

HSNO requirements for Process and Storage Tanks – a brief explanation.

Changes to the requirements for hazardous substances storage and use are being implemented. Businesses that use hazardous substances are being asked to meet these new requirements. Driving this process is ERMA (The Environmental Risk Management Authority). ERMA is a government authority with responsibility of administering the HSNO Act. In addition to HSNO, these changes have OSH and insurance implications.

The definition of hazardous substances is complex. Each hazard class has its own test or tests to determine if a substance is hazardous or not, and if it is, its sub class. In the first instance you should refer to the packaging, MSDS or your supplier. To further complicate matters, in use hazardous substances may become non hazardous because they are very dilute or have been neutralized. During a process it is quite possible to create new hazardous substances, even from non hazardous materials. For a fee ERMA will determine if a substance is hazardous and its Hazard Class or Classes. If your substances are non hazardous no problem! If they are read on.

Tanks are collectively referred to as “Stationary Container Systems” of which there are several types. Of interest here are “stationary tanks” and “process containers”. For stationary tank read storage tank. The distinction between storage and process is quite plain but it may be necessary to refer to the definitions. These are set out in the “Transfer Notice”, 170 pages of regulations available from the ERMA website – see Schedule 8, Part 1.

<http://www.ermanz.govt.nz/resources/publications/pdfs/consolidatedGN35and128.pdf>

Under HSNO many hazardous substance process and storage tanks are required to have a Test Certificate by 1 April 2007 and many firms were required to appoint a Test Certifier by 1 April 2006.

Test Certification, surprisingly, is carried out by a Test Certifier. Test Certifiers are independent contractors recognized by ERMA. See the ERMA website for a list <http://www.ermanz.govt.nz/search/tc.html>. Test Certification is generally required for process tanks of more than 1000 L and storage tanks of more than 2000 or 5000 L (see Schedule 8, Part 19). It may also include bunding and piping requirements. Generally tanks over 250 L capacity built after March 2004 are required to meet the regulations in full.

Process tank requirements (see Schedule 8, Part 2 of the Transfer Notice) are general but quite demanding and could reasonably be summarized as “fit for purpose”. However a certifier will need to be satisfied in all respects. We are happy to supply Producer Statements at reasonable cost for all tanks built by APD after November 1999. For tanks older than this or from other suppliers we can assist and will need to carry out a full inspection.

Storage tank requirements are additional to those for process tanks. They are quite specific and prescriptive (see Schedule 8, Part 3). Unless a Test Certifier is satisfied that a tank meets all requirements a Test Certificate will not be issued and in time the tank will need to be upgraded or replaced.

Transition provisions are included in the Transfer Notice (see Schedule 8, Part 20). The Person in Charge can submit a Compliance Plan for non certifiable tanks to ERMA for approval. However at this time there appears to be little guidance, beyond the provisions of the Transfer Notice, as to what ERMA might accept.

The above is a brief summary focused on above ground tanks for Hazard Classes 5 – 9 liquids. It summarizes our understanding of this complex matter. It is not exhaustive, is given in good faith and no liability is accepted. There are numerous other requirements, particularly for, but not limited to, Hazard Classes 1 – 3 in the Transfer Notice and elsewhere. You must make your own decision about what is required.

References

Hazardous Substances and New Organisms Act 1996
HSNO Regulations 2001
Transfer Notice March 2004
APD Code of Practice for fabricated plastic tanks 2005
Draft Code of Practice for Emergency Management 2005
Health and Safety in Employment Act 1992

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