

DANGEROUS SUBSTANCES (FLAMMABLE LIQUIDS AND FUELS  
DISTRIBUTION AND COMMERCIAL SUPPLY STORES)  
REGULATIONS, 2019

SCHEDULE 2

Form of Application for a first/amended/renewal of or transfer of a licence for  
a Distribution and Commercial Supply Store.

1. Applicant/Licensee:

Name and address/registered office of the company, firm or person: .....

.....  
.....

2. Location of the proposed distribution and commercial supply store:

Address

.....

County.....

Place or

townland.....

Ordnance Survey Map reference

.....

3. Name of licensee (if application is for transfer of a licence):

.....  
.....

4. Particulars of plans accompanying this application:

.....  
.....

5. Maximum quantity of category or categories of flammable liquids and fuels stored or to be stored at the store:

Category 1: ..... litres in container stores  
..... litres in underground tanks  
..... litres in above-ground tanks

Category 2: ..... litres in container stores  
..... litres in underground tanks  
..... litres in above-ground tanks

Category 3: ..... litres in container stores  
..... litres in underground tanks  
..... litres in above-ground tanks

**Other Fuels  
(State units of  
measurement):**

Name: ..... quantity in container stores  
..... quantity in underground tanks  
..... quantity in above-ground tanks

Name: ..... quantity in container stores  
..... quantity in underground tanks  
..... quantity in above-ground tanks

Name: ..... quantity in container stores

..... quantity in underground tanks

..... quantity in above-ground tanks

This licence application must be accompanied by a risk assessment and drawings as laid out in Regulation 12 and Schedule 5 of the Dangerous Substances (Flammable Liquids and Fuels Distribution and Commercial Supply Stores) Regulations, 2019.

8. Remarks:

I hereby certify that the information supplied above is true to the best of my knowledge and belief.

Signature of applicant

.....

Postal address of applicant

.....

.....

Date of application

.....

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SCHEDULE 4

*Matters to be included in Risk Assessment of a Flammable Liquids and Fuels  
Store*

The following list is not exhaustive but sets out the minimum aspects, all of which must be addressed in any risk assessment to be undertaken by a competent person and submitted to the appropriate licensing authority relating to an application for a first, amended, renewal or transfer of a licence or Certificate of Operation under the Dangerous Substances (Flammable Liquids and Fuels Distribution and Commercial Supply Stores) Regulations, 2019.

1. General operation of site:
  - a. Boundary security
  - b. Fuel delivery frequency and time
  - c. Delivery area assessment
  - d. Loading Rack construction
  - e. Loading and unloading areas
  - f. Separation distances from boundaries and stationary ignition sources
  - g. Paved area/drainage run-off/spill receptor and interceptor provisions
  - h. Truck turning movement
  - i. Truck parking stands (overnight)
  - j. Sensitive receptors in the vicinity of the store
  - k. Wet-stock control
  - l. Management and staff/authorised person training
  - m. Historical incidents at this site
  
2. Fuels/Tanks/Pipes:
  - a. Nature and volumes of fuels to be stored
  - b. Storage tanks assessment (this is not an exhaustive list):
    - i. Age and condition of the underground fuel tanks
    - ii. Gantry
    - iii. Overfill prevention
    - iv. Prevention of spills when filling underground tanks
    - v. Tank construction and installation specifications
    - vi. Tank in-take fill rates/out-loading withdrawal rates/vent-in breathing and out-breathing rates

- vii. Separation distance between tanks
    - viii. Size of bund(s) provided and maintenance of bund(s)
    - ix. Bund integrity
    - x. Extent of over-topping
    - xi. Details of tertiary containment, if any
  - c. Pipework assessment
- 3. Emergency response:
  - a. Firefighting plan
  - b. Evacuation plan
- 4. Certificates and other mandatory documents:
  - a. Petrol Vapour Recovery Certificate
  - b. Explosion Protection Document
  - c. Electrical Safety Certificate
  - d. Fire Safety Certificate

A risk assessment is also expected to include gap analysis with current good practice and a programme to close the gap.

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SCHEDULE 5

*Matters to be Included in the Maps and Drawings Accompanying the Risk  
Assessment of a Flammable Liquids and Fuels Store*

- (1) Subject to Regulation 12(3), every risk assessment for a first licence (or for the renewal of a licence where major works have taken place) shall:
  - a. be accompanied by a plan (either in electronic format or hard copy), drawn to a scale in metric units of measurement of not less than 1:2500, consisting of an extract from the Ordnance Survey map,
  - b. marked and coloured so as to identify clearly
    - i. the site or proposed site (including the boundaries which shall be marked in red) of the store,
    - ii. the surrounding district or area for not less than a distance of 1 kilometre in all directions, and
    - iii. the north point on the plan.
- (2) Every plan submitted in accordance with paragraph (1) of this Schedule shall be accompanied by—
  - a. one ground plan (in paper or electronic format) drawn to a scale in metric units of measurement of not less than 1:500 or 1:100 (whichever is acceptable to the appropriate authority) and so marked as to identify clearly the existing location or proposed location of each—
    - i. above-ground or underground storage tank,
    - ii. retaining enclosure,
    - iii. opening store or opening compound,
    - iv. loading or unloading location,
    - v. filling or fuelling location, ventilating pipe opening,
    - vi. pipeline, surface water drainage system including piped water and open drain,
    - vii. building or similar structure (including cellars or basements) within 16 metres of any hazardous area,
    - viii. road or railway line,
    - ix. fire main (if any),
    - x. security fence, entrance or exit gate,
    - xi. the distances from each other and from any protected work;
  - b. one plan and specification or appropriate particulars (either in electronic format or hard copy), including suitable drawings or plans, elevations and sections to a scale in metric units of measurement of not less than 1:50 and so marked as to give

adequate details of the construction or proposed construction and dimensions and the manner of installation or proposed installation of each—

- i. above-ground storage tank and its foundation,
  - ii. underground storage tank and its surround and foundation,
  - iii. container store or container compound,
  - iv. loading or unloading location,
  - v. filling or fuelling location,
  - vi. security fence, entrance or exit gate,
  - vii. pipeline, surface water piped drainage system, open drain, line of rails or rail track,
  - viii. retaining enclosure and retaining walls,
  - ix. building or similar structure.
- c. one plan and specification or appropriate particulars (in paper or electronic format) so marked as to show all electrical apparatus installed or to be installed or used.
- (3) Every risk assessment under paragraph (1) of this Schedule shall be accompanied by particulars of—
- a. each building or place at a store in or at which any articles, materials or substances (other than flammable liquids and other fuels), liable to spontaneous combustion or ignition or otherwise flammable or dangerous, are kept or are to be kept and their amounts or quantities,
  - b. the amount or quantity of flammable liquids and other fuels kept or to be kept in each above-ground or underground storage tank, container store or container compound, filling location or (where appropriate) auxiliary tank at a loading location,
  - c. the fire-fighting installation, appliances or substances to extinguish or combat the spread of fire,
  - d. the lighting arrangements,
  - e. the total maximum aggregate quantity of flammable liquids and other fuels to be kept in the fuel tanks of vehicles located in the parking facilities at the store,
  - f. the total maximum number of road tank-vehicles or, where applicable, rail tank wagons to be accommodated at any one time within the boundary of a store,
  - g. the nature of the processes or operations carried on or to be carried on at the store and in each building or part thereof,
  - h. the hours of operation of the store,
  - i. the approximate maximum number of persons employed or likely to be employed at the store and, where applicable, in each building thereat, and
  - j. any further particulars, plans, maps or drawings which the proper authority requires by a notice in writing.
- (4) Every risk assessment for an amended licence under Regulation 12 (2) shall be accompanied by—
- a. one plan in metric units of measurement, and specification or appropriate particulars (either in electronic format or hard copy)

- giving details of the proposed installation, alteration, enlargement, addition or reconstruction, and
- b. any further appropriate particulars, plans, maps or drawings which the proper authority requires by notice in writing or electronically.

For the purpose of paragraph (2)(a) of this Schedule,

"protected work" means:

- (a) any public road or footpath, promenade or open place of resort for the public or for persons engaged in any trade or business and any canal, navigable water, dock, river-wall, sea-wall, pier, oil jetty or reservoir;
- (b) any premises or building or any part thereof used by any person for any purpose whatsoever (whether temporarily or otherwise), any railway or store licensed under the Act for the storage of petroleum or other dangerous substance:
- (c) any premises or building (or a part thereof)—
  - a. in the occupation of a Minister of the Government,
  - b. in the occupation of a proper local or harbour authority,
  - c. in the care of the Commissioners of Public Works in Ireland,
  - d. in which persons assemble for public worship or educational purposes,
  - e. used as a hospital or like institution,
  - f. used or occupied for the purposes of a factory, office, theatre or cinema, covered market, warehouse or store, other than a store licensed under the Act for the storage of petroleum or other dangerous substance, or
  - g. in which persons are accustomed to assemble for any purpose whatsoever,
- (d) and not located within the boundaries of a store.

"pipeline" means a pipeline connected or intended to be connected to:

- (a) a storage tank,
- (b) an oil jetty, or
- (c) an oil refinery,

and used or intended to be used for the conveying of petroleum to or from a storage tank.

GIVEN under my hand,  
11 December 2019

PAT BREEN,  
Minister of State at the Department of Business, Enterprise and  
Innovation