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## **Health and Safety at Work (Hazardous Substances—Polyethylene Above Ground Stationary Tanks for Diesel Fuel) Amendment Safe Work Instrument 2022**

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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## Safe Work Instrument

### 1 Title

This is the Health and Safety at Work (Hazardous Substances—Polyethylene Above Ground Stationary Tanks for Diesel Fuel) Amendment Safe Work Instrument 2022.

### 2 Commencement

This safe work instrument comes into force on [day] [month] 2022.

### 3 Principal safe work instrument

For the purposes of regulation 17.6(1)(k) of the Regulations, this safe work instrument amends the Health and Safety at Work (Hazardous Substances—Polyethylene Above Ground Stationary Tanks for Diesel Fuel) Safe Work Instrument 2017.

### 4 Clause 4 amended (Interpretation)

- (1) In clause 4(1), replace the definition of **AS/NZS 4766** with:

**AS/NZS 4766** means the standard AS/NZS 4766:2020 Rotationally moulded, buried, partially buried and non-buried storage tanks for water and chemicals

- (2) In clause 4(1), after the definition **AS/NZS 4766**, insert:

**ASTM D2565** means the standard ASTM D2565 - 16 Standard Practice for Xenon-arc Exposure of Plastics Intended for Outdoor Applications

- (3) In clause 4(1), after the definition of **isolated place**, insert:

**OFTEC OFS T100** means the standard OFTEC Standard OFS T100, Polyethylene Oil Storage Tanks and Tank Bunds for Distillate Fuels

**overflow protection device** means a device installed inside the tank to stop product flow during delivery before the tank becomes full

### 5 Clause 12 amended (Fill pipe)

- (1) In clause 12, before "A relevant PCBU must ensure that a tank is fitted with a corrosion-resistant fill pipe that —", insert subclause "(1)".

- (2) After clause 12(e) insert:

(2) Where the tank is supplied by pump from a delivery tank wagon through a closed connection, a relevant PCBU must ensure an overflow protection device is fitted to the tank.

### 6 Clause 14 amended (General design)

After clause 14(b), insert:

(bb) to have a means of monitoring the interstitial space to detect a failure of the primary tank skin; and

### 7 Clause 15 amended (Quality management system for construction of tanks)

- (1) Replace clause 15(c) with:

(c) section 5.1 (general):

(cc) section 5.2 (tank type testing requirements):

**8 Clause 16 amended (Quality management system for integral secondary containment system)**

(1) Replace clause 16(c) with:

(c) section 5.1 (general):

(cc) section 5.2 (tank type testing requirements):

(2) Replace clause 16(h) with:

(h) Annex B1-B5, and B8 (test methods for determining the tank characteristics):

(i) Annex B6 (elongation or deformation), or OFTEC OFS T100 section 4.4.6 (bund deformation requirements).

**9 Clause 18 amended (Construction materials: tanks)**

(1) Replace clause 18(1)(b) with:

(b) the polyethylene compound used in the construction of a tank—

(i) contains  $2.25 \pm 0.25\%$  by mass of carbon black, with an average particle size of less than 25 nm; or

(ii) if not black in colour, when tested in accordance with ASTM D2565, the polymer compound shall contain UV stabilizers such that the natural (non-pigmented) compound will retain 50% tensile elongation after 12 000 h of exposure in a Xenon-Arc weatherometer.

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**Note**

Clause 9(1)(b)(ii) incorporates material from note C2.7.2 under subsection 2.7.2 of AS/NZS 4766:2020 Rotationally moulded buried, partially buried and non-buried storage tanks for water and chemicals. Copyright in AS/NZS 4766:2020 is Standards Australia Limited and Crown copyright, administered by the New Zealand Standards Executive. Reproduced with permission from Standards New Zealand, on behalf of New Zealand Standards Executive, under copyright licence LN001435.

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**10 Clause 19 amended (Construction materials: integral secondary containment systems)**

(1) Replace clause 19(b) with:

(b) if not black in colour, the integral secondary containment system when tested in accordance with ASTM D2565, the polymer compound shall contain UV stabilizers such that the natural (non-pigmented) compound will retain 50% tensile elongation after 12 000 h of exposure in a Xenon-Arc weatherometer.

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**Note**

Clause 10(1)(b) incorporates material from note C2.7.2 under subsection 2.7.2 of AS/NZS 4766:2020 Rotationally moulded buried, partially buried and non-buried storage tanks for water and chemicals.

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**11 Clause 22 amended (Impact strength test)**

- (a) In clause 22(1), replace "A1" with "A.1", and replace "performed on a tank" with "performed on the tank."

Made at Wellington on 2022.

Hon Michael Wood  
Minister for Workplace Relations and Safety

Date of notification in *Gazette*: .

This safe work instrument is administered by WorkSafe New Zealand.