



# Comhairle Chontae Chill Mhantáin

Wicklow County Council – Fire Service.

## APPLICATION FOR LICENCE TO STORE PETROLEUM

Under the Dangerous Substances Act 1972 &  
Dangerous Substances (Retail and Private Petroleum Stores) Regulations 1979 to 2004.

### NOTICE TO THE LOCAL AUTHORITY:

Name of Authority: Wicklow County Council,

Address: Environment Section,

Wicklow County Council

County Buildings,

Wicklow.

### OFFICE USE ONLY

Date received \_\_\_\_\_

Register Ref \_\_\_\_\_

Entered on \_\_\_\_\_

Entered by \_\_\_\_\_

Fee Received \_\_\_\_\_

Receipt No \_\_\_\_\_

Application for

First Licence.	<input type="checkbox"/>
Renewal of a Licence.	<input type="checkbox"/>
Amended Licence.	<input type="checkbox"/>
Transfer of a Licence.	<input type="checkbox"/>

(Tick appropriate box)

This Application must be accompanied by the prescribed documents and licence fee (see notes).

### 1. Applicant/Licensee

Name and Address/Registered office of the company, firm or person:

### 2. Location of the proposed retail store or private 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 Class or classes of petroleum stored or to be stored at the retail store/private store:**

Class 1            \_\_\_\_\_ litres in container stores  
                              \_\_\_\_\_ litres in underground tanks  
                              \_\_\_\_\_ litres in above-ground tanks

Class 2            \_\_\_\_\_ litres in container stores  
                              \_\_\_\_\_ litres in underground tanks  
                              \_\_\_\_\_ litres in above-ground tanks

Class 3            \_\_\_\_\_ litres in container stores  
                              \_\_\_\_\_ litres in underground tanks  
                              \_\_\_\_\_ litres in above-ground tanks

**6. Will the retail store/private store be used exclusively for the storage of petroleum Class 1, Class 2 or Class 3? (Indicate “yes” or “no” and state class)**

**7. If the answer to question 6 is “No”, give full particulars of the quantity or amount of any other substance to which your application relates:**

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

<b>Signature of Applicant:</b>	_____
<b>Postal address of Applicant:</b>	
<b>Date of Application:</b>	

Remarks – for completion by the Licensing Authority.


### Licence Fees

<b>Capacity</b>	<b>Fee</b> (per annum or part thereof, to a maximum of 3 years)
<b>Not exceeding 500 litres.</b>	<b>€3.81</b>
<b>Exceeding 500 litres but not exceeding 2,500 litres</b>	<b>€7.62</b>
<b>Exceeding 2,500 litres but not exceeding 5,000 litres</b>	<b>€11.43</b>
<b>Exceeding 5,000 litres but not exceeding 25,000 litres</b>	<b>€15.24</b>
<b>Exceeding 25,000 litres but not exceeding 50,000 litres</b>	<b>€30.47</b>
<b>Exceeding 50,000 litres but not exceeding 100,000 litres</b>	<b>€45.71</b>
<b>Exceeding 100,000 litres but not exceeding 250,000 litres</b>	<b>€63.49</b>
<b>Exceeding 250,000 litres.</b>	<b>€126.97</b>

### Fee in respect of Licence transfer, replacement or amendment.

<b>Transfer or replacement of a Licence:</b>	<b>€3.81</b>
<b>Amendment of a Licence for a store not exceeding 25,000 litres:</b>	<b>€3.81</b>
<b>Amendment of a Licence for a store exceeding 25,000 litres:</b>	<b>50% of original licence fee.</b>

## **Notes on applications for a private or retail petroleum licence extracted from the Dangerous Substances (Retail & Private Petroleum Stores) Regulations, 1979 to 2004.**

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### **\*High Blend Ethanol Fuels (HBEF)**

Under the provisions of the Dangerous Substances (Retail & Private Petroleum Stores) Regulations, 1979 to 2004, the storage of High Blend Ethanol Fuels (HBEF) will require a licence by virtue of the percentage of petroleum spirit.

As the storage of HBEF would constitute an 'alteration' as defined in the S.I. 311 1979, site operators will need to seek the prior consent of the petroleum licencing authority before introducing HBEF onto the site.

HBEF are considered to be Volatile Organic Compounds and are subject to the same requirements as petrol with regard to unloading and dispensing and as such the requirements of Article 10 of the Air Pollution Act, 1987 (Petroleum Vapour Emissions) Regulations 1997, for stage 1b will apply.

Guidance should be sought from the Petroleum Licencing Authority and any other relevant statutory authorities on the storage and dispensing of HBEF.

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1. In these Regulations –

“compartment” means a compartment forming a liquid tight division of an underground storage tank.

“container” means (as may be appropriate) –

- (a) a suitable leak proof metal drum of adequate strength and construction and with a capacity not exceeding 250 litres of petroleum Class I,
- (b) a suitable leak proof metal container of adequate strength and construction and with a capacity not exceeding 60 litres of petroleum Class I,
- (c) a suitable leak proof container of metal or other material of adequate strength and construction and with a capacity not exceeding 30 litres of petroleum Class I,

constructed in accordance with approved standards or specifications; or

- (d) a suitable leak proof container with a secure stopper and a capacity not exceeding 5 litres of petroleum Class I.

“container compound” means an enclosed area located in a safe position in the open air at a retail store or a private store and used or intended to be used for the keeping of or storage of containers;

“licence” means a licence under the Act in respect of a retail store or a private store for the storage of petroleum Class I at the store, and cognate words shall be construed accordingly;

“petroleum Class I” means a petroleum-spirit tested in accordance with regulations under Section 20 of the Act;

“petroleum Class II” means petroleum which when tested at normal atmospheric pressure in accordance with regulations under Section 20 of the Act gives off a flammable vapour at a temperature of not less than 22.8° Celsius and not more than 60° Celsius.

“petroleum-spirit” means petroleum which at a normal atmospheric pressure gives off an inflammable vapour at a temperature of less than 22.8° Celsius (73°F);

“private store” means a place or premises used or intended to be used for keeping (other than for resale in whole or in part) under a licence petroleum Class I for use in any engine or in connection with the propulsion of a vehicle, ship, vessel, boat or aircraft, of any kind;

“retail store” means a place or premises used or intended to be used for the keeping for sale to the public under a licence of petroleum Class I for use in the propulsion of a vehicle, ship, vessel, boat or aircraft or in the running of an engine of any kind;

“tank” means a suitable leak proof tank container, demountable tank, fixed tank, self-bearing tank or tank having in any case a capacity exceeding one cubic metre and mounted, fixed or secured on a tank-vehicle designed and used for conveying or delivering petroleum Class I to or at a retail store or private store, but does not include a fuel tank;

“underground storage tank” means for the purposes of these Regulations, an underground storage tank located below the surface of the ground at a retail store or private store and used, subject to Regulation 9 of these Regulations, exclusively for the storage of petroleum Class I.

2.

- (a) Every licence shall be valid for such a period not exceeding three years as may be specified in the licence and shall be in the form specified in Schedule 7 to these Regulations, and any application for the renewal of a licence shall be made not less than three months before the date on which the licence expires.
- (b) Any licence or class of licence for an existing retail store or existing private store for the keeping of petroleum which is continued in force under Section 8 of the Act shall expire on the expiration of the period of one year beginning at the commencement of these Regulations or on the date of expiry specified in the licence whichever is the sooner.

- (c) A person under the age of 18 years shall not be eligible for the grant of a licence.
3. Where a licence of a retail store or private store becomes incapable (whether through death, bankruptcy, mental or physical disability or otherwise) of carrying on business, any other person may, notwithstanding any other provision of these Regulations, carry on the business for a period not exceeding one month if as soon as practicable after the commencement of that period he applies for a licence.
- 4.
- (a) A licensee of a retail store shall, before transferring the occupation of a retail store or private store to any other person, give notice in writing to the licensing authority of his intention to do so and of the name and address of the person to whom he proposes to transfer occupation.
- (b) Subject to paragraph (a) of this Regulation, where the ownership of a licenced retail store or licensed private store is transferred by act of the parties or by operation of law, the licensee shall forthwith inform the licensing authority of the transfer.
5. An underground storage tank and any separate compartment of such tank shall while licenced for the storage of petroleum Class I be used exclusively for the storage of petroleum Class I, unless the licencing authority consents in writing to the use of the tank or compartment for any other purpose, and in any such case the terms of any such consent shall be complied with.
6. A licensee of a retail store or private store shall, before discontinuing the use of an underground storage tank for the storage of petroleum Class I –
- (a) give not less than 21 days' notice in writing to the licensing authority of his intention to discontinue the use of the tank,
- (b) take all practicable steps (including any steps required in writing by the licensing authority upon receipt of the notices required under paragraph (a)) to render the tank immune from the risk of fire or explosion.
- 7.
- (a) No work affecting the keeping or storage of petroleum Class I (except work of repair or maintenance or work required by or permitted in a condition attached to a license) and comprising enlargement, addition, re-construction or alteration shall be carried out to or at a retail store or private store unless an application in writing for permission to do so has been made by the licensee to the licensing authority and the licensing authority gives such permission.
- (b) Where work permitted under this Regulation is carried out the licensing authority shall issue to the licensee an amended licence in lieu of that which he held before the work was carried out.

8.

- (a) Every application for a first licence (or for the renewal of a licence continued in force under Section 8 of the Act) shall –
- (i) be accompanied by a plan (with 3 copies) drawn to scale in metric units of measurement of not less than 1:2500, consisting of an extract from the Ordnance Survey map (or tracing thereof) in linen or similar durable material, or
  - (ii) where there is not readily available Ordnance Survey map drawn to the scale specified in subparagraph (i), be accompanied by a plan (3 copies) in metric units of measurement and consisting of an extract from the relevant Ordnance Survey 1:1000 map (or tracing thereof) in linen or similar durable material, and

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 or private store.

- (b) Every plan submitted in accordance with paragraph (1) of this Regulation shall be accompanied by –
- (i) one site plan (with 3 copies) in metric units in measurement of not less than 1:100 so marked and coloured as to identify clearly –
    - each underground storage tank, each pipeline or dispensing pump connected to such a tank and each container store or container compound, and
    - all other buildings or structures (including cellars or basements) within a distance of 16m of each underground storage tank, offset filling point, dispensing pump, ventilating pipe opening, container store or container compound;
  - (ii) one plan and specification or appropriate particulars (with three copies), 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);
  - (iii) one plan of specification or appropriate particulars (with three copies) shall be so marked to show all electrical apparatus installed or to be installed or used at a distance not exceeding 5metres of each underground storage tank, container store, container compound, dispensing pump or filling, dipping or venting openings of an underground tank or pipeline;

(iv) detailed particulars to be shown on a plan of –

- each building or place at a retail store or private store in or at which any articles, materials or substances (other than petroleum Class I) liable to spontaneous combustion or ignition or otherwise flammable or dangerous are kept or are to be kept and their amounts or quantities;
- the amount or quantity of petroleum Class I kept or to be kept in each underground storage tank, container store or container compound;
- the approximate number of persons employed or likely to be employed at the store and where applicable in each building at the store;

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

(c) Every application for an amended licence under Regulation 11(2) of these Regulations shall be accompanied by

- (i) one plan (in metric units of measurement) or specification or appropriate particulars (3 copies) giving details of the proposed installation, alterations, enlargement, addition or reconstruction, and
- (ii) any further particulars, plans, maps or drawings which the licensing authority requires by notice in writing.

9. A licensee shall not permit the dispensing by self-service of petroleum Class I at a retail store without the approval in writing of the licensing authority and unless any conditions attached to the licence and relating to self-service are observed.