
STATUTORY INSTRUMENTS

1987 No. 37

The Dangerous Substances in Harbour Areas Regulations 1987

PART VIII

STORAGE OF DANGEROUS SUBSTANCES

Application of this Part

29. The provision of this Part shall apply to the storage of any dangerous substance within a harbour or harbour area ancillary to loading or unloading within that harbour or harbour area, except that regulations 30 and 31 shall not apply—

- (a) where the Highly Flammable Liquids and Liquefied Petroleum Gases Regulations 1972(1) apply to that storage;
- (b) in the case of petroleum-spirit, or any other substance to which the provisions of section 1 of the Petroleum (Consolidation) Act 1928 were applied by the Petroleum (Carbide of Calcium) Order 1929(2), the Petroleum (Mixtures) Order 1929(3) and the Petroleum (Liquid Methane) Order 1957(4), to the extent that the storage is regulated by or under the Petroleum (Consolidation) Act 1928.

Storage tanks

30.—(1) The operator of any storage tank and, where the tank is on a berth, the berth operator shall, before it is used for the storage of a dangerous substance in bulk, consult the appropriate fire authority with respect to the fire precautions that should be taken.

(2) Where before 1st June 1987 a storage tank was used for the storage of a dangerous substance in bulk, it shall be a sufficient compliance with paragraph (1) if the berth operator consults the fire authority in accordance with that paragraph before 1st December 1987.

(3) The operator of any storage tank shall both before it is used for the storage of any dangerous substance in bulk and during such use ensure that the tank (including any associated equipment) is—

- (a) properly designed, of adequate strength and of good construction from sound and suitable materials;
- (b) suitable for the storage in bulk of that substance;
- (c) properly maintained; and
- (d) sited in a safe place.

(4) The operator of a storage tank who transfers a dangerous substance into that tank shall ensure that—

(1) S.I. 1972/917.
(2) S.R. & O. 1929/992.
(3) S.R. & O. 1929/993.
(4) S.I. 1957/859.

- (a) the substance is compatible with any other substance (whether dangerous or not) already ;in the tank;
- (b) the substance does not cause a risk to the health or safety of any person by chemical or physical attack on the tank (including any associated equipment); and
- (c) the tank is filled safely and is not over-filled.

Storage of freight containers, portable tanks and receptacles containing dangerous substances

31. A person who stores a freight container, portable tank or receptacle containing a dangerous substance shall ensure that–

- (a) so far as is reasonably practicable the conditions under which that freight container, portable tank or receptacle is stored are not such as might create a risk from that dangerous substance to the health or safety of any person; and
- (b) the area in which it is stored is kept free from rubbish, vegetation and other matter where that might create any such risk.

Parking of road vehicles carrying dangerous substances

32.—(1) Every berth operator shall so far as is reasonably practicable designate a suitable parking area for road vehicles carrying dangerous substances that use the berth and in so far as the berth operator is unable to designate a suitable parking area for such vehicles he shall notify the harbour authority thereof who shall take all reasonably practicable steps to designate such a parking area.

- (2) The driver of any vehicle which is carrying a dangerous substance shall not–
 - (a) where a parking area has been designated by the berth operator or the harbour authority, leave his vehicle unattended except in that area;
 - (b) park the vehicle (whether attended or not) at a place or in a manner as may be liable to create a risk to the health or safety of any person.