

1961/149



**THE DANGEROUS GOODS REGULATIONS 1958,
AMENDMENT NO. 1**

COBHAM, Governor-General

ORDER IN COUNCIL

At the Government Buildings at Wellington this 20th day of November
1961

Present:

THE RIGHT HON. KEITH HOLYOAKE PRESIDING IN COUNCIL

PURSUANT to the Dangerous Goods Act 1957, His Excellency the Governor-General, acting by and with the advice and consent of the Executive Council, hereby makes the following regulations.

REGULATIONS

1. These regulations may be cited as the Dangerous Goods Regulations 1958, Amendment No. 1, and shall be read together with and deemed part of the Dangerous Goods Regulations 1958* (hereinafter referred to as the principal regulations).

2. (1) Regulation 3 of the principal regulations is hereby amended by omitting from the proviso to paragraph (d) the words "more than 20 gallons of dangerous goods of Class II in any tank", and substituting the words "dangerous goods of Class II in any container having a capacity of more than 20 gallons and".

(2) Regulation 3 of the principal regulations is hereby further amended by revoking paragraphs (e) to (g) and substituting the following paragraphs:

"(e) In quantities not exceeding 250 gallons in all of dangerous goods of Class I or Class II kept on a farm not less than 10 acres in area for private use or for use in connection with work on the farm, if all those dangerous goods are stored otherwise than in bulk in substantial metal containers so securely closed that under normal storage conditions neither liquid nor vapour can escape therefrom, and the goods are stored in a thoroughly ventilated building at a distance of not less than 60 ft from any occupied building or in the open at a distance of not less than 60 ft from any occupied building:

- “(ee) In the case of dangerous goods of Class I or Class II, if they are stored in bulk in one or more underground tanks of approved type having a capacity or total capacity not exceeding 250 gallons and, together with its or their attached pump or pumps, situated in the open on a farm not less than 10 acres in area, if the goods are kept for private use or for use in connection with work on the farm:
- “(f) In the case of dangerous goods of Class III, if they are stored in bulk in one or more tanks of approved type having a capacity or total capacity not exceeding 1,000 gallons and situated on any farm not less than 10 acres in area, if—
- “(i) The goods are kept for private use or use in connection with work on the farm; and
- “(ii) The tank or tanks are situated either underground in a location in the open or above ground fully compounded and situated not less than 100 ft from any protected work or any dangerous goods of any other class stored above ground, and none of the tanks is connected to a fuel-oil burner as a source of supply to that burner:
- “(g) In quantities not exceeding 500 gallons in all of dangerous goods of Class I or Class II stored otherwise than in bulk, if they are stored on a road for use in connection with work on that road and are stored at a distance of not less than 100 ft from any protected work:
- “(gg) In the case of dangerous goods of Class III, if the following conditions are observed:
- “(i) That the goods are stored in bulk in one or more approved tanks having a capacity or total capacity not exceeding 1,000 gallons; and
- “(ii) That the goods are stored on a road for use in connection with work on that road; and
- “(iii) That the goods are stored at a distance of not less than 100 ft from any protected work:”.

(3) Regulation 3 of the principal regulations is hereby further amended by revoking paragraphs (i) and (j), and substituting the following paragraphs:

- “(i) In the case of dangerous goods of Class III, if they are stored in any tank or similar container having a capacity not exceeding 30 gallons which forms part of or is attached to an approved fuel-oil burner installation:
- “(j) In the case of dangerous goods of Class III, if they are stored in any tank or similar container having a capacity not exceeding 90 gallons which forms part of or is attached to a permanently stationary internal combustion engine:”.

3. Regulation 3 of the principal regulations is hereby further amended by omitting from paragraph (n) the words “regulations 175 to 180”, and substituting the words “regulations 181 to 200”.

4. Regulation 3 of the principal regulations is hereby further amended by adding, as subclause (2), the following subclause:

“(2) Subject to the provisions of regulation 5 of these regulations, in any case where a licence under the Act was in force on the 31st day of March 1961 or has subsequently been granted (whether before or after the commencement of this subclause) for the storage in an underground tank of dangerous goods of Class I or Class II or Class III on any farm not less than 10 acres in area and kept for private use or use in connection with work on the farm (not being a tank forming part of or attached to an installation in which those goods are consumed as fuel), then, after the expiry of the licence, such classes of dangerous goods may be stored without a licence under the Act on that farm and in that tank by the former licensee or by any other person, provided the tank and its equipment continue to be maintained and operated in accordance with the conditions that applied during the currency of the licence.”

5. Regulation 47 of the principal regulations is hereby amended by omitting the words “Class I or Class III”, and substituting the words “Class II or Class III”.

6. Regulation 79 of the principal regulations is hereby amended by omitting from subclause (1) the words “below the level of any product which may be stored in the tank”, and substituting the words “at the tank below the level of any product which may be stored therein”.

7. Regulation 121 of the principal regulations is hereby amended—

(a) By omitting from subclause (2) the words “paragraph (b)”, and substituting the words “paragraph (c)”:

(b) By omitting from subclause (3) the words “paragraph (c)”, and substituting the words “paragraph (d)”.

8. Regulation 122 of the principal regulations is hereby amended by revoking subclause (2), and substituting the following subclause:

“(2) The table referred to in paragraph (a) of subclause (1) of this regulation is as follows:

Cylindrical Tank		Rectangular Tank	
Capacity (in Gallons)	Minimum Thickness (Shell and Ends)	Capacity (in Gallons)	Minimum Thickness
Up to 275	in. $\frac{1}{8}$	Up to 550	in. $\frac{3}{16}$
Up to 1,500	$\frac{3}{16}$	Up to 3,000	$\frac{1}{4}$
Up to 12,000	$\frac{1}{4}$	Up to 12,000	$\frac{3}{8}$

9. Regulation 127 of the principal regulations is hereby amended by omitting from subclause (1) the words “A supply tank or tanks or a service tank or tanks from which fuel oil is supplied by gravity or pumping or through a feed tank to an engine or fuel-oil burner may be attached to a storage tank”, and substituting the words “A supply tank or tanks, or a service tank or tanks attached to a storage tank, may be used to supply fuel oil to an engine or fuel-oil burner either by gravity or pumping or through a feed tank”.

10. Regulation 139 of the principal regulations is hereby amended by omitting from subclause (2) the words "not less than 60 seconds after", and substituting the words "within 60 seconds of".

11. Regulation 140 of the principal regulations is hereby amended by inserting in paragraph (c) of subclause (2), after the words "to ignite, or", the words "make more than one attempt to start up".

12. Regulation 297 of the principal regulations is hereby amended by adding to subclause (1) the following paragraph:

"(h) For the storage of dangerous goods on any farm not less than 10 acres in area for private use or use in connection with work on the farm, where the dangerous goods stored include goods of Class I or Class II stored in one or more underground tanks having a capacity or total capacity exceeding 250 gallons or goods of Class III stored in one or more underground tanks having a capacity or total capacity exceeding 1,000 gallons, where, after the expiry of the licence, the storage of the goods will be exempt from further licensing under the provisions of subclause (2) of regulation 3 of these regulations 1 10 0".

13. The First Schedule to the principal regulations is hereby amended by omitting from the heading to form 3 the words "ONE GALLON OR MORE", and substituting the words "MORE THAN ONE GALLON".

T. J. SHERRARD,
Clerk of the Executive Council.

EXPLANATORY NOTE

This note is not part of the regulations, but is intended to indicate their general effect.

The principal amendments made by these regulations are—

- (a) By regulation 2 certain exemptions from licensing in respect of the storage of petrol, kerosine, and fuel oil are to be based on the maximum capacity of the storage tanks and not on the actual amount of dangerous goods for the time being in those tanks.
- (b) By regulation 4 no licence is required for the storage on a farm of petrol or kerosine in underground tanks of a capacity exceeding 250 gallons, or of fuel oil in underground tanks of a capacity exceeding 1,000 gallons, subject to the condition that the installation has been the subject of an initial licence and is subsequently maintained in accordance with the conditions of that licence. This exemption will not apply to tanks forming part of or attached to fuel-burning installations.
- (c) By regulation 12 a non-recurring initial licence fee of £1 10s. in respect of such an installation replaces the present annual licence fee, which ranges from 10s. upwards.

The regulations also make other miscellaneous amendments of a technical nature to several provisions of the principal regulations.

Issued under the authority of the Regulations Act 1936.

Date of notification in *Gazette*: 23 November 1961.

These regulations are administered in the Department of Internal Affairs.