

Environment Protection Authority

NSW Regulator Update – Tanker Day 2021

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- Post-Incident Actions Flowchart
- Tanker Incident Recoveries
- Prohibited Routes
- Preventing Truck Fires Guidance
- The Role of Competent Authorities Panel
- TERPs Guidance

Post Incident Actions Flowchart

- **Notify**

- When a *dangerous situation* occurs, the prime contractor (or consignor) must notify the Competent Authority (EPA in NSW) in the state or territory where the incident occurred *as soon as practicable*.

- **Recover**

- Recovery of vehicle and dangerous goods must be undertaken in a timely and professional manner by trained and competent people

- **Assess**

- Can the vehicle (tank or tanker trailer) be returned to service or is it a write-off?

- **Report**

- A report must be provided to the Competent Authority within 21 days

Notify when a dangerous situation occurs

Definition of a Dangerous Situation

Dangerous situations must be reported to the competent authority when there is a significant impact or potential impact to people, property or the environment.

This guidance only covers notification under the dangerous goods legislation. You may have other notification obligations in the event of an incident (e.g. fire, police, WHS, etc).

When does an incident need to be reported?

1. Incidents where there is a loss, or risk of loss of dangerous goods from tank vehicles, IBCs, portable tanks or demountable tanks (containers defined as placardable units); and/or
2. If the dangerous goods are not in a placardable unit, then if there is a loss, or risk of loss of more than 1000 kg (or L) of dangerous goods.

What is “loss, or risk of loss”?

Loss or risk of loss of containment is defined as any of:

1. Spillage or likely spillage of the dangerous goods (including leaking gas);
2. A fire involving the dangerous goods;
3. A risk of loss of containment in the recovery phase (for example when decanting/bulk transfer of dangerous goods product is a likely process);
4. Damage (or a suspicion of damage) to product containment elements such as tank shell, pipework or packaging;

Situations that don't apply

A dangerous situation does not occur when a breakdown or accident occurs that does not involve damage or suspected damage to product containing elements or packaging. An example of a non-dangerous situation would be a prime mover involved in an MVA without damage to trailer carrying the dangerous goods, unless the location/situation meant that to recover the vehicle, decanting it was likely. It would become a dangerous situation when it was decided to decant dangerous goods.

Notification of the EPA

In the event of a dangerous situation, the EPA must be notified as soon as practicable after the prime contractor becomes aware of the issue. This notification is required under clause 150 of the NSW *Dangerous Goods (Road and Rail Transport) Regulation 2014*. This notification must also be included as a part of the prime contractor's Transport Emergency Response Plan (TERP).

As soon as practicable means within 1 hour of the management of the prime contractor becoming aware of the dangerous situation. Prompt notification will allow EPA to provide advice to expedite recovery and pollution response if necessary.

Notification should be made via environment line on 131 555.

Recover



Assess - Is it a write-off?



Report – Clause 150(3)

- (3) Not later than 21 days after the day on which the incident occurs, the prime contractor or rail operator must give to the Competent Authority a written report about the incident stating the following:
- (a) where the incident occurred,
 - (b) the time and date of the incident,
 - (c) the nature of the incident,
 - (d) what the driver believes to be the likely cause of the incident,
 - (e) what the prime contractor or rail operator believes to be the likely cause of the incident,
 - (f) the dangerous goods being transported when the incident occurred,
 - (g) the measures taken to control any leak, spill or accidental escape of dangerous goods and any fire or explosion arising out of the incident,
 - (h) the measures taken after the incident in relation to the dangerous goods involved in the incident.

Managing leaks-in-transit guidance

Managing Leaks-in-Transit
CONSULTATION DRAFT

September 2019

Identify – Check for Leaks

Notify – Inform prime contractor or EPA as appropriate

Respond – Contain the leak and decant the product

Rectify – Repair the tanker and verify free of defect using DGTVM

Weeps or sweats

- Driver must notify prime contractor and notification must be recorded
- Proceeding to destination to unload is permitted
- Beware – weep may become drip or leak – follow drips or leaks actions
- Tanker must not be reloaded until repaired and verified free of defect using DGTVM

Drips or leaks

- A drip or leak is a dangerous situation and EPA must be notified via Environment Line 131 555
- Attempt repair by mechanical adjustment or single-use sealing putty (or similar means)
- If leak can be stopped proceeding to destination to unload is permitted
- Beware – repair may fail and become uncontrolled drip or leak – follow uncontrolled drips or leaks actions
- Tanker must not be reloaded until repaired and verified free of defect using DGTVM

Uncontrolled drips or leaks

- Fire and Rescue NSW (FRNSW) must be notified via 000
- FRNSW has incident control
- Options for unloading (at FRNSW discretion) include:
 - Proceed to closest possible location to discharge (drop product from) leaking compartment(s)
 - Return to terminal to discharge or decant leaking compartment
 - Roadside decant (Last resort – only where leak too great to safely proceed)
- If roadside decant is chosen, consider local relocation to a safer zone
- Decant must only be undertaken by suitably qualified, experienced and equipped people
- A Recovery Controller should be nominated to liaise with FRNSW Incident Controller to plan and execute recovery process
- Tanker must not be reloaded until repaired and verified free of defect using DGTVM

Repair, verification and return-to-service

Once the product has been removed from the tanker it must be removed from service and not reloaded. Before return to service the leak must be repaired, and the vehicle verified free from any defect in accordance with the EPA's *Dangerous Goods Tank Vehicle Inspection Manual* (DGTVM).

All repair and verification work must be undertaken by suitably qualified/experienced personnel in accordance with the ADG Code and AS2809.1 as outlined in the DGTVM. Repair and verification undertaken by the original equipment manufacturer (OEM) is preferred.



DRAFT FOR CONSULTATION
Please respond with comments to hazardous.materials@epa.nsw.gov.au by 20 September 2019

Is this a dangerous situation?



Recent Recoveries











**Petrol Tanker Recovery Resources
CONSULTATION DRAFT**

September 2019

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Prohibited Routes

- **Accidental**
 - Brain fail
- **Deliberate**
 - Placards flipped
- **Duty to prevent**



Good practice

- Company identifies tunnel breach via GPS alert;
- EPA notified via self-report;
- Internal action taken against the driver to prevent specific recurrence; and
- Company-wide safety alert issued to build on the learnings.

KAS CORPORATION LIMITED

SAFETY ALERT

Date: 18th March 2021 **Site/Location:** Chemtrans – Botany, NSW

Initiated By: Mark Chamberlain – National Training & Compliance Manager, Chemtrans

DG Tanker Driven Through Tunnel

Incident Description

On Saturday, 13th March 2021 a Chemtrans vehicle / tanker was returning empty to the Chemtrans Botany depot after delivering Class 8 Corrosive liquids in the western suburbs of Sydney via the M4 Motorway and through the M4 East Tunnel.

Tanker was empty with residue - not washed out.

Contributing Factors

- Tanker empty / not washed out, still with residue – Travel through Prohibited Area / Tunnel with DG tanker.
- Driver was using personal GPS Navigation System which routed vehicle through the tunnel.
- Driver failed to act once approaching / going through the tunnel.

Key Learning/s

- Tanker empty / not washed with residue is considered a DG load.
- Don't follow GPS Navigations Systems "Blindly" - These systems do not differentiate between approved and non-approved routes for Dangerous Goods. Always pre-plan / evaluate your journey route before commencement of trip.
- Drivers must stop their vehicles before entering any Tunnel if they find themselves on a route that leads into a tunnel.
- Drivers must contact Road Operator and their Manager / Supervisor immediately and wait for instructions from Road Regulator(s).

Photos

PROHIBITED IN TUNNEL

HIGH VEHICLES	DANGEROUS GOODS
CLEARANCE 4.6 m	CLASS 1-8 PLACARD LOADS

PROHIBITED VEHICLES MUST NOT ENTER

Issue: 7
Date: 29th May 2019

"Everybody Safe Everyday"

Document Unclassified Work
Downloaded / Printed

TERPs Guidance

- EPA reviewed existing TERPs requirements in DG Regulations and decided clearer guidance needed
- Draft guidance under internal review
- Public consultation pending
- Referral to Competent Authorities Panel (CAP) for endorsement

Competent Authorities Panel (CAP)

- ADG Code and model laws apply nationally with minimal local variations
- Each state/territory responsible for regulation and enforcement
- Each state/territory Competent Authority is represented
- Technical forum to discuss exemptions, approvals, determinations and implementation details
- Engage with your own Competent Authority
- CAP meets twice a year to ensure as much consistency as possible

Questions?

