Dangerous Goods Safety information sheet

Overview of regulatory requirements for dangerous goods (non-explosives and explosives) in ports

Introduction

This information sheet explains the regulatory requirements for dangerous goods stored and handled at ports. This document is for guidance only. The definitive statutory requirements are contained in the Dangerous Goods Safety (Storage and Handling of Non-explosives) Regulations 2007 (the Regulations) and the Dangerous Goods Safety (Explosives) Regulations 2007 (Explosives Regulations).

Dangerous goods

1. *Dangerous goods site licence*

   Any person handling dangerous goods in excess of manifest quantities is required to hold a dangerous goods site licence.

   Note: For manifest quantities refer to Schedule 1 of the Regulations.

   Dangerous goods site licence – application form

   Dangerous goods in registered pipelines should not be included in the licence application.

   In accordance with regulation 26 of the Regulations, the following must accompany the application on submission:

   (a) Location plan showing position of dangerous goods site relative to any roads, railways and buildings.

   (b) Risk assessment as required by regulation 48 (a risk assessment for special berths is acceptable for explosion risk goods).

   (c) Detailed site plan of the site and a draft copy of the manifest detailing all dangerous goods that may be stored or handled at the site. Marine order 41 – Carriage of dangerous goods is acceptable in lieu of a manifest. A transport document is acceptable in lieu of a manifest for bunkering operations.

   (d) Dangerous goods transport document – template

   (e) Storage licence fee as defined in Schedule 5 – Fees, Dangerous Goods Regulations.

   The application should be endorsed by an accredited dangerous goods consultant.
   List of consultants approved to examine and endorse storage and handling proposals

   Checking fee equivalent to the licence fee will apply if an application is submitted directly to the Department without an accredited consultant endorsement.

2. *Special berth application*

As required by regulation 135H of the Regulations, a berth operator or the harbour master of the port must apply for a special berth (non-explosives) declaration if:

(a) a vessel carrying more than 1030 t of explosion risk goods (ERGs) is moored at a berth

(b) 30 t or more of ERGs are handled or stored at a berth.

Special berth declaration – application form

In accordance with regulation 135I(e) of the Regulations, the following must accompany the application on submission:

(a) Aerial photo of the berth showing concentric rings of 500 m, 1000 m, 2000 m showing roads, railways and buildings. Scaled plan for the berth, with demarcated container bays indicating those for ERGs. Site plan should indicate distances from the proposed bays for ERGs to buildings with textual description and boundaries of the berths. Show location of main entrance to the berth, other points of entry to the berth, location of essential site services including fire services and isolation points for fuel gas water and power.

(b) Risk Assessment and Implementation plan as required by regulation 135J – Guideline for special berths Appendix 2 & Appendix 4.

(c) Appendix 2 and 4 – Handling of explosion risk goods (ERGs) at a special berth

(d) Emergency response plan that complies with regulation 75. Refer to Australian Standard AS 3745 *Planning for emergencies in facilities* and AS 3846 *The handling and transport of dangerous cargoes in port areas* (see section 10 on firefighting resources).

(e) Firefighting equipment requirements are to be included in the emergency response plan.

Note: Fire and Emergency Services (DFES) emergency response guide (FES-ERG) is required for dangerous goods sites that store or handle more than 10 times the manifest (licensing) quantities of dangerous goods (e.g. more than 100 tonnes of ammonium nitrate).

Registration for the FES-ERG development can be undertaken by visiting FES Emergency Guides and Plans.

(f) Special Berth application fee as required by regulation 135I(2)(e)(v).

3. *Security sensitive ammonium nitrate (SSAN)*

A person in possession of a quantity of an SSAN at a place must hold at least one of several SSAN licences.

(a) **SSAN supply licence** is acceptable for port operations in State waters provided the barge operator has a Dangerous Goods Security Card (DGSC). This may change with updates to the SSAN legislation.
Security sensitive ammonium nitrate supply licence – application form

(b) **SSAN import/export licence** is required by the cargo owner for importing or exporting SSAN.
Security sensitive ammonium nitrate import/export licence – application

(c) **Notice to import/export** – the cargo owner must notify the Department of every shipment of SSAN.
Export explosives or security sensitive ammonium nitrate (SSAN) into WA – notice form

(d) **SSAN transport licence** is required for trucks transporting SSAN in and out of a port. This applies to transit storage of SSAN in unopened containers and not used at the port.
Security sensitive ammonium nitrate transport licence – application form

(e) **SSAN storage licence** is not required if a person holds an SSAN transport licence for the port operation or if the SSAN transport licence holder can demonstrate control over the handling of the SSAN at the berth and the operation is included in the transport security plan.
Security sensitive ammonium nitrate storage licence – application form

4. *Notification that critical quantities are exceeded (MHF Regulations)*

An operator of a dangerous goods site that is not classified as a major hazard facility must notify the Chief Dangerous Goods Officer (Chief Officer) if the operator intends to store or handle more than the critical quantity of Schedule 1 substances. This is to assess the risk and whether the site should be classified a MHF or managed under the Regulations. Departmental policy dictates that dangerous goods at ports will not be declared MHF. However, the notification must be submitted.
Operator notification that critical quantity of Schedule 1 substances will be exceeded

5. *Bunkering*

- LNG road tanker to ship
- diesel road tanker to ship

A dangerous goods site licence is required for transfer of manifest quantities of dangerous goods from road tanker to ship (See item 1). The manifest quantity for LNG is 5 kL and for diesel is 100 kL. For diesel this equates to a 3 x 40 kL tanker, unless the tanker is also carrying petrol then the manifest quantity is 10 kL (regulation 134).

The Dangerous Goods Safety (Road and Rail Transport of Non-explosives) Code (ADG Code) and regulations may apply.

The Fremantle Ports Bunkering Requirements and ISO 20519 *Ships and marine technology* apply.

A transport document replaces the requirement for a manifest.
Dangerous goods transport document – template

6. *Pipeline registration*

Refer to the link below to find out whether any pipelines at the port need to be registered.
Register a dangerous goods pipeline – application form

Explosives in ports

1. *Explosives approvals*

Explosives are not to be held at a berth. Refer to clause 4.3.1 of AS 3846.

Explosives imported or exported into Australia must be authorised.

- For authorisation of explosives, refer to the register for the list of explosives authorised in Western Australia under the *Dangerous Goods and Safety Act 2004*. Authorised explosives register
- If the explosives are not authorised, then a test permit is required to import, test, manufacture, store, transport, supply or use an unauthorised explosive.

  A test permit application must address the requirements of regulation 27 of the Explosives Regulations. Test permit for an unauthorised explosive – application form

  The holder then applies to have the explosive authorised.
  Application for authorisation of an explosive – application form
- Import/export licence is required by the cargo owner.
  Explosives import export licence – application form
- Notification to the Department is required for every shipment by the cargo owner.
  Export explosives or security sensitive ammonium nitrate (SSAN) into WA – notice form
- Transport licence is required for vehicles transporting explosives to and from the port.
  Explosives transport licence – application form
- Associated fees Schedule of fees and charges

2. *Special berth (explosives)*

Special Berth (explosives) means a berth that under regulation 111N of the Explosives Regulations is declared to be a special berth (explosives).

A special berth (explosives) declaration is only necessary if the maximum quantities of explosives on the ship exceed the net explosive quantity (NEQ) permitted by the separation distances specified in Table 4.2 of AS 3846.

Application made by harbour master or berth operator to Chief Officer in accordance with regulation 111L.

An application for a berth to be declared a special berth (explosives) must be made to the Chief Officer in an approved form. It is to specify the following:

(a) location of berth

(b) name of berth operator

(c) each explosive to be handled

(d) maximum quantity of explosives that will be handled at the berth, including any on board the vessel while it is at the berth

(e) any other matter required by the approved form

(f) signed by the applicant

(g) accompanied by:

- aerial photo of berth and surroundings on which is marked concentric circles with radii of 500 m, 1,000 m and 2,000 m from the centre of the berth

- risk assessment for the berth that complies with regulation 111M
- the fee.

A risk assessment is required. It must:

(a) be in a form acceptable to the Chief Officer

(b) identify all hazards relating to the explosive that are, or will be, handled at the berth

(c) assess for each hazard:

- the probability of the hazard causing a fire or explosion
- the nature and extent of the harm to people, property and the environment that is likely to result from any such fire or explosion

(d) identify for each hazard, the measures that will eliminate or, if it is not reasonably practicable to eliminate, that will reduce so far as reasonably practicable:

- the probability of the hazard causing a fire or explosion
- the harm to people, property and the environment that is likely to result from such a fire or explosion

(e) record the method of reasoning used to determine the matters referred to above

(f) contain the information and address the items listed in AS 3846 clause 4.6.2.