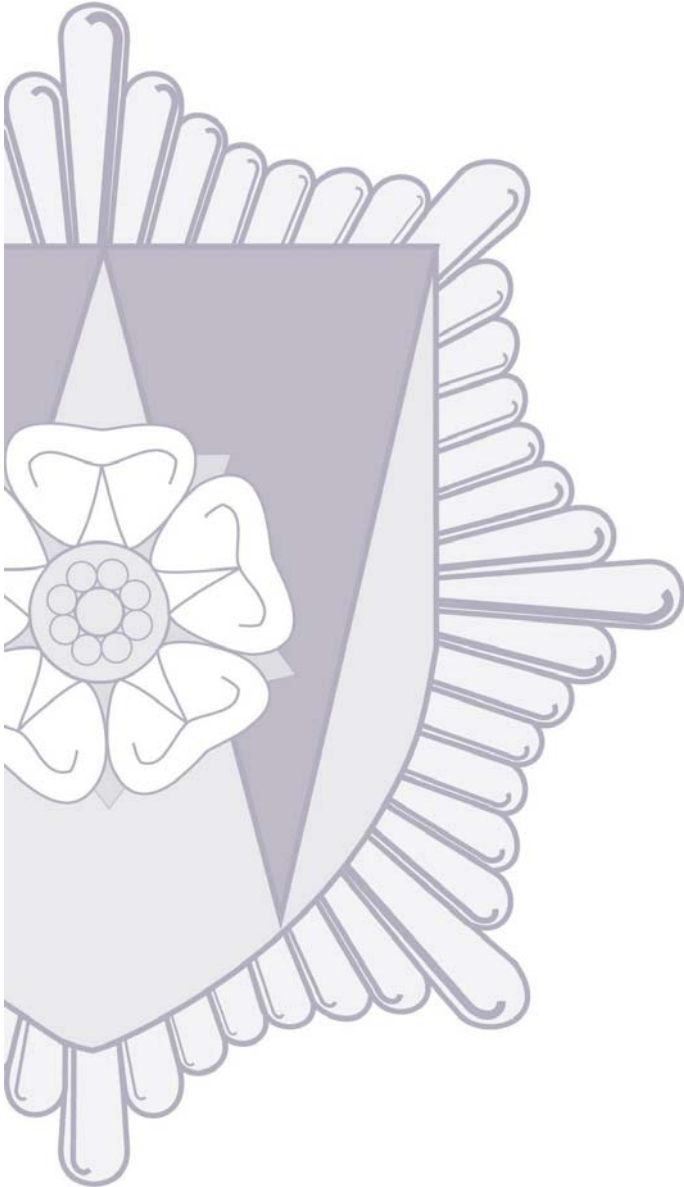


# West Yorkshire Fire & Rescue Service

## Fire Safety - Information Note FS-INF021

(Previously Supplementary Information Note No 8 (Amended: 12/00))  
Petroleum Spirit - Carriage By Road In Receptacles



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***PREVENTING PROTECTING RESPONDING***

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The following is a précis of the legislation controlling the carriage (previously referred to as conveyance) of petroleum spirit.

- 1 Prior to 6 April 1987 the carriage of petroleum spirit was controlled by The Petroleum Spirit (Conveyance by Road) Regulations 1957.

The 1957 Regulations did not, however, apply to the conveyance of petroleum spirit if:

- a) The quantity of petroleum spirit conveyed did not exceed thirty-two gallons, and the petroleum-spirit was contained only in securely closed metal cans or drums of a capacity not exceeding ten gallons or any other securely closed containers of a capacity not exceeding two gallons if they were suitably protected to prevent breakage, or
- b) The quantity conveyed did not exceed fifty gallons and the petroleum-spirit was contained only in a single securely closed steel barrel.

The 1957 Regulations were enforced by the Petroleum Licensing Authorities.

- 2 Since 1987 there have been three changes to the legislation controlling the transportation of petrol under general requirements applicable to dangerous goods. These are:-

- The Road Traffic (Carriage of Dangerous Substances in Packages etc) Regulations 1986 repealed by
- The Road Traffic (Carriage of Dangerous Substances in Packages etc) Regulations 1992 repealed by
- The Carriage of Dangerous Goods by Road Regulations 1996 (CDG) which came into force on 1 September 1996.

Bearing in mind the number of queries received from organisations and individuals asking for advice as to the law relating to the carrying of petrol in cans, this Note gives a précis of the extent of the disapplication of the Regulations when small containers of petrol are carried.

When the goods are being carried in packages (e.g. petrol cans) the CDG sets up a system whereby all dangerous goods are allocated to one of five *transport categories* depending on how hazardous the goods are. *Transport category 0* is the most hazardous and conversely *transport category 4* is the least hazardous. Each *transport category* is then given a quantity threshold as shown in the table on the next page.

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<b>QUANTITY THRESHOLD</b>			
1	2	3	4
Transport Category	Individual Package Mass or Volume	Total Mass or Volume of Packaged Dangerous Goods	Total Mass or Volume of Dangerous Goods (Parking & Supervision)
0	No Lower Limit	No Lower Limit	No Lower Limit
1	1	20	200
<b>2</b>	<b>10</b>	<b>200</b>	<b>2000</b>
3	25	500	5000
4	Unlimited	Unlimited	Unlimited

The threshold in column 2 concerns the individual package. DTR and the main parts of CDG do not apply to dangerous goods in packages (receptacles) up to and including the relevant size/mass threshold given. For example any number of cans of petrol (which are in Packing Group II and therefore in *transport category 2*) of 10 litres or less can be carried without the main requirements of CDG or the DTR applying. The same rule will apply to butane and propane (which also fall into *transport category 2*) provided the LPG content does not exceed 10kgs.

In addition to the quantity thresholds for package size, there are also quantity thresholds for the overall load size above, which the majority of CDG and DTR will apply. The quantity thresholds for load size are specified in column 3. For example, 14 x 15 litre cans of petrol (210 litres load size) would be above the threshold whereas 13 x 15 litres cans of petrol (195 litres load size) would be below.

It is important to note that only packages above the threshold in column 2 contribute towards the overall load size. In effect this means that there is no limit, under CDG, to the number 10 litres receptacle of petrol that can be carried on a vehicle<sup>1</sup>.

The 4th column lists quantity thresholds above which the parking and supervision requirements are introduced. For example, the parking and supervision requirements will apply to a vehicle carrying 140 x 15 litre cans of petrol (2,100 litre load size).

If mixed packing groups are transported in the same load in limited quantities, the limits of the transport category of the most dangerous goods apply to the load. For example, if 4 x 25 litre cans of petrol (packing group II) are carried with 1 x 208 litre drum containing diesel (packing group III) then the complete load (308 litres) is classed as transport category 2 and would be regulated by CDG.

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### List of the Requirements of the Regulations

- *Provision of Information by the Consignor*

Only applicable where the receptacle mass/size is above the threshold in column 2 of the above table.

- *Duty of Operator to Ensure Goods are Fit for Carriage*

Only applicable where the receptacle mass/size is above the threshold in column 2 of the above table.

- *Provision of Information by Operator*

Only applicable where the total load size is above the threshold in column 3 of the above table.

- *Provision of Information by Driver*

Only applicable where the size is above the threshold in column 3 of the above table.

- *Vehicle Marking - Duty on Operator*

Only applicable where the total load size is above the threshold in column 3 of the above table.

- *Suitability of Means of Transport*

Only applicable where the receptacle mass/size is above the threshold in column 3 of the above table.

- *Loading Unloading and Stowage*

Only applicable where the total load size is above the threshold in column 3 of the above table.

- *Emergencies<sup>2</sup> - Duty on Operator, Driver & Any Person*

Applicable whenever dangerous goods are carried regardless of the receptacle size, total load size etc.

- \* There is a general requirement to ensure nothing is done which might create a significant risk (or significantly increase any existing risk) of fire or explosion while dangerous goods are being transported. Anyone who may have contact with the vehicle is bound by this duty. Particular care needs to be taken when carrying flammable liquids and flammable gases.
- \* Operators should consider, in the light of their particular circumstances, what restrictions are necessary on smoking by the driver and crew.
- \* No person should bring portable lighting apparatus into a vehicle carrying dangerous goods unless such apparatus is not capable of producing a flame or does not have any metal surface liable to produce sparks.
- \* Particular care needs to be taken when going on board a closed vehicle that is being used for the carriage of flammable liquids or gases. Any lighting equipment including torches must be so designed and constructed, e.g. intrinsically safe, as to not be able to ignite any flammable vapours or gases which may be present due to the nature of the dangerous goods being carried.

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- The provision of fire extinguishers only applies where the total load size is above the threshold detailed in column 3 of the above table.
- The duty on the part of the driver to carry out certain emergency procedures only applies where the total load size is above the threshold in column 3 of the above table.

- *Supervision and Parking*

Only applicable where the mass/size is detailed in column 4 of the above table.

- *Training of Drivers*

Only applicable where the total load size is above the threshold in column 3 of the above table.

From the above précis it can be seen that the requirements, detailed under Emergencies is the only part of the CDG that apply when the petrol is carried in containers not exceeding 10 litres capacity.

Under Regulation 8 of The Chemicals (Hazard Information & Packaging) Regulations 1993 (CHIPS), the receptacle in which the petroleum spirit (dangerous substance) is being carried must be suitable for that purpose. It must also be designed, constructed and maintained closed to prevent the contents escaping when subjected to the stresses and strains of normal handling.

- \* Where a dangerous substance is labelled in accordance with CHIPS it shall be deemed to satisfy the requirements of Section 5 of the Petroleum (Consolidation) Act 1928.
- \* Where a package shows particulars in accordance with The Carriage of Dangerous Goods (Classification Packaging and Labelling) and Use of Transportable Pressure Receptacles Regulations 1996 it shall be deemed to satisfy the requirements of Section 5 of the Petroleum (Consolidation) Act 1928.

The responsibility for enforcing the CDG rests with the HSE and anyone seeking advice on how to comply should be put in touch with that organisation.

- \* CDG does not affect the Petroleum Spirit (Motor Vehicles etc) Regulations 1929 or the Petroleum Spirit (Plastic Containers) Regulations 1982 which remain in force. However, it must be remembered that these Regulations allow 2 x 10 litre capacity metal vessels or 2 x 5 litre plastic containers to be carried on a vehicle specifically as a supplementary fuel for that or some other combustion engine.

1 Under section 40a of the Road Traffic Act 1988, the vehicle or trailer on which goods are being carried must not involve a danger of injury to any person.

2 Regulation 23(1) Precautions against fire or explosion.