

**Health and Safety at Work (Hazardous Substances—Action Taken in  
Relation to Disused Below Ground Tanks on Farms) Safe Work  
Instrument 2017**

This 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.

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**Safe Work Instrument**

**1 Title**

This is the Health and Safety at Work (Hazardous Substances—Action Taken in Relation to 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 the requirements that a PCBU must comply with for the purpose of regulation 17.39(1)(c) of the Regulations, if the PCBU does not wish to remove a disused below ground stationary tank.

### 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

**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**withdrawal line** means a pipe through which liquid is withdrawn out of a tank (commonly known as a suction line)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 Action that may be taken in relation to disused below ground tanks on farms

- (1) This clause applies to a below ground stationary tank with a capacity of no more than 3 000 litres 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.
- (2) In order to comply with this safe work instrument, a relevant PCBU must:
- (a) pump all liquid out of every compartment of the tank; and
  - (b) put into every compartment of the tank sufficient absorbent material to absorb any remaining liquid; and

- (c) drain all pipelines extending from the tank; and
- (d) remove from the tank any waste material (including any sludge or liquid) that may contain lead; and
- (e) dispose of the waste material safely; and
- (f) when the steps described in paragraphs (a) to (d) have been completed,-
  - (i) remove the above-ground portion of all pipework (including any vent line, fill line and withdrawal line); and
  - (ii) remove the dip-point of the tank, if it protrudes above the ground; and
  - (iii) seal any remaining below ground portion of pipework in a permanent manner, for example, by using a screw cap; and
  - (iv) completely fill the tank and all remaining below ground pipework with concrete slurry or similar inert material that sets into a solid state; and
- (g) ensure 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.

Dated at Wellington this [date] day of [month] [2017].

[Name],  
Minister for Workplace Relations and Safety

Date of notification in *Gazette*:

This safe work instrument is administered by WorkSafe New Zealand.