secondary containment monitored at least every 2 years 5 years for all other tanks	10 years for tanks with the space between the tank and secondary containment monitored at least every 2 years 5 years for all other tanks
Stationary container system supplying a burner or stationary engine			
Above ground or below ground, with or without service tanks	NA	3 years for tanks with the space between the tank and secondary containment monitored at least annually 2 years for all other tanks with secondary containment	NA

Part 2—Stationary Container Systems that include Process Containers

Stationary container configuration	Validity Period
Stationary container systems with process containers installed below ground	5 years for process containers with secondary containment that is monitored at least annually 1 year for all other process containers
Stationary container systems with a process container with a capacity no greater than 5000 litres installed above ground	5 years for process containers in a secondary containment system 1 year for process containers not in a

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	secondary containment system
Movable above ground process containers	3 years

Made at Wellington on 9 July 2018.

Hon Iain Lees-Galloway
Minister for Workplace Relations and Safety

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