

Form of Application for a first/amended/renewal of or transfer of a licence for a Retail Store or a Certificate of Operation for a Kerbside Retail Store.

Dangerous Substances (Flammable Liquids and Fuels Retail Stores) Regulations, 2019

SCHEDULE 2



COMHAIRLE CONTAE MHUINEACHÁIN

1. Applicant/Licensee/Owner or Operator:

Name of company, firm or person			
Address/ registered office of company, firm or person			
Telephone		Email address	

2. Location of the proposed retail store or current kerbside retail store:

Address	
Place or Townland	
County	
Ordnance survey map reference	
Eircode	

3. Name of licensee/owner or operator (if application is for transfer of a licence or Certificate of Operation):

Name	
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4. Particulars of plans accompanying this application:

5. Maximum quantity of Category or Categories of flammable liquids 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/Certificate of Operation application must be accompanied by a risk assessment and drawings as laid out in Regulation 17 and Schedule 6 of the Dangerous Substances (Flammable Liquids and Fuels Retail Stores) Regulations, 2019.

6. 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	

Fees to be submitted with the application (Licence fee schedule below)

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Note: Please note that any application for the renewal of a licence shall be made not less than 3 months before the date on which the licence expires.

Data Protection Acts 1988 -2018 (as amended) and the General Data Protection Regulations (GDPR)

Dangerous Substance Licence Data Subject Notification

Background

The purpose of this notification is to set out some information regarding the collection and processing of your information by Monaghan County Council. During the course of our activities we will collect, store and process personal data about our customers. Monaghan County Council is the data controller in respect of this data.

Monaghan County Council creates, collects and processes a significant amount of 'personal data' and 'sensitive personal data' in various multiple formats daily. Our commitment is to ensure that the personal data supplied is:

- Obtained lawfully, fairly and in a transparent manner
- Collected for only specified, explicit and legitimate purposes,
- Adequate, relevant and limited to what is necessary for the purpose for which it was obtained,
- Recorded, stored accurately and where necessary kept up to date,
- Kept for no longer that is necessary, and, in a form, which permits identification of the data subject,
- Processed in a manner that ensures the appropriate security of the personal data including protection against unauthorised or unlawful processing of the data.

For full details of the collection, processing and sharing of your personal data by us and your rights in this regard, please see our full [Privacy Notice](#) on the website.

What data we collect and process:

The types of personal data that we will collect, and process includes Name & Address of Applicant/Licensee/Owner/Operator, Telephone Number, Email Address & Business Address.

We do not collect any Special Category Personal Data.

Why do we collect this personal data?

We collect and process this information in order to manage and administer the relationship between you and us for the purpose of assessing your application for a dangerous substance licence.

Lawfulness of processing

We process this personal data

- Under Article 6 (1)(e) GDPR and in the performance of a task carried out in the public interest and in the exercise of official authority vested in us as the controller under Dangerous Substances (Retail and Private Petroleum Stores) Regulations 1979 to 2004, Schedule 2, Regulation 6(I).

Sharing of Personal Data

We may share your Personal Data with selected third parties, including for example Department of Housing, Planning & Local Government and other government agencies, where required to do so by law. We may also share your data with other Local Authorities, suppliers and other third parties who assist us in fulfilling our functions. Further information regarding the sharing of your personal data can be found in our Privacy Notice which is available at: [Privacy Notice](#).

If you have any questions regarding our processing of your Personal Data, our Data Protection Officer can be contacted:

by email: dataprotectionofficer@monaghancoco.ie

by phone: (047)30507

Postal Address: Monaghan County Council, County Offices, The Glen, Monaghan

Dangerous Substance (Licensing Fees Regulations 1979)

Licence fees will remain under the Dangerous Substances (Retail and Private Petroleum Stores) Regulations, 1979 (S.I. No. 311 of 1979) until further instruction.

On the grant of the licence, the amount of the fee for each year or part of a year for which the licence is to be valid shall be:

Fee	Storage capacity
€3.81	Up to 500 litres
€7.62	501 to 2,500 litres
€11.43	2,501 to 5,000 litres
€15.24	5,001 to 25,000 litres
€30.47	25,001 to 50,000 litres
€45.71	50,001 to 100,000 litres
€63.49	100,001 to 250,000 litres
€126.97	Excess of 250,000 litres

On the transfer or replacement of the licence a fee of €3.81 applies.

CHECKLIST FOR LICENCE APPLICATION

SCHEDULE 1 of the Regulations provides a list of publications that each application must take into consideration.

- a) Application Form (SCHEDULE 2)
- b) Appropriate Fee
- c) Risk Assessment (SCHEDULE 5)
- d) Maps & Drawings (SCHEDULE 6)
- e) Model Electric Certificate

SCHEDULE 1

Publications for good practice for retail and kerbside retail flammable liquids and fuels stores.

As per Regulation 5(3), updated or revised versions of these guidance documents will be published periodically on the relevant websites of Local Authorities, the Appeals Authority, and the Minister.

Part 1 – Publications which all stores must adhere to as far as is reasonably practicable

- Energy Institute Design, construction, modification, maintenance and decommissioning of filling stations (known as the Blue Book).
- PELG Petrol filling stations – Guidance on managing the risks of fire and explosion (The Red Guide).

Part 2 – Publications which must be adhered to as far as is reasonably practicable if they apply to the store

- British Compressed Gas Association (BCGA) Code of practice 41 – The design, construction, maintenance and operation of filling stations dispensing gaseous fuels, Revision 1
- CONCAWE Environmental sensitivity assessment of retail filling stations in selected European Countries
- CSN EN 13616-1 Overfill prevention devices for static tanks for liquid fuels - Part 1: Overfill prevention devices with closure device
- CSN EN 13616-2 Overfill prevention devices for static tanks for liquid fuels - Part 2: Overfill prevention devices without a closure device
- CSN EN 13617-1 Petrol filling stations - Part 1: Safety requirements for construction and performance of metering pumps, dispensers and remote pumping units
- CSN EN 13617-2 Petrol filling stations - Part 2: Safety requirements for construction and performance of safe breaks for use on metering pumps and dispensers
- CSN EN 13617-3 Petrol filling stations - Part 3: Safety requirements for construction and performance of shear valves
- CSN EN 13617-4 Petrol filling stations - Part 4: Safety requirements for construction and performance of swivels for use on metering pumps and dispensers
- CSN EN 14125 Thermoplastic and flexible metal pipework for underground installation at petrol filling stations
- CSN EN 16321-1 Petrol vapour recovery during refueling of motor vehicles at service stations - Part 1: Test methods for the type approval efficiency assessment of petrol vapour recovery systems

- CSN EN 16321-2 Petrol vapour recovery during refueling of motor vehicles at service stations - Part 2: Test methods for verification of vapour recovery systems at service stations
- CSN EN 16657 Tanks for the transport of dangerous goods - Transport tank equipment for overflow prevention devices for static tanks
- CSN EN13012 Petrol filling stations - Construction and performance of automatic nozzles for use on fuel dispensers
- Energy Institute – A risk-based approach to hazardous area classification
- Energy Institute – Model code of safe practice Part 1: The selection, installation, inspection, and maintenance of electrical and non-electrical apparatus in hazardous areas
- Energy Institute – Model code of safe practice Part 12: Pressure vessel examination
- Energy Institute – Model code of safe practice Part 13: Pressure piping systems examination
- Energy Institute – Model code of safe practice Part 14: Inspection and testing of protective instrumentation systems
- Energy Institute – Model code of safe practice Part 15: Area classification code for installations handling flammable fluids
- Energy Institute – Model code of safe practice Part 16: Tank cleaning safety code
- Energy Institute Guidance document on risk assessment for the water environment at operational fuel storage and dispensing facilities
- Energy Institute Report on the risk of static ignition during vehicular refuelling: A study of the available relevant research.
- Energy Institute Guidance on external cathodic protection of underground steel storage tanks and steel pipework at petrol filling stations
- Energy Institute Quantified risk assessment of the ignition of flammable vapour on petrol filling station forecourts during road tanker offloading due to thermite sparking
- Energy Institute Electrical installations of facilities for the storage and dispensing of LPG and CNG automotive fuels at vehicle refuelling stations
- Energy Institute Guidelines for uplift of product from retail filling stations and customer tanks
- Energy Institute Code of practice for entry into underground storage tanks at filling stations.
- Energy Institute Guidance on reducing human failure in petroleum product distribution loading and unloading operations
- Energy Institute Code of safe practice for Contractors and retailers managing contractors working on filling stations
- Energy Institute Guidance on the declassification of tanks previously in leaded gasoline service
- Energy Institute Guidance on the implications of groundwater protection: principles and practices (GP3) on the refurbishment or redevelopment of petrol filling stations
- Energy Institute Report A comparison of risks related to the storage of hydrocarbons in above-ground and underground tanks at petrol filling stations
- Energy Institute Guidance on design and operating limits for fuel storage tanks at retail filling stations
- Energy Institute Guidelines for an emergency action plan for fire and explosion risks at filling stations

- Energy Institute Guidance for a product identification system for petroleum products and other fuels
- Energy Institute Guidance for the storage and handling of biofuels at filling stations
- Energy Institute Guidance on environmental management at filling stations
- Energy Institute Guidance on inspection and testing of safety critical equipment in retail filling stations
- Health and Safety Authority (HSA) – Fire and Explosion Risks at Service Stations
- HSA – Emergency Response Plans for Petrol Stations
- HSA – Information Note - Handling Petrol Safely
- HSA – Wetstock reconciliation for petrol stations
- Health and Safety Executive (HSE) (UK) Portable petrol storage containers
- Health and Safety Executive (HSE) (UK) L133 Unloading of petrol from road tankers

SCHEDULE 5 – RISK ASSESSMENT (See Regulation 17)

Matters to be included in Risk Assessment of a Flammable Liquids and Fuels Retail Store or Kerbside Retail 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 Retail Stores) Regulations, 2019.

1. Spills when filling underground tanks and fuel dispensing to customers
2. Impact and damage to dispensers
3. Uncontrolled ignition sources (e.g. smoking by non-customers) associated with a public area during fuel dispensing and underground tank filling
4. Traffic volume using the road
5. Speed of vehicles on adjacent roadway
6. Pedestrian movements on the footpath
7. Fuel delivery frequency and time
8. Age and condition of the underground fuel tanks
9. Nature of fuels stored
10. Separation distances from boundaries and stationery ignition sources
11. Sensitive receptors in the vicinity of the store
12. Delivery area assessment
13. Storage tanks assessment
14. Pipework assessment
15. Dispenser area assessment

Certificates and other mandatory documents:

- a. Petrol Vapour Recovery Certificate;
- b. Explosion Protection Document;
- c. Electrical Safety Certificate; and

d. Fire Safety Certificate.

Additional Certificates required along with application

- a. Interceptor cleaning certificate
- b. Fire Extinguisher servicing certificate

SCHEDULE 6 – MAPS & DRAWINGS

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

(1) Every risk assessment for a first licence or Certificate of Operation (or for the renewal of a licence or Certificate of Operation where major works have taken place) shall 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 (or tracing thereof). The plan should be marked and coloured so as to identify clearly the site or proposed site (including the boundaries which shall be marked in red) of the retail store or kerbside retail store.

(2) Every plan submitted in accordance with paragraph (1) of this Schedule shall be accompanied by:

a. one site plan (either in electronic format or hard copy) in metric units of measurement of not less than 1:100 so marked and coloured so as to identify clearly:

i. each underground storage tank, each pipeline or dispensing pump connected to such a tank and each container store or container compound; and

ii. all other buildings or structures (including cellars or basements) within a distance of 16 metres of each underground storage tank, offset filling point, dispensing pump, ventilating pipe opening, container store or container compound;

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 so marked as to give adequate details of the construction or proposed construction and dimensions and manner of installation or proposed installation of each underground storage tank, dispensing pump, container store, container compound and any pipeline (including its diameter);

c. one plan or specification or appropriate particulars (either in electronic format or hard copy) shall be so marked as to show all electrical apparatus installed or to be installed or used at a distance not exceeding 5 metres of each underground storage tank, container store, container compound, dispensing pump or filling, dipping or venting openings of an underground tank or pipeline;

d. detailed particulars to be shown on a plan of:

i. each building or place at a retail store or kerbside retail store in or at which any articles, materials or substances (other than flammable liquids and fuels) liable to spontaneous combustion or ignition or otherwise flammable or dangerous are kept or will be kept and their amounts or quantities;

ii. the amount or quantity of flammable liquids and fuels kept or to be kept in each underground storage tank, container store, container compound, or other storage medium; and

iii. the approximate maximum number of persons employed or likely to be employed at the store and where applicable in each building at the store;

iv. the area classification of the hazardous zones 0, 1, 2.

e. any further particulars, maps or drawings shall be provided which the licensing authority requires by a notice in writing or electronically.

(3) Subject to Regulation 17(3), every risk assessment supplied with an application for an amended licence or Certificate of Operation under Regulation 17 shall be accompanied by:

a. one plan (in metric units of measurement) or specification or appropriate particulars giving details of the proposed installation, alteration, enlargement, addition or reconstruction, to the specifications of paragraphs (1) and (2); and

b. any further particulars, plans, maps or drawings which the licensing authority requires by notice in writing or electronically.